AGENDA
CHASKA PLANNING COMMISSION
CHASKA CITY HALL - COUNCIL CHAMBERS & ZOOM
Wednesday, December 11, 2024
7:00 PM

1. Call to Order
2. Roll Call
3. Adopt Agenda
4. Visitor Presentation
5. Approve Previous Meeting Minutes
   - 5.A. Approve October 9th and November 13th Planning Commission Meeting Minutes
6. Consent Items
7. Action Items
   - 7.A. Recommend Approval of the Concept Plan for Beckman Coulter at 316 Lake Hazeltine Drive/Beckman Coulter/PC #2024-23
8. Other Business
   - 8.A. Receive the November 18th City Council meeting minutes
9. Adjourn

CHASKA PLANNING COMMISSION
MINUTES
OCTOBER 9, 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; Ashley Cauley, City Planner; and, Liz Hanson, City Planner.

3. Adopt the Agenda

Motion by Commissioner Gaare, second by Commissioner Aasen to adopt the agenda as presented.
Motion carried.

4. Visitor Presentation

No one appeared under Visitor Presentation.

5. Approve Previous Meeting Minutes

a. Approve the September 11, 2024, Planning Commission Meeting Minutes

Motion by Commissioner Olson, second by Commissioner Kerber, to approve the minutes of the September 11, 2024 Planning Commission meeting as presented.
Motion carried.

6. Consent Agenda

Motion by Commissioner Brass, second by Commissioner Purdy to approve the Consent Agenda as follows:

a. Recommend Approval of the Final Site & Building Plan for the Golf Performance Center/Hazeltine National Golf Club/PC #2024-18.

Motion carried.

7. Action Items

a. PUBLIC HEARING: Recommend Approval of the Preliminary Site & Building Plan, Preliminary Plat, Zoning Ordinance Amendment (ZOA) and Conditional Use Permit (CUP) for CloudHQ/CloudHQ/PC #2024-13

DRAFT

City Planner Hanson presented the item to the Commission and noted that if the Commission moves this item forward it would go before the City Council on October 21, 2024.

Chair Brass asked about the homestead driveway and if this was something that the applicant would fill in for the neighbors or if the City would take care of it.

City Planner Hanson stated that right now it is within a City-owned outlot, however, that is a detail that they do not yet have specifics on in terms of how it would be finished out. She stated that may be something that the applicant had additional information about because it will be taken out as part of the project.

Chair Brass referenced the 20-year plan for trees and landscaping and asked if there would be any documents of enforcement drafted and because trees that may die and need to be replaced.

City Planner Hanson explained that the point of the 20-year plan was essentially what it would look like in 20 years in terms of the scale of the canopy. She stated that replacements would come at the same warranties that any other landscape plan would have.

Chair Brass stated that he felt that was important because there will be a lot of trees and should be something in the final development agreement that they have to replace trees or something of that nature. He asked if they chose to go the route of a tree fund/tree bank if that meant it had to be done in public places or if it could be used for adjacent neighbors, if they happened to have a dead tree. He explained that would be a way for them to get something in return with the excess trees, since they would be the ones that would be potentially affected by this project.

Community Development Director Kabat stated that is where the challenge could like and noted that he appreciated the creativity of Chair Brass's thought process, but if they look at the purpose of the ordinance, it was really about the public benefit, so they would have to be careful when they think about the link between private and public.

Chair Brass suggested that perhaps they can look at public parks in the neighborhood and, if there was a need, those could benefit first.

Community Development Director Kabat stated that they had talked with the Public Works Director about how this may work but there were still details that needed to be ironed out. He noted that in the City's existing parks, they are dealing with Emerald Ash Borer and attempting to actively prepare for removal and replacement.

Commissioner Olson stated that, in the past, when the City has run into landscaping issues on the industrial side of things, the City has been a little lax on requiring the full allotment of landscaping. He stated that this one seems a little off because now the City is holding firm to their requirements and saying that you can't fill it in but you can fill the tree bank for trees for the City and it can be used somewhere else. He stated that he did not want to use the word dirty, but felt that it seemed off compared to any of the other projects that have come before the Commission because in those, the City required them to put the landscaping on their property and have not allowed them to create a fund in order for the City to put the plantings someplace else. He reiterated that he felt that this was the first time the City was allowing a development

to come through and not hit their landscaping requirement, but provide an opportunity to fund a bank for the City to be able to use it a different way.

Chair Brass stated that he did not recall other developments that have been under.

Commissioner Olson explained that those others have hit their requirements, but this one cannot hit the requirements, so the City was saying that was okay.

Commissioner Kerber stated that she thinks they can hit their requirement, but the point is that they don't want to hit the requirements around the building, but want to hit the requirements so the neighbors have a berm.

Chair Brass stated that they could plant them on the other side of the berm but that would be worthless.

Commissioner Baswa stated that they should not be giving the opportunity for future developments to say that they cannot meet the requirement and will just put it in the fund and expressed concern that this may open up the floodgates for other developments to use this type of practice. He noted that the maximum always depends on the size of the building and they wanted to put in the maximum space for the building, but that was the reason that they could not put more trees.

Commissioner Olson agreed and noted that if their building was half the size, then they could put in the landscaping.

Chair Brass stated that he felt it was very similar to park dedication fees.

Community Development Director Kabat stated that Commissioner Olson was correct that this is a new thought process and explained that there have been other projects where; in order to meet the landscape requirement, it has been probably more than a healthy planting that has taken place on the site which has raised questions about the long-term sustainability of it. He explained that he felt staff had heard concerns about this raised by the Planning Commission and also the desire to seek balance. He noted that he wanted to give credit to CloudHQ in this situation for the idea of doing a tree bank, because the idea came from them. He explained that they have acknowledged that they could get all of the trees on the site, if that was what the City really wanted, but from their perspective, they would prefer to see the investment have more of a public facing benefit rather than landscaping on the interior of the berm in a location that was really not visible to anyone except people who have be visiting the site. He stated that CloudHQ suggested it but staff had analyzed it and felt it was a reasonable outcome.

Commissioner Baswa stated that he felt it was a good idea to have somewhere else but asked about the timeline because he felt that was important. He stated that the City needed to make sure that the tree bank was actually used at the right time and that it would help the City and residents.

Chair Brass asked if the tree bank would be more of a monetary contribution as a fund that the City would draw upon.

Community Development Director Kabat agreed that was the general idea which was similar to park dedication fees.

Commissioner Olson asked for clarity on the rationalization for allowing the doubling of the size from 36 to 72 feet. He noted that the PID was set for 36 feet which CloudHQ and staff knew when they came in.

Chair Brass noted that the Commission had approved the Concept.

Commissioner Olson stated that staff continued to allow that to come through and explained that he would like to know what staff's position was on that and how it came to be that way.

Community Development Director Kabat confirmed that this was something that was discussed at Concept.

Commissioner Olson stated that it was a side note with very little discussion and was brought up as one line saying that they would come through at Preliminary for and amendment and that was all that was discussed.

Chair Brass noted that he thought the Commission had seen renderings and berms at the Concept level.

Commissioner Olson reiterated that there was talk of it but only one statement that said that they would need an amendment.

Chair Brass stated that he felt the Commission was aware of the 72 feet.

Commissioner Olson stated that he felt the Commission was aware that it was tall and reiterated his question about the beginning of the process and wanted to know how this went from knowing that it was planned for 36 feet to ending up at 72 feet.

Community Development Director Kabat stated that at Concept, CloudHQ was very open with their intention that they would propose a 72-foot building. He explained that staff had informed them of the conditions within the current zoning and this was discussed at Concept and presented to both the Planning Commission and the City Council. He noted that renderings were provided that also showed the landscaping and berms so he felt staff was pretty upfront with CloudHQ that if they wanted to pursue that height of a building, the site lines would need to be a priority and to be sensitive to the outcome for the existing neighborhood. He stated that CloudHQ came forward with the building and noted that what was presented tonight was the same footprint and the same height, had the same berm, but with more landscaping than what had been presented at Concept. He noted that at Concept, what staff heard from the Planning Commission was a recommendation for approval, knowing that the building was what it was and that there would be a need for an amendment to the zoning. He stated that they had the same discussion with the City Council and they had also approved the Concept plan, which was why CloudHQ felt comfortable coming forward at the Preliminary stage with what had been approved at the Concept phase.

Commissioner Olson stated that it was assumed going in that CloudHQ was going to be allowed to get an amendment because it was presented to the Commission and recommended to them that they should approve at Concept a 72-foot building.

Community Development Director Kabat stated that was correct.

Commissioner Olson acknowledged that this was presented to the Commission at Concept as a 72-foot building, but noted that was all it was, a concept.

Community Development Director Kabat clarified that staff can only present to the Commission what the applicant has asked for and reiterated that the Commission had recommended approval of what had been presented at the Concept phase, and the City Council approved it.

Commissioner Olson stated that staff knew what was zoned for that lot at the time, which was 36 feet.

Community Development Director Kabat stated that was correct and was presented to the Commission.

Chair Brass stated that they went through this and noted that he remembered the berm too because he had asked if some parts of the berm would be taller for some of the neighbors. He stated that it looks like some of the berm is taller in certain sections but was an average of 30 feet.

City Planner Hanson stated that the applicant could address that.

Commissioner Baswa stated that he remembers the Commission having a long conversation about this and had asked if there would be at least 5 more feet on the corners. He stated that if they could consider that he thinks it would be great because those are directly impacted because they have a direct line of site.

Commissioner Olson noted that they did not have a long conversation on the amendment side of things. He stated that within the 2040 Comprehensive Plan, the green belt actually touches this property and asked staff to comment on that because he had brought this up at the Concept phase, but it was not addressed.

Community Development Director Kabat stated that he felt it was important to understand the Comprehensive Plan, especially in areas that are undeveloped, because it is hard to know exactly where that line will fall on development. He stated that the intent for the area that is guided for open space and wetland is to incorporate areas that are wetlands or undevelopable. He explained that this was done by looking at aerial photos and trying to make a judgment call on where those lines may actually but noted that it wasn't until they got into the development process can they really fully understand where the delineation occurs.

Commissioner Olson stated that the green belt continues down towards Fleet Farm and when the City continues to develop, they will cross into the green belt area again, so he felt that they would

have this same conversation again. He stated that makes it seem as though it really doesn't mean anything. He stated that within the 2040 Comprehensive Plan it was presented as protecting the barrier around Chaska and it has been there for decades and now the first time the City actually comes close to it, they just plow right through it which concerns him.

Community Development Director Kabat noted that this particular parcel was not designed to be part of the green belt. He stated that much of the green belt and the tool that they use is guided rural residential and there are policies around how that can develop.

Commissioner Olson stated that it is very clear that the green belt crossed over the Laketown Township border and into this parcel within the 2040 Comprehensive Plan. He explained that he had concerns about what is going on with this parcel and how it conflicted with the 2040 Comprehensive Plan. He stated that he brought this up at Concept but it had still not been addressed. He noted that they seem to just be walking past it because they are developing the whole thing, but that goes against everything that Chaska has been for the last 30 years since the green belt was created which disappointed him.

Chairperson Brass opened the public hearing at 8:08 p.m.

Brett Burnette, Director of Development, Fairfax, VA, stated that he was here representing CloudHQ and explained that they are a hyper scale data center development company that is based in Washington D.C. and have projects throughout the United States as well as several international countries. He stated that he wanted to reiterate their excitement about developing in Chaska and explained that the data center world changes frequently and have a lot of items that need to be sorted out in order to do a project of this size. He stated that they have been working through them all, including power, but explained that they were committed to being part of this community. He noted that there were also additional team members present tonight to help answer questions. He stated that regarding the landscaping issues, he appreciated the commentary that took place and explained that this was a unique project for CloudHQ and was, by far, the largest berm that they have ever installed on a project. He stated that the plans call for 1,200 trees and 1,500 shrubs. He stated that it has been very collaborative and explained that the reason that they brought forward the alternative idea and concept was to present an array of options that they felt may be more beneficial to the public. He stated that this is a data center that will mostly house computer equipment and the humans that will be there are primarily on the northwest corner of the site, so they beefed up the landscaping in that area but a 30-foot berm was stepping down on the interior side on the north and east side of the site. He stated that they felt that was not providing a lot of public benefit to build the forest that they have on the residential side. He noted that he felt that the forest they were planning to build on the residential side was very warranted in this situation because there is a nice residential community already there. He stated that he wanted to reiterate that the plans they saw with the renderings that was from what they brought at Concept which was a 25% of code plan for trees and they are now at 61%, so it is double what they had originally shown. He stated that another thing he felt was important was the mix of trees was high on the 2-3 caliper inch on the original concept plan and they are now much heavier on the 3.5-4.5 caliper inch and have paid particular attention to not just the 20-year plan, but also to the day one plan and what it will look like for the residents when it was first built which he felt was important.

Chair Brass asked when they planned to begin work on the berm.

Mr. Burnette explained that the berm would have to be done before they start vertical construction on the building and hoped to begin on it at the end of 2024 or early 2025. He stated that they are anticipating that it would take no more than one year to complete and would likely be faster than that, but noted that it would depend on dirt availability because this is 300,000 cubic yards.

Chair Brass asked if they would do the berm in tandem with doing footings and foundation for the building, but the berm would be done before the vertical panels go up.

Mr. Burnette stated that was correct and noted that when they begin foundations would be dependent on when there is a tenant for the building because they are fairly customized buildings.

Chair Brass asked if this was basically a spec development.

Mr. Burnette stated that was correct and explained that they are a hyperscale single-tenant builder. He stated that there were only a certain number of these types of tenants that exist and explained that they were having really good conversations with several of them, but there is one that has shown the most interest. He explained that the building they have designed is based primarily on the design of the most interested party, but it could accommodate other tenants should they need to shift. He stated that they would likely begin the berm early in the process when they have a strong feeling that they are moving forward, but would not begin foundation or vertical work on the building without a signed tenant.

Commissioner Gaare stated that her big concern with data centers is the noise and noted that if he was from norther Virginia, he would know that is a big issue out there because of how tightly packed people are and how close some of the data centers are to residential areas. She stated that she would suspect that there will be people from the neighborhood who express similar concerns. She noted that she realized that the noise analysis was included in the packet which was based on computer simulations that talked about the decibel levels, but did not address the frequency. She gave the analogy of a jet engine being louder than a mosquito, but if that mosquito is in your ear 24/7, it can be pretty impactful. She stated that they will have the 30-foot berm which will be great for aesthetics to shield some of the neighborhood, but they have a lot of equipment on the roof of the building and asked Mr. Burnette to give the City some confidence that issue has been addressed and the people who live in the neighborhood would not be listening to it 24/7.

