



AGENDA
CHASKA PLANNING COMMISSION
ONE CITY HALL PLAZA, CHASKA CITY HALL
Wednesday, October 09, 2019
7:00 PM

1. Call to Order
2. Roll Call
3. Adopt Agenda
4. Visitor Presentation
5. Approve Previous Meeting Minutes
 - 5.A. Approve the September 11th, 2019 Planning Commission Meeting Minutes
6. Consent Items
7. Action Items
 - 7.A. PUBLIC HEARING: Recommend Approval of the Zoning Ordinance Amendment to PRD-57 Brickyard Villas Rear Setback/DDK Construction/PC #2019-18
8. Other Business
 - 8.A. Receive Other Meeting Minutes
 - 8.A.i. Receive the Minutes of the September 16th, 2019 City Council Meeting.
9. Adjourn



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CHASKA PLANNING COMMISSION
MINUTES
Sept 11, 2019

1. Call to Order

Chairperson Dahlke called the meeting to order at 7:00 pm.

2. Roll Call

Roll call was taken. Members present: Commissioners Bowe, Pfeiffer, Urbanski, Sailer, Lacey, Brass, Olson, and Chairperson Dahlke.

Members absent: Commissioner Cross

Also present: Liz Hanson, City Planner

3. Adopt the Agenda

Motion by Commissioner Pfeiffer, second by Commissioner Urbanski, to adopt the agenda as presented.

Motion carried.

4. Visitor Presentation

There were no visitors.

5. Minutes

Motion by Commissioner Urbanski, second by Commissioner Sailer, to approve the minutes of the August 14, 2019 Planning Commission meeting.

Motion carried.

6. Consent Items -none

7.A. Approve the Preliminary Plat and Conditional Use Permit for Shepherd of the Hill
Twinhomes/Habitat for Humanity /PC# 2019-17

City Planner Liz Hanson presented the item to the Commission. She noted that she neglected to make the notation that this is a Public Hearing on the agenda for tonight's meeting.

Commissioner Pfeiffer stated that the aerial view shows the width of the cul-de-sac at 32 feet and asked what the length of the cul-de-sac will be.

City Planner Hanson stated that she believes the length will be close to 50 or 60 feet before the bulb.

Commissioner Olson stated that the packet information stated that this will not have a negative impact to the value of the nearby homes and asked if there had been any property value studies done in the area.

City Planner Hanson stated that there had not been any recent studies. She explained that the City has seen this type of application before in other parts of the community. She stated that the

City does not have any specific data that says it will impair the property values in the area. She stated that usually when residential is put in next door to other residential it stays consistent.

Commissioner Brass asked if the homeowner to the south with the drainage issue had spoken with the developer.

City Planner Hanson stated that she was unsure if the developer had communicated with the southern property owner. She stated that the homeowner was not present at tonight's meeting but suggested inviting the applicant up to answer some questions.

Chad Dipman, Twin Cities Habitat for Humanity, stated that he has not yet spoken with the neighbors to the south because they have been working through staff comments as well as the comments from Stantec on the drainage issue. He stated that they are taking a look at the possibility of a berm to assist with rate control.

Chair Dahlke opened the Public Hearing at 7:24 p.m.

Jeff Felmlee 1561 Crest Drive, stated that he bought this home one month ago and it is located directly across the street from where the cul-de-sac will be located. He thanked Mr. Dipman for taking the time to stop by and try to find a solution for the headlight issue. He stated that this issue effects not only his quality of life, but the neighbor's quality of life. He stated that a large reason behind his choosing this home was the front yard. He stated that his understanding is that one unit per year will be built over the next 4 years, which means construction traffic and noise for the whole time. He stated that his bedroom window is directly across from the cul-de-sac entrance. He stated that his biggest fear with this whole project is that he will never get to enjoy his front yard again because of parking, noise and construction. He stated that he is not opposed to the project, just the location of the entrance. He stated that he also has concerns about the increased traffic from this development for the safety of children on the road. He reiterated that his main concern is with parking in front of his home, lights flashing the front side of his property and the increased traffic.

Chair Dahlke asked about the conversations with the developer and what has been suggested as possible ways to address his concerns.

Mr. Felmless stated that Mr. Dipman offered him some options like blinds, shrubbery and the possibility of shifting the cul-de-sac. He stated that his concern with shifting the cul-de-sac is that it will then create a problem for a different neighbor.

Commissioner Brass stated that looking through the correspondence, it appears as though one of the options was to move the cul-de-sac to align more closely with his driveway. He asked why Mr. Felmlee was not in favor of that option.

Mr. Felmlee stated that he has only owned the home for a month so this whole situation has shocked him. He stated that he is reassured a bit by the amount of research and planning that

is being put into this project. He stated that the ideal situation in his mind is that this development would simply mirror his side of the street and there would be 4 single-family homes right across the road, with individual driveways.

Commissioner Brass asked if there had been any discussion about a barrier with something like pine trees.

Mr. Felmlee stated that was discussed and there was talk about meeting with landscapers. He stated that he feels it is unfortunate that he has to change how he uses his property because of this project. He stated that although it is a good cause, he bought this home because of the way it looks, especially the front yard. He stated that he doesn't have the money or the drive to make this change.

Commissioner Brass stated that he meant for the applicant to provide pine trees as a way to screen his property from the traffic.

Mr. Felmlee stated that would help his property, but noted that he would be worried about his neighbors.

Commissioner Brass stated that this is an allowed and permitted use of the property and they have to have access to the property.

Commissioner Bowe asked if the homeowner had evaluated blinds for the situation.

Mr. Felmlee stated that he has considered it but loves looking out his windows.

Commissioner Brass stated that the twinhomes homes have 2 car garages, so that should alleviate some of the parking concerns that Mr. Felmlee had.

Chair Dahlke asked if Mr. Felmlee was aware of this project before he purchased his home.

Mr. Felmlee stated that the previous owners were transparent and did disclose that there would be some project on this property, but not where the driveway would be located.

Commissioner Lacey asked if Mr. Felmlee felt that installation of pine trees would solve the majority of his problem with the headlights.

Mr. Felmlee stated that he wasn't sure at this point.

Commissioner Brass stated that he feels that the combination of the cul-de-sac shifting to align with his driveway and installation of pine trees would solve the problem. He stated that he would like to see the applicant assist with some sort of reasonable solution to this issue.

Chair Dahlke encouraged Mr. Felmlee to continue speaking with the developer to try to find a solution.

Commissioner Pfeiffer asked if anyone had looked at the possibility of changing the angle of the cul-de-sac to put in an arch or hill so the amount of time the lights may be shining on the opposite property would be shorter.

Commissioner Brass asked if Mr. Felmlee was opposed to the applicant providing a few decent sized pine trees in this front yard for screening purposes.

Mr. Felmlee expressed concern about having to remove the existing large trees in his front yard for their to be room for the pine trees.

Commissioner Brass asked how Mr. Felmlee felt about arbor vitae, which are the skinnier type of pine trees.

Mr. Felmlee stated that he is planning to meet with a landscaper sometime this week to get an idea of what things could be done.

Commissioner Olson stated that with the mature trees that are already there, he agrees that there will be difficulty with putting in pine trees. He stated that it will help mitigate the headlight issues but may cause difficulty with the existing large trees that are already established in his front yard.

Commissioner Urbanski stated that it appears that the Commission is on the same page and the talks are continuing with the developer and the property owner.

Commissioner Olson stated that he believes it will require a combination of approaches to resolve the issue and not just one solution.

Chair Dahlke encouraged Mr. Felmlee to continue working with City staff on a resolution.

Dwight Hemme, 1547 Crest Drive, he stated that he and the other neighbors are being asked to modify their lives and their yards to accommodate this development. He stated that this development will impact them and their quality of life. He stated that shifting the driveway will just shine the lights on someone else's home. He stated that the drainage plans appear to be good and should alleviate the problems that the neighbor immediately to the south was having. He stated that, however, now that the water and snow melt won't be in that yard, he was concerned that it will go to the street and curb and the one storm drain on Crest Drive which is already overwhelmed.

Commissioner Bowe noted that there is a memo from the City Engineer regarding this issue and they do not believe an additional storm drain is necessary.

Mr. Hemme stated that they don't live in the neighborhood.

City Planner Hanson stated that this falls below the minimum requirements to meet County and City standards, but the engineers have noted that it should be evaluated further in the next stage of the development. She clarified that it is not a requirement but they have asked the developer to look into this a little further.

Mr. Hemme stated that he is asking the Commission to use their heart and their gut when they vote on this proposal rather than just follow specifications and rules, because it is impacting the neighbors.

Audrey Hemme, 1547 Crest Drive, stated that when Habitat for Humanity was contacted by the church, the neighbors were never given notification that this was going to happen nor were they asked for their feelings on the proposal.

Mr. Dipman explained that they were approached by the church and they discussed a variety of ideas and negotiated a purchase agreement. He stated that they did not want to commit any funds to an engineer for site drawings until they secured the purchase agreement. He stated that once they purchased the property, they engaged the services of an engineer to work on site plans with this concept of a cul-de-sac and twinhomes. He explained that one of the goals of the church was to sell as much property to Habitat for Humanity as they could. He stated that there was a public meeting held at the church in February and notices were hand delivered to the neighborhood.

Ms. Hemme stated that she and Mr. Hemme had attended the meeting at the church in February. She stated that she felt the neighbors were never asked for their opinion or thoughts on this kind of a development. She stated that she heard that the church was getting tired of paying for someone to mow this land that was gifted to them. She stated that being a friendly neighbor, she would have liked the church to come to the neighborhood and ask their thoughts. She stated that would have given them an opportunity to express the fact that they don't care for this particular layout. She stated that she always thought that eventually the land would be sold off and individual homes would have been built parallel to the existing homes. She stated that she feels the problem the church had with a gifted, expensive piece of property has now become the neighborhood's problem. She stated that she would support having individual lots with Habitat for Humanity homes built on them. She reiterated that she does not support this particular design in this location. She asked if there was a benefit to the City to approve this layout versus ones that had individual lots with homes on them.

Commissioner Brass stated that there is no benefit to the City to approve one way or the other, but noted that the developer has legal right based upon zoning to develop the property. He explained that anyone who purchases property has legal rights to develop based on the zoning and does not have to consult with the neighbors on their plans, outside of the public notice process which it sounds like they did back in February. He stated that he understands that she is not in favor of this development, but it conforms with what is legally published in the City of what you can do.

Commissioner Olson stated that the connection with this process to the Commission is that they are able to hear the residents' concerns and see if there are ways to minimize or mitigate the concerns.

Mr. Hemme stated that if the developer and owner of the property have the legal right to use their property and it conforms with all the zoning then why does the Planning Commission even need to have a vote on the issue. He stated that he believes the Commission has the responsibility to do what is right, even if everything falls into place.

Ms. Hemme stated that there are a lot of homeowners in the neighborhood that are not able to attend these meetings and express their concerns. She stated that one of the Commissioners asked about the home values and basically City Planner Hanson's answer was that they can neither confirm or deny that they will go up or down. She stated that when it comes time for them to decide to sell, then it will just be their problem to deal with.

Chair Dahlke stated that as long as everyone in the City is following the zoning laws, this is part of living in a city.

Commissioner Olson stated that he was in a similar situation as the Hemmes about a year ago with a project happening in his backyard. He stated that the Commission and the developer listened to the concerns of he and his neighbors and it all worked out. He stated that it wasn't perfect, because the development is still in his backyard, but the developer and the City took steps to minimize the negative impact. He stated that he wanted to assure Ms. Hemme that the process works and the Commission does serve a purpose.

Commissioner Brass stated that he had a similar situation when he lived in Clover Ridge when the data center moved in. He explained that at the time, he appeared in front of the Commission and asked for pine trees along a berm which helped mitigate the situation. He stated that he understands the neighbor's frustrations, but change does happen. He stated that part of the Commission's job is to listen to the residents and recommend solutions.

Ms. Hemme stated that they expected change, but were not expecting a cul-de-sac with so many homes on it.

Commissioner Urbanski stated that any development that goes into a city faces these kinds of problems. He stated that the Commission is here to try to fine-tune things as much as they can, according to law.

Mr. Dipman stated that regarding the possible shift of the cul-de-sac, he stated that they are happy to do that if necessary, but they are constrained on all sides by setbacks, which means they would need some cooperation from the City to allow some variance in either a front yard or rear yard setback.

Chair Dahlke suggested that Mr. Dipman continue to work with the City and the residents because staff will make sure that whatever works out best for everyone will still fall within the legal boundaries. He stated that if it was determined a variance would be needed, there will be a public hearing.

Commissioner Pfeiffer asked if the developer had ever considered doing some sort of hill, as she mentioned earlier, in order to cut down on the time headlights would

be shining on the neighboring properties.

Mr. Dipman stated that they are on a bit of a hill already. He stated that he believes there is about a 4-foot drop from the cul-de-sac to the street, but feels that making it more of a hill would exacerbate their water management problems.

Commissioner Olson asked whether they were seriously considering extending the storm sewer into the cul-de-sac.

Mr. Dipman stated that it is low on their preference list because it would be expensive. He stated that their preference would be to see if they can put in a berm on the south side and look at infiltration on the lots themselves.

Commissioner Sailer asked for a clarification of the construction timeline and whether it will be done one unit at a time over 4 years.

Mr. Dipman stated that they are shooting for site work and infrastructure for spring of 2020 and starting construction of the first twinhome in the summer of 2020 which would probably run through the winter. He stated that then they would plan to begin two additional twin home buildings in the spring and summer of 2021.

Commissioner Sailer asked if the construction of each building lasted about 6 to 8 months.

Mr. Dipman stated that would be a reasonable assumption. He stated that they are hoping to construct the fourth and final twinhome in 2022, so the goal is for the entire project to only last 3 years.

Commissioner Brass asked how much of the construction timeline was inside the homes.

Mr. Dipman stated that typically excavation and foundation work will last about 3 weeks, framing would last about 4 weeks and exterior work would be another 4 weeks. He explained that inside work would start around this time.

Chair Dahlke closed the public hearing at 8:06 p.m.

Commission Brass encouraged the developer to continue to work with the homeowners to come up with a solution that they can see at the final plan stage. He stated that he thinks there should be a reasonable solution for both parties that addresses the headlight issue.

Commissioner Bowe stated that she would like to see more information about berming at the final plat stage as a way to help with the drainage.

