

**CHASKA PLANNING COMMISSION
MINUTES
SEPTEMBER 11, 2024**

1. Call to Order

Chairperson Brass called the meeting to order at 7 pm.

2. Roll Call

Roll call was taken. Members present: Commissioners Olson, Gaare, Aasen, Baswa, Purdy, Kerber, Campbell, and Chairperson Brass.

Members absent: Commissioner Urbanski

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

3. Adopt the Agenda

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

Motion carried.

4. Visitor Presentation

No one appeared under Visitor Presentation.

5. Approve the Previous Meeting Minutes

- a. Approve the August 14, 2024 Planning Commission Meeting Minutes

Motion by Commissioner Brass, second by Commissioner Kerber, to approve the minutes of the August 14 2024 Planning Commission meeting.

Motion carried.

6. Consent Agenda

7. Action Items

- a. POSTPONED TO OCTOBER 9, 2024: Review Preliminary Site & Building Plan, Preliminary Plat, Conditional Use Permit and Zoning Ordinance Amendment for CloudHQ/CloudHQ/PC #2024-13

Chair Brass explained that this item was postponed to October 9, 2024 so if there was anyone here tonight for this item, he wanted to make it clear that it would not be discussed this evening.

- b. PUBLIC HEARING: Recommend Approval of the Conditional Use Permit (CUP) for a Dog Groomer at 115 2nd Street East/River Valley Groomers/PC #2024-14

City Planner Hanson presented the item to the Commission and noted that it would come before the City Council on September 16, 2024.

Commissioner Campbell asked if the building was currently vacant.

City Planner Hanson stated that there were currently two other tenants in the building, a photography studio and a printing company user. She explained that this use would fill out the building.

Commissioner Kerber asked if the only access would be from 2nd Street East.

City Planner Hanson stated that the front door would face 2nd Street East.

Commissioner Gaare asked about the maximum number of 8 kennels for holding pets before or after they were being groomed and if the applicant had any plans to have larger numbers than that in the future.

City Planner Hanson stated that the applicant was currently shaking their head and indicating 'no'.

Chairperson Brass opened the public hearing at 7:12 p.m. There being no public comment, he closed the public hearing at 7:13 p.m.

Motion by Commissioner Brass, second by Commissioner Aasen, to recommend to the City Council approval of the Conditional Use Permit (CUP) to operate a dog grooming use at 115 2nd Street East, subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:
 - a. Project Narrative & Exhibit, Pages 1-4, written by HTG Architects, dated August 5, 2024
2. Housing/boarding of dogs overnight will not be permitted.
3. Outdoor storage of any kind will not be permitted.
4. Compliance with section 15.08.070.D 'Standards for Granting Conditional Use Permits' of the Zoning Ordinance.
5. Provision of a SAC determination by the Metropolitan Council and all determined SACs paid prior to release of a building permit.
6. Provision of a building permit being obtained for change of occupancy at 115 2nd Street East.
7. Provision of a plumbing plan review by the State of Minnesota

Motion carried.

- c. Recommend Approval of the Concept Plan for the Engelen Property (4460 Spring Creek Drive)/Pulte Homes/PC #2024-15

City Planner Hanson presented to the Commission and noted that this would come before the City Council on September 16, 2024.

Chair Brass noted that even though this item was not a Public Hearing, he would open it up for public comment following some initial Commission discussion. He asked if this development would be able to tap into Carver utilities.

City Planner Hanson stated that because it is located within the City, they will need to have Chaska utilities.

Chair Brass stated that he felt that meant that unless the applicant was planning to take on the financial burden of extending the utilities, there would most likely be in a waiting period before anything moves forward with this project.

A Commissioner asked about the price point of the homes.

City Planner Hanson stated that they are between \$500,000 to \$600,000.

Chair Brass asked if things have reached the point in our economy where that would be the price of a starter home.

Members of the Commission chimed in and stated that they felt that may actually be the case in the current economy.

Commissioner Campbell asked whether it was suggested to the developer that they should consider installing a park in the neighborhood which he felt would be a good idea with the location of Spring Creek Road.

Chair Brass agreed that was something that was also on his mind.

Commissioner Olson asked about the point made by City Planner Hanson regarding the diversification of adding townhomes which was something new and asked why they felt it should be done now and not with other projects, such as High Point Vistas.