Mr. Burnette introduced Tad from Kimley Horn and explained that he was their sound expert. He stated that, in general, the projects that Commissioner Gaare referenced in northern Virginia do not have any sort of berm and also have much less landscaping than they have. He noted that the chillers that are on the roof are a different type of equipment than they are proposing to use in Chaska and noted that there have been a lot of advances in technology in terms of sound mitigation techniques that are available for mechanical equipment.

Tad Hardy, Kimley Horn and Associates, explained that he works out of the Charlotte, NC office. He stated that many of the things that are proposed for this development from a mechanical equipment standpoint are newer, more technologically advanced, and quieter in some sense. He

stated that the modeling that they did for this site took into account all the frequency spectra that the manufacturers provided to them and when that is put into the model they have been able to see what that looked like in the surrounding areas. He noted that the model also took into account the shielding that is provided from the barrier that is on top of the building and the berming. He stated that everything that is proposed for this site was included in their model so they have confidence that the noise levels would not be impactful. He noted that the coolers were set to be fit with low sound fans which would be another perk that was already added in and stated that all the generators on site would be upfit with hospital-grade silencers that reduce various frequencies from 35 decibels up to 45 decibels which will also keep the noise levels in check.

Chair Brass asked if, outside of an emergency scenario, the generators would run every so often.

Mr. Hardy explained that every generator has to be tested annually for a few hours at a time, but noted that they only happen one at a time.

Chair Brass asked if, in an emergency situation, because the generators have medical grade silencers if that meant they were still below the threshold for statutory guidelines of a residential neighborhood.

Mr. Hardy stated that the Minnesota state rule has a limit of 50 for l50 during the night time which means 50% of a given hour you cannot be above 50 and they were below that if everything was operating for an entire hour.

Commissioner Olson asked if CloudHQ had actually installed any of the chillers that the modeling was based on in any of their other data centers.

Mr. Hardy stated that he was not sure if they had installed this specific model.

Mr. Burnette stated that they have a project called LC4 that has the chillers that they are proposing for this site. He noted that there is residential right across the street without a berm and they have not had any issues.

Commissioner Olson asked how adjacent the residential area was.

Mr. Burnette stated that it is across a 4-lane highway.

Commissioner Olson stated that the residents wouldn't really know any difference because there is a 4-lane highway already there and explained that a 4-lane highway would be a lot different than Schoolmaster Drive. He asked if CloudHQ had any other comparable sized data centers that was right next to residential with this proximity.

Mr. Burnette stated that they have one in Ashburn and their predecessor company had also done two in Illinois in Chicago. He stated that one was directly adjacent to residential and the other across a 2-lane roadway and they have not had any noise complaints even during outage situations. He stated that their program was a bit different than other developers because they have the generators in enclosed structures which gives them more options for noise mitigation

because they are encased in concrete, but you can build in other types of systems that are different than what you would use, for example, in a container in a mechanical yard.

Chair Brass asked if they could give a 'for instance' kind of comparison with the noise modeling data.

Mr. Hardy stated that when they were wrapping up the modeling, the overall noise level for the typical operation scenario was about 47 and that would be like a dishwasher running in the kitchen while you are around the corner. He explained that it would be similar to the interior of a home without having something like a football game playing on the television.

Chair Brass asked if Mr. Hardy was confident that the noise will be contained.

Mr. Hardy confirmed that it would be contained and over time, with the maturing of the landscaping, the environmental noise that would be part of the ambient noise environment within the trees would likely to be more dominant. He noted that this was also the largest berm he had modeled as well, he noted that he did a 25-foot berm for an industrial area that has worked wonders. He noted that the berm proposed for this project is larger, has more landscaping, and is above and beyond what he has seen in his 12 years doing acoustic work.

Commissioner Olson stated that this is just modeling and that is only as good as the information that is put into it. He stated that he feels that you can make any kind of answer that you want when using a computer model and noted that CloudHQ wrote Mr. Hardy's paycheck, so they are getting the answer that they want. He stated that he would be the skeptic on this item and noted that a dishwasher running all the time in his backyard was probably not something that he would want to hear. He stated that he understands that they are trying to do everything they can with the landscaping and berming, but there is still the uncertainty of what if the model is wrong or the chillers don't work. He stated that those 'what if' scenarios are what he was concerned about. He stated that he would love to cut the building in half, reduce the sound and the berm, because he thinks a lot of these issues would go away.

Chair Brass noted that they could have a manufacturing facility here stamping metal.

Commissioner Olson stated that he felt the City needed to make sure that they put assurances in that the sound side of things will not be a problem.

Chair Brass noted that there are laws related to sound.

Commissioner Olson stated that the State Statute laws were based on information before there were data centers.

Commissioner Baswa stated that he believed that there were already a couple of data centers.

Chair Brass agreed and noted that there were 4 of them there.

Commissioner Baswa noted that he believed the biggest one is probably one-third of the size of this proposal, but acknowledged that they were older, so the technology has definitely advanced.

Chair Brass stated that he lived with the United Health data center in his backyard for years and it was fine for him, and it was much older.

Commissioner Baswa reiterated that with the advanced technology and modernized techniques of the newer equipment, it most likely would not be an issue.

Mr. Burnette stated that his commitment to the Commission is that throughout construction and operations they will have both vibration and noise monitoring systems in place. He stated that he would welcome anyone to come out with them and test either of them at any time and if they are not in compliance with the City codes, they will have to rectify it.

Chair Brass stated that there will be concerns from neighbors about construction activity and things like dust mitigation controls and asked if they had a system in place.

Mr. Burnette stated that they are working with well-known contractors in the area that have worked on big projects near residential areas so they are very familiar with the City and State level requirements during construction including hours of operation and mitigation techniques. He reiterated that they appreciate that this project is right next to a very nice residential community and they want to be good neighbors. He stated that they have committed to monitoring the project e-mail address for any questions that arise and noted that they check it daily.

Chair Brass asked if that meant that they would have a public e-mail address so people can e-mail them if they have an issue or complaint.

Mr. Burnette explained that they already have a public e-mail address for that purpose and noted that the e-mail was chaska-info@CloudHQ.com and explained that it has been live since they first began this project in early 2022 and noted that they have received about 10-12 e-mails thus far.

Chair Brass noted that he was not aware of the e-mail and felt it was a pretty good idea.

Commissioner Olson noted that for the landscaping, he would like to see more of the large caliper trees and that they be started early in the process.

Commissioner Baswa cautioned that they cannot put too many in the same place though.

Chair Brass stated that the City would work with the applicant on determining the final ratio of caliper and those details in order to ensure that there is not the potential for mass death of trees.

City Planner Hanson stated that they have had a few conversations with their landscape architect team to understand, from their point of view and expertise, about what is the most sustainable caliper inch that they can get out there that would sustain long-term. She noted that the message that they have gotten from them is that 4.5 caliper inch is probably the largest, but if the Commission had further questions on that she would ask the applicant to answer those questions.

Commissioner Olson stated that he was asking how the City can get more of the 4.5-inch caliper trees and less of the smaller caliper trees.

Mr. Burnette noted that for parking, the LC4 building he had mentioned earlier has similar square footage to this project and has 150 parking spaces which has been plenty for that location. He stated that they were proposing 235 spaces for this project.

Chair Brass asked if there was anyone in the audience who would like to address the Commission.

City Planner Hanson noted that there is one individual online who has their hand raised.

David LePage, 1987 Schoolmaster Drive, stated that his property abuts the farm and was concerned about the berm in relation to irrigation. He stated that when there is a berm and it rains he felt that water would run off down into his culvert and asked if any considerations had been given to irrigation with the presence of a berm.

Chair Brass asked if he meant water run-off controls.

Mr. LePage agreed that was what he was concerned about. He explained that he bought his home 17 years ago and most of the water runs off of the back 40 in his backyard and flows from one side to the other He stated that he felt that a berm would provide a lot more water for his back 40.

Tricia Sieh, Civil Engineer, Kimley-Horn, Eden Prairie, explained that on the back side of the berm, there will be a pretty significant swale that will collect the run-off from the residential properties and also off of the berm. She noted that on the ends of the swale, it will come around to the stormwater treatment ponds or through the middle of the berm on the north side because there will be culverts that will bring the stormwater through. She stated that this has been very thoroughly engineered so the swales will either carry the water around or through.

Mr. LePage stated that if they were surveying from the street level in front of his house they would find that he was already about 25 feet above the ground. He stated that if the point with the 30-foot berm was to hide CloudHQ, 30 feet will not cover it on Schoolmaster Drive.

Chair Brass asked if he had switched his question topic to visibility.

Mr. LePage stated that he was just trying to make a point. He stated that will most likely be selling his house fairly soon because he was not super fond of the proposed plans. He stated that he felt that this was kind of encroaching on his property and was concerned with their plans.

Ms. Sieh stated that she can address Mr. LePage's question about the visibility issue and also answer the question raised by the Commission earlier in the meeting about the berm height. She stated that the berm is 30 feet +/- 1 foot and noted that if you are looking at it from the horizon it will look like it is going up and down because that is how the existing grade was and clarified that they were measuring from the northern property line. She stated that from the property line it will be 30 feet and noted that if they look more closely at some of their renderings to see what they did with some of the cross sections, they show the line of sight from the main floor. She

noted that they tried to be considerate and take that into account because they know a lot of these are walkouts so they did consider the line of sight from, for example, a kitchen window.

Chair Brass stated that the 30-foot height would follow the natural grade.

Ms. Sieh stated that was correct and noted that she felt it would look nice too because it would not be just straight across.

Chair Brass stated that it would provide some natural variation along with adding trees in at different heights.

Brent Shimek, 1957 Schoolmaster Drive, stated that the building was going to be 72 feet high and asked if that included the equipment, such as the chillers, that would be on the roof or if those were on top of the 72 feet.

City Planner Hanson stated that the 72 feet would include everything.

Mr. Shimek asked if there were any lights that would be at the top of the building and if there would be a lot of lights that will light up the sky in the neighborhood.

Carlos Cutting, CloudHQ, stated that for lighting, in general, they try to match sustainability concerns and some of those require things like downlights and considerations for bird control. He stated that there would be considerations taken, as the design progresses, to address some of the lighting pollution.

Chair Brass stated that he thought he saw something in the packet that stated that the maximum height would be about 28 feet and would be downlighting.

City Planner Hanson stated that the photometric plan now did not show lights at the top of the building. She stated that they will be doing downlighting that was at the mid-height of the building or lower.

Mr. Burnette noted that there were minimal life safety lights.

Mr. Shimek stated that he wanted to echo the comments made by Mr. LePage and how things are set up right now, all of the lots slope down and explained that all the lots next to him have drainage issues that is a huge problem so he was glad that was being addressed. He stated that frequently when it rains, many of the backyards flood, and if the berm ends up causing extra rainwater that will be a huge problem. He stated that for his property, it drops down about 20 feet, so there would really not be much of a berm there and even with the trees, he will be able to see CloudHQ from his bedroom window. He stated that the trees will not be mature for another 15 years so he finds this a huge problem. He explained that a 30-foot berm sounds huge, but in reality, it will not be that big because they would be starting from a pretty low spot and he can kind of look down on the site because it is kind of in a valley as it is today. He suggested that they take a look holistically at the whole gradient because he thinks some areas are going to have a full view of the CloudHQ building.

City Planner Hanson stated that there is someone on-line who would like to address the Commission.

David Rylee, 1977 Schoolmaster Drive, stated that he wanted to share his screen.

City Planner Hanson stated that they did not have the capability, from a policy standpoint, for his screen to be shared.

Mr. Rylee stated that was unfortunate because he had about 25 slides that he wanted to share with the Commission. He stated that he would go ahead and make his statements but explained that it would have been better if they could see his information. He explained that he was a civil engineer that has been registered and professionally licensed in the State for the last 22 years and noted that he had also served on the Planning Commission for 3 years. He stated that this is a 3 step process from Concept to Preliminary to Final and in addition, there are things like the zoning amendments that require public hearings. He stated that the commitment the Planning Commission makes is that they do not pre-judge and it sounds as though some on the Commission have already pre-disposed an opinion that is not their charter. He stated that this was a public hearing and the developer is at risk because if there is an open mind and the Commission hears the neighbors and the information that they are telling them, they should be unbiased and objective, which means that there is more than a 50% chance that the Commission will not recommend approval of their requests, particularly their zoning amendment requests. He asked the Commission to listen with an open mind to what he was about to tell them. He stated that there was a discussion about the 72 feet being talked about at the Concept level and stated that he would have been at that meeting, if possible, but he was on a cruise in a different time zone and had relied upon the Commission to do what was right and vet this project. He stated that they may have discussed the building being 72 feet for 5 or 10 minutes, but he has lived on this property for 17 years and has followed this process closely and felt that 17 years was worth a lot more than 5 to 10 minutes of discussion at that meeting. He stated that he wanted to tell the Commission a little bit about Clover Ridge.

Chair Brass noted that the Commission had read and reviewed the information Mr. Rylee had submitted but there was a packed crowd in the chambers and appreciated his input.

Mr. Rylee stated that he would not be cut off because this was a public hearing. He explained that he had spent a significant amount of time communicating with staff and this is now his opportunity to address the Commission. He stated that he would proceed as efficiently as possible.

Chair Brass stated no one was allowed to have endless time to address the Commission and asked him to stick to the main points.

Mr. Rylee stated that he had personally gone door to door with the neighbors and he speaks for them. He stated that if the Commission hears him out, this meeting will go more efficiently.

Chair Brass answered that if Mr. Rylee just tried to talk over him it would not go more efficiently. He reiterated that there was a crowd present at the meeting and there were other items on the agenda who are patiently waiting their turn. He suggested that Mr. Rylee get to the things that are a problem, that have not yet been discussed because they would love to hear them.

Mr. Rylee stated that he has lived here for 17 years, this is in his backyard, and he planned to tell the Commission what he wanted to tell them. He stated that some things that he felt the Commission needed to understand was that the size of this building is massive and noted that this building's square footage is 2.5 times the size of U.S. Bank Stadium. He stated that his neighbors had made great points that all of their homes at the street level are higher, so when you think about a 30-foot berm with landscaping on top, the visuals that they have provided were not to scale or representative.

Chair Brass asked if Mr. Rylee was saying that the applicant had misrepresented the scale.