Motion by Commissioner Lacey, second by Commissioner Bowe, to recommend to City Council approval of a Preliminary Plat and Conditional Use Permit for Shepherd of the Hill Twinhomes/Habitat for Humanity (PC #2019-17); subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:
 - a. Headlight Glare Analysis (pgs 1-4), prepared by Chad Dipman
 - b. Narrative (pgs 1-4), prepared by Chad Dipman
 - c. Project Location & Sheet Index (G-01), prepared by BARR Engineering Co., dated August 5, 2019
 - d. Existing Conditions and Survey (C-01), prepared by BARR Engineering Co., dated August 5, 2019
 - e. Site Plan (C-03), prepared by BARR Engineering Co., dated August 5, 2019
 - f. Grading Plan (C-04), prepared by BARR Engineering Co., dated August 5, 2019
 - g. Utility Plan (C-05), prepared by BARR Engineering Co., dated August 5, 2019
 - h. Utility Sections (C-06), prepared by BARR Engineering Co., dated August 26, 2019
 - i. Utility Details (C-07), prepared by BARR Engineering Co., dated August 26, 2019
 - j. Landscape Plan (L-01), prepared by BARR Engineering Co., dated August 22, 2019
 - k. Existing Conditions Watersheds (H-01), prepared by BARR Engineering Co., dated August 22, 2019
 - l. Proposed Conditions Watersheds (H-02), prepared by BARR Engineering Co., dated August 22, 2019
 - m. Preliminary Plat, prepared by Sambatek, undated
 - n. North Units Elevation Drawings
 - o. Two-Story House Rendering & Floor Plan, prepared by Habitat for Humanity
 - p. South Units Elevation Drawings
 - q. One-Story House Rendering & Floor Plan, prepared by Habitat for Humanity
 - r. Traffic Analysis for Shepherd of the Hill Development, prepared by BARR Engineering Co., dated August 23, 2019
2. Adherence with the City Engineers Memo dated August 30, 2019.
3. Provision of a 60 feet Right of Way width for all local streets.
4. Adherence to the City's Boulevard Tree Policy and local street section design.
5. Provision that boulevard trees are at least 2.5-inch caliper or more and to be shown on the landscape plan at final submittal.
6. Provision that an easterly parking lot access is available on Crest Drive for the Church site.
7. Adherence to the following building setbacks:
 - a. Front: 30 feet
 - b. Rear: 30 feet
 - c. Side: 10 feet house/ 7 feet garage
 - d. Side (corner): 15 feet
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. Provision of a storm water management plan meeting City and Carver County WMO standards.
10. Provision to further evaluate the grading options for a berm along the south edge of the development or an extension of the existing storm sewer that would collect overland drainage directed towards the south abutting properties to be addressed by final submittal.

Motion carried.

8. Other Business

8.A. Receive Other Meeting Minutes

8. A.i Receive the Minutes of the Aug 5th and draft Minutes of the August 12th 2019 City Council Meetings.

8. A. ii Receive the Draft Minutes of the August 12, 2019 Park Board Meeting.

Commissioner Pfeiffer

- Thanked the fire department for hanging such a beautiful American Flag in honor of Patriot Day.

Commissioner Dahlke

- Stated that he had attended the wake for Dr. Edgar Ziegler. He stated that he was mayor from 1968 to 1974 and part of the force to put in the dike system in the City. He stated that he was a very important and influential man and he will be greatly missed.

9. Adjourn

Motion by Commissioner Olson, second by Commissioner Brass to adjourn the meeting at 8:15 pm.

Motion carried.

**REQUEST FOR ACTION
CHASKA PLANNING COMMISSION
OCTOBER 9, 2019**

Subject: Zoning Ordinance Amendment: Revise Rear Setback for Lots 1-6, Block 3 of The Klein Brickyard Thirteenth Addition

Applicant: DDK Construction

Location: 1201-1231 Yellow Brick Road (6 Lots); east of Yellow Brick Road, South of Crosstown Boulevard

Case No.: 2019-18

Synopsis: The applicant is requesting approval of a ZOA to the rear setback requirements for the 6 vacant brickyard villa lots on the east side of Yellow Brick Road, reducing the setback from 30 feet to 20 feet, to accommodate future single-family home sites

Prepared By: Elizabeth Hanson

Staff Recommendation: Motion to recommend approval by the City Council

BACKGROUND

In September 2009, the preliminary plat was approved and the Ordinance No. 833 was adopted for the Brickyard Villas development. In March 2014, the final plat for The Klein Brickyard Thirteenth Addition was approved, which encompassed 20 lots, including the 6 lots on the east side of Yellow Brick Road. The site plans approved during this 2014 approval showed the 6 lots as having 20 foot rear setbacks.

It has come to staff's attention that the rear yard setbacks put in place for the Brickyard Villas are not consistent with the site plans that were approved for the Thirteenth Addition's six lots on the east side of Yellow Brick Road. The six lots on the east side of Yellow Brick Road have less depth (approximately 110 feet) compared to the other brickyard villa lots on the west side of Yellow Brick Road and on Brickyard Drive (approximately 150-200 feet). Because of this the single-family homes on the east side of Yellow Brick Road would not be able to construct three-stall garages or 4-season porches like the rest of the brickyard villas; if following the 30 foot rear setback these last remaining lots would be limited to 2-stall garages and no 4-season porches. The purpose of this development was to maintain a similar home design and appearance throughout each unit.

This proposed Zoning Ordinance Amendment to Ordinance No. 833, for Lots 1-6, Block 3 of The Klein Brickyard Thirteenth Addition would amend the rear setback from 30 feet to 20 feet; please note that Lots 1-6, Block 3 of The Klein Brickyard Thirteenth Addition are also known as Outlot C of The Klein Brickyard 5th Addition, which was the preliminary plat referenced with the rezoning established by Ordinance No. 833 in 2009; because this exhibit is what was used for

the original rezoning we will continue to use it in the amendment. This zoning ordinance amendment would allow these last vacant lots to have the ability to construct units with 3-stall garages or units with 2-stall garages and an option for a 4 season porch in the rear, which is in line with the rest of the development. It should be noted that if a unit wishes to add a deck it would be done flush with the 4-season porch like the other brickyard villas; it would not extend further into the rear yard. With that in mind, decks would also have to meet that 20 foot rear yard setback.

The Creeks Run Townhomes abut the six vacant lots on the rear sides. Lots 5 & 6 are the closest to these townhomes. At its closest point the spacing between these units would be approximately 40 feet with the new 20 foot rear setback applied. The spacing will continue to increase as you move north. Because of this spacing, the applicant will be installing 8-10 feet tall evergreens at approximately 15-20 feet on center in the rear yards of at least three of the 6 lots to provide a buffer.

PLANNING COMMISSION ACTION REQUESTED

Motion to recommend approval to the City Council of the Zoning Ordinance Amendment to Ordinance No. 833 (PRD-57), amending the rear setback from 30 feet to 20 feet for Lots 1-6, Block 3, The Klein Brickyard Thirteenth Addition (aka Outlot C, The Klein Brickyard 5th Addition preliminary plat).

ORDINANCE NO. xxx

AN ORDINANCE AMENDING SECTIONS I & VI OF ORDINANCE NO. 833 (ZONING ORDINANCE) OF THE CITY OF CHASKA

THE CITY COUNCIL OF THE CITY OF CHASKA DO ORDAIN:

Section I. Rezoning. The boundaries of the Zoning Districts as established by Ordinance No. 229 and as shown on the Zoning Map of Chaska, Minnesota, are hereby amended as follows:

The following described real estate situated in the City of Chaska is hereby removed from the Planned Residential District (PRD-6) to Planned Residential District (PRD-57):

Outlot C, The Klein Brickyard 4th Addition, Carver County, Minnesota

The following graphic exhibits shall serve as the general guide for the development area:

1. Cover Sheet, prepared by Steven J. Broyer, dated July 21, 2009, Sheet 1 of 8
2. Overall Site Plan, prepared by Steven J. Broyer, dated July 21, 2009, Sheet 2 of 8
3. The Klein Brickyard 5th Addition Preliminary Plat, prepared by Steven J. Broyer, undated, Sheet 3 of 8
4. Site Plan, prepared by Steven J. Broyer, dated July 21, 2009, Sheet 4 of 8
5. Utility Plan, prepared by Steven J. Broyer, dated July 21, 2009, Sheet 5 of 8
6. Site and Utility Details, prepared by Steven J. Broyer, dated July 21, 2009, Sheet 6 of 8
7. Grading Plan, prepared by Steven J. Broyer, dated July 21, 2009, Sheet 7 of 8
8. Brickyard Villas – East, as prepared by City of Chaska
9. Brickyard Villas – West, as prepared by City of Chaska
10. Brickyard Villas – Overview, as prepared by City of Chaska

Section II. Intent. The intent of the PRD-57 District is to provide for the development of a high-quality detached owner occupied single family housing on the west side of Yellow Brick Road and high-quality multi-family housing on the east side of Yellow Brick Road. All of which provides for exemplary protection of the sites natural resources. The Brickyard Villa's overview map (as modified by Resolution #09-35) as shown in the Concept approval of Planning Case #09-05 shall serve as the basis for guiding the development area.

Section III. PRD-57 District Regulations (Outlot B – The Klein Brickyard 5th Addition). Permitted uses and regulations applicable to the PRD-57 District shall be as follows:

A. Permitted Uses.

1. Public parks and recreation areas except for high intensity use facilities such as hockey arenas; and
2. Agriculture, except for potentially offensive uses, such as; hog and cattle feeding lots.

B. Special Uses. Recreational facilities of a commercial nature, such as; riding stables and concessions.

C. Accessory Uses. Customary accessory uses incidental to the foregoing principal uses including, but not limited to, the following:

1. Signs as regulated in Section 10;
2. Off-street parking and loading facilities.

Section IV. PRD-57 District Regulations (Blocks 1 and 2, and Outlots A and C – The Klein Brickyard 5th Addition). Permitted uses and regulations applicable to the PRD-57 District shall be as follows:

A. R1 (Low Density Residence) District permitted uses (3.1.2.2), special uses (3.1.2.3), and accessory uses (3.1.2.4) shall apply to the single family detached lots. Additional regulations shall be as follows:

1. ~~Individuals, builders or groups of builders shall not construct single-family home styles having substantially similar appearance (including two or more the following factors; articulation of front wall, number of full stories above grade, principal roof type, materials, and garage type) from the street to other single-family homes within two lots on each side, directly across or diagonally across from the same unit. No building permit shall be issued for a single-family home inconsistent with this requirement.~~
2. ~~The following ratios are to be used with respect to the positioning of the garage on all single-family lots, except those zoned RR-2:~~
 - a. ~~A minimum of 50 percent of the single family homes will have garages that are recessed at least six feet from the front wall of the house, including a substantial porch; and~~
 - b. ~~No garage shall protrude in excess of six feet beyond the front wall of the house, including a substantial porch, or side-load garages on lots that are wide enough to support such garage. Except, for walkout ramblers, where no garage shall protrude in excess of twelve feet beyond the front wall of the house, excluding the porch.~~

- c. Substantial front porch shall be: unenclosed; have a minimum depth of 8 feet; extend across 50 percent of the front of house, excluding garage; and be located adjacent to the garage.
 - d. Side loaded garage shall: be designed to provide for dormers, bays and other architectural elements to be utilized to break up the mass of the garage and the roof line; not to exceed 25 feet in depth; be perpendicular to the right-of-way; not visually terminate at a roadway.
3. Garage walls shall not exceed 50 percent of the length of the front wall of the house. The length of the garage wall facing the street shall not be greater than fifty percent (50%) of the length of the entire front facade of the house; except on lots that are 60 feet in width or less, which shall not exceed sixty percent (60%) if they comply with all three of the following conditions:
- a. The second floor living space shall extend over the two-car portion of the garage; and
 - b. The garage doors shall be decorative and shall provide for strip windows along the upper edge of the garage door; and
 - c. Houses that provide for a three-car garage shall break the garage into two-car and one-car sections with the one-car section being recessed.
1. 360-degree architecture shall be provided for all corner lots and all lots whose rear or sides are visible from public right's-of-way or across from open spaces, as identified by staff in the review of the application.
2. The Brickyard Villas shall follow Section 9.28.3 of the zoning ordinance as it relates to Anti-Monotony Regulations
- B. Development Standards shall be as follows:
- 1. Minimum lot width shall be 60 feet, except corner lots where the minimum shall be 75 feet.
 - 2. Maximum height shall be 35 feet for principal structures, accessory dwelling units, and 20 feet for accessory structures.
 - 3. Front yard setbacks shall be a minimum of 25 feet.
 - 4. Rear yard setback shall be a minimum of 30 feet principal structure and five feet accessory structures, with the exception for Outlot C, The Klein Brickyard 5th Addition which shall be a minimum of 20 feet principal structure and decks.
 - 5. Side yard setback (interior lots) shall be a minimum of five feet.
 - 6. Side yard setback (corner lots) shall be a minimum of 20 feet.
 - 7. Bluff setback is 50 feet for structures, with a no-grade/no-mow area making up the 30 feet closest to the bluff edge.
 - 8. Wetland setback is 50 feet.
 - 9. The primary entry and frequent window openings, at least twenty percent of the front façade, shall face the street.

Section V. PRD-57 District Regulations (Outlot D – The Klein Brickyard 5th Addition).
Permitted uses and regulations applicable to the PRD-57 District shall be as follows:

A. Permitted Uses.

1. Multiple family dwellings;
2. Public Open Space; and
3. Nursing homes, convalescent homes and retirement homes.

B. Accessory Uses. Customary accessory uses incidental to the foregoing principal use, including but not limited to the following:

1. Private garages and parking spaces as regulated by Subsection 9.2;
2. Private recreational facilities such as swimming pool and tennis court;
3. Customary home occupations as regulated by Subsection 9.14;
4. Signs as regulated by Section 10;
5. Screen houses, gazebos, fishing piers;
6. Roof mounted radio and television antennas less than ten (10) feet above the highest point of the roof line and ground supported towers and antennas less than 40 feet combined height above ground level as regulated by Subsection 9.15;
7. Satellite dish antennas one meter or less in diameter subject to the provisions of Subsection 9.16.1;
8. Storage sheds; and
9. Essential service structures.

C. Development Standards

1. Maximum floor area ratio (FAR) shall be 0.50.
2. Maximum gross building coverage shall be 20%.
3. Minimum common open space shall be 400 sq. ft. per dwelling unit.
4. Minimum building setbacks shall be as follows:
 - a. From centerline of Yellow Brick Road: 75 feet;
 - b. From property line: 50 feet;
 - c. From wetlands and creek: 30 feet;
 - d. From public open space: 40 feet; and
 - e. Space between buildings: 50 feet.
5. Minimum setback for impervious surfaces for driveways, parking, and loading areas shall be 10 ft. from public right-of-way and property lines.
6. Maximum Building Height: Three total stories, including a garden level.
7. Exterior lighting standards shall be as regulated by the Chaska Zoning Ordinance.

Section VI. Effective Date. This Ordinance shall be in full force and effect from and after its date of passage, adoption, and publication according to law.

Passed and adopted by the City Council of the City of Chaska, Minnesota this 21st day of October, 2019.

Mayor Windschitl

Attest: _____
Deputy Clerk



8/31/19

Kevin Ringwald, Planning Director
City of Chaska
One City Hall Plaza
Chaska, MN 55318

Dear Mr. Ringwald,

The purpose of my letter is to followup on our recent discussion regarding the inconsistency between the PRD 57 standard setbacks and the approved site plans for the six villas on Yellow Brick Rd. To resolve this issue we are requesting a modification of the PUD language to permit a minimum rear yard setback of 20ft for Lots 1-6, Block 3. We believe that this was the original intent of the approved plan.