Chair Brass stated that he believed it had something to do with the number of driveways on Spring Creek and the possibility that could be resolved with a rear loading townhome or villa.

Commissioner Olson asked if that was the reason for it and if so, how receptive the developer was to that idea and reiterated his original question of 'why now?'.

Community Development Director Kabat stated that some of the reasons raised by Chair Brass weighed into this suggestion because this was a relatively small site which helps gives them the opportunity to think a bit more creatively. He stated that staff has heard, numerous times, the desire to see more diversity in housing options offered and they felt this would be a good opportunity to have that discussion. He stated that he felt it was a valid conversation to have any time there is development to see if there may be a way to work with developers to pursue diversity in the housing options, because that is a long-held priority within the City.

Commissioner Olson stated that he agreed that it was worth having a conversation about, but noted that this was literally the first time it had come up in his 6 years on the Commission.

Chair Brass referenced the Clover Ridge Development, but noted that had happened before their time on the Commission.

Commissioner Olson acknowledged that it had happened in the past, but reiterated that it made him questioned why this development and why now.

Chair Brass stated that he did not think staff was saying that the developer had to do this.

Commissioner Olson stated that he would also like to gain an understanding of what the problem is that they were trying to solve in this situation.

Chair Brass stated that he did not think they actually knew that yet.

Commissioner Gaare stated that she felt that the price point also had to figure into the equation.

Commissioner Kerber asked to see the renderings for the concept plan and zoom in a bit.

Chair Brass stated that he was not a fan of lots 39, 40, 41, 47, 48, 49, 32, 33, and 34 as they were depicted. He stated that he understands that this is a free market and people will buy whatever they want to buy, but felt that there may be a better way to design this and noted that it just felt really dense.

Commissioner Olson stated that he thinks that may be addressed by not having two access points.

Chair Brass reiterated that the concept as shown right now just looks a little dense. He stated that he felt there may also be the chance to have a tot lot or something so they don't just have the houses facing each other because the nearest park is about ½ mile away.

Commissioner Olson stated that he would throw his hat in the ring related to lot 1 and possibly lot 2 and the trees. He stated he would like to see them save as many of those trees as possible even though there aren't too many trees on the lot now.

Chair Brass reiterated that this was not a public hearing, but invited members of the audience to address the Commission on this item.

Chair Brass opened the public comment portion of the meeting at 7:42 p.m.

Karen Moschkau, 1894 Spring Creek Drive, Carver, stated that she is concerned about the number of driveways coming out onto an already busy street. She stated that they already have a police sign that tells people their speed as they travel through with the hope that will help control speeding. She stated that she did not like the cross street that they have shown coming into the middle of the development and expressed concerns about bringing in more families with kids on bikes and people walking with strollers with that layout because adding traffic in the middle would just not work well.

Chair Brass asked if by the cross street in the middle was the second access point.

Ms. Moschkau confirmed that she was referring to the second access point and noted that she liked the cul-de-sac idea that had been raised by staff. She stated that another suggestion would be to have the access be at the west corner, where the large trees are, because it is a natural slow down point. She explained that she felt it may serve as almost a continuation of Green Ash Drive if they had the intersection in that location. She stated that the main point she wanted to make was to ask the City not to allow the second cross street coming into the middle of their neighborhood.

Jacqueline Stordahl, 1964 Mulberry Lane, stated that they had attended the first public hearing and, generally, people liked the first plan that the builder had presented better. She stated that version did not have the driveways facing Spring Creek and she felt it had a better flow to it, did not seem so regimented, was more free-flowing, and less visually obtrusive for people who live across the street. She reiterated that, in general, they liked the first plan better and doesn't know why the plans had switched.

Chair Brass asked if there had been a previous iteration that the Commission had not seen.

City Planner Hanson stated that there was a previous iteration and agreed that it was consistent with what Ms. Stordahl was describing with all the lots fronting off of the internal streets. She stated that they got commentary back from the City of Carver about possibly putting the driveways on Spring Creek Drive from a traffic calming perspective and for symmetry.

Ms. Moschkau offered to give the Commission her copy of the plan referred to by Ms. Stordahl.