Mr. Rylee stated that he felt that they had misrepresented the scale. He stated that PID-7 is a commitment to the neighborhood to provide an area for offices that are clean and quiet, industrial-related uses that can be developed and operated in a high-quality physical environment that complements and is compatible with the natural beauty found along west Chaska Creek and the adjacent residential developments. He stated that this building is massive and also 7 stories tall and gave the example of the 212 medical center which is 6 stories tall. He stated that from what the neighbors have been telling the Commission is that just from common sense, they will see probably the top 25 feet of this building for the foreseeable future and possibly forever. He stated that the size of this building is essentially like looking at a wall and noted that the zoning was in place in order to protect them from this type of scenario. He stated that the zoning was put into place in order to find a compatible use of the property with their residential neighborhood. He stated that before they bought their house he called the former City Planner and had a conversation about what would happen in the field in back and was specifically told 300-foot buffer, 30-foot tall berm that would be landscaped, and the building height would be limited to 36 feet. He stated that his wife is present in the chambers tonight and she can attest that when they were with their realtor, they stood up in the upstairs bedroom, and he described that scenario to her and that they would look over the top of the building, so it would be okay. He stated that now it is 17 years later and they have seen 3 other data centers get built out there and every time he has had a conversation with her that it would be okay, because they would build the berm and they would look out over the top of them, but that is not what has been proposed. He stated that CloudHQ now has a berm with the top 20 feet of a wall that they will look at and asked the Commission not to come to this with a pre-disposed position because they had a 5 to 10-minute conversation about it at the Concept level. He stated that up until the time CloudHQ came, the restriction was for 36 feet, so they came into this with their eyes wide open. He stated that he appreciated the discussion about the noise and that they had made the commitment to meet the DBA requirements. He noted that the low frequency is a big deal and hoped that Mr. Hardy was taking 50 DBZ into consideration during his modeling where the DBA is weighted for the protection of workers and not environmental noise. He noted that in relation to the timing of the construction of the berm, he referenced condition #4, and stated that he felt the intent was correct, but would like the Commission to add, 'and prior to commencing building foundation construction'. He stated that the neighborhood wants to make sure that the berm is built and landscaped before the building begins. He moved on to construction impacts and noted that Mr. Burnette had mentioned that there was 300,000 cubic yards of earthwork, which is a big project, and felt the City had foresight 20 years ago when they laid this all out to incorporate the berm. He stated that what it means to them as neighbors is that for an average tandem axle dump truck, it would be 20,000 loads of dirt that will come into that site and noted that they are planning

to do it in 10 months. He stated that breaks down to a truck entering that site every 3 minutes for 10 months during the work day and asked the Commission to think about that.

Chair Brass asked Mr. Rylee if there was something he wanted addressed.

Mr. Rylee explained that he wanted fugitive dust addressed.

Chair Brass reiterated that for the sake of time, he asked that Mr. Rylee not continue with his narration of the dump trucks coming to the site and get to his concerns.

Mr. Rylee stated that he felt it was important to provide color because their may be people on the Commission that do not understand that perspective and for them to make a full and informed decision he felt he needed to be heard.

Chair Brass stated that he heard what Mr. Rylee was trying to say and explained that he was not trying to be confrontational, but he would like him to get all of his concerns out.

Mr. Rylee explained that he was probably ¾ of the way there if Chair Brass would stop cutting him off.

Chair Brass reiterated his request that Mr. Rylee share his information with less narration.

Mr. Rylee stated that he was concerned about fugitive dust and asked Kimley-Horn to make sure that there is strong language with the general contractor to ensure that is addressed along with the construction noise. He stated that he felt that they needed to have things in their specs outlining things like, no back up alarms, which are 95-110 decibels. He asked that they make sure the tailgates on the trucks have padding and are being diligent with the truck drivers that they are coming to a stop before they bring the bed down and that they are careful with vibratory equipment out there and do not use them on dump truck beds. He stated that he would also ask that they not use tracked dozers because they are tremendously loud and asked that they include stipulations in their contract to ensure that they are using rubber-tracked equipment. He stated that for foundations he would ask that they not use driven pile and instead use something like micro pile. He stated that the things, as a neighborhood, that they want are to have a monthly meeting with the applicant and their general contractor at City Hall with representatives from the neighborhood so they can have a relationship through the course of construction. He asked the Commission to not approve the zoning amendment request and noted that this was driven by the availability of the power, which is tremendous, but it cannot be done at the cost of the residents and break what they see as the covenant of the zoning that includes the 36 feet. He asked that the Commission revise condition #4 as he had outlined earlier in his comments, and to include a condition for the 50 DBZ into this which protects them, into the future. He stated that this was not onerous or something that was being imposed upon the applicant. He stated that he asked that they keep the trees on the site on the back side of the berm because they do have value because they attenuate noise and aren't just there for the visual, but also the noise. He stated that having an additional 150 feet of trees is valuable to the neighborhood and asked that they not just put the trees in west or southwest Chaska somewhere because it would take away part of the noise mitigation that those trees were intended for. He asked Kimley-Horn to ensure that they are putting in state-of-the-art technology and strong specifications that protect the

neighborhood but should also be for their client because the developer's reputation is important. He stated that the last thing they would want is for their neighborhood to document a poor experience with them that would carry forward into their future development opportunities. He apologized if he came across as confrontational with Chair Brass, but stressed that this was important and hopes that it reflects how critical this is to him, personally, as well as his neighbors.

There being no additional public comment, Chairperson Brass closed the public hearing at 9:09 p.m.

Chair Brass noted that he thought the point about the use of backup alarms was a good point.

Commissioner Gaare stated that she thought that was a DOT requirement.

Commissioner Aasen stated that it was an OSHA requirement.

Chair Brass stated that he did not think it was actually possible, but suggested that they make note of it.

Community Development Director Kabat stated that one of the things they talked about with the CUP that was awarded for the berm was circulation through the site in order to limit the need to back up.

Chair Brass stated that they had already discussed the berm and it appears that it would be done before any panels go up, but wasn't sure about the concern raised by Mr. Rylee related to the foundation, and suggested that the City work with the developer on that to work on the timing.

Community Development Director Kabat explained that was the nature of the condition so if the Commission wanted to get more specific with it they could give that direction.

Commissioner Olson noted that they had stated that the berm would be done before the walls went up.

Chair Brass stated that the berm was more of a sight line thing, and some of the noise, but noted that he hated to get into dictating how their construction project goes. He stated that he has the same thoughts about not doing piles because he felt that was outside of the Commission's jurisdiction to tell the applicant how they can construct a building.

Commissioner Olson stated that if that was the case, he questioned why they would have it as a condition.

Chair Brass clarified that he was referring more to the construction itself related to how it was completed. He asked about the idea of installing more trees on the site and if the sound attenuation expert felt that it would help, and if so, then perhaps they should put more on the other side of the berm, but clarified that he was out of his league on that issue.

Commissioner Olson asked if staff was looking for a direction from the Commission on which direction they want staff to go on the issue of having more trees on the lot versus the tree bank concept.

Community Development Director Kabat stated that it was always helpful if the Commission provided their input.

Chair Brass stated that he was fine with either way, but felt that the sound experts should look into what would benefit the sight better and then go that direction.

Commissioner Olson suggested that they take the portion about the tree bank out of the condition.

Chair Brass explained that he just wanted whatever would help the site and be better for the residents.

Commissioner Kerber stated that she felt both sight and sound were important.

Commissioner Baswa stated that it should be sight, sound, and sustainability.

Mr. Hardy stated that the operational equipment is elevated so additional trees along the berm would not do anything in this case. He stated that if the equipment was ground mounted then it would be a different density of vegetation that could reduce noise further, but in this case, being set up at the top of the berm and down helps because of the way the noise travels and explained that the way they have it set up now in their proposal is ideal because it didn't waste landscaping and trees on the back side.

Chair Brass stated that with the silencers, decibel levels, and statutory codes, he did not think he could overrule that and put something in and asked if the equipment would be heard.

Commissioner Olson stated that he had previously stated that it was going to hit 47 decibels.

Chair Brass asked if it would be able to be heard past the berm.

Commissioner Olson stated that it would be heard past the berm.

Mr. Hardy stated that technically it can be heard just given the fact that it is a new thing but in comparison to the existing noise levels that were measured in the field a few years ago, it is compatible.

Chair Brass confirmed that Mr. Hardy was saying that trees on the inside of the berm would not greatly help sound attenuation.

Mr. Hardy stated that it would be very minimal.

Chair Brass stated that if it helps he would be all for putting them there, but if it doesn't he felt that the City should use them elsewhere.

Commissioner Olson stated that based on Mr. Hardy's modeling, the berm, trees, landscaping, mechanicals, and silencers would ultimately be no increase in the decibel level with the data center to the neighbors.

Mr. Hardy stated that the predicted increase was just under 2 decibels, which, to the human ear is deemed barely perceptible.

Commissioner Olson asked what it would take to make it so there would not be any difference and asked if that was on the low-frequency side of things as well.

Mr. Hardy explained that the model factored in the manufacturer's frequency data from a noise emission standpoint, so it would look at all of that.

Chair Brass stated that Commissioner Gaare had stated that she went out to the existing data centers. He explained that he used to live next to one and he never heard anything.

Commissioner Gaare noted that she had and all she heard was Angler.

Commissioner Olson explained that the reason why he was saying this was because this is a large data center. He stated that he thinks that they should put a stipulation that says that they should be held to make sure that they do not increase the decibel level. He explained that he was not talking about the statutory levels and was talking about the decibel level of the current neighborhood.

Chair Brass stated that if it is determined later that trees in that location would be impactful to help the sound whether staff would have the discretion to put more trees there as part of the landscaping plans.

Community Development Director Kabat stated that he thinks the intent was that there were some areas that staff had identified and worked on from a visual perspective. He stated that he felt he was hearing the Commission say that if there is an opportunity for the landscaping could further assist with the reduction of noise, their preference would be that more landscaping be added to the site. He stated that he felt they could work with CloudHQ to test that in their modeling, but it sounded like it was unlikely.

Commissioner Baswa stated that 36 feet is allowed and they are proposing an additional 36 feet and that is the reason why the Commission was discussing the berm. He stated that if they just wanted to go with 36 feet they may not make any effort to put the berm there. He stated that he remembers the Commission had discussed this quite a bit and he felt that staff had provided enough information.

Commissioner Olson stated that he wanted to come back to the sound side of things and make sure that they include in the amendments within the zoning side of things. He explained that he would recommend that they put in something that measures something right now to create a threshold or baseline where the neighborhoods that abut this property using current data as the baseline.

Commissioner Purdy questioned why they would need to worry about it if it was already under the threshold.

Commissioner Gaare stated that she agreed and noted that was why the law was put into place.

Chair Brass noted that the City did not do that for industrial properties or logistic centers.

Commissioner Olson explained that those were set before data centers. He asked the Commission to imagine this going into their backyards and would not be in their presence every day.

Commissioner Purdy stated that there are agencies that control that.

Commissioner Olson asked what Minnesota had right now to regulate data centers.

Chair Brass noted that it was not just for data centers and was just sound, in general, for anything.

Commissioner Olson stated that it is now specifically a data center.

Chair Brass noted that he did not believe it mattered what it was.

Commissioner Olson asked if cities that have had data centers have not had sound problems and noted that they had talked about one earlier this evening.

Chair Brass stated that if there is a problem it will get regulated.

Commissioner Baswa stated that it is a State-level issue and noted that he didn't think the City could put any additional conditions on this level because they are not the ones who define those numbers.

Commissioner Purdy stated that he felt there was already over-regulation and asked why the City needed to be involved in even more regulation.

Chair Brass noted that when the industrial buildings went in, the City did not tell them that they could not have industrial activity here and that they had to have the same sound as there was before.

Commissioner Olson stated that when they created the PID they said 36 feet for buildings and now the applicant is coming in with plans for a 72-foot building.

Commissioner Purdy suggested that the Commission put it to a vote.

Motion by Commissioner Brass, second by Commissioner Baswa, to recommend to the City Council approval of the Preliminary Site & Building Plan, Preliminary Plat, and Conditional Use Permit for CloudHQ, subject to the following conditions:

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

a. Narrative (pgs 1-5), prepared by Kimley-Horn, dated September 4, 2024
b. Narrative (pgs 1-2), prepared by LandDesign, dated September 30, 2024
c. Acoustical Analysis Summary (pgs 1-4), prepared by Kimley-Horn, dated October 1, 2024
d. Existing Property Aerial Image, prepared by CloudHQ, undated
e. Kelzer Addition Plat (pgs 1-2), prepared by EFN, undated
f. Cover Sheet (C000), prepared by Kimley Horn, dated August 5, 2024
g. General Notes (C100), prepared by Kimley Horn, dated August 5, 2024
h. Alta Topographic Survey (C101), prepared by Kimley Horn, dated August 5, 2024
i. Site Demolition (C200), prepared by Kimley Horn, dated August 5, 2024
j. Site Demolition – Enlargement (C201-C204), prepared by Kimley Horn, dated August 5, 2024
k. Site Dimension Plan (C300), prepared by Kimley Horn, dated August 5, 2024
l. Site Dimension Plan – Enlargement (C301-C304), prepared by Kimley Horn, dated August 5, 2024
m. Site Details (C305-C306), prepared by Kimley Horn, dated August 5, 2024
n. Grading and Drainage Plan (C400), prepared by Kimley Horn, dated August 5, 2024
o. Grading and Drainage Plan – Enlargement (C401-C404), prepared by Kimley Horn, dated August 5,
2024
p. Grading Details (C405), prepared by Kimley Horn, dated August 5, 2024
q. Storm Sewer Plan (C500), prepared by Kimley Horn, dated August 5, 2024
r. Storm Sewer Plan – Enlargement (C501-C504), prepared by Kimley Horn, dated August 5, 2024
s. Utility Plan (C600), prepared by Kimley Horn, dated August 5, 2024
t. Utility Plan – Enlargement (C601-C604), prepared by Kimley Horn, dated August 5, 2024
u. Utility Details (C605-C606), prepared by Kimley Horn, dated August 5, 2024
v. Fire Truck Turn Exhibit (EX-1), prepared by Kimley Horn, dated August 27, 2024
w. Truck Turn Exhibit (EX-1), prepared by Kimley Horn, dated August 27, 2024
x. Snow Storage Plan (C300), prepared by Kimley Horn, dated August 5, 2024
y. Photometric Plan (E00-21-E00-22), prepared by Corgan, undated
z. Tree Preservation Plan (L001), prepared by LandDesign, dated August 28, 2024
aa. Tree Inventory (L002-L003), prepared by LandDesign, dated August 28, 2024
bb. Site Constraints (L004), prepared by LandDesign, dated August 28, 2024
cc. Overall Planting Plan (L101), prepared by LandDesign, dated August 28, 2024
dd. Planting Plan – Enlargement (L102-L105), prepared by LandDesign, dated August 28, 2024
ee. Planting Island Plan (L106), prepared by LandDesign, dated August 28, 2024
ff. Planting Schedule + Notes (L107), prepared by LandDesign, dated August 28, 2024
gg. 20 Year Tree Canopy Exhibit (L201), prepared by LandDesign, dated August 28, 2024
hh. Seeding Plan (L202), prepared by LandDesign, dated August 28, 2024
ii. Seeding Schedule + Notes (L203), prepared by LandDesign, dated August 28, 2024
jj. Details – Planting (L301), prepared by LandDesign, dated August 28, 2024
kk. Overall Grading Plan Section Map (EX-1), prepared by Kimley Horn, dated August 27, 2024
ll. East Section View Profile (EX-2), prepared by Kimley Horn, dated August 27, 2024
mm.South Section View Profile (EX-2), prepared by Kimley Horn, dated August 27, 2024
nn. West and North Section View Profile (EX-3), prepared by Kimley Horn, dated August