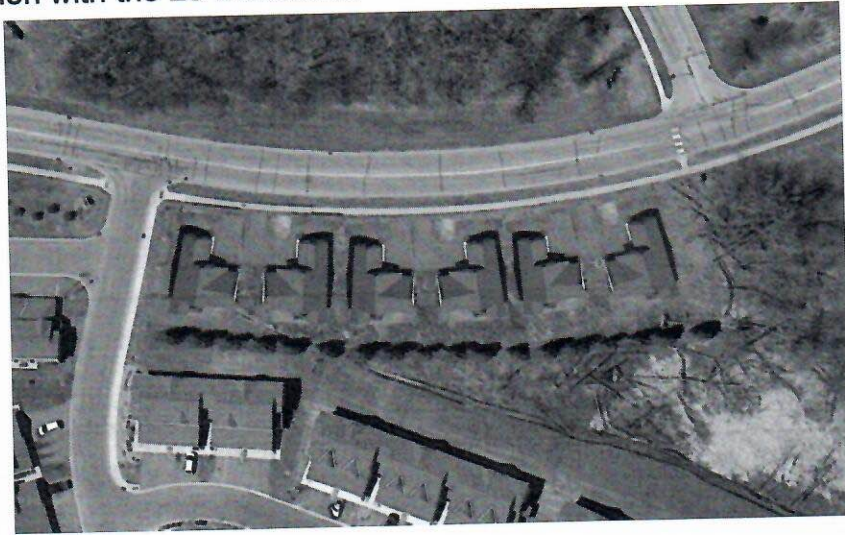
Previously, the City Council took action approving PRD 57 and the final plat for Klein Brickyard 13th Addition which included 6 villa lots fronting onto Yellow Brick Road. The Planning Commission and City Council approvals were specifically based on approval of the following exhibits:

- a. Title Sheet, prepared by Sathre-Bergquist, Inc., dated January 24, 2014, Sheet 1 of 11
- b. Final Street Plan, prepared by Sathre-Bergquist, Inc., dated January 24, 2014, Sheet 2 of 11
- c. Final Sanitary Sewer and Watermain Plan, prepared by Sathre-Bergquist, Inc., dated January 24, 2014, Sheet 3 of 11
- d. Final Sanitary Sewer and Watermain Plan, prepared by Sathre-Bergquist, Inc., dated January 24, 2014, Sheet 4 of 11
- e. Final Storm Sewer Plan, prepared by Sathre-Bergquist, Inc., dated January 24, 2014, Sheet 5 of 11
- f. Final Grading, Drainage, and Erosion Control Plan, prepared by Sathre-Bergquist, Inc., dated January 24, 2014, Sheet 6 of 11
- g. Final Grading, Drainage, and Erosion Control Plan, prepared by Sathre-Bergquist, Inc., dated January 24, 2014, Sheet 7 of 11
- h. Erosion Control Plan, prepared by Sathre-Bergquist, Inc., dated January 24, 2014, Sheet 8 of 11
- i. Erosion Control Plan, prepared by Sathre-Bergquist, Inc., dated January 24, 2014, Sheet 9 of 11
- j. Detail Plates, prepared by Sathre-Bergquist, Inc., dated January 24, 2014, Sheet 10 of 11
- k. Detail Plates, prepared by Sathre-Bergquist, Inc., dated January 24, 2014, Sheet 11 of 11
- l. The Klein Brickyard 13th Addition Final Plat exhibit, prepared by Sathre-Bergquist, Inc., Sheet 1 Of 2
- m. The Klein Brickyard 13th Addition Final Plat exhibit, prepared by Sathre-Bergquist, Inc., Sheet 2 of 2

Attached are copies of those sheets.

The approved building footprint referenced on each of the plans reflect a rear yard setback of 20 to 22 ft. These units are a part of the overall Brickyard Villa homeowners association which has similar villa designs and is targeted to the 55 and older market. One of the goals of the project has been to have units on these 6 lots which are similar in size and value as the other Brickyard villas. During the plan development phase it was agreed that by permitting the 20 ft rear yard setback, options for 3 stall garages, rear 4 season porches and larger units would be feasible. Given that these units are not target to young families that desire outdoor play areas, the smaller rear yards are not a negative to potential buyers. It should also be noted that the

northerly 4 lots abut City owned land and as a result the adjacent rental town homes are significantly setback from these 4 units. The following is an image of the project would appear upon completion with the 20 ft setback.



In summary our request is to modify the City approvals to correct the inconsistency between the approved site plans and the zoning requirement of a 30 ft rear setback. These types of setback modification are precisely why the planned residential district zoning was put in place by the City. Limiting the rear setback to 30 ft will significantly impact the value of the villas and cause a hardship to the project.

Enclosed are:

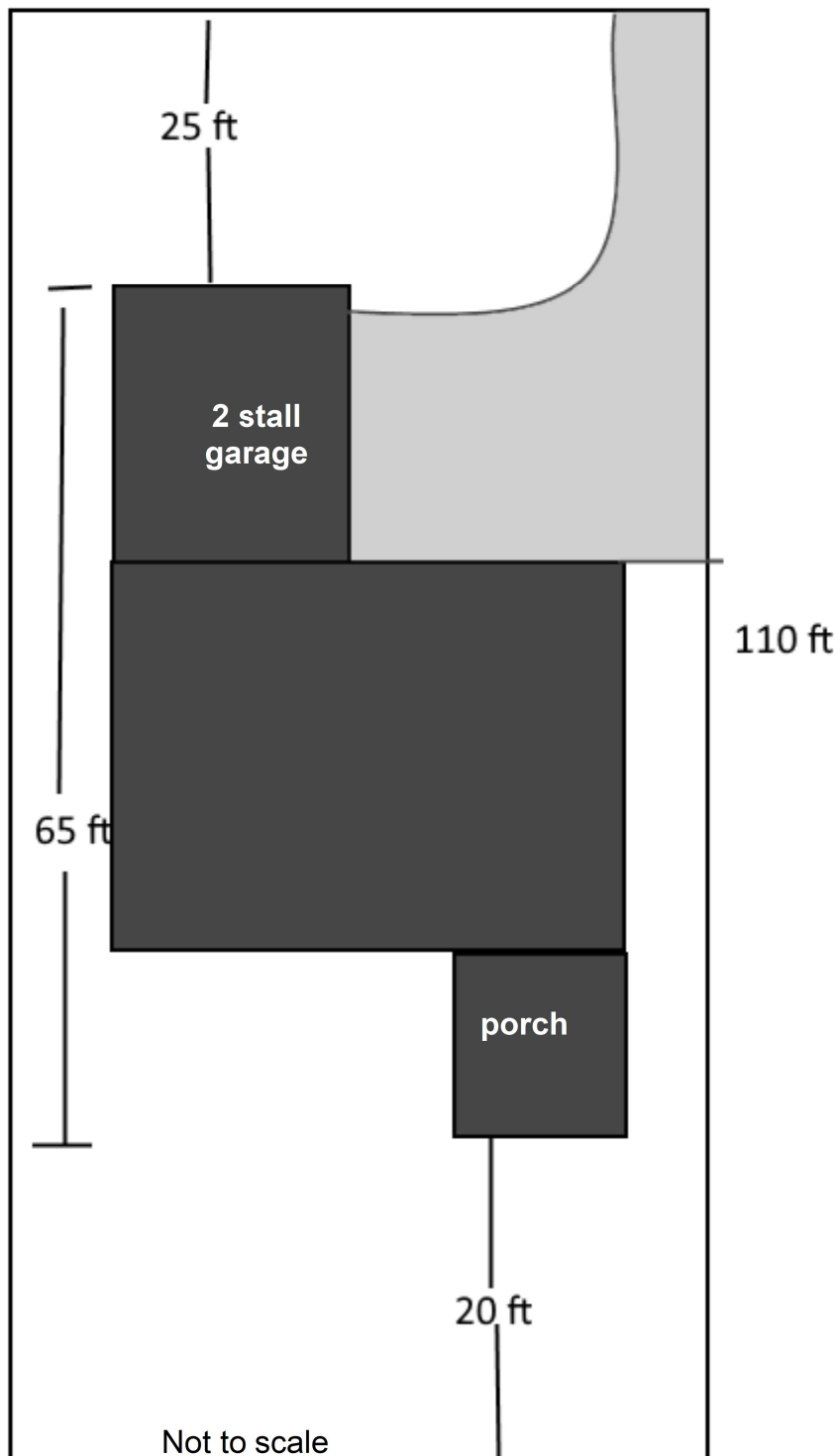
- ✓ A completed and signed application
- ✓ -A check for the fees
- ✓ Copies of approved plan set

If you need additional information please contact me at your convenience. Thank you in advance for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Melton". The signature is stylized with a large, sweeping "M" and "M".