Community Development Director Kabat offered to take the plan from Ms. Moschkau and noted that he just wanted to be clear that it was not unusual that before an application is submitted that there were multiple iterations. He stated that these iterations may be provided to staff in order for them to weigh in and provide direction. He stated that prior to the concept plan submission, the City requires a neighborhood meeting, so they may have been putting different options forward in order to seek feedback. He stated that the feedback provided at the neighborhood meeting had perhaps influenced the direction the developer chose to go. He noted that there had also been feedback that staff had provided and also feedback and coordination with the City of Carver. He explained that the idea of having the driveways connected to the street is consistent with what already exists across the street so there would be neighborhood cohesion. He noted that driveways connecting to a street can often serve as a traffic calming device. He stated that Carver does not consider this a collector road so they were trying to establish it as a neighborhood street and explained that his understanding was that it was a bit of a legacy road which can present a bit of a challenge. He stated that it was important to remember that the Commission should be evaluating the plan that was in front of them tonight and encouraged them to give direction or feedback on the actual concept plan that has been submitted.

Kevin Gillick, 1929 Birch Street, Carver, expressed his appreciation to whoever had sent out the notices for the meeting because he felt that the fact that they live in Carver but received an invitation to attend a Chaska meeting was pretty cool. He stated that he believes that they were now looking at either plan 3 or 4 and noted that he wasn't sure when their questions and the

City's answers would be considered 'final'. He asked when the public would actually know exactly what plan they were talking about.

Chair Brass stated that they were talking about what was presented tonight by staff and not what Mr. Gillick had seen in the past. He stated that, as Community Development Director Kabat had stated, it is very common for developers to go through numerous iterations of their plans while they are garnering feedback. He explained that this proposal was only at the 'concept' stage and noted that the next step as the Preliminary Plat would be more major. He noted that once it goes to the City Council, they would also have to approve it. He explained that if that happens, then the developer will go back and work on all the things that the City has added as conditions of approval and come back and present it again with their new and improved plan. He assured the public that they would also be involved at that point.

Mr. Gillick asked if the public would continue getting notifications like they did this time with a postcard, once it starts moving to the City Council.

Chair Brass outlined the process and stated that they would be notified if and when this came with an application for a Preliminary Plat. He reiterated the point he made earlier in the meeting that there were currently no utilities nearby and it would be very expensive to extend them, so it may be a year or two before this would even get to the next step.

Mr. Gillick stated that he would just ask that the public be kept informed along the way so they have a chance to participate in the process and the decision. He explained that people do not know how to hunt and peck for information between Chaska and Carver and asked the City to keep the process simple for everyone who lives in the neighborhood.

Chair Brass asked if the applicant would like to address the Commission.

Haley Daily, Pulte Homes Minnesota, stated that they have heard the concerns and comments that have been shared so far but asked if anyone had anything additional to add.

Chair Brass stated that he felt that having park space was a big deal and would recommend that they include something in their plans because the nearest park space is too far away. He stated that he also felt that the second access point seemed a bit redundant, especially if they will have a bunch of driveways on Spring Creek. He stated that he was not a traffic engineer but he would not be in favor of the suggestion by Ms. Moschkau to build the road all the way to the left because it made more sense, from a safety standpoint, to have roads connect with other roads and create a perfect 'T'. He noted that density was kind of a new thing and was not sure if it had even been discussed yet, but asked the applicant to consider it.

Ms. Daily stated that she understood the need for a lot and noted that they would consider the possibility of removing the western entrance and putting in a cul-de-sac. She stated that regarding density, they had really looked to the Comprehensive Plan which had this guided for low density residential of 2-5 units/acre and explained that their proposal falls into those guidelines. She stated that they can look into including other things like townhomes or villas, but it would add more density.

Commissioner Olson asked Ms. Daily to elaborate on the previous versions of their plans and how the current version with the two entrances came about.

Ms. Daily stated that originally they had a different concept plan which staff had seen and they received some feedback that suggested that they look at a layout with homes facing Spring Creek Drive which would mimic what already exists. She noted that typically local roads have homes that face each other on both sides of the street. She explained that they thought that having a second access point would work best because cities typically prefer that, but reiterated that was something that they can take another look at.

Chair Brass stated that if there were 20 homes that had access directly onto Spring Creek there would only be about 20 other homes that would need a road. He referenced the idea that had been raised to put in a cul-de-sac and a tot lot, and noted that may mean there would be even less homes that would need an access road.

Commissioner Campbell stated that the neighborhood meeting had already been held and asked what the developers impression was of that meeting.