27, 2024
oo. Proposed Berm Connection, prepared by Kimley Horn, dated August 27, 2024
pp. CHQ Chaska – Schematic Elevations East and West Facades, prepared by Corgan, undated
qq. CHQ Chaska – Schematic Elevations North Façade, prepared by Corgan, undated
rr. CHQ Chaska – Schematic Elevations South Façade, prepared by Corgan, undated
ss. CloudHQ – Floor Plans (pgs 1-3), undated
tt. Architectural Façade Details, prepared by CloudHQ, undated
uu. Fence Detail
vv. Ref. Rendering 1 – Main Façade & Entry, prepared by CloudHQ, undated
ww. Ref. Rendering 2 – Side Façade, prepared by CloudHQ, undated
xx. Render #1 – View from East, prepared by CloudHQ, undated
yy. Render #2 – View from North, prepared by CloudHQ, undated
zz. Render #3 – View from Northwest, prepared by CloudHQ, undated

2. Adherence to the City Engineer's memo dated October 2, 2024.
3. Provision to limit wall pack lights to 18 feet on the west façade, and to be addressed at final submittal.
4. Installation of berm and its landscaping to be completed prior to or at same time of the building's site construction.
5. Compliance with applicable zoning requirements, in particular Chapter 15.28 (Special Regulations).
6. Provision of a storm water management plan meeting City and Carver County WMO standards.
7. Provision of a drainage and utility easement to encompass the trunk watermain extension, to be reviewed and approved by the engineering department, and to be shown on the final plat prior to recording.
8. Provision to coordinate with the City Engineer on the design of the north terminus of West Creek Lane, and to be finalized prior to issuance of a building permit.
9. Provision to coordinate with Carver County Public Works on construction routes prior to issuance of a grading permit.
10. Provision to coordinate with Xcel Energy regarding site layout and construction.
11. Provision that the developer will need to work with neighboring property owners to ensure final grading is seamless to established property line elevations and to ensure stormwater is sufficiently conveyed.
12. Provision to further explore additional trees on the city owned area east of the site and south of the Xcel easement, and to be addressed at final submittal.
13. Provision to enter into an agreement with the city for the provision of cash payment to satisfy deficient landscape quantities (overstory trees, understory trees, shrubs) that would be used towards tree installation in public areas, and to be completed at final submittal.

Motion carried 7-1 (Commissioner Olson opposed).

Motion by Commission Purdy, second by Commission Aasen, to recommend approval of the zoning ordinance amendment (ZOA) to PID-7, based on the draft ordinance.

Motion carried 7-1 (Commissioner Olson opposed).

b. PUBLIC HEARING: Recommend Approval of the Zoning Ordinance Amendment (ZOA) to PMD-20 for a Baseball Training Facility at 1230 Chaska Creek Way/DBAT/PC #2024-16

City Planner Hanson presented the item to the Commission and noted that if this moved forward it would come before the City Council on October 21, 2024.

Chairperson Brass stated that he was very familiar with this type of use and noted that it exists all across the Twin Cities. He stated that he felt this type of use moving into a warehouse building was appropriate and suggested that going forward the City have it be a conditional use rather than having to go through the zoning amendment process. He stated that he would also like it to be expanded to say 'recreational sports' rather than just baseball/softball and gave the example of a gymnastics facility coming in.

Commissioner Purdy noted that this particular location has been empty for quite a while.

Commissioner Olson asked about other tenants and if staff knew details about employee counts and average wages.

City Planner Hanson stated that she did not have that information off hand.

Commissioner Olson stated that he was trying to make the point about what the City was giving up by allowing this special use. He stated that the alternative would be to not allow this and put in what the intended use was for this space. He stated that was why he felt it would be good to know what was actually in the space and what it actually brought in.

City Planner Hanson stated that may be something that the applicant could address.

Chair Brass stated that from his personal experience, generally speaking, these uses are heavily more employed and would suspect that they may offer more jobs than a warehouse.

City Planner Hanson stated that the applicant has stated that they were planning for 20-25 employees and may also bring in additional specialty instructors.

Chair Brass opened the public hearing at 9:44 p.m.

Matt Croon, 7201 61st Street, Cottage Grove, stated that he was the owner of D-BAT in Lake Elmo. He noted that they are not affiliated with a club or associations and are open to the public. He stated that they have kids from 5 years old all the way up to 80-year-olds that come into their facilities. He stated that they typically have about 20-25 employees and noted that many are independent contractors who come in and handle instruction. He explained that at their Lake Elmo facility, they have a few people who played in the major leagues for years down to D-3 former college players who give instructions. He stated that the pay rates are anywhere from $25-$50/hour and they also have some management positions, so they are pretty good paying jobs.

Commissioner Kerber asked if this was the type of facility that a local organization could come in and rent.

Mr. Kroon confirmed that they could rent out the space and noted that it happens frequently in Lake Elmo.

Commissioner Olson asked if the jobs were more contractors and not necessarily local people.

Mr. Kroon stated that there will be about 15 that will be independent contractors and 5-7 that will be full-time employees.

Commissioner Kerber asked if there would be any concerns by the neighbors about the balls being hit constantly.

Chair Brass stated that would be between the landlord and their tenants. He reiterated that this type of use is extremely common in the Twin Cities and should be considered as a CUP for the future.

Commissioner Olsons stated that this building was built for a special purpose for office/warehouse space and to create jobs in those areas which is the area where he didn't think the City could lose sight of why the buildings were built.

Chair Brass stated that all the buildings in the Twin Cities that he was referring to were built for that warehouse/office/distribution use and yet, over time they have found these tenants going into these buildings. He stated that it was essentially a retrofit like many of the office buildings in downtown Minneapolis would be retrofitted into apartments.

Commissioner Baswa agreed and stated that things are changing rapidly and noted that they used to have big box stores and now they are not really big.

Commissioner Olson stated that the dust had barely settled on the construction of this building.

Commissioner Kerber asked City Planner Hanson to speak about how this was set up and the requirements that have been met

City Planner Hanson stated that there is the Comprehensive Plan guidance for business parks which list out a layer of uses within it and supportive uses that are defined in there include healthcare and fitness. She noted that the TIF district is the piece that limits the types of qualified and unqualified uses, so there is another layer on these buildings, and explained that there is a 15% maximum of unqualified uses.

Commissioner Kerber stated that this would then bring the use to 8%.

City Planner Hanson confirmed that the whole development would be brought up to 8% if this was approved.

Community Development Director Kabat noted that the public hearing was still open.

Joe Jetland, Forte Real Estate Partners, stated that D-BAT has 150 locations across the country and sound has been something that is always brought up as a concern, but they have never had to add any additional sound attenuation or remediation. He stated that the question related to job creation, they are above the threshold for jobs per square foot and the employee pay rate was also above the threshold required within the TIF district.

Commissioner Olson asked what the wage threshold was for the TIF district.

City Planner Hanson stated that she was not as familiar with that piece of this.

Jay Moore, Oppidan Investment Company, stated that he was the original developer of this project and was here representing the ownership of Chaska Industrial. He explained that they were here tonight because they developed these two buildings and have 5 really solid tenants that they are proud of. He noted that one of the criteria for them to move forward with this investment was to have a TIF district created because it helped with some of the funding for the infrastructure. He explained that the requirement was 20 jobs and a wage requirement of $17.50/hour which they have greatly exceeded. He stated that they have a vacancy in this building with a complementary use that would not be during business hours and will benefit the community. He stated that they are protective of the TIF district and were okay with this one use that gets up to 8% and assured the Commission that they would not be here next month with a pickleball court.

Commissioner Olson asked if Mr. Moore had knowledge of the pay rates and employee counts for the other tenants.

Mr. Moore stated that he did, but Julie at the City also had all that information.

Commissioner Olson explained that he was trying to understand how this space compared with the other occupied spaces when it comes to employee counts and pay rates.

Mr. Moore stated that this was a completely different use but the wages outlined exceeded the requirements within the TIF district and noted that this use would be outside of the TIF district, so he couldn't comment on that.

Community Development Director Kabat clarified that administration and oversight of the TIF district are all the functions of the Chaska EDA board. He stated that it may be relevant or helpful information for the discussion, but ensuring compliance with it was not the responsibility of the Planning Commission.

Chair Brass closed the public hearing at 9:55 p.m.

Motion by Commissioner Brass, second by Commissioner Kerber, to recommend to City Council approval of the Zoning Ordinance Amendment (ZOA) to the Planned Multi-Use District (PMD-20) to include a baseball/softball/sports facility use within the 1230 Chaska Creek Way building, subject to the following conditions:
1. Approvals shall be based on the draft ordinance.

2. Approvals shall be based on the following exhibits:
   i. Narrative (pgs 1-3), prepared by Forte Real Estate Partners, dated September 3, 2024
   ii. Chaska Creek Industrial parking and truck turning exhibits (pgs 1-4), prepared by Sambatek, dated August 5 & 6, 2024.

Motion carried 7-1 (Commissioner Olson opposed).

c. Recommend Approval of the Concept Plan for an Early Education Center & Preschool (Goddard School)/Goddard School/PC #2024-17

City Planner Cauley presented the item to the Commission.

Commissioner Purdy noted that he liked the idea of putting sidewalks on both White Oak and Meadow.

Commissioner Kerber noted that her fear was regarding people going through the neighborhood to get to it which is something that they don't want.

Chair Brass stated that he felt that instead of dropping off and exiting the same way they could potentially loop out.

Commissioner Purdy agreed and noted that it would be like the schools do it.

Chair Brass stated that was one reason that he would be in favor of the second access, but noted that it may cause some weird congestion. He asked if they had a rendering of the potential southern access point yet.

City Planner Cauley stated that the concept from 1990 showed the secondary access.

Commissioner Kerber stated that she would be curious to see what the surrounding neighbors think.

Chair Brass noted that this was not a public hearing, but he would open it up for people to come and give their input.

Commissioner Olson asked if there was concern about the traffic congestion right there coming off. He stated that he used to take his kids to Step by Step so he knows the area very well and can imagine what may happen if people are diverting right there. He explained that it was not a big concern but was wondering what kind of issues may happen there and if there would be something that the City could do to make sure that there is adequate space so people can get in and out off of White Oak.

Chair Brass stated that one of the good things would be that it is a 'right in' and having the extra access point so people could egress out onto Meadow would help a lot.

Anthony and Laura Miller, 5026 Boulder Lane, stated that they are the applicants and have lived here since 2020. Mr. Miller explained that they would love to bring a premier daycare facility to the area. Ms. Miller stated that their partners could not make it to the meeting tonight and noted that they have owned Goddard's for the past 15 years. Ms. Miller explained that they had taken into consideration much of what was shared at the neighborhood meeting. She noted that in their Medina location, there is a one way in and one way out setup like the Commission was suggesting which has worked well.

Shari Ahrens, Westwood Professional Services, Minnetonka, explained that she was a civil engineer for the project.

Chair Brass asked if Ms. Ahrens had considered the City's potential request of a second access point.

Ms. Ahrens stated that they did look at that and explained that, operationally, it worked best to have the front of the buildings face White Oak Drive. She noted that to get the drive on the other side they would have to totally flip the building which would put the parking against the residential neighborhood and the playground by White Oak Drive. She stated that the preference was to have the front of the building facing White Oak Drive as their 'storefront' and have the playground on the backside, away from the traffic.

Chair Brass stated that coming off the parking lot with an access would end up too close to the intersection.

Ms. Ahrens stated that they need to have at least 400 feet from the intersection.

Chair Brass noted that he did not want the playground to be located on the busy roadway and would prefer it to be tucked behind the building.

Commissioner Olson stated that he would also like it to be kept away from the public service building too and noted that there are tight confines here.

Chair Brass agreed and noted he brought his child to Step by Step for years that was kind of the same thing, but he made it work, even though it wasn't ideal.

Commissioner Kerber noted that there is another facility kind of kiddy-corner from this which means at peak times they would have drop-offs and pick-ups for two facilities.

Chair Brass stated that he felt that this facility would end up being full.

Commissioner Kerber clarified that she was not implying that there was not a need for this type of facility.

Chair Brass asked where City staff had thought the exit would go.

Community Development Director Kabat noted that this was not an issue that could be resolved this evening. He explained that there was a condition within the Concept approval to study the

access and believes that is what needs to be done. He noted that he did not think staff actually had a recommendation for a solution tonight and was just saying that as it moves into the Preliminary phase that this was something that needed to be studied in order to determine the best configuration.

Commissioner Kerber asked if the neighborhood had any concerns.

Mr. Miller noted that the neighbors were just glad that they weren't planning to put in a Taco Bell.

Motion by Commissioner Brass, second by Commissioner Aasen, to recommend approval of the concept plan for the Goddard School, subject to the following conditions:
1. Approvals shall be based on the following exhibits and plans unless modified by the conditions below:
    a. Concept Site Plan Review – Project Narrative
    b. Existing Conditions, dated Aug. 29, 2024
    c. Concept Plans and Views, dated Aug. 29, 2024
    d. Landscaping Plan, dated Aug. 29, 2024
    e. Building Elevations and Exterior Materials, dated July 26, 2024
    f. Floor Plans, dated Aug. 27, 2024
2. In addition to the items required by City Code Sec. 15.36.050, the following must be submitted for a subdivision application to be complete:
    a. Tree inventory and preservation plan;
    b. All plans must:
        i. Include the northerly portion of the property and existing building unless included as a detail plan.
        ii. Accurately depict property lines and items related to the upcoming County project, including (1) trail and reconfigured sidewalk; (2) easements (temporary and permanent); and (3) roadway.
        iii. Adjust the interior lot line should be adjusted to eliminate the need for a setback variance for the existing building.
    c. A plan identifying property lines, existing and proposed utilities, existing and proposed easements, grading, and retaining walls for the entire site.
    d. Landscaping plan. This plan must:
        i. Meet landscaping requirements outlined in Sec. 15.28.070: Landscaping and Screening and
        ii. Provide buffering to adjacent residential properties.
        e. Site circulation plan. This plan should consider:
        i. Improve the pedestrian experience within the site and connectivity to the exterior network.
        ii. Secondary access onto Meadow Lane, as originally contemplated for the site in the 1990s.
    f. Stormwater plan meeting city requirements.
3. Compliance with the City's Engineering Memo dated Oct. 2, 2024.
4. Compliance with City Ordinances, including:
    a. Sec. 15.36.080, Subdivision Design Standards.
    b. Sec. 15.28.110, Exterior Storage, Screening.

c. Sec. 15.28.120, Building Design; Materials
d. Sec. 15.58.250, Exterior lighting.
e. Sec. 15.28.210, Fences.