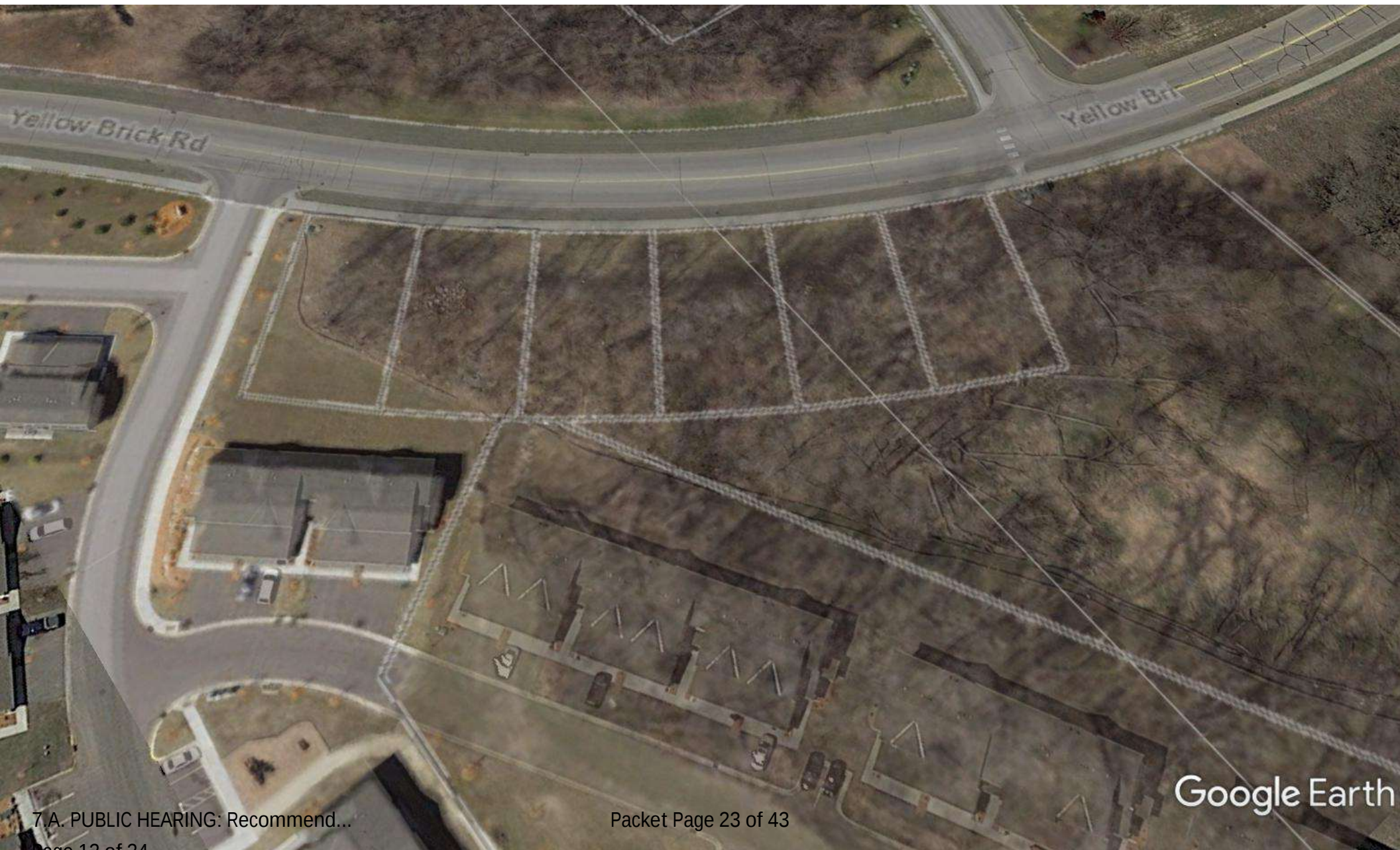
Mike Melton
DDK Construction



Basic Plan

2 stall garage and porch

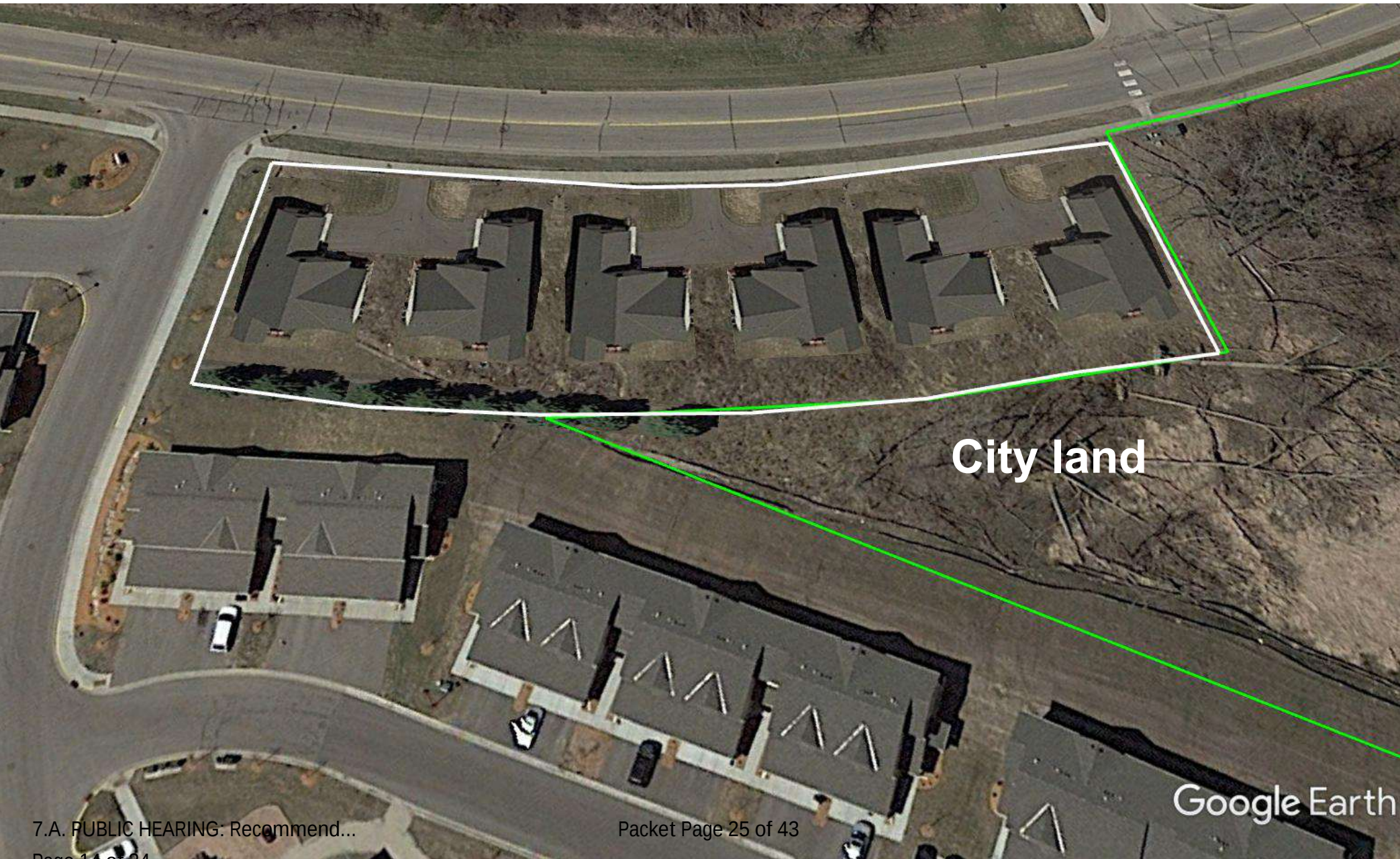
Property



Approved plan with 20ft rear



**Plan with 2 stall garage, porch and 20 setback for porch;
main house 30 ft**







SYMBOL LEGEND			
DESCRIPTION	PROPOSED	EXISTING	FUTURE
MINOR CONTOUR			
MAJOR CONTOUR			
LOT LINE			
WATERMAIN			
BUILDING SETBACK BOUNDARY			
PARCEL BOUNDARY LINE			
DRAINAGE AND UTILITY EASEMENTS			
CURB AND GUTTER			
RIGHT-OF-WAY			
DRAINTILE W/CLEANOUTS			
BACKYARD CATCH BASIN			
CATCH BASIN			
STORM SEWER MANHOLE			
FLARED END SECTION WRIP-RAP			
STORM STRUCTURE LABEL			
SANITARY STRUCTURE LABEL			
SANITARY SEWER MANHOLE			
HYDRANT			
GATE VALVE			
WELL			
DRAIN FLOW/RUNOFF ARROW			
EMERGENCY OVERFLOW SWALE			
SOIL BORING LOCATION			
SILT FENCE			
TREE PRESERVATION FENCE			
BARRICADE			
SPOT ELEVATION			
TBC SPOT ELEVATION			
UTILITY POLE			
LIGHT POLE			
HANDICAP PARKING SPACE			

SHEET INDEX TABLE		CONTACT INFO	
SHEET	Description	CLIENT/DEVELOPER	
1	Title Page/Preliminary Site Plan	DDK Construction	
2	Final Street Sheet	1500 Bluff Creek Drive	
3,4	Final Sewer and Watermain Plan	Chaska, MN 55318	
5	Final Storm Sewer Plan	Attn: Tim Heiland	
6,7	Grading Plan	T-952-233-2728	
8,9	Erosion Control	LAND SURVEYOR/CIVIL ENGINEER	
10,11	Detail Sheets	SATHRE-BERGQUIST INC.	
		150 S. Broadway Ave.	
		Wayzata, MN 55391	
		Attn: Dan Schmidt - Engineer	
		Attn: David Pemberton - Land Surveyor	
		T-952-476-6000	



I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Donal L. Schmidt DATE 10-22-2013 REG. NO. 26147

REVISIONS	BY
REVISED SERVICES 10-31-2013	DSG
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ADDED STREET LIGHT ON YELLOW BRICK RD 03-06-2014	DLS
ADDED WETLAND IMPACT NOTE 4/28/2014	DLS
REVISED SERVICE & CB N 4/28/2014	DLS
REVISED SERVICE & CB N 6-23-2014	DLS
REVISED SERVICES 6-30-2014	DSG

ENGINEERS

PLANNERS

SURVEYORS

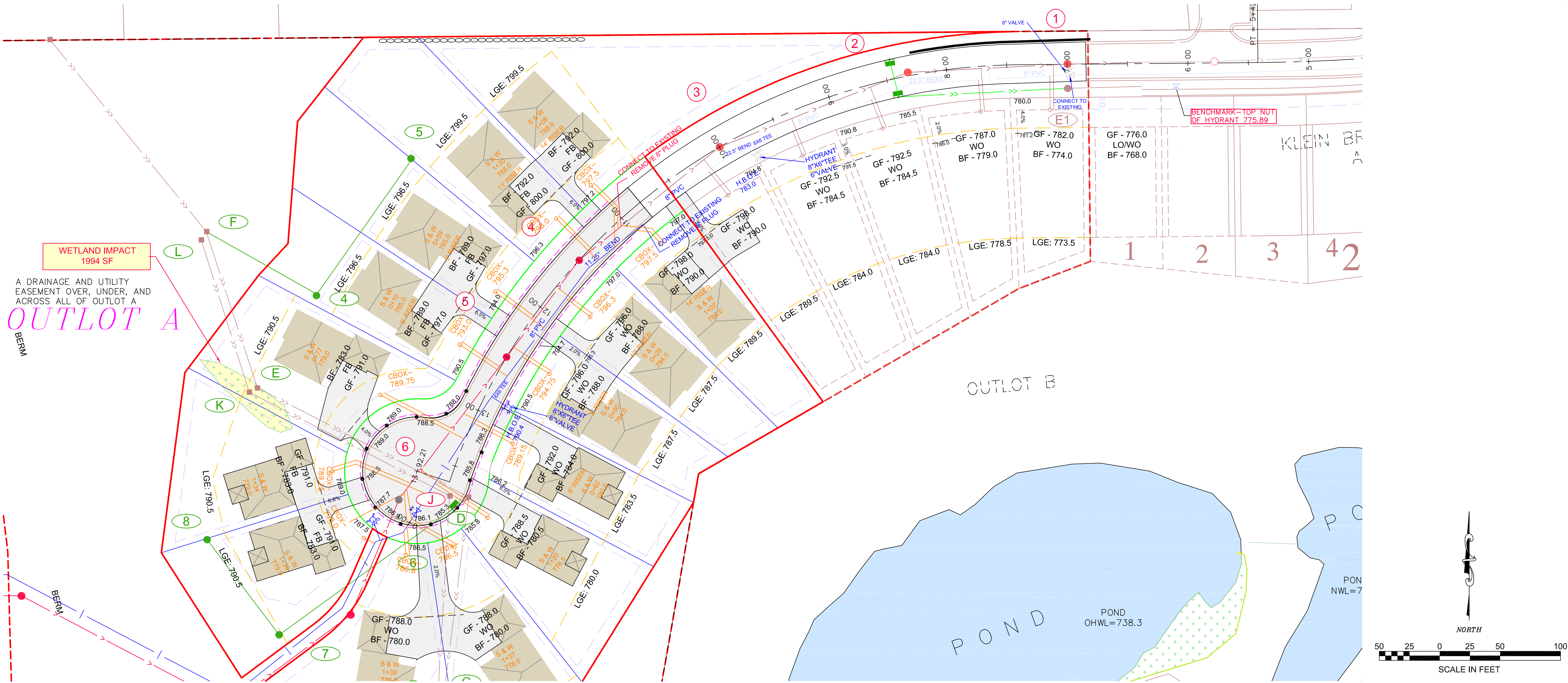
SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

TITLE SHEET

CHASKA, MN

KLIEN BRICKYARDS 13TH ADDITION
PREPARED FOR
DDK CONSTRUCTION

DRAWN	DLS
CHECKED	DLS
DATE	01/24/2014
SCALE	AS SHOWN
JOB NO.	19000-031
FILE:	BASE KEY 12TH.DWG
SHEET	1
OF	11 SHEETS

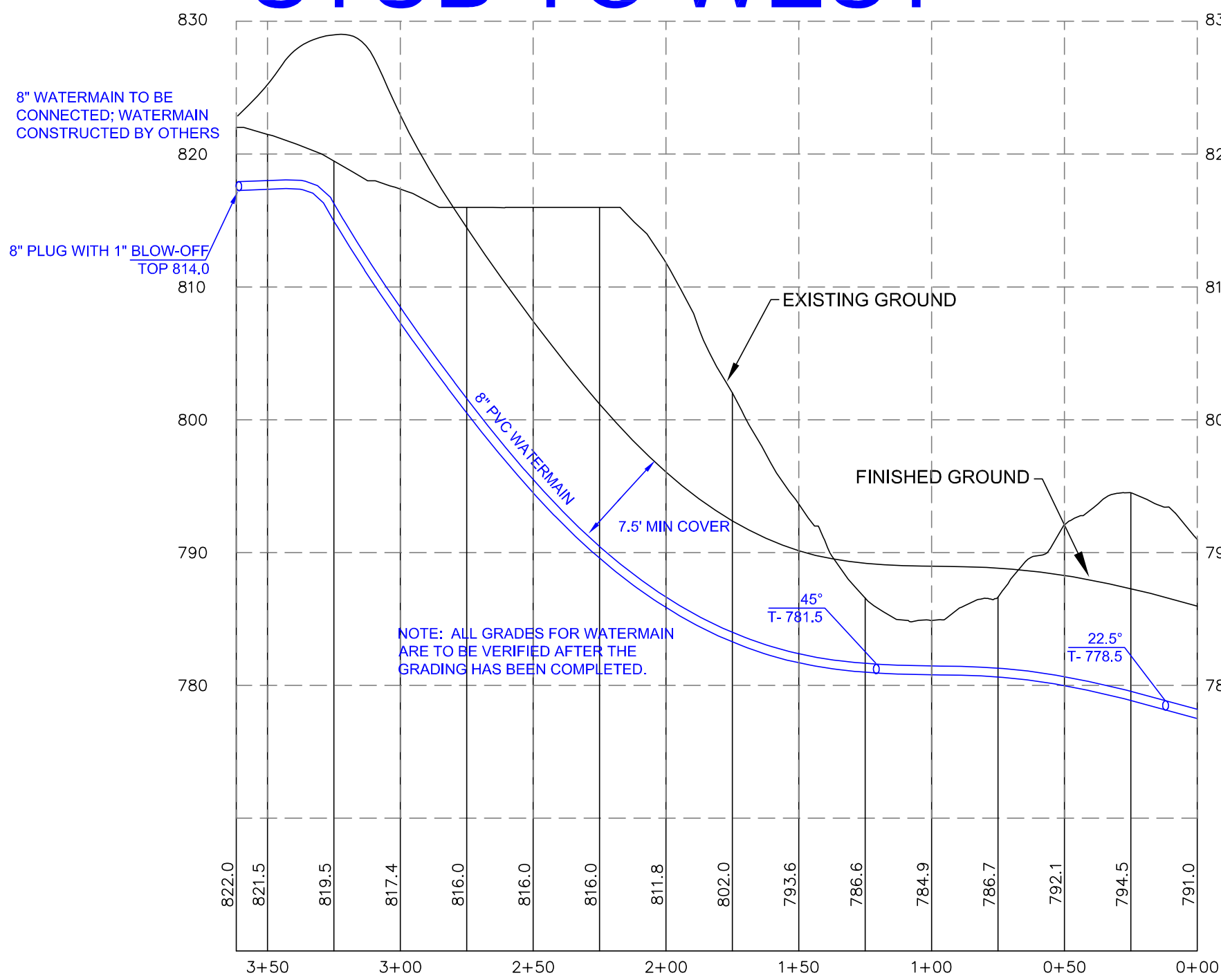


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REVISED SERVICES 6-30-2014	DSG

SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

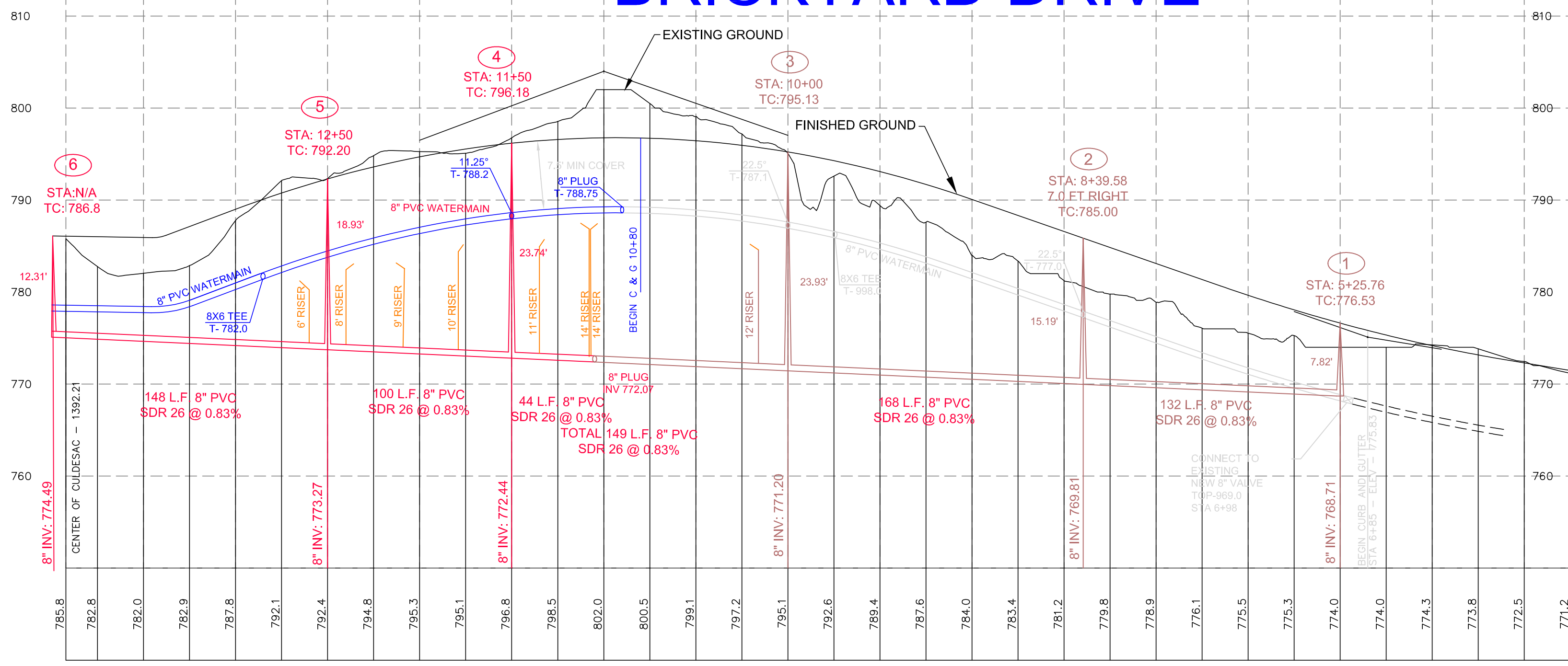
ENGINEERS SURVEYORS PLANNERS

STUB TO WEST



EXISTING UTILITIES SHOWN ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES ARISING OUT OF HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.