Ms. Daily explained that they heard a lot of opinions and were asked a lot of questions. She stated that because this was still so early in the process, they could not answer all their questions. She stated that they were just looking for feedback from the neighborhood, City staff, the Commission, and the City Council.

Commissioner Campbell asked the developer felt was the biggest concern that came out of the neighborhood meeting.

Ms. Daily stated that it was hard to say, but traffic was a concern but noted that there were improvements scheduled for High Point Vista and County Road 61.

Chair Brass asked if the improvements she was referring to were the roundabout.

City Planner Hanson stated that there were a few different options being considered and noted that the ultimate option would be a single lane roundabout.

Commissioner Olson stated that he felt that actually puts a little different twist on things because it creates a border between Carver and Chaska and asked who would ultimately have responsibility for Spring Creek Drive.

Community Development Director Kabat stated that this was a conversation that has been initiated with staff from the City of Carver about what may make sense. He stated that up until this point, since Spring Creek Drive has served Carver, Carver has maintained and taken care of it, but believes that both cities recognize that dynamic will most likely be changing.

Commissioner Baswa stated that this development was in Chaska.

Community Development Director Kabat stated that this development is in Chaska and will follow Chaska's process.

Chair Brass stated that technically it is Chaska's development so they can do what they want, but felt the City was trying to be neighborly as well. He asked if there was anyone else in the audience that wanted to address the Commission.

Jim Streiff, 1941 Mulberry Lane, Carver, asked about Mount Hope and Chaska Boulevard and the possibility of a roundabout. He asked if that meant that Chaska Boulevard would then become a four-lane roadway.

Chair Brass stated that because of the development on the north side, he felt that there may be a second lane within the roundabout, but it would be a one-lane roundabout, with turns.

Mr. Streiff stated that there is a tremendous amount of traffic that comes out of Carver and funnels to the corner of Mount Hope Road and Chaska Boulevard. He stated that he understands that there will be a lot of versions of the plans as they find out new information but asked if there was an environmental impact statement that went along with the plans.

Chair Brass stated that would not happen at this level of consideration because this was a high level concept plan review.

Community Development Director Kabat clarified that the scale of this development would not rise to the level of requiring an environmental impact statement.

City Planner Hanson noted that there was someone on-line who had their hand raised to speak.

Michael Muhich, stated that he lives right across the street from the main driveway that goes into the Engelen property. He stated that he has not heard anything during tonight's discussion about safety, which had been brought up at the neighborhood meeting with Pulte. He noted that there is a bus stop at Birch Street and Carver for the school kids and asked the Commission to take that into consideration when looking at the construction traffic. He stated that he wanted to reiterate the issue with the second access point to the west and explained that he also did not feel it was needed. He stated that there were comments that changes had been made by the developers after they got comments from the neighborhood meeting, but explained that he did not feel that was accurate. He stated that Pulte sent out a diagram of the proposal and when they got to the meeting, they had a different picture up and the neighborhood was told to disregard what had been sent and that they would be presenting the new layout. He stated that there was no input from the neighborhood about their plans because they had already switched it prior to the meeting. He stated that he understood that the Commission was only considering the plan in front of them tonight, but wanted to make it clear that there was actually no input from the neighborhood taken into consideration.

Chair Brass assured Mr. Muhich that the City will definitely consider construction traffic at the appropriate time later in the process.

Ms. Moschkau stated that the Commission had mentioned the density and noted that the picture shown of homes on Spring Creek only showed the western section. She explained that the eastern section of Spring Creek consists of villas and there were also villas immediately on Birch Street.

She asked the Commission to consider that villas were already in the neighborhood as they were considering this application. She noted that it may be also be helpful to know that GPS sends people off of 212 onto County Road 61 in order to get to them.

Chair Brass closed the public comment portion of the meeting at 8:10 p.m.

Chair Brass noted that he felt they should add a condition that the second access point be removed and also that there be some sort of park or tot lot included in the development. He noted that he liked that they were proposing to have sidewalks on both sides of the street.

City Planner Hanson noted that condition #23 includes evaluation of a cul-de-sac, so they would not need to add a condition related to the second access because that was already included.