5. Prior to final plat, the following is required:
   a. Cross-access agreements and easements, as required by the city engineer.
   b. Easements over public infrastructure, as required by the city engineer.
6. Prior to release of permits:
   a. Sign permits will be required for all exterior signs.

8. Other Business

9. Receive Other Meeting Minutes
   a. Receive the August 19 and September 9, 2024 City Council Meeting Minutes
   b. Receive the September 16, 2024 EDA Meeting Minutes

10. Adjourn

Motion by Commissioner Aasen, second by Commissioner Baswa, to adjourn the meeting at 10:23 pm.
Motion carried.

CHASKA PLANNING COMMISSION
MINUTES
NOVEMBER 13, 2024

1. Call to Order

Vice-Chairperson Urbanski called the meeting to order at 7 pm.

2. Roll Call

Roll call was taken. Members present: Commissioners Olson, Gaare, Aasen, Baswa, Kerber, Campbell, and Vice-Chairperson Urbanski.

Members absent: Commissioners Brass and Purdy.

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

3. Adopt the Agenda

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

4. Visitor Presentation

No one appeared under Visitor Presentation.

5. Approve Previous Meeting Minutes

a. Approve the October 9, 2024, Chaska Planning Commission Meeting Minutes

Commissioner Olson asked if the minutes had been attached to the packet.

City Planner Hanson stated that they should have been included in the packet.

Commissioner Olson explained that he had not seen them in the packet.

Vice-Chair Urbanski suggested that they carry this action over to the next meeting in order for everyone to be able to see the minutes.

Motion by Commissioner Olson, second by Commissioner Baswa, to carry approval of the October 9, 2024, Planning Commission meeting minutes to the December Planning Commission meeting.
Motion carried.

6. Consent Agenda

7. Action Items

a. PUBLIC HEARING: Recommend Denial of a Major Variance for 2979 Hilltop Drive to Encroach into the Rear Yard Setback/Joe & Michelle Heiland/PC #2024-19

City Planner Hanson presented the item to the Commission and noted that this item would come before the City Council on November 18, 2024.

Commissioner Olson asked if, for tax purposes, a three-season porch space would be considered living space.

City Planner Hanson confirmed that, per building code, it would be considered living space, but noted that she could not say what it would be considered for tax purposes.

Vice-Chair Urbanski opened the public hearing at 7:30 p.m.

Joe and Michelle Heiland, 2979 Hilltop Drive, stated that they were asking the City to consider approving their variance request that will allow them to complete a three-season porch addition on the back of their home where they have lived since 2003. He stated that they were never notified by their contractor, or the City, that the permit for the porch had not been approved until Tony Zappa had arrived at their home on July 18, 2024. He explained that they had been acting in good faith that all the necessary permits had been sorted out between their contractor and the City. He noted that if they had been made aware of the permit status on May 3, 2024, they would have put a stop to the project and explored other options. He explained that by the time the stop-work had had been issued, their project was about 80-90% completed. He stated that they felt that the City had the ability to approve their request without creating a precedent for future variances and explained that the smaller lot sizes that are permitted in their neighborhood have put their lots at a disadvantage when it comes to meeting the setback requirement which was not created by the property owners. He reiterated that they were not aware of the permit status until the porch was near completion.

Commissioner Olson asked how long the Heilands had been planning the transition from a deck to a three-season porch.

Mr. Heiland stated that it began around the beginning of COVID when they started taking the deck apart with the intention of just replacing the floorboards with a maintenance-free product and had talked to some friends in the construction industry who raised the idea of a three-season porch. He explained that because their backyard has limited space their idea was to be able to maximize the space as much as possible and have space that could also be used in the spring and fall months. He stated that when COVID hit, material pricing went through the roof, so the project essentially went into an unfinished mode until this spring, when they finally reached out to a contractor.

Commissioner Gaare asked if the Heilands were the original owners of the property.

Mr. Heiland confirmed that they had built the home in 2003.

Commissioner Gaare stated that if they had built the home then they should have been aware of the lot size and the setback.

Ms. Heiland stated that they were about 24 or 25 years old and saw a lot that hadn't been built on and thought it was amazing and when the house went up, she explained that she had ended up disappointed because of the end result in the yard space, but noted that was due to her own ignorance.

Commissioner Gaare stated that the 30-foot setback was not new and had been around for a long time.

Mr. Heiland stated that he believed that setback was established in 2003, the year that they moved in.

City Planner Hanson confirmed that it was established at the onset of building out there.

Vice-Chair Urbanski stated that he believed it was part of that PUD. He asked what the Heiland's contractor had to say about this.

Ms. Heiland stated that she believed he was in attendance via Zoom.

Vice-Chair Urbanski noted that all the letters of support that the Heilands had submitted were included in the packet.

Ms. Heiland stated that they had submitted letters from all of their neighbors who could actually see it and they were all in support of their request. She noted that they have put a lot of money into this project and it would be really sad to have to take the porch down and be out that much money. She stated that if they had been told 'no' at the very beginning, it would have been a non-issue, but they did not know anything and invested a ton of money.

Commissioner Gaare confirmed that the Heilands had stated that they were not aware of the issues until July.

Vice-Chair Urbanski stated that the Heilands also did not dispute the fact that their contractor knew about the issue much earlier than July.

Mr. Heiland stated that was true and noted that they found that out afterward.

Ms. Heiland stated that she thinks their contractor, initially, was going in good faith. She explained that initially he thought it had been approved and went ahead and got the engineering drawings done which he paid for. She stated that, at some point in the building process, he did find out and explained that there was work done after that point.

Mr. Heiland stated that was not their intent and explained that every communication with their contractor was that the permits had been taken care of. He stated that, in hindsight, he wishes that he would have had the contractor physically show them to him and reiterated that he thought it was all taken care of. He asked the Commission to put themselves in their shoes in this situation.

Commissioner Gaare asked if the contractor was online.

City Planner Hanson stated that there was one guest present online but wasn't sure if it was the contractor. She asked if the contractor was online to raise his hand so the City could give them the ability to address the Commission.

No hands were raised online.

Ms. Heiland noted that their contractor does have a child in the hospital, so if he wasn't online it was not just a simple 'no-show'.

Vice-Chair Urbanski asked if anyone else wanted to speak during the public hearing.

Brian Wisdorf, 2997 Hilltop Drive, explained that he reviewed the materials that were included in the packet and was here to express his support for the variance request. He stated that he disagreed with the analysis and recommendation within the staff report and that was based on his 20 years of real estate experience dealing with variances. He stated that he had reviewed the City code and the statute, and noted that the Chaska Heights development was associated with the plat that the developer used in order to build the number of units on this parcel that would allow them to maximize the number that could be sold. He stated that when it comes to practical difficulty, the plight of the landowners has to be due to circumstances unique to the property and staff focused on this particular PUD in their analysis. He stated that an interesting thing about Ordinance 746 is that it appeared that it was passed after the platting of the property when usually they go hand in hand. He stated that when looking at the City's ordinance requirements for this area, ultimately, under the current code it was a minimum of 11,500 sq. ft. with an average of 15,000 sq. ft. He noted that when Ordinance 746 was passed, they allowed the developer to create smaller lots of 11,200 sq. ft. for 20 of the lots within Block 5, which includes his lot and the Heiland's lot, and had allowed smaller lots within the R-1 district. He stated that when this development was approved, the City said that they would allow them to put houses on smaller parcels of property. He stated that this ultimately allowed the property owners to put in houses that did not meet the square footage that would otherwise be required. He noted that in this development there are 20 lots that are identified as R-1A and 6 of those are below the 11,500 sq. ft. that the current code would require. He stated that he felt that, in and of itself, made the property unique and noted that this was not a situation created by the property owner. He stated that allowing a smaller lot and keeping the setbacks that would normally apply to an 11,500 sq. ft. minimum requirement, created a crunching of the property for purposes of the property owner and made it more difficult for them to build what they are seeking to build. He stated that he felt that was what made this a practical difficulty and a unique situation and reiterated that it was not created by the property owner. He stated that he felt for those reasons, the Commission and the City Council have a basis to make a finding that this was a unique situation for the Heilands and permit them to move forward with their three-season porch. He stated that the Heilands were not informed in May when the building inspector had informed the contractor that the permit was approved and then told him that the permit was not approved anymore because he had looked at the setbacks. He stated that based on the sequence of events outlined within the staff report, nobody came out to the property to inform the Heilands that they shouldn't be doing anything on their property until the building inspector showed up in his driveway. He stated that he felt that also made this somewhat unique because it was not often that the contractor is informed that a permit has been granted and then later on informed that it was not granted. He stated that this was a difficult situation and, an after the fact variance was

not ideal for anyone, nor was it to be promoted, but, when there are unique circumstances associated with the parcel itself, that would otherwise permit the variance to be granted, he would argue that it was a unique situation. He stated that he felt that by the City approving this request, it did not 'rubber stamp' anything for any of the other properties in the area.

There being no additional comment, Vice-Chair Urbanski closed the public hearing at 7:50 p.m.

Commissioner Campbell asked if, when a permit was issued, signage was posted on the site that showed that it had been signed off for every step of the process.

City Planner Hanson stated that was correct.

Commissioner Campbell asked if the Heilands had not noticed the lack of signage that would usually be applied for this kind of project.

Mr. Heiland stated that they had seen it done before, but explained that they were not aware that it was a requirement to have it posted outside.

Commissioner Campbell stated that the contractor knew there was no permit but decided to go on his own and finish the construction.

Mr. Heiland stated that the contractor had done that unbeknownst to them.

Commissioner Olson asked what prompted the two-month gap between the visit between the contractor and the building inspector going to the site on July 18, 2024.

City Planner Hanson stated that once the message was given to the contractor that the building permit was not approved, the ball was back in their court to correct their plans and resubmit to the City. She stated that she does not know if that was something that had been mentioned by the contractor, but ultimately, the City was notified by an electrical inspector that the work was being completed, when they contacted the City to see if there was a permit on file for it.

Commissioner Baswa stated that this was really sad to see after the Heiland's had spent a lot of money, but if the City considers this lot as a special lot, it would be opening a can of worms, because someone else can easily build something and say that they have difficulties and my neighbor said to build what they wanted. He stated that they may give a free hand to the contractors who would go and do similar things to other residents and just ignore the process and go and build what they want. He stated that he thinks that the Commission needs to also consider aspect this as well and felt that they needed to make sure that the contractor was responsible for their actions and not just look at it from the resident's perspective.

Commissioner Olson asked what the alternatives were that staff has provided outside of tearing it all down or tearing half of it down and explained that he was trying to see what other creative things may be able to be done. He stated that he wanted to find a solution and a way to get through this and noted that they were putting this on the same footprint as the deck that was already there. He stated that if they can set aside the fact that this was already built and think about it as though it was just coming to them as a request for a variance, as a plan. He questioned

what was really different from a deck and something that was the same measurement, but had walls and a ceiling and noted that he was kind of pushing on City code for that issue.

Commissioner Gaare stated that it was because it was a structure.

Commissioner Olson noted that they had said it was a permanent thing, but he felt a deck was also a permanent thing. He asked why there was a distinction between a deck and an enclosed porch and asked if there would be a difference if it was something that just had screens and asked where the delineation was between an enclosed porch, a three-season porch, and a deck.

Commissioner Kerber stated that she would like to know what qualified for the 30-foot setback and what qualified for the 20-foot setback.

City Planner Hanson stated that an unenclosed deck, without a roof and walls, is technically what would be considered for the 20-foot setback. She stated that whether something would be screened or walled, it would be put into the 30-foot setback requirement.

Commissioner Olson asked if someone had a deck and then put a pergola on top of it and whether it would be considered an enclosed deck.

City Planner Hanson stated that a pergola is an open structure, so it would not be considered an enclosed deck. She stated that she believed that the Heilands had a pergola on their deck before this structure.

Mr. Heiland stated that they had not had a pergola on their deck.

Commissioner Baswa asked what other options the Heiland's contractor had provided to them.

Ms. Heiland stated that she did not think there were any really good options. She stated that they could shorten it by 8 feet, but then it wouldn't be large enough for them to have a table out there. She noted that someone had mentioned the possibility of detaching it so it would just be an independent structure and asked if that may be an option.

Mr. Heiland stated that Mr. Zappa had brought up that idea the day he showed up in the driveway and explained that they hadn't explored that option. He stated that when they found out about things in July they asked City staff what options were available to them and the first option was for them to apply for the variance and explained that they had not really explored any other options with the contractor yet.

Commissioner Campbell asked if the deck was original to the house.

Mr. Heiland explained that the deck was built a few years after they built the home.

Commissioner Campbell asked if he had done the work himself or if he had gone through the building permit process.

Mr. Heiland explained that they did pull a permit but the work was kind of done with the assistance of a friend of his within the construction trade.

Commissioner Campbell stated that Mr. Heiland then knew what the setbacks were for the deck.

Mr. Heiland confirmed that he did know the setback requirements for the deck but was not aware that the setbacks changed once there were walls.

Commissioner Baswa stated that the City has seen similar cases when someone wanted to put in a sports court in place of a deck.

Commissioner Campbell stated that there was a letter in the packet from the house directly behind the Heilands who said that this was not a big deal and asked about the homes on the other sides of them.

Mr. Heiland stated that there should have been a total of 3 letters submitted and explained that they had received letters of support from the neighbors behind them as well as to their left and right. He noted that he had also included photographs that showed the view from the neighboring yards as well.

Vice-Chair Urbanski asked if it may be possible for the Heilands to purchase land from the home behind them in order to extend the lot but noted that he believed that lot may be located within a different township.

City Planner Hanson stated that technically that would be a possibility, but it could put that home in violation of where their setbacks sit in relation to their building.

Vice-Chair Urbanski stated that it may also be more expensive to go that route as well.

Commissioner Aasen asked what happened with insurance when there was no permit for a structure.

Community Development Director Kabat stated that would be a question for the insurance company.

Commissioner Aasen stated that his thought was that if there was no permit, then the insurance company may pull their insurance.

Commissioner Olson stated that it feels like staff has two different lanes, one for residential and one for industrial and commercial, when it comes to variances or doing something different for the property at hand. He stated that last month, with the CloudHQ application, the property was zoned for a 36-foot building, which the applicant knew, and yet the City approved something larger than that. He stated that the parcel was zoned and planned for something smaller, but they came in and wanted to build something larger, and the City let them. He stated that setting aside what the contractor did in this situation, the property owners were asking to put a three-season porch on the same footprint of the deck that previously had on the back of the house. He noted that the three-season porch would not change the character of the neighborhood, nor

was it impacting anything and their neighbors were all in support of the request. He stated that what gave him the biggest heartburn was that it was an issue just because it was changing from an open deck to something with four walls.