BRICKYARD DRIVE



I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

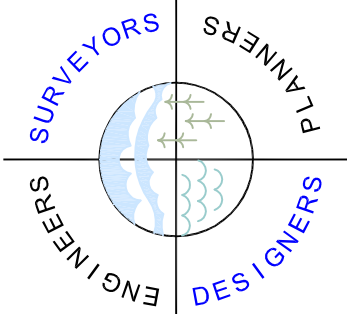
Daniel L. Schmidt DATE 10-22-2013 REG. NO. 26147

FINAL SANITARY SEWER &
WATERMAIN PLAN
KLIEN BRICKYARDS 13TH ADDITION
PREPARED FOR
DDK CONSTRUCTION
CHASKA, MN

DRAWN DLS
CHECKED DLS
DATE 01/24/2014
SCALE AS SHOWN
JOB NO. 19000-031
FILE: BASE KBY 12TH.DWG
SHEET 3
OF 11
SHEETS

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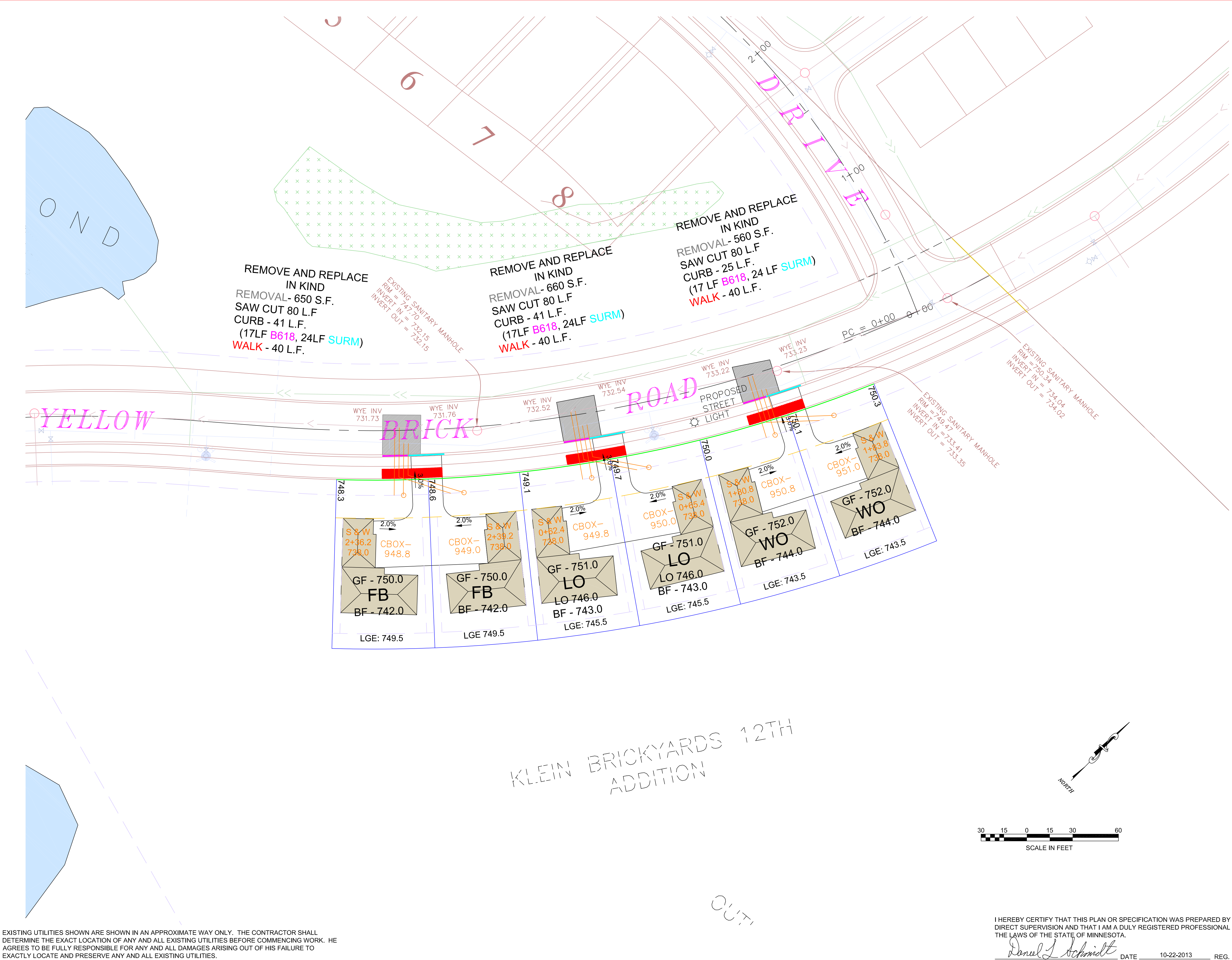
SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000



FINAL SANITARY SEWER &
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KLIEN BRICKYARDS 13TH ADDTION
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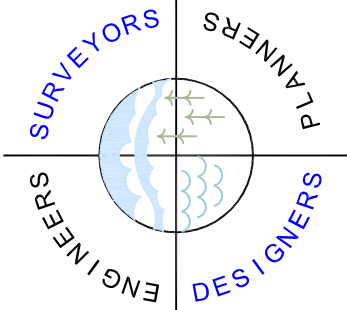
CHASKA, MN

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DATE 01/24/2014
SCALE AS SHOWN
JOB NO. 19000-031
FILE: BASE KBY 12TH.DWG
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OF 11
SHEETS



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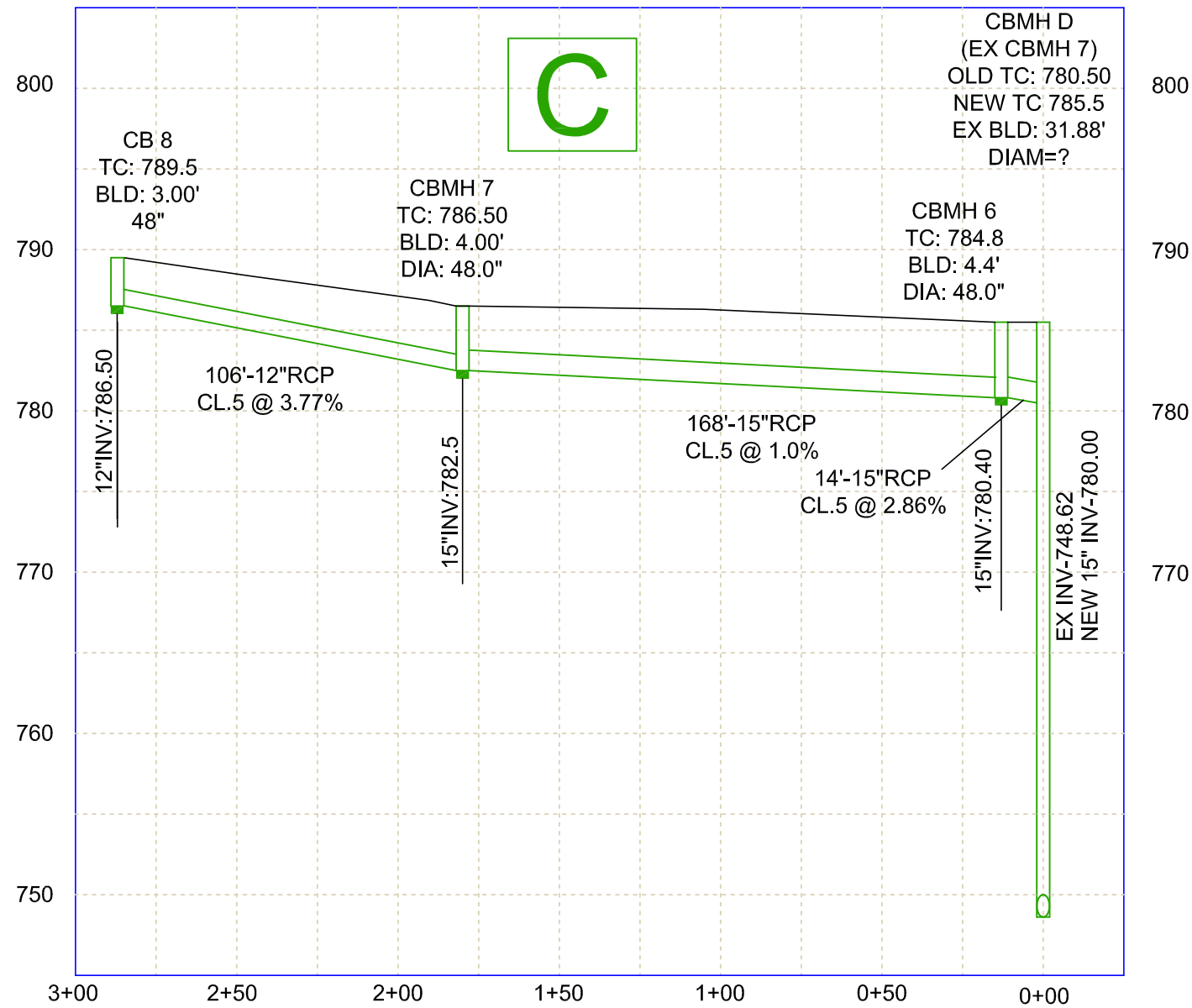
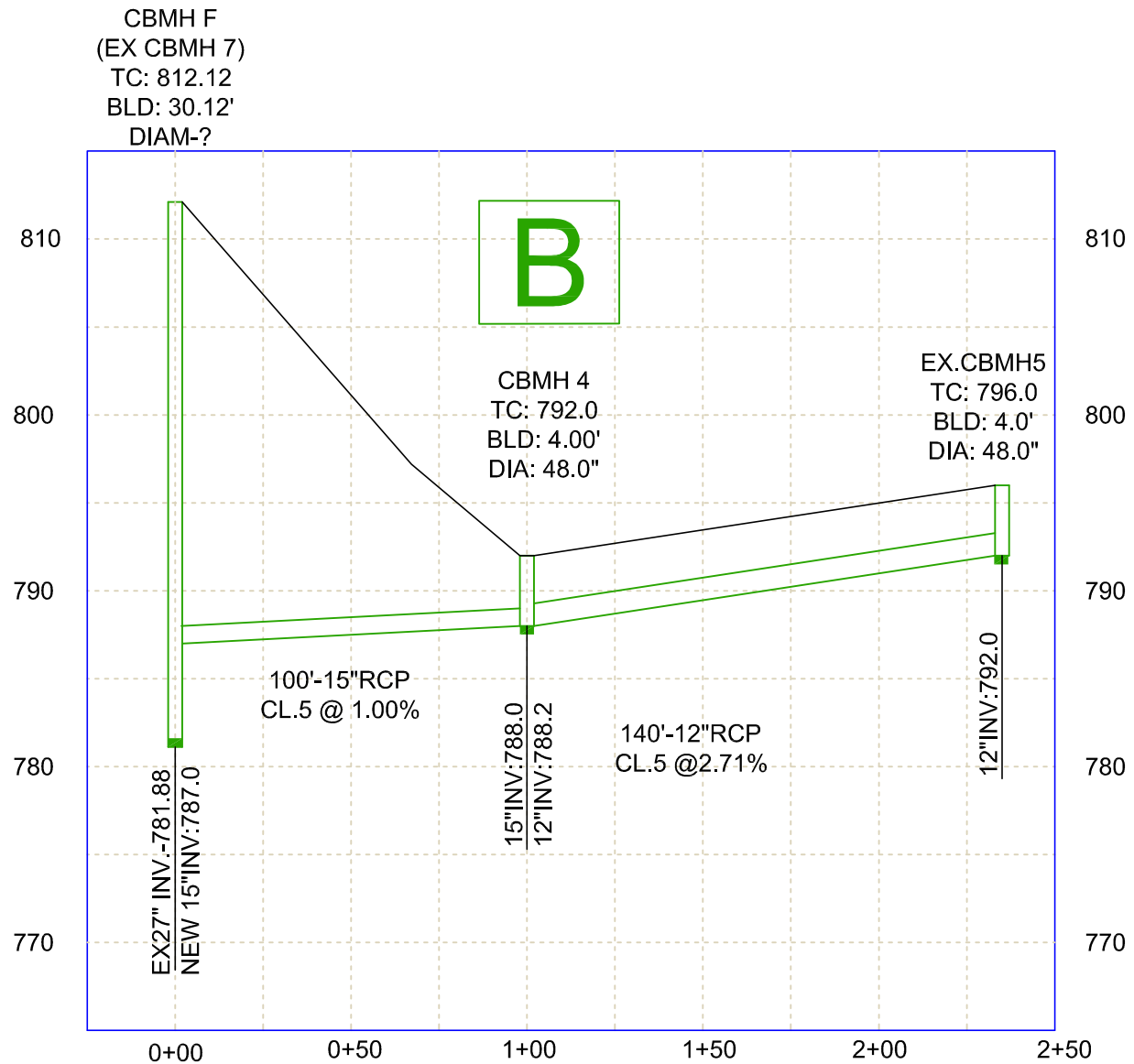
SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000



FINAL STORM SEWER PLAN
KLIEN BRICKYARDS 13TH ADDITION
PREPARED FOR
DDK CONSTRUCTION

CHASKA, MN

DRAWN DLS
CHECKED DLS
DATE 01/24/2014
SCALE AS SHOWN
JOB NO. 19000-031
FILE: BASE KBY 12TH.DWG
SHEET 5
OF 11 SHEETS



I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Daniel L. Schmitt
DATE 10-22-2013 REG. NO. 26147



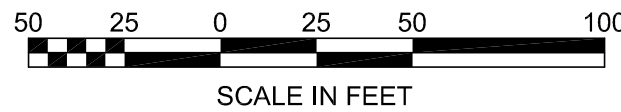


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DATE
01/24/2014
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AS SHOWN
JOB NO.
19000-031