Motion by Commissioner Brass, second by Commissioner Kerber, to recommend approval to the City Council of the concept plan for the Engelen property, subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits unless modified by the conditions below:
 - a. Narrative (pgs 1-8), prepared by Pulte Homes, dated August 22, 2024
 - b. Regional Context Exhibit, prepared by Pulte Homes, dated June 21, 2024
 - c. ALTA/NSPS Land Title Survey (pgs 1-2), prepared by Pulte Homes, dated June 3, 2024
 - d. Site Forces Exhibit, prepared by Pulte Homes, dated June 21, 2024
 - e. Concept Sketch Plan, prepared by Pulte Homes, dated July 10, 2024
 - f. Site Option 2A Chaska Sanitary, prepared by Westwood, dated July 2, 2024
2. Adherence to the City Engineer memo dated September 5, 2024.
3. Adherence to the Carver County Public Works memo dated August 28, 2024.
4. Adherence to the City's Boulevard Tree Policy and local street section design.
5. In addition to the items required by City Code Sec. 15.36.050, the following must be submitted for a preliminary plat application to be complete:
 - a. Tree inventory and preservation plan;
 - b. Grading plans; and
 - c. Landscaping plans in conformance with City Code Sec. 15.28.070.
6. Coordination with:
 - a. City Engineer regarding utilities, grading, access, and drainage.
 - b. MnDOT regarding noise mitigation plans.
 - c. Electrical department (and Minnesota Valley) on service locations.
7. Compliance with City Ordinances, including:
 - a. Sec. 15.28.290, Anti-monotony and Design requirements: including LP Smartside on front elevations and 4-inch window trim on all windows.
 - b. Sec. 15.28.100, Setback from Steep Slopes: including 50 feet from the edge of the 18-percent slope and 30-foot "no-grade/ mow" zone adjacent to the 18-percent slope for purposes of erosion control.
 - c. Sec. 15.36.080, Subdivision Design Standards: including streets and sidewalk
8. Setbacks are as follows:
 - a. Front yard setback: 25 - feet
 - b. Side yard setbacks:

Interior: 7.5 – feet

Corner: 20 – feet

c. Rear yard setback: 20 – feet

d. Wooded Steep Slopes: 50 feet building setback and 30 feet no grade/no mow setback

e. Wetlands: Varies based on wetland type

f. County Road 61: 150 feet from centerline

g. Trunk Highway 212: 50 feet from the ROW line or 225 feet from the centerline, whichever is greater

9. A construction management plan will be required prior to the release of a permit for any construction [site or building]. The plan must address work hours, construction access and parking, and overall site maintenance compliance.

10. Provision of a noise study of the adjacent highways and how the proposed development plan mitigates noise, and to be submitted at preliminary submittal.

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

12. Provision to show how the development can safely connect into the existing and proposed trails adjacent to the development, and to be shown on the preliminary plans.

13. Provision of boulevard trees every 50 feet between the curb and sidewalk for the full extent of all local streets, and to be shown on the preliminary plans.

14. Prior to final plat approval, developer shall enter into an agreement with the City for the provision of necessary infrastructure and associated development costs, including but not limited to park dedication fees.

15. Provision of a storm water management plan meeting City and Carver County WMO standards.

16. 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 preliminary submittal.

17. Provision to provide adequate landscaping, berming, and buffering along the development edges abutting Highway 212 and County Road 61, and to be shown on the preliminary plans.

18. Provision that applicable easements, as identified by the Engineering department, for the extension of City utilities are secured prior to final plat recording.

19. Provision of a wetland mitigation plan to be completed and approved prior to issuance of a grading permit and prior to final submittal.

20. Provision that roadway access can be accommodated through the Engelen property to access the Frenz property east of Engelen.

21. Provision to further explore housing diversity options in this development such as incorporating another housing product in addition to detached single-family, and to be addressed at preliminary submittal.

22. Provision that city utilities are extended to the site by the developer and paid for by the developer.

23. Provision to further evaluate the west proposed Spring Creek Drive access to be a cul-de-sac, and to be addressed at preliminary submittal.

24. Provision to add a tot lot within the development, and to be shown on the plans at preliminary submittal.

Motion carried.

8. Other Business

9. Receive Other Meeting Minutes

- a. Receive the August 5, 2024 City Council Meeting Minutes

10. Adjourn

Motion by Commissioner Kerber, second by Commissioner Aasen, to adjourn the meeting at 8:14 pm.

Motion carried.