Commissioner Baswa stated that everything was a different case and explained that he strongly disagreed with the point Commissioner Olson was making. He stated that with CloudHQ, there is a mitigation plan in place regarding its size and noted that the City has the option to say 'yes' or 'no' based on their discretion. He stated that he feels for the homeowners because they have been blindsided, but at the same time, tomorrow, or next month, the Commission shouldn't be hearing the same thing from someone else in this same situation asking for a variance because the City had granted it in this case. He stated that the CloudHQ situation was different than this situation and staff had provided information and did not feel that the Commission should be blaming them because they were just providing the facts.

Commissioner Gaare stated that she knows that Commissioner Olson stated that he was not overly concerned about setting a precedent but her concern was in where the City draws the line. She noted that these are houses in close proximity to one another rather than the situation with the CloudHQ building. She stated that she drove through the area to take a look at what they would be talking about tonight and noted that she felt it was incredibly unfortunate that the contractor was not up front with the Heilands, but she felt that she had to look at the precedent this may set.

Vice-Chair Urbanski stated that the way he looks at this is that there was not a mistake made, but a decision. He stated that the Heiland's were not the ones that made the decision, but there were two decisions made, one on May 3, 2024, when the contractor decided to disregard the e-mail and another when he came in to pay for the permit and made the decision not to tell the Heiland's that the permit had been denied and had essentially rolled the dice with the hope that he wouldn't get caught. He stated that his issue is that if the City approves this, the City would basically give all contractors across the City the right to come in and build something and then come back later and say that they were 'sorry' and that they would do it right next time. He stated that in that way, he felt this would set a precedent.

Mr. Heiland stated that he thinks that this issue could be fixed moving forward if the homeowners are included in the communication process. He stated that there was never any communication to them as the homeowners when the City communicated with the contractor.

Vice-Chair Urbanski explained that if the City does not issue a permit, it was not their job to go out to a house and see what was going on. He stated that the permit was intended to make sure that inspections take place during the building process in order to ensure that things like the framing, windows, and roof installation were all done properly and noted that in this case, none of those inspections were done for the Heiland's project. He reiterated that his big thing is the precedent that this would set for the rest of the City.

Ms. Heiland stated that she felt that if this was denied they would be the ones penalized and not the contractor because while he will be out some money, they will be out a lot more money.

Commissioner Olson stated that they should have legal standing in this situation, but understood that would also cost money.

Motion by Commissioner Olson, second by Commissioner Gaare, to recommend denial of the major variance request to encroach into the rear yard setback 8 feet (Zoning Ordinance 15.12.200) for the purpose of an existing porch addition that did not receive a building permit, to the City Council based on the following findings:

FINDINGS:

1. The property in question can be put to reasonable use under the current regulations and setbacks. There are no unique physical constraints on the property which would put the applicant in a position of not reasonably using their property per this request.
2. The variance is greater than necessary to reasonably use the property. There are reasonable alternatives for a building addition meeting setbacks that should be explored.
3. The variance, if granted, will alter the essential character of the area by allowing a smaller rear yard setback. A rear building addition encroaching into the minimum building setback would set a negative precedence for other homes that have the same rear yard setback.
4. The variance, if granted, is contrary to the City's zoning ordinance (Section 15.12.200), which requires a 30-foot rear yard setback.
5. The variance, if granted, would set a negative precedence for projects that do not obtain a building permit.

Motion carried.

Mr. Heiland asked what happened next.

Community Development Director Kabat explained that the Planning Commission was making a recommendation to the City Council, so the next step would be at the City Council meeting on November 18, 2024. He stated that the City Council will be the one making the ultimate decision and will take into consideration the recommendation from the Planning Commission. He noted that it would not be a public hearing, so they were not obligated to take public comment, but explained that the Council did typically take it, so he would expect that the Heilands could make a statement at the meeting if they would like.

8. Other Business

9. Receive Other Meeting Minutes

a. Receive the September 16 and October 7, 2024, City Council Meeting Minutes

Vice-Chair Urbanski noted that the other meeting minutes were also not attached to the packet and asked those to be brought forward to the next meeting.

10. Adjourn

Motion by Commissioner Aasen, second by Commissioner Baswa, to adjourn the meeting at 8:16 pm.
Motion carried.

REQUEST FOR ACTION
CHASKA PLANNING COMMISSION
12/11/2024

Subject: **Beckman Coulter – 316 Lake Hazeltine Drive – Concept Plan**

Applicant: Beckman Coulter and Clark, Richardson & Biskup Consulting Engineers (CRB)

Location: 316 Lake Hazeltine Drive

Case No.: P.C. No. 2024-23

Synopsis: The applicant is requesting Concept Plan approval for a two-story building addition totaling approximately 148,000 square feet

Prepared By: Elizabeth Hanson

Staff Recommendation: Motion to recommend approval

Introduction

The property in question (316 Lake Hazeltine Drive) is located on the northeast edge of the City. The following exhibit below is intended to show the general site area and adjoining uses:

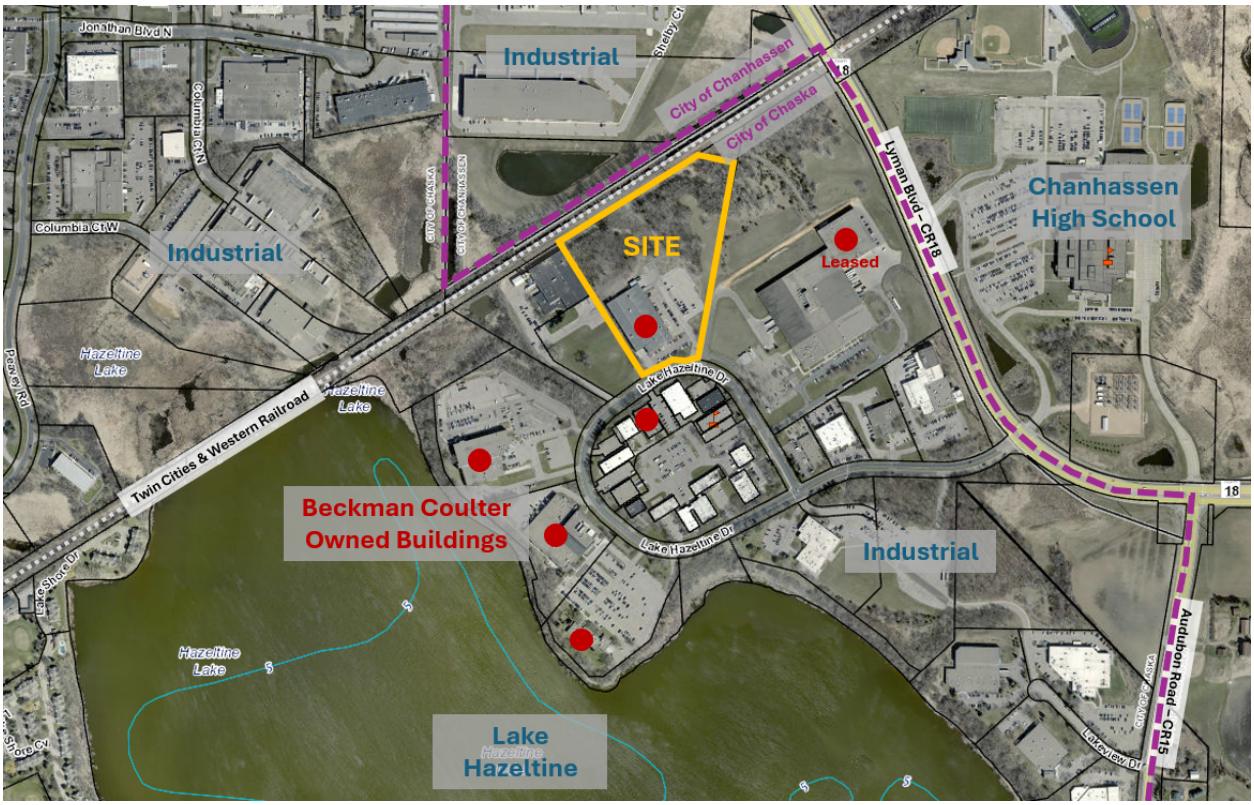

Figure 1: Existing Site & Adjoining Uses

Neighborhood Meeting – October 22, 2024

The developer held a neighborhood meeting on Tuesday, October 22nd at 6:15pm. No one from the public attended the meeting.

Previous Approvals

At their July 16, 1984 meeting the City Council approved the site and building plan for the existing building at 316 Lake Hazeltine Drive. The site plan approvals contemplated a building totaling 53,700 square feet plus a potential northerly building addition which could double the size of the facility. The company that occupied the building at the time was Dataforms, Inc., which was a printing business. Beckman Coulter purchased this building in 2013.

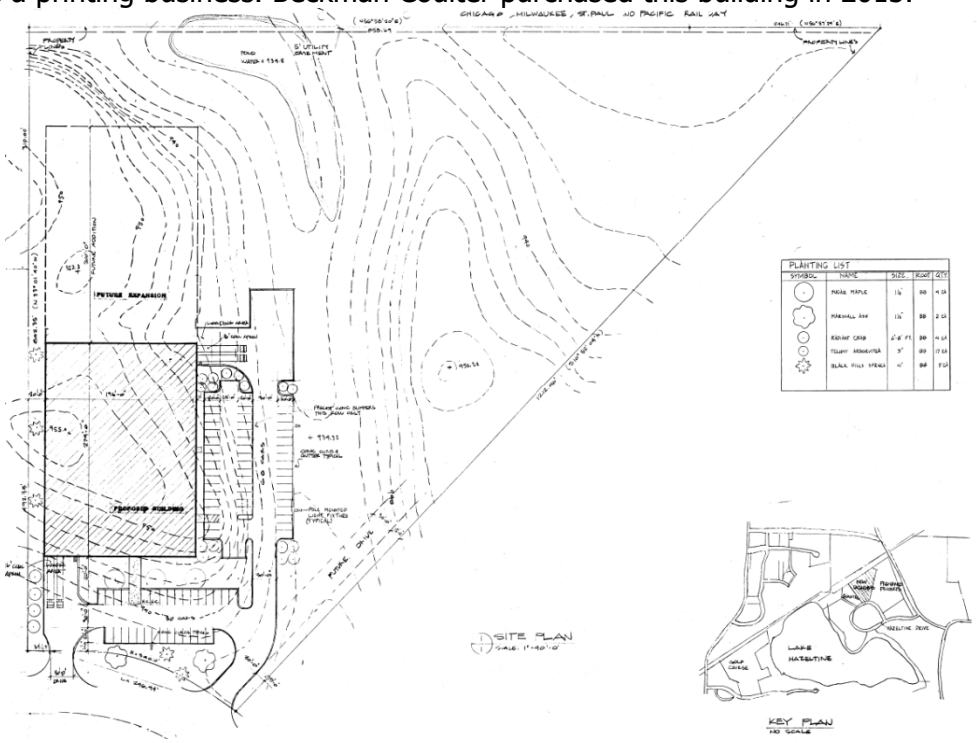

Figure 2: 1984 Site Plan Approval

At their November 18, 2024 meeting City Council approved the city's application to the Minnesota Department of Employment and Economic Development (DEED) on behalf of Beckman Coulter Inc. to the Minnesota Investment Fund program (MIF). The city received this request from Beckman Coulter to sponsor an application that would provide the company with a forgivable loan funded by DEED. This loan would help offset capital improvement costs associated with the building expansion project proposed.

Concept Plan

The applicant is requesting approval of a Concept Plan. The following is intended to summarize the applicant's request:

- **Existing Conditions.** The site, 316 Lake Hazeltine Drive, is comprised of 12.9 acres and is located west of Lyman Blvd (CR18), south of the Twin Cities & Western Railroad, and north of Lake Hazeltine. The property currently contains a one-story building totaling approximately 60,500 square feet and a surface parking on the south and east sides totaling 182 stalls. The topography is relatively level, but generally slopes from

south to north, with two existing wetlands and wooded areas along the northern property line abutting the railroad tracks. Approximately 4.5 acres of the existing 12.90-acre site has been disturbed/developed with the existing building and parking areas with the remainder of the property being occupied by existing wetlands, trees/landscape areas, and stormwater management areas. Access to the site comes directly off of Lake Hazeltine Drive from two driveway points.

Figure 3: Existing Conditions

- **Concept Plan.** The concept plan contemplates a two-story building addition totaling 148,000 square feet. The building addition would expand the manufacturing footprint at Beckman Coulter's Chaska campus. The addition is proposed on the northeast corner of the existing building. The parking lot will also be expanded on the east and north sides of the site.

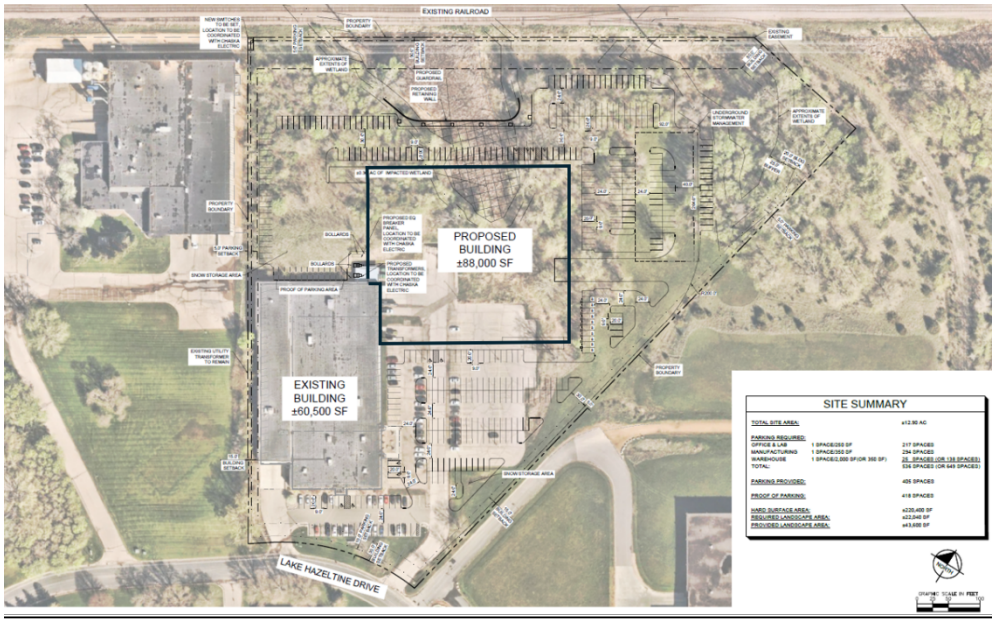

Figure 4: Proposed Concept Plan

Goals: The applicant has identified the following goals and guiding principles for the project:

- Create optimal flow with new building addition
- Create flexibility by avoiding monuments within the building design
- Create collaboration across functions and spaces within the workplace
- Create employee wellbeing through sustainability and quality of design

Parking: 418 parking stalls will be provided for the site (13 shown as proof of parking). Included in the proposed parking count are 10 electric vehicle (EV) spaces. The EV spaces are located on the east side of the proposed building addition.