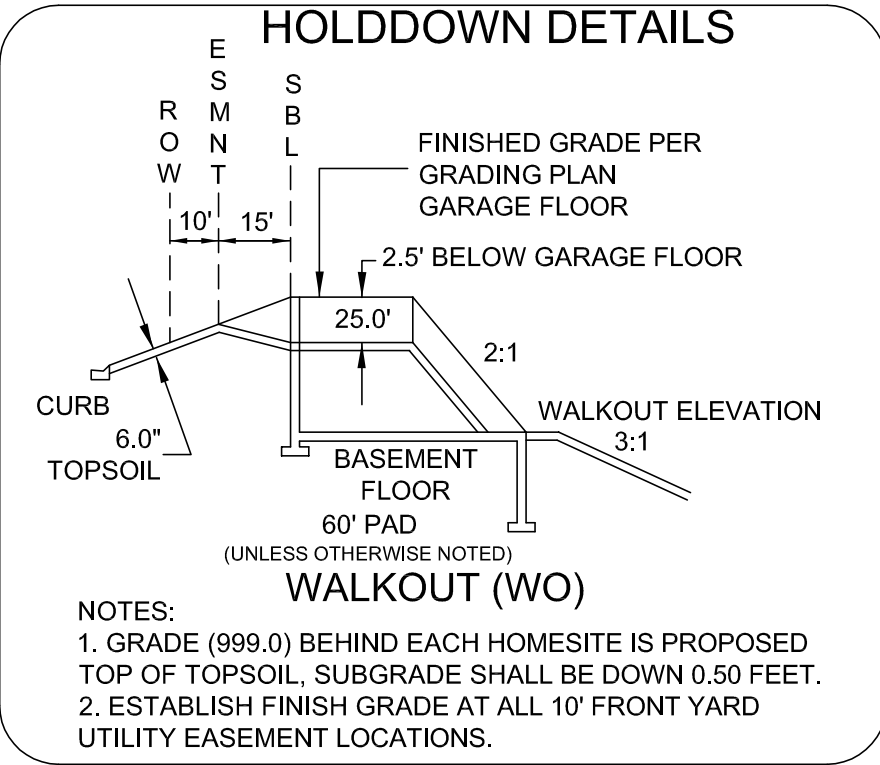
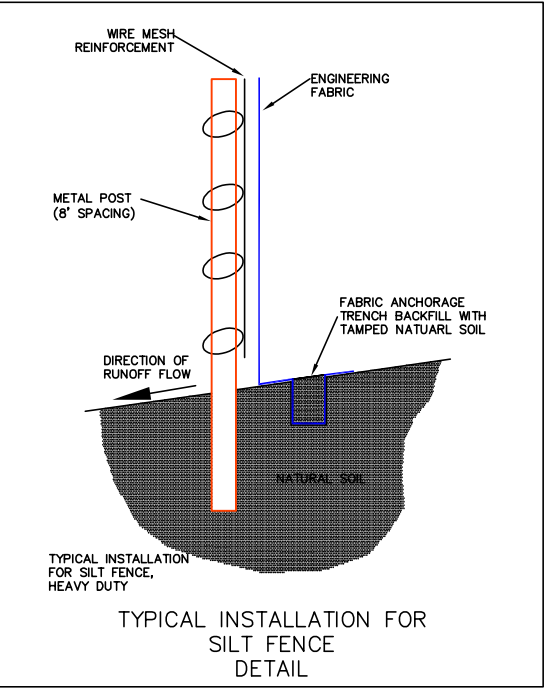
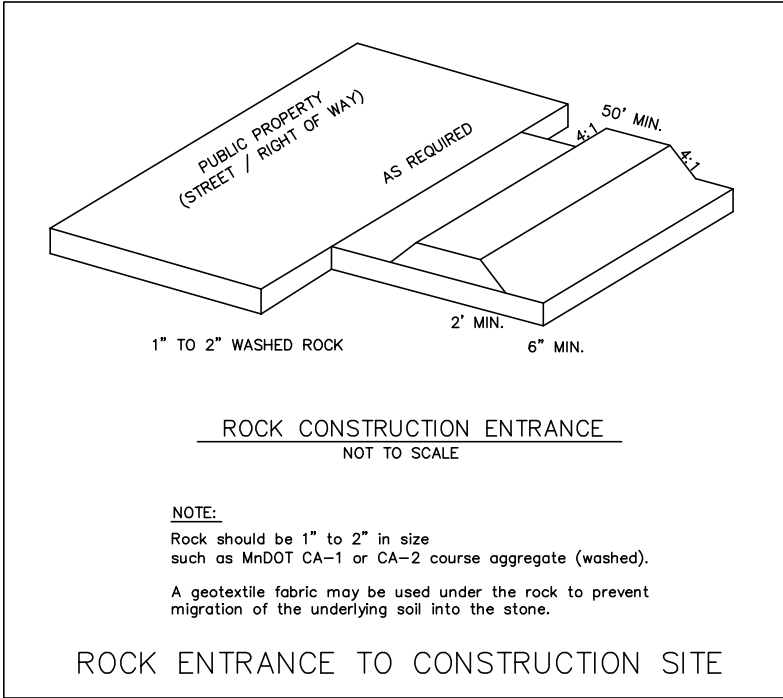
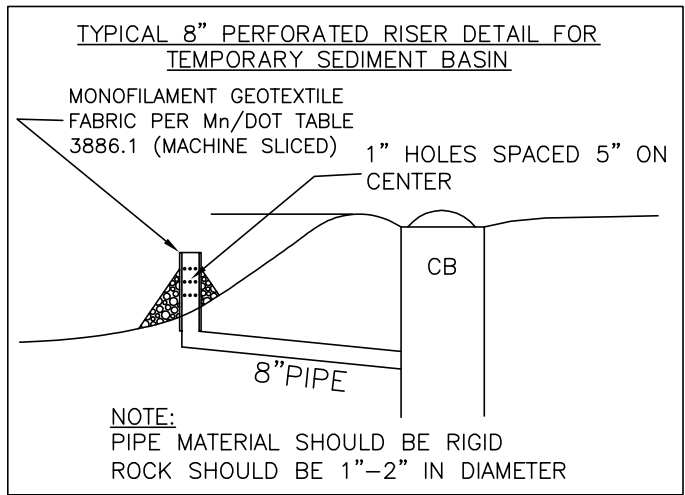
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SHEET
6
OF 11 SHEETS



EXISTING UTILITIES SHOWN ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES ARISING OUT OF HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.



- GENERAL NOTES:
- THE GRADING CONTRACTOR IS RESPONSIBLE FOR ALL STORM WATER INSPECTIONS ACCORDING TO THE MPCA STORM WATER PERMIT. THIS INCLUDES BOTH WEEKLY INSPECTIONS AND INSPECTIONS DONE AFTER A 0.5" RAIN EVENT. A COPY OF THE INSPECTION REPORT MUST BE EMAILED TO THE ENGINEER AND DEVELOPER ON A WEEKLY BASIS.
 - THE CONTRACTOR SHALL PLACE INLET PROTECTION DEVICES IN ACCORDANCE WITH THE CITY OF CHASKA DETAIL PLATES. FOR ALL STORM SEWER INLETS AND MAINTAIN THEM AS AN EFFECTIVE SILT CONTROL DEVICE. INLET PROTECTION SHALL BE REMOVED WHEN RESTORATION HAS BEEN ESTABLISHED.
 - ALL RETAINING WALLS WILL REQUIRE A STRUCTURAL DESIGN, A BUILDING PERMIT & A FINAL INSPECTION REPORT.
 - A 1"-2" CRUSHED ROCK ENTRANCE BERM SHALL BE PLACED AT THE SITE ENTRANCE, TO REPLACE SILT FENCE, AND MINIMIZE EROSION ON TO THE STREETS. THE ROCK BERMS SHALL BE THE WIDTH OF THE ENTRANCE AND 2 FEET HIGH WITH 4:1 SLOPES. (SEE DETAIL)
 - THE CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE AWAY FROM THE BUILDING PAD AND STREET AREAS THROUGHOUT CONSTRUCTION.
 - THE CONTRACTOR SHALL ATTEMPT TO PREVENT SOIL MATERIALS FROM LEAVING THE SITE BY EROSION AND VEHICLE WHEEL TRACKING. HE SHALL BE RESPONSIBLE FOR CLEANING OF STREET, BOULEVARD AND UTILITY FACILITIES THAT RECEIVE ANY ERODED OR TRACKED SOIL MATERIAL OR OTHER CONSTRUCTION DEBRIS OR MATERIAL.
 - EXISTING UTILITIES SHOWN ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES ARISING OUT OF HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.
 - BUILDING PADS ARE 90" DEEP. UNLESS OTHERWISE NOTED. THE FRONT AND REAR BUILDING PAD LINES ARE SHOWN ON THE PLAN. THE ENGINEER SHOULD BE CONTACTED IF THE CONTRACTOR HAS ANY QUESTIONS REGARDING BUILDING PADS.
- CONSTRUCTION NOTES
- INSTALL SILT FENCE AS SHOWN ON PLAN, AS REQUIRED BY THE CITY OF MINNETONKA OR DIRECTED BY THE ENGINEER.
 - INSPECT PONDS, SILT FENCE, AND ROCK ENTRANCE BERM AFTER ALL RAINFALL EVENTS AS REQUIRED BY THE NPDES PERMIT.
 - DRIVEWAY SLOPES- MINIMUM-2.0% MAXIMUM-10.0%
 - LO, SEWO, WO PADS 3:1 MAX. ALL OTHER SLOPES 4:1 MAX (UNLESS NOTED)
 - DEVELOPER WILL BE RESPONSIBLE FOR TEMPORARY DUST AND EROSION CONTROL UNTIL TURF IS ESTABLISHED. IF YARDS ARE ADJACENT TO A DITCH SWALE, THEN EROSION CONTROL MUST REMAIN UNTIL ALL ADJACENT PROPERTY HAS TURF ESTABLISHMENT.
 - RESTORATION -3.0 ACRES
A. RESTORE ALL DISTURBED AREAS WITH 4" TO 6" OF TOPSOIL, OR EXISTING ON-SITE ORGANIC MTRL.
B. SEED POND SLOPES AND DETENTION AREAS WITH MNDOT 310 OR BWSR P8 SEED MIX AT A RATE OF 100 LBS./ACRE AND FERTILIZE WITH 20-0-10 AT 100 LBS./ACRE.
C. SEED ALL OTHER DISTURBED AREAS WITH MNDOT 250 AND BWSR SEED MIX FOR WETLANDS AT A RATE OF 100 LBS./ACRE AND FERTILIZE WITH 20-0-10 AT 100 LBS./ACRE. (UNLESS OTHERWISE NOTED)
D. ONLY PHOSPHOROUS FREE FERTILIZER IS TO BE USED ON SITE.
E. MULCH WITH TYPE 1 AT A RATE OF 2 TONS/ACRE AND DISC ANCHOR IMMEDIATELY AFTER PLACEMENT. USE WOODFIBER BLANKET ON ALL SLOPES 3:1 (FT) OR GREATER.
F. PLACE APPROVED STORM SEWER INLET PROTECTION IN OR AROUND ALL STORM SEWER INLETS AND MAINTAIN UNTIL STREET CONSTRUCTION IS COMPLETED. REFER TO CITY DETAILS ST-22 & ST-23 FOR APPROVED DEVICES.
G. MAINTAIN ALL SILT FENCE UNTIL TURF HAS BEEN ESTABLISHED.
H. RESTORATION WORK WILL BE COMPLETED WITHIN 72 HOURS OF GRADING COMPLETION.
 - SILT FENCE: BEFORE GRADING - 1,450 LF
CURB SIDE SILT FENCE AFTER STREETS-3,200
 - TREE FENCE, BEFORE GRADING -900 LF
 - WOODFIBER BLANKET - 14,500 SY

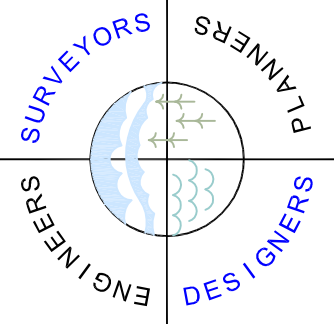
I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Daniel J. Schmidt DATE 10-22-2013 REG. NO. 26147

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SATHRE-BERGQUIST, INC.