Building Design: The existing building is a concrete tip-up, one story building and totals approximately 60,500 square feet. The proposed building addition is two stories and totals approximately 148,000 square feet for both stories. The addition proposes to use precast concrete panels with reveals and glazed entrances.

Access: Two points of access exist on Lake Hazeltine Drive. Both provide access to the employee parking areas and loading docks.

Utilities and Stormwater: Utility connections currently serve the property. With the building addition the utilities will be extended through the site.

Stormwater will be captured through underground storage. This underground system is proposed under the parking lot on the northeast side of the site.

- **Land Use.** The property is currently zoned Planned Multi-Use District (PMD-1). The zoning shows this site as industrial use (see below) and refers to the City's standard Industrial (I) zoning district for permitted uses and setbacks.

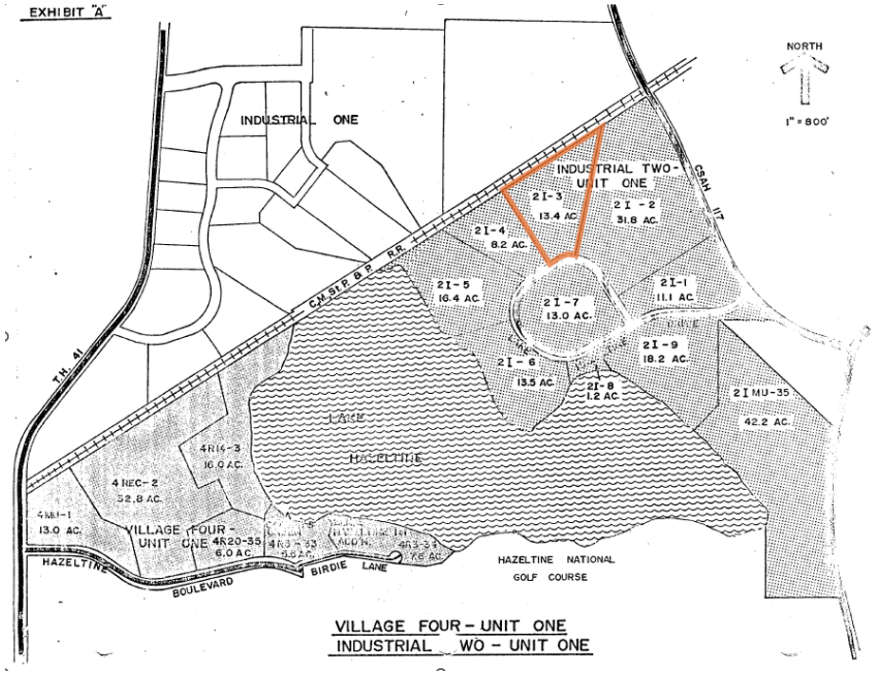

Figure 5: map excerpt from PMD-1 zoning

Concept Plan - Staff Analysis

The applicant is requesting approval of a Concept Plan at 316 Lake Hazeltine Drive. The following is intended to summarize staff's analysis of the applicants request:

- **Comprehensive Plan**

  The comprehensive plan guides the site as Industrial (purple). The proposed use is consistent with this.

  Figure 6: 2040 Comprehensive Plan

  Industrial

  Lots or parcels guided for buildings and associated office, administrative and truck service facilities for the following activities: manufacturing, fabrication, assembly, processing, packaging, compounding or storage of materials, goods and products. Also included are scientific research, investigation, testing, experimentation, wholesaling (except live animals), contractors, goods movement facilities, communication, and utilities.

  Land Use

  Beckman Coulter currently owns 316 Lake Hazeltine Drive, along with 5 other buildings on Lake Hazeltine Drive. Beckman Coulter develops, manufactures, markets and sells products for biomedical testing, with a focus on making laboratories more efficient. Its diagnostic systems are found in hospitals and other critical care settings around the world and produce information used by physicians to diagnose disease, make treatment decisions, and monitor patients. Beckman is exploring options to grow its life sciences manufacturing functions at their 316 Lake Hazeltine Drive location, which would bring in approximately 300 more full-time employees to Beckman Coulter's buildings within the next 3 years.

  The parcel of land that this development encompasses is currently zoned Planned Multi-Use District (PMD-1). Zoning regulates this site as industrial use, and refers to the city's standard Industrial (I) district for permitted uses and setbacks. The request to continue and expand the site's manufacturing use is consistent with the zoning.

- **Setbacks & Development Standards**

  The following tables summarize the required setbacks for the site:

BUILDING SETBACKS		
Direction	**Required Setback**	**Proposed Setback**
South Property Line	30 feet	Unknown
Interior Property Lines	15 feet	Unknown
Railroad ROW (north)	50 feet from ROW	Unknown
Wetlands	Varies based on wetland type	Unknown

PARKING SETBACKS		
Direction	**Required Setback**	**Proposed Setback**
Street ROW	10 feet	10 feet
Interior Property Lines	5 feet	5 feet
Wetlands	Varies based on wetland type	Unknown

The following table summarizes the development standards for the site:

DEVELOPMENT STANDARDS		
Item	**Requirement**	**Proposed**
FAR (floor to area ratio)	0.5	Unknown
Building Coverage	50%	Unknown

The applicant will have to show in their preliminary submittal if they meet these setbacks and development standards.

- **Layout**
  The proposed building addition will be connected to the northeast corner of the existing one-story building. New parking will be constructed on the north and east sides of the site. The applicant evaluated several layouts for the site before selecting the one proposed (see applicant's narrative). The proposed layout was selected to reduce the amount of impacts on the existing wetlands.

  The site is accessed from Lake Hazeltine Drive at two access points. Both vehicle entrances provide access to the parking and loading dock areas.

- **Parking**
  The site will incorporate 418 parking spaces (13 are proof of parking). The following chart summarizes the overall parking demand on site, based on the City's parking code.

Uses	**Approx. Size**	**Code Req.**	**Est. Parking Req.**
Office	46,000 sf	1ps/250 sf	184
Manufacturing	102,500 sf	1ps/350 sf	293
Warehousing	55,500 sf	1ps/2,000 sf	28
		REQUIRED	**505 parking spaces**
		PROVIDED	**418 parking spaces**

According to the table above the applicant is insufficient in meeting parking for the site based on the existing and proposed uses. The applicant will have to show how they meet this requirement in the preliminary and explain the parking need of the facility.

- **Landscaping**
  The table below indicates the landscaping requirements for this building addition:

LANDSCAPING REQUIREMENTS & PROPOSED		
	Required	**Proposed**
Overstory Trees	462.5 caliper inches (185 trees)	40 trees
Understory Trees	46	27
Shrubs	294	295

  The applicant will have to show in their preliminary submittal how they meet the landscape ordinance (Section 15.28.070), including but not limited to planting island requirements.

- **Building Design & Materials**
  The proposed building addition will be two stories and constructed with precast panels and glass. The look of the building addition will use the same material (concrete) and general design as the existing building but have a different concrete finish (precast panels with reveals). The addition will be setback over 200 feet from the existing building so the visibility from the street will be minimal. In general, it appears the new will fit in well with the existing.

  The building addition will be approximately 148,000 square feet for both stories and a total of 35.5 feet in height at it's tallest point. The footprint of the building addition will total approximately 88,000 square feet.

  With a building addition, the intent is to design it seamless with the existing building. Based on what the applicant is proposing that appears to be the case. It is not necessary that the building addition meet the Industrial design standards as that was not applied back in 1984 when the building was originally approved. Implicating these regulations on the building addition would create an improper material balance between the existing and the proposed areas of the building.

- **Pedestrian Connections**
  The building, 316 Lake Hazeltine Drive, is located within an industrial park of Chaska. Lake Hazeltine Drive currently does not have sidewalks on either side of the street. There is a striped walkway on the outer edge of the street for pedestrians to use. Beckman Coulter has a few internal pedestrian walkways between their buildings in the event that employees need to go to other buildings.

  The applicant states that the building addition proposed would not significantly impact how Beckman Coulter employees connect between the buildings. The proposed plan provides campus consolidation of the hardware instrument manufacturing into one building at 316 Lake Hazeltine Drive. Therefore, with the additional office seating and

warehouse capacity it results in fewer instances of personnel needing to walk to other buildings.

Figure 7: Map of Beckman Coulter Owned/Leased Buildings and pedestrian walkways

- **Utilities**
  Utilities are able to serve the building addition. There is an existing trunk sewer and water line that runs north-south on the site.

- **Stormwater**
  Stormwater management is shown as an underground system that is located on the northeast side of the side under the parking lot. Stormwater will need to meet City and County requirements. A stormwater plan will be required at preliminary submittal.

- **Wetlands**
  Because there are known wetlands on site and a proposal to impact a portion of the north wetland, the applicant will have to conduct a wetland delineation report and mitigation/impact analysis for their preliminary submittal. Any wetland impacts need to be reviewed and approved by the Technical Evaluation Panel (TEP).

  The applicant is proposing approximately 0.4 acres of impact to the existing northerly wetland to accommodate the proposed improvements. As noted above and in the applicant's narrative, other layouts were evaluated but not selected as it would result in significantly more impacts to the wetlands.

Deadline for Agency Decisions

Complete Application Received	60-day review *	120 – day **
November 26, 2024	January 25, 2025	March 26, 2025
* Pursuant to MN State Statutes the City must act on the request within 60-days. ** The city can provide the applicant with a written letter requesting an additional 60-day review period if further review is needed.		

Planning Commission Action Requested:

Motion to recommend approval to the City Council approval of the concept plan for the building addition at 316 Lake Hazeltine Drive, subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits unless modified by the conditions below:
    a. Narrative (pgs 1-9), prepared by Beckman Coulter, dated November 5, 2024 and revised November 18, 2024
    b. Existing Conditions Photographs, prepared by CRB, dated November 5, 2024
    c. ALTA/NSPS Land Title Survey (pgs 1-3), prepared by EFN, undated
    d. Site Plan, prepared by Kimley Horn, dated October 25, 2024
    e. Grading Plan, prepared by Kimley Horn, dated October 25, 2024
    f. Utility Plan, prepared by Kimley Horn, dated October 25, 2024
    g. Landscape Plan, prepared by Kimley Horn, dated October 25, 2024
    h. Existing Site, prepared by CRB, dated November 5, 2024
    i. Space Function Diagrams Level 1, prepared by CRB, dated November 5, 2024
    j. Space Function Diagrams Level 2, prepared by CRB, dated November 5, 2024
    k. Building Materials and Precedents, prepared by CRB, dated November 5, 2024
    l. Renderings, prepared by CRB, dated November 5, 2024
    m. Elevations New Building Addition, prepared by CRB, dated November 5, 2024
2. Adherence to the City Engineer memo dated December 6, 2024.
3. Compliance with City Code Sec. 15.28 (Special Regulations), including but not limited to the following, and to be submitted with the preliminary site plan application:
    a. Tree inventory and preservation plan;
    b. Landscaping plans in conformance with City Code Sec. 15.28.070;
    c. Grading plans;
    d. Stormwater plan; and
    e. Wetland Mitigation Plan
    f. Truck turning exhibit
    g. Fire truck turning exhibit
4. Coordination with:
    a. City Engineer regarding utilities, grading, access, and drainage.
    b. Electrical department on service requirements.
5. Setbacks are as follows:
    a. Front yard setback (south property line): 30 - feet
    b. Side yard setbacks (east & west property lines):
        i. Interior: 15 – feet
    c. Rear yard setback (north property line):
        i. Property Line: 20 – feet

        ii. Railroad ROW: 50 - feet
    d. Wetlands: Varies based on wetland type
6. Development standards are as follows:
    a. Floor Area Ratio (FAR) maximum: 0.5
    b. Building Coverage maximum: 50%
7. Provision of a storm water management plan meeting City and Carver County WMO standards.
8. Provision of a wetland mitigation plan to be completed and approved prior to issuance of a grading permit and prior to final submittal.

City of Chaska
Memorandum

To: **Planning Commission**
From: **Matt Clark, City Engineer**
Date: **December 6, 2024**
Subject: **316 Lake Hazeltine Drive Concept Plan – Engineering Review**

The project proposal considers building and parking expansion over property owned by Beckman Coulter, Inc. In general, storm water for the property drains north to a series of wetland areas. The project requires City and Carver County Watershed approvals of a storm water management plan for the overall site. The project requires wetland delineations with agency approvals for the City wetland conservation act process. The City's process includes wetland delineations are complete in part with the next step for preliminary review. Any impacts to wetland areas require agency review and permitting prior to final acceptance.

Material revised per request on
November 18, 2024.

5 November 2024
City of Chaska Concept Site Plan Review
316 Lake Hazeltine Drive, Chaska, Minnesota

PROJECT NARRATIVE

The Best Small Town in Minnesota

Beckman Coulter knows the value of living and working in Chaska. While already established in the neighborhood, the expansion of Building 316 will create additional job opportunities, fostering economic growth and enhancing the community. The new building expansion creates an opportunity for quality development along Lake Hazeltine Drive by expanding an environmentally friendly manufacturing process for diagnostic hardware instrumentation assembly. Site context strongly informs the external characteristics of the addition, creating a seamless transition from one property to the next. Beckman Coulter, part of Danaher, accelerates the power of science and technology to improve human health and save lives. Globally one million tests per hour are run on Beckman Coulter Diagnostics laboratory systems, impacting over a billion patients per year. This is the kind of business Chaska can be proud to call home.

Neighborhood Meeting

A neighborhood meeting was held on October 22nd, 2024 to allow members of the community to ask questions regarding the design and construction of the proposed building addition. The Beckman Coulter and Design team introduced themselves and the project to those present. A quick overview of Beckman Coulter's company figures and statistics was presented along with an explanation for the manufacturing expansion needs of Building 316. The rendering was shared with the group, along with a list of benefits provided by this project including:

1. Access to Twin Cities educational institutions and its labor market
2. Positive economic impact and job creation for 2025-2027 and beyond
3. A sustainable and environmentally friendly manufacturing process
4. A consolidated location for Beckman Coulter

Project Goals and Guiding Principles

The following guiding principles are Beckman Coulter's roadmap to optimal solutions for this project:

1. Flow
2. Flexibility
3. Collaboration (Gemba)
4. Cost
5. Attraction and Sustainability
6. Transition

The flow of the project focuses on both people and material flows on this site as well as within the existing and new building addition. Efficient flows are created with the two dock locations, creating a linear movement of materials from receiving to assembled and tested instruments for shipping. Flexibility is maintained by avoiding monuments within the building design. Collaboration across functions and adjacencies of certain spaces facilitates collaboration and continuous improvement within the workplace. The cost of operations and capital expenses are important factors that will be considered for the design of the expansion. Employee wellbeing, sustainability, and quality of work environment are important considerations for Beckman Coulter and have informed the concept. Employee wellness elements have been programmed for the project from prayer and

mother's rooms to a full-service cafeteria. Natural light is provided to interior spaces and impact to site wetland areas has been minimized to the largest extent possible. EV charging stations and considerations for solar arrays are included. Finally, transition focuses on the time and impact to current production. A full renovation to the existing building was considered but was ultimately found to not be a feasible solution for the need for expansion. Transition needs guided the project toward the new building addition concept.