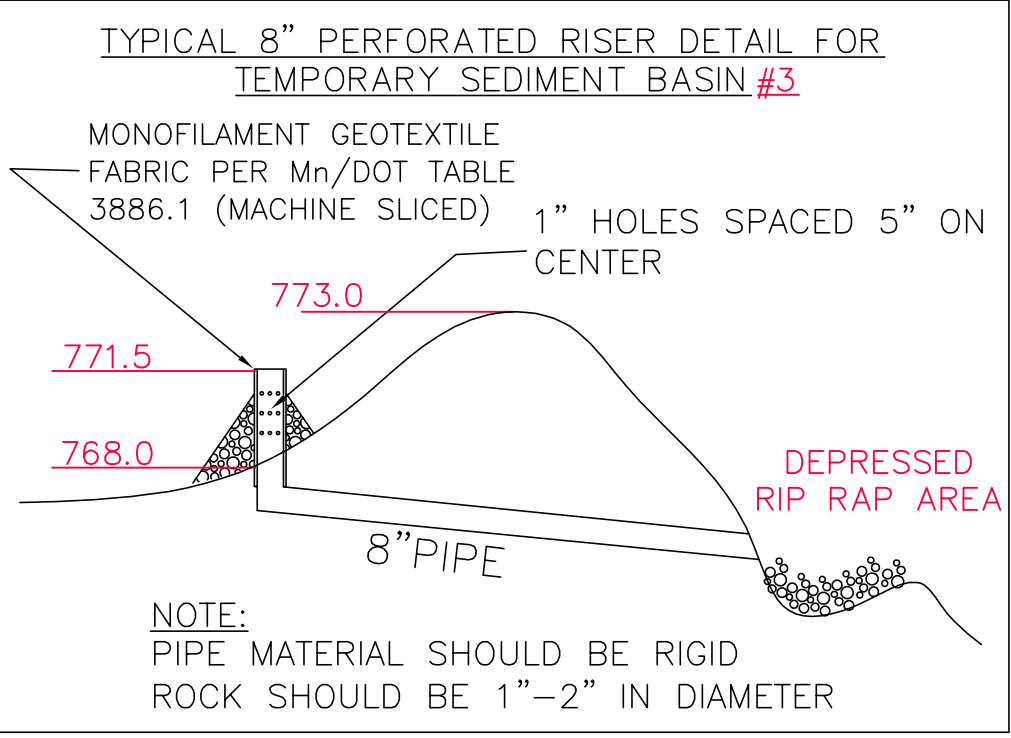
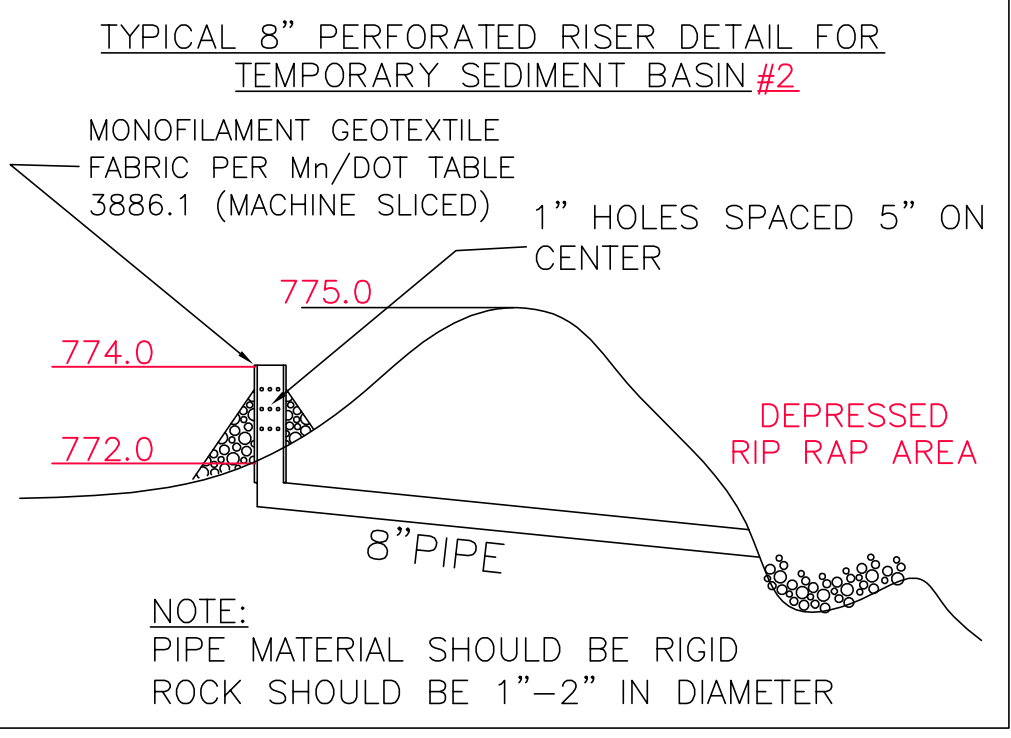
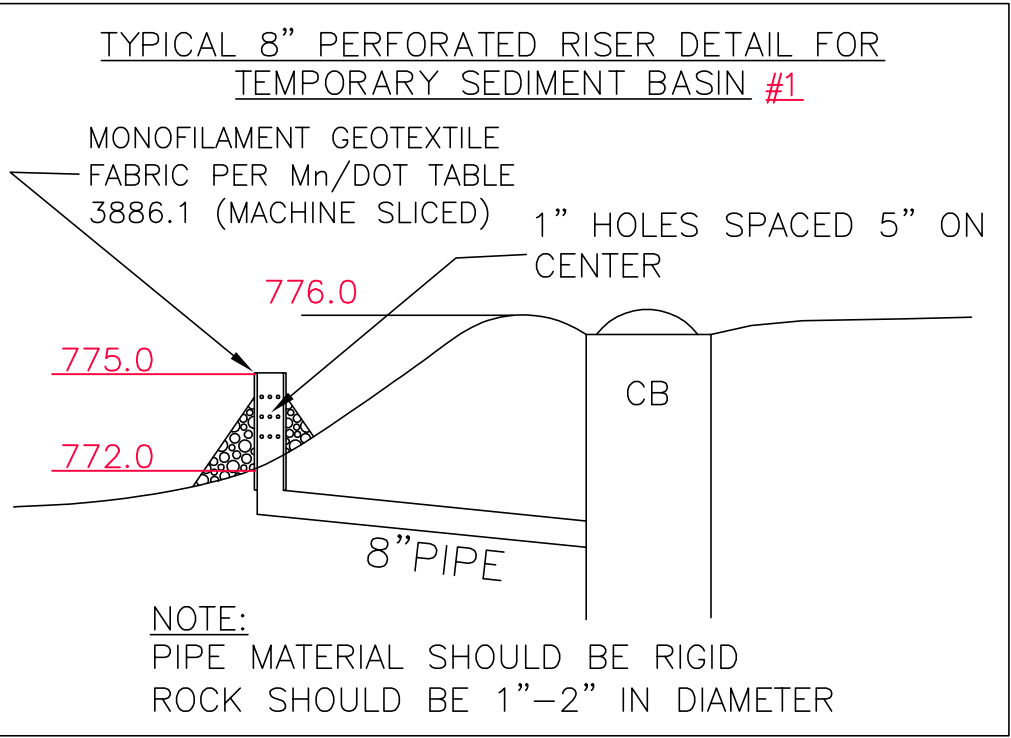
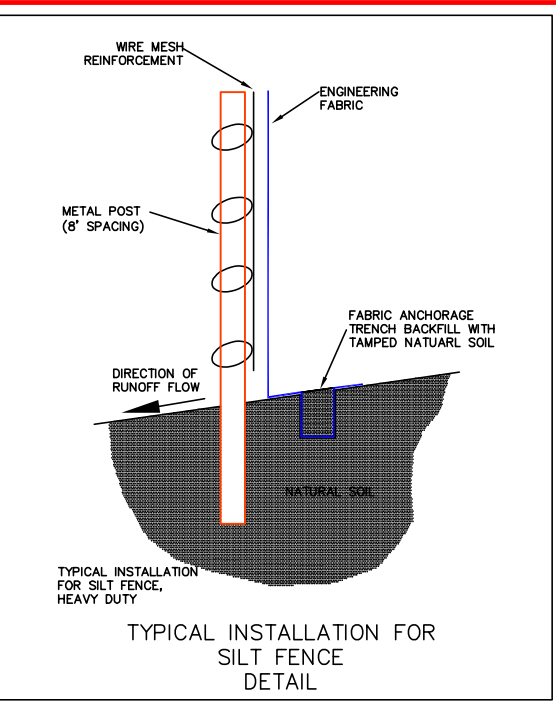
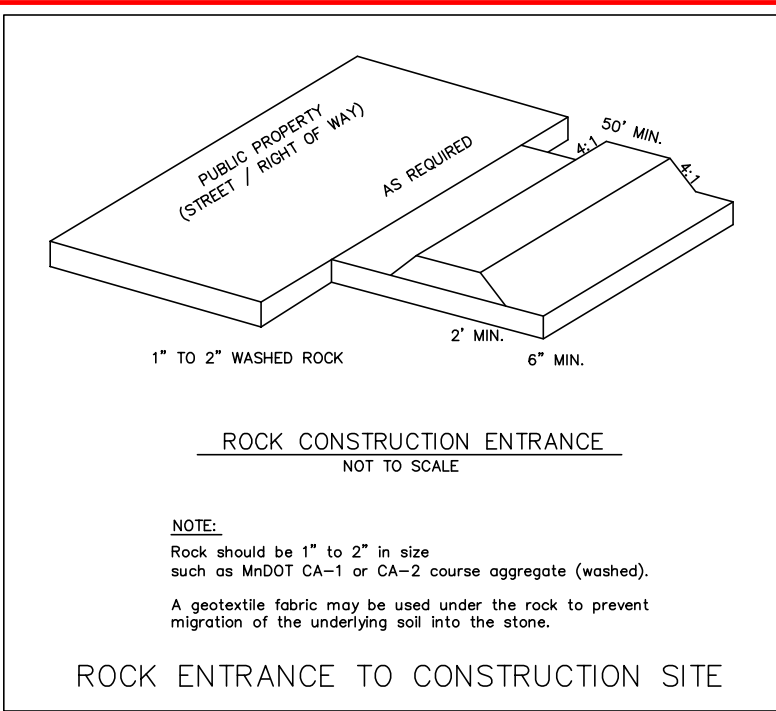
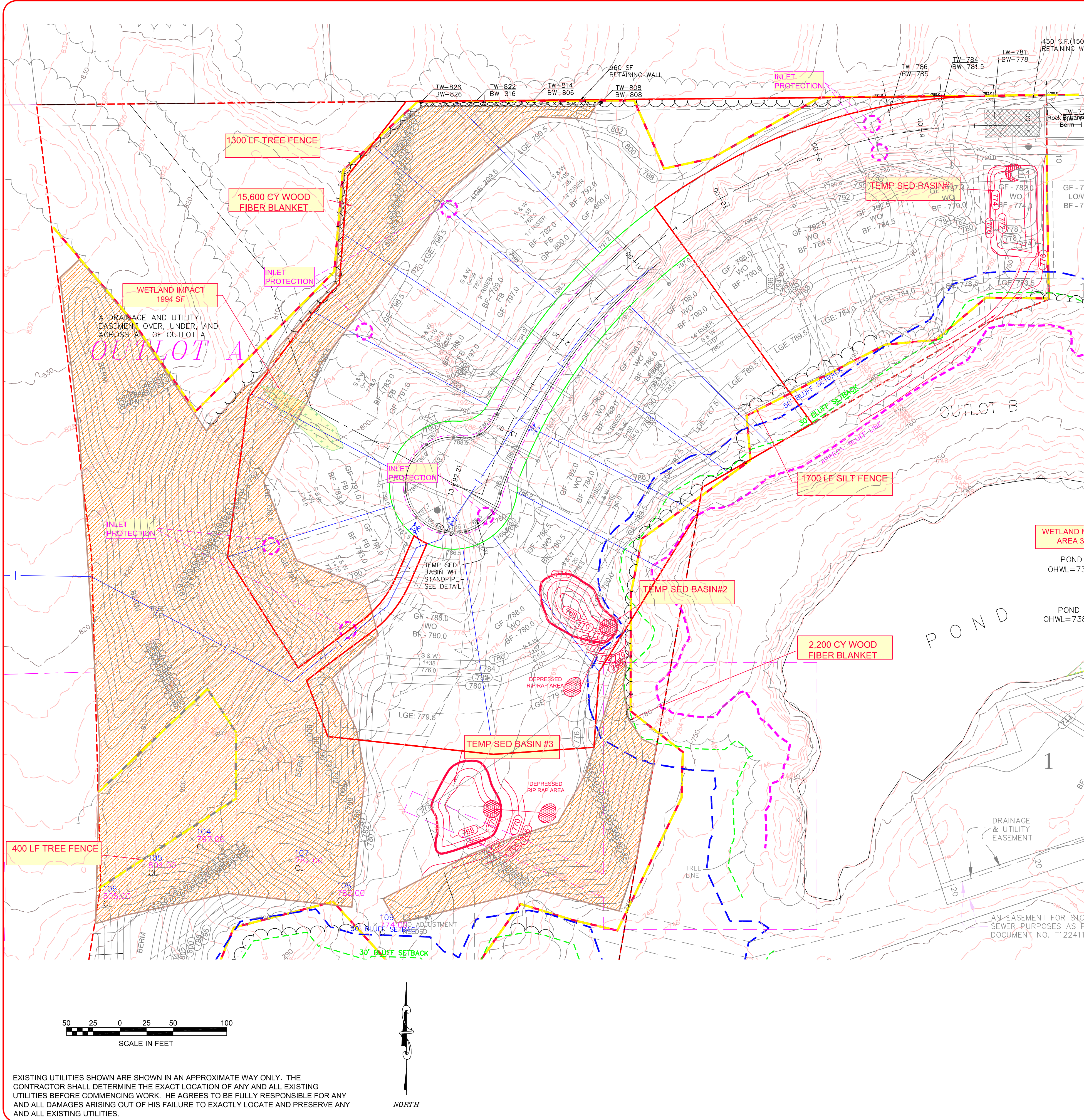
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000



FINAL GRADING, DRAINAGE, AND EROSION CONTROL PLAN
KLIEN BRICKYARDS 13TH ADDITION
PREPARED FOR
DDK CONSTRUCTION

CHASKA, MN

DRAWN	DLS
CHECKED	DLS
DATE	01/24/2014
SCALE	AS SHOWN
JOB NO.	19000-031
FILE:	BASE KBY 12TH.DWG
SHEET	7
OF	11
SHEETS	



AN EMERGENCY OVERLAND FLOW SHALL BE PROVIDED FOR ALL 3 SEDIMENTATION BASINS. THE OVERFLOWS SHALL DISCHARGE TO AN ACCEPTABLE LOCATION.

	AREA	Intensity	Runoff C	Volume	Volume of Sed Basin
SED BASIN #1	87,120 sf	2.0	in event	0.6	8,712 cf
SED BASIN #2	43,565 sf	2.0	in event	0.6	4,357 cf
SED BASIN #3	100,188 sf	2.0	in event	0.6	10,019 cf

I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

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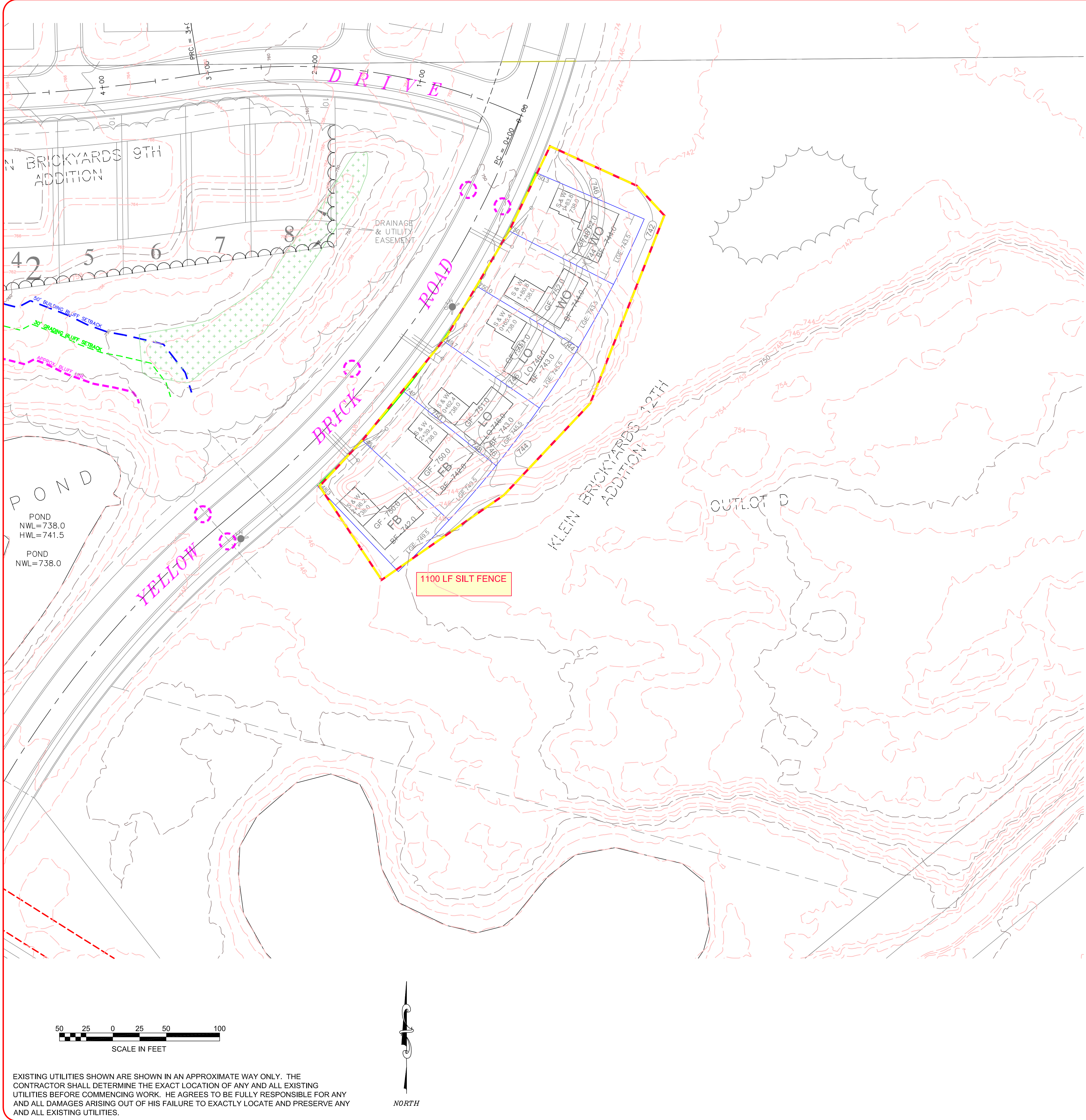
SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

ENGINEERS SURVEYORS PLANNERS

KLIENT BRICKYARDS 13TH ADDITION
PREPARED FOR
DDK CONSTRUCTION

CHASKA, MN

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ADDED 6 LOTS ON YELLOW BRICK ROAD 01-30-2014	DSG
ADDED STREET LIGHT ON YELLOW BRICK RD 03-06-2014	DLS
ADDED WETLAND IMPACT NOTE 4/28/2014	DLS
REVISED SERVICE & CB N 4/28/2014	DLS
REVISED SERVICE & CB N 6-23-2014	DLS
REVISED SERVICES 6-30-2014	DSG

ENGINEERS
SURVEYORS
PLANNERS

SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

EROSION CONTROL PLAN

KLIEN BRICKYARDS 13TH ADDITION
PREPARED FOR
DDK CONSTRUCTION
CHASKA, MN

DRAWN DLS
CHECKED DLS
DATE 01/24/2014
SCALE AS SHOWN
JOB NO. 19000-031
FILE: BASE KBY 12TH.DWG
SHEET 9
OF 11
SHEETS

I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Daniel J. Schmidt DATE 10-22-2013 REG. NO. 26147

- MINUTES -
CHASKA CITY COUNCIL
September 16, 2019

1. Call to Order

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

2. Pledge of Allegiance

3. Roll Call

Roll call was taken. Present: Councilmembers Hatfield, Hubbard, Huang, Grau, and Mayor Windschitl. Absent: None.

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

4. Adopt the Agenda

Motion by Councilmember Hubbard, second by Councilmember Hatfield to remove Item 7.B from Consent to Action Item 8.D. Motion carried.

Motion by Councilmember Hubbard, second by Councilmember Grau to adopt the amended agenda as presented. Motion carried.

5. Visitor Presentation

Mayor Windschitl said a few words honoring the late Dr. Edgar Ziegler.

5.A. Proclamation - Direct Support Professional Week

Mayor Windschitl read the Direct Support Professional Week Proclamation.

5.B. Proclamation - Chaska International Day of Peace

Mayor Windschitl read the Chaska International Day of Peace Proclamation recognizing September 21, 2019 as Chaska's Day of Peace.

Rev. Reginald Klindworth, 3919 Carver Circle, reported the congregation of Crown of Glory Lutheran Church are rededicating their peace pole on September 28th and 29th, 2019.

5.C. Proclamation - Constitution Week

Mayor Windschitl read a Proclamation recognizing September 17-23, 2019 as Constitution Week.

5.D. Chaska Fire Explorers and Advisors Recognition

Chaska Fire Chief Tim Wiebe presented Firefighters Nate Peterson and Al Tarman who recounted the accomplishments of the Chaska Fire Explorers at the 2019 State Fair.

5.E. Travis Lindberg & Zach Bonnema Grant Recognition

Chaska Fire Chief Wiebe also recognized Firefighter Travis Lindberg and Firefighter Captain Zack Bonnema for their grant writing success.

Captain Bonnema spoke about forced-entry training material received through a grant and Firefighter Lindberg reported that the Fire Department and Police Department now have 19 new AED devices obtained through a grant. Chief Wiebe also noted they have been able to standardize the medical bags used by the Fire Department and Police Department.

5.F. Eastern Carver County School Referendum

Clint Christopher, Eastern Carver County School Superintendent, reported on the Eastern Carver County School Referendum.

Councilmember Grau thanked Mr. Christopher for coming to share the referendum information tonight.

Councilmember Huang commented that investment in education is an investment to drive up property values.

Councilmember Hatfield commented that it will be nice the proposed elementary school is in Chaska.

Councilmember Hubbard inquired where the proposed larger bus garage will be built and the capacity of busses that will be there.

Superintendent Christopher stated there is an agreement with a property north of Lyman Boulevard and that the agreement is contingent upon referendum passing and that it would hold all the district busses, with additional space if needed.

City Administrator Podhradsky provided further clarity into a bus fleet within the district.

Councilmember Huang inquired what the impacts to students would be if the referendum didn't pass.

Superintendent Christopher provided detail into what those impacts would be.

City Administrator Podhradsky commented that there is enough growth in south east Chaska to fill the proposed school itself.

Mayor Windschitl inquired if Carver Elementary was at capacity.

Superintendent Christopher stated it is at 700 students out of the 720 capacity.

Council and Staff commented on the growth of South West Chaska.

Councilmember Hatfield inquired about security maintenance.

Superintendent Christopher provided further detail regarding upkeep for security.

Mayor Windschitl asked if they are able to use the same designs as Carver Elementary to save cost.

Superintendent Christopher commented that architectural costs will be incurred at some point.

City Administrator Podhradsky provided further comment regarding facility use.

Superintendent Christopher stated that Question 1 of the Referendum (operating) must pass in order for Question 2 (bond) to pass and gave further reason for the importance of that requirement.

City Attorney Melchert inquired what the cost was per student in Chaska to be educated.

Superintendent Christopher explained he could not give a specific number on the per pupil expenditure at this time. He also noted there is an informational webinar folks can view for more information.

6. Minutes

Motion by Councilmember Huang, second by Councilmember Hatfield to approve the minutes of the August 19, 2019 City Council meeting.

Motion carried.

7. Consent Agenda

Mayor Windschitl noted item 7.B. was pulled from Consent and placed as item 8.D. under Action Items.

Motion by Councilmember Hatfield, second by Councilmember Huang to approve the amended Consent Agenda Items A through G:

- A. Adopt Resolution 2019-98, Resolution Expressing support for the 2019 Transportation Economic Development Program Funding Application for Highway 41 Improvements in Downtown Chaska
Motion to adopt Resolution No. 2019-98, Resolution Requesting Support for the 2019 Transportation Economic Development Program Funding Application for Highway 41 Improvements in Downtown Chaska.
- B. ~~Adopt Ordinance 968, Adopt Resolution 2019-99, Ordinance Amending Chapter 14, Article V Related to Motor Vehicles and Traffic Therein Relating to Motorized Golf Carts~~
~~Motion to Adopt Ordinance No. 2019-968 Amending Chapter 14, Article V, Section 96 through 105 by repealing Article V and adopting a new Article V related to motorized golf carts of the Chaska Code of Ordinances.~~
- C. Approve On-Sale Liquor Permit at Community Event for Schram Haus Brewery - Cycle Chaska-Fall Family Bike Ride
Motion to approve On-Sale Intoxicating License at a Community Event OSCF19.03 for Schram Haus Brewery, 3700 Chaska Blvd, Chaska MN for the Cycle Chaska – Fall Family Bike Ride and wave the registration fee, effective September 29, 2019.

- D. Approve Agreement with Baker Tilly Municipal Advisors, LLC for Municipal Advisor Services
Motion to appoint Baker Tilly Municipal Advisors, LLC as the Municipal Advisor to the City and to authorize the City Administrator to execute an engagement agreement with Baker Tilly Municipal Advisors, LLC.
- E. Adopt Resolution 2019-100, Bonding Reimbursement
Motion to adopt Resolution 2019-100 relating to financing certain proposed projects and establishing compliance with reimbursement bond regulations under the Internal Revenue Code
- F. Adopt Resolution 2019-101 and Resolution 2019-102 Establish Date of Sale for Issuance of Bonds: Series 2019B and 2019C
Motion to adopt a resolution authorizing issuance and sale of \$5,680,000 General Obligation Bonds, Series 2019B.
Motion to adopt a resolution authorizing issuance and sale of \$2,135,000 General Obligation Utility Revenue Bonds, Series 2019C.
- G. Americans with Disability Act (ADA) Transition Plan for Public Right of Way
Motion to authorize the Americans with Disabilities Act (ADA) Transition Plan.

Mayor Windschitl referred to Item 7.G. and inquired how the ADA plan can be set up if it is always changing.

City Administrator Podhradsky provided further detail regarding the guidelines.

Motion carried.

8. Action Items

8.A. Adopt Resolution 2019-99, Approving the Preliminary Plat and Conditional Use Permit (CUP) for Shepherd of the Hill Twin homes/Habitat for Humanity/PC #2019-17
City Administrator Podhradsky introduced the item to the Council.

City Planner Hanson presented the item to the Council.

The Council discussed the options set before the homeowner across from the cul-de-sac.

Chad Dittman, project manager at Twin Cities Habitat for Humanities, explained the meaning of the name for the cul-de-sac.

City Planner Hanson continued her presentation of the item.

Motion by Councilmember Hubbard, second by Councilmember Huang to adopt Resolution No. 2019-99 approving the Preliminary Plat and Conditional Use Permit (CUP) for Shepherd of the Hill Twin homes (PC #2019-17). Motion carried.

8.B. Appointment of Independent Financial Auditor
City Administrator Podhradsky introduced the item to the Council.

Administrative Services Director Graczyk presented the item to the Council.

Mayor Windschitl inquired whether it was prudent to switch auditors every now and then.

Administrative Services Director Graczyk stated there has not been a standard for auditor rotation and Staff will look for direction from the Council.

City Administrator Podhradsky weighed in regarding the idea of auditor rotation.

Councilmember Huang asked if the same folks within MMKR have been working with the City of there has been a lot of turnover.

Administrative Services Director Graczyk provided further detail regarding MMKR staff working with the City.

Mayor Windschitl asked about the cost charged for the relief audit.

Administrative Services Director Graczyk gave clarity regarding the reasons for the cost.

Motion by Councilmember Hatfield, second by Councilmember Grau to appoint Malloy, Montague, Karnowski, Radosevich, and Co., P.A. as the independent financial auditor for the 2019 through 2023 fiscal-year audits. Motion carried.

8.C. Letter of Intent for Par 30 Improvements with Learning Links
City Administrator Podhradsky presented the item to the Council.

Councilmember Hubbard commented that this is a great redesign of the course and noted someone at the informational meeting had inquired why there is not a driving range in the plan.

Eric Schneider, Learning Links of Chaska, provided further insight into why there will not be a dedicated driving range. He also gave more information about where they are with fundraising at this point.

Mayor Windschitl inquired about continuing to use Goodman Parking.

City Administrator Podhradsky provided further information regarding parking.

Councilmember Huang inquired where parking would go if the Goodman Group does not provide parking.

City Administrator Podhradsky went into further detail regarding possible parking options.

The Council and Staff discussed public interest in golf and the unique nature of this proposed course.

The founder of ICONIC expressed her support of the course.

Motion by Councilmember Huang, second by Councilmember Hatfield to approve the Letter of Understanding between the City of Chaska and the Learning Links of Chaska to move forward with the proposed project at the Par 30 Golf Course and to authorize the City Administrator to enter this LOI on behalf of the City of Chaska. Motion carried.

8.D. Adopt Ordinance 968, Adopt Resolution 2019-99, Ordinance Amending Chapter 14, Article V Related to Motor Vehicles and Traffic Therein Relating to Motorized Golf Carts

Assistant Administrator Kabat presented the item to the Council.

Councilmember Hubbard stated she had feedback from her Ward about some of the stipulations the Ordinance is imposing. She stated that everything addressed in the Ordinance is required by the League of Minnesota Cities, and then listed some of the concerns from citizens in her Ward.

City Administrator Podhradsky provided clarity regarding the purpose of the Ordinance.

Jeffrey and Gail Peterson, 2959 Fairway Dr, listed some concerns with some stipulations in the Ordinance.

The Council and Staff discussed the comments presented by the Petersons.

Mrs. Peterson inquired how the public will receive the updates to the Ordinance.

City Administrator Podhradsky stated Assistant Administrator Kabat could email it to them.

Motion by Councilmember Hubbard, second by Councilmember Huang to table the item until a future meeting. Motion carried.

9. Bills

Accounts Payable Council Roster 9-16-19

The Council inquired about bills on pages 1, 12, 16, 18, 24, 31 and 37.

City Administrator Podhradsky provided further information regarding those bills.

Motion by Councilmember Huang, second by Councilmember Hatfield to approve the bills as presented. Roll call was taken. Voting aye: Councilmembers Hatfield, Hubbard, Huang, Grau and Mayor Windschitl. Voting nay: None
Motion carried.

10. Other Business

10.A. City Administrator's Report

10.B. Administrator's Bi-Weekly Report 9/19/2019

10.C. Other Reports

10.C.i. Financial Reports – July 2019

10.D. Other Meeting Minutes

10.D.i. Receive the Draft Minutes of the August 14, 2019 Planning Commission

10.D.ii. Receive the Draft Minutes of the August 12, 2019 Park and Rec Board Meeting

Councilmember Huang:

- Commented the new digital newsletter from Parks & Rec is great.
- Reported he went on a Fire Department ride-along on 8/28/19.
- Commented that he has received some feedback regarding the permit costs for food trucks. City Administrator Podhradsky provided further clarity regarding the multi event permit. The Council discussed food truck permits.
- Noted requests came up at the Downtown Business Alliance regarding shared office space.
- Noted there are requests for the City to support businesses impacted by the Hwy 169/41 closure next year.
- Provided an update regarding the Metro Cities Transportation and General Administration Policy Committee meeting.
- Noted there is concern about having jurisdiction at the City-level about having non-clustering of group homes.
- Updated the Council about a MN Dot Demo on automated vehicles that he attended.
- Updated the Council on the Southwest Transit budget, State Fair ridership, and Prime MD, as well as some rewards Southwest Transit has received.

Councilmember Hubbard:

- Noted she attended the Fireman's open house.
- Noted the Southwest Metro Manufacturing Forum is on October 4, 2019.

Councilmember Hatfield:

- Agreed that the Fireman's open house was wonderful.
- Noted the Downtown Block Party is on September 28, 2019.
- Inquired why there is a for sale sign in front of KFC. City Administrator Podhradsky stated they do not have further information regarding that.

City Administrator Podhradsky:

- Reminded the Council of the retreat on Thursday and Friday.
- Noted Administrative Services Director Graczyk was appointed by the National GFOA to their Debt Service Committee.

Mayor Windschitl:

- Noted the Just ride is September 22, 2019.
- Noted there is a meeting on September 30, 2019.

11. Adjourn

Motion by Councilmember Hatfield, second by Councilmember Grau to adjourn the meeting at 10:17 pm.

Motion carried.