Project Background

Beckman Coulter, Inc is looking to expand manufacturing capabilities at their Chaska, Minnesota location. Currently, Beckman Coulter operates out of multiple buildings on their Chaska site. Building 316 is an existing manufacturing building producing clinical diagnostic hardware instruments. It is the desire to expand this manufacturing footprint by approximately two times into one centralized Chaska campus location. Adding to Building 316 is the logical result of applying the project's guiding principles to site selection.

Understanding of Place and Site Forces

The 12.90-acre site in Carver County is located at 316 Lake Hazeltine Drive and is owned and operated by Beckman Coulter. Beckman Coulter also owns and operates on adjacent properties to the proposed development site (317 Lake Hazeltine Drive, 322 Lake Hazeltine Drive, 326 Lake Hazeltine Drive, and 1000 Lake Hazeltine Drive). Building 312 leases a large portion of its warehousing capabilities to Beckman Coulter as well. The 316 Lake Hazeltine Drive building is an existing building responsible for the manufacturing process for multiple medical devices, namely diagnostic testing products. Beckman Coulter is proposing an expansion of this manufacturing building as they look to expand their capabilities for manufacturing/warehousing new products while also consolidating and moving some existing product lines from Beckman Coulter facilities in Miami to Chaska. The proposed development site and the adjacent parcels are zoned PMD01 and Guided for Industrial in the City's 2040 Comprehensive Plan, which is consistent with the existing and future use of the expanded building.

The proposed site is relatively level, but generally slopes from south to north, with two existing wetlands and wooded areas along the northern property line abutting the railroad tracks. Approximately 4.5 acres of the existing 12.90-acre site has been disturbed/developed with the existing building and parking areas with the remainder of the property being occupied by existing wetlands, trees/landscape areas, and stormwater management areas. The proposed building expansion size and orientation was influenced by several factors including minimizing wetland impacts, preserving natural vegetative buffers to adjacent properties and existing wetlands to the extent practicable, manufacturing workflow and adjacencies to support the Beckman Coulter operations, and the need to maintain existing manufacturing operations while under construction. The sections to follow will provide greater context on how these factors influenced the project's building programming/adjacencies, parking, access/circulation, wetland avoidance/impact minimization, grading, stormwater, utilities, landscaping, and sustainability initiatives.

This concept plan does not significantly impact how Beckman Coulter employees connect between the buildings along Lake Hazeltine Drive nor would it significantly affect traffic volume.

The concept plan provides a campus consolidation of the hardware instrument manufacturing into one building at the 316 Lake Hazeltine Drive address. Therefore, with the additional office seating and warehouse capacity it results in fewer instances of personnel to travel to 316 Lake Hazeltine Drive from the other Beckman Coulter buildings. It may reduce the truck traffic to and from 316 and other nearby buildings such as the leased warehouse space at 312 Lake Hazeltine Drive.

A level of reduced truck traffic between buildings is expected and the employee travel between buildings will remain by either personal vehicle or walking along Lake Hazeltine Drive. As indicated, this is not changing with the plans, only decreasing in instances.

The installation of public sidewalks along Lake Hazeltine Drive for the general safety of pedestrian traffic in the park can be considered by the City of Chaska and would be welcomed by Beckman Coulter.

Figure 1: Bird's Eye View of Lake Hazeltine Drive

Figure 2: Extents of 316 Lake Hazeltine Drive site with existing Building 316 and greenfield space for the building addition.

The PMD01 zoning district allows for a variety of complementary uses in a cohesive, rather intensely developed arrangement, but not necessarily geared predominately to either residential, commercial and public use. Any uses listed as Permitted Uses in the Planned Residential Development District, Planned Commercial Development District, and the Planned Industrial Development District are allowed. The proposed site use is a combination of office and lab space, manufacturing space, and warehouse space. Except for warehousing, all proposed uses are permitted under the PMD01 zoning district. The existing building on site is to remain and expand its footprint +/- 88,000 SF. Additional parking, drive aisles, utilities, and landscaping is to be included with the site improvements. Access to the site is proposed to remain as it exists today. There are two entry points along Lake Hazeltine Drive, one near the east property line and one near the west property line. Each access road is 30 feet wide.

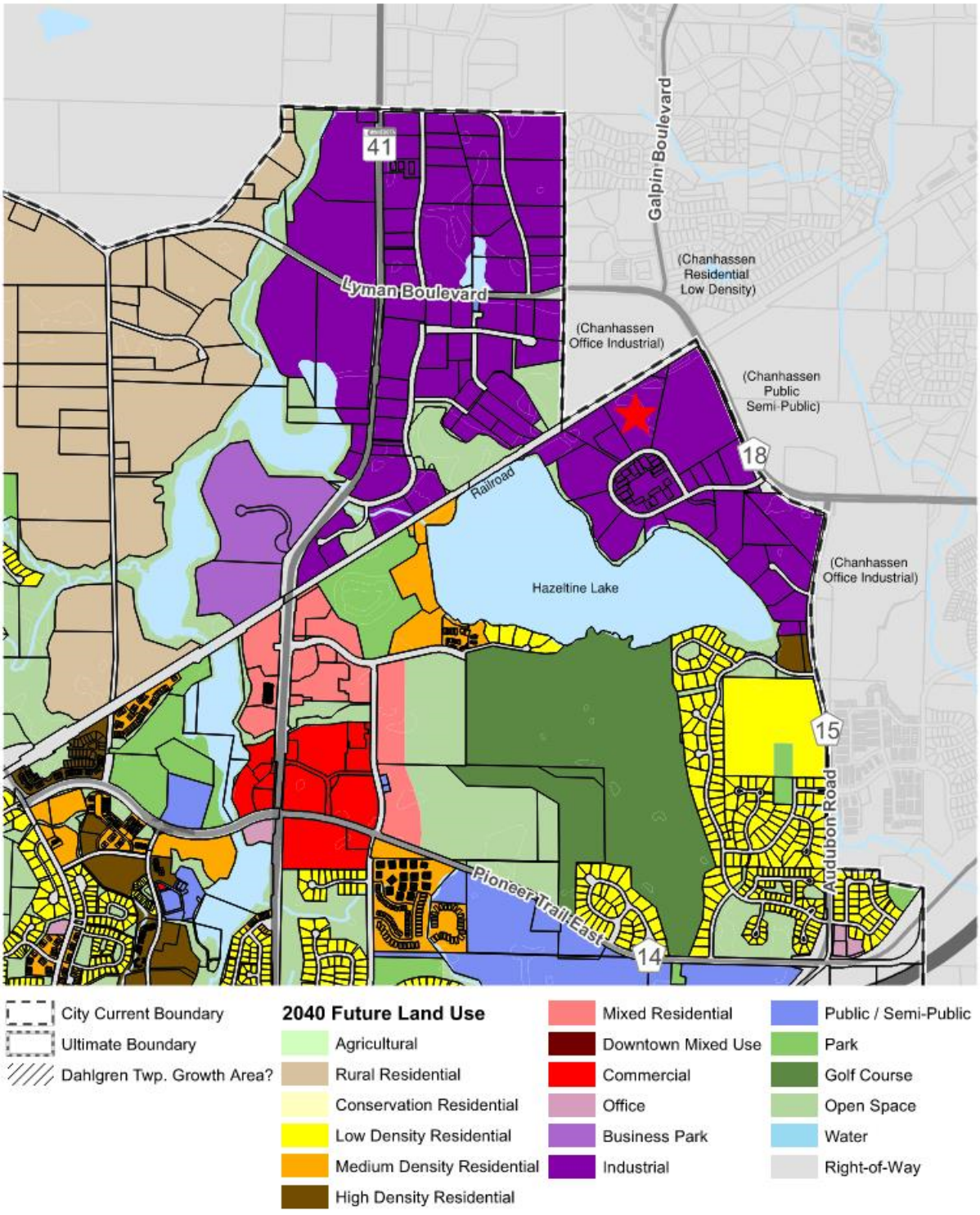

Figure 3: Chaska 2040 Future Land Use. 316 Lake Hazeltine Drive identified with a red star.

Programming and Design

The Beckman Coulter expansion project consists of an existing one-story building of approximately 60,500 square feet (SF) and a two-story greenfield expansion of approximately 88,000 square feet (SF). The existing building was originally constructed in 1984 with the latest renovation in 2014. The building is in good condition with renovation on the north side of the existing warehouse planned for new work functionality and connection to the new structure.

When CRB joined the project, the team visited Building 316 as well as the other Beckman Coulter Chaska sites along Lake Hazeltine Drive. CRB tasked each department lead to fill out a Pre-Read Kick-Off Questionnaire to gather information regarding function and organization, priorities, wish list items, mechanical, electrical, plumbing and architectural space requirements. Beckman Coulter and CRB then worked through the results and developed an overall program document, listing the SF, headcount, and room requirements. An Adjacency Matrix was also filled out as a group to illustrate the strong, medium, and weak adjacency requirements.

CRB assessed this information and created massing diagrams atop the site plan. The massing diagrams were beneficial for assessing how different iterations impacted the site.

Figure 4: Example of massing diagrams used to investigate expansion solutions.

Wetlands

There are two wetland areas on the north and northeast of the property and efforts were made to avoid significantly impacting either by reducing the program and building footprint as much as possible. The overall focus of the massing diagram iteration exercise was to reduce the size of the expansion footprint while maintaining program functionality. This was accomplished by efficiently designing the flow and adjacencies of the functions within the expansion and connecting them with the existing building programs. As a result, we were able to protect the existing wetland in the northeast corner of the site which is hydraulically connected to the downstream discharge of the property beneath the railroad.

Efforts were made to reduce the impacts of the land locked wetland in the northern portion of the site by reducing the proposed building expansion footprint from over 120,000 square feet to approximately 88,000 square feet. Additionally, an approximate 7-foot-tall retaining wall would be constructed adjacent to the wetland area.

The team determined the maximum amount of parking required for the new facility, which translated into 405 parking spaces. This value is less than a strictly code-based calculation of parking counts (greater than 536 required), which are based strictly on square footage. Evaluating the existing building and expansion based on

function and employee headcount, the team is able to reduce site impact by over 130 parking spaces, preserving wetlands and greenspace for the site.

It is anticipated that approximately 0.4 acres of the existing northerly wetland will be impacted to accommodate the proposed improvements. The previous layouts and options that were not selected included entre removals or significantly more impacts to this wetland.

Parking Analysis

The proposed site has 405 parking spaces proposed. An additional 13 proof of parking spaces are shown should additional spaces be required by the City of Chaska with minimal impact to greenspace allocated for the site.

Parking flexibility will be required by the City of Chaska, as the City Code requires the following:

- Office and Lab: 1 space / 250 SF
- Manufacturing: 1 space / 350 SF
- Warehouse: 1 space / 350 SF (w/ provisions to accommodate: 1 space / 2000 SF should Warehouse space be converted in the future.)

Included in the proposed parking count are ten accessible spaces, all of which are van accessible. The accessible parking spaces are located at the building entries, four along the north side of the building, two along the south side of the existing building, two along the east side of the existing building, and two south of the proposed building expansion.

Included in the proposed parking count are 10 EV spaces. The EV spaces are located near the southeast corner of the proposed building expansion.

Truck Circulation

The site is designed for WB-67 trucks to access the loading dock areas. Trucks will access the site at the two existing access drives along Lake Hazeltine Drive, with the truck access lane located on the exterior of the property to minimize truck and passenger vehicle conflict points to the extent possible. The truck route drive aisles are 30 feet wide. All the dock areas are designed to allow trucks to back in and drive out while other dock bays are occupied. Trucks will exit the site at the same two access drives along Lake Hazeltine Drive.

Retaining Wall / Guard Rail / Fence

A +/-7-foot retaining wall is anticipated along the northern parking lot to minimize impacts to the wetland. This retaining wall is anticipated to be a large gravity block wall or small modular block retaining wall. A guard rail and fence are proposed along the top of the retaining wall for vehicular and pedestrian safety.

Setbacks / Other Constraints

The proposed site follows the City of Chaska requirements for building and parking setbacks. The building and parking setbacks along the lot frontage abutting Lake Hazeltine Drive are 30 feet and 10 feet, respectively. The interior lot lines have a 15-foot building setback and 5-foot parking setback. The northern property line abutting the existing railroad has a 50-foot building setback and 5-foot parking setback.

Grading / Stormwater / Utilities

The site has +/-10 feet of fall and generally flows from southwest to northeast. The existing building has stormwater infrastructure that will be modified for the proposed site improvements. The existing building's other

utilities are expected to be protected in place. The proposed improvements will require an extension of the existing stubs on the site as depicted on the preliminary grading and utility plans.

Drainage Infrastructure

Stormwater surface flow will be captured with storm drain inlets and conveyed to an underground stormwater management system via private storm sewer where it will be treated and released at a controlled rate, meeting the jurisdictional requirements. Existing storm infrastructure conflicting with the proposed site development will be removed. New storm sewer and inlets will be proposed throughout the site and connect to existing storm drain where feasible. It is anticipated that the underground stormwater management system will be an HDPE arch pipe gallery (ADS Stormtech or equal) with a stone/sand base for filtering/treating stormwater before it is discharged downstream.

Stormwater BMPs

An underground stormwater BMP structure is proposed at the northeastern corner of the parking lot area for the stormwater management on the site. The underground stormwater management structure is anticipated to be sized for +/-65,000 CF of storage and approximately 93 feet wide by 204 feet long. This structure will treat and release stormwater at a rate meeting the City and Watershed's requirements.

Stormwater Jurisdictional Agencies

This site is subject to the stormwater design standards of the Carver County Watershed Management Organization (CCWMO) and to the standards of the City of Chaska. The site is required to meet specific to volume control, water quality, water quantity, and freeboard level.

New Utilities

Additional utilities will be constructed with the site improvements. An existing water line runs northeast of the existing building and will be extended around the proposed building to new hydrants to provide fire coverage over the expanded building. The proposed sanitary sewer line on site will connect into the existing sanitary sewer in Lake Hazeltine Drive. The existing 1200A electrical service served from an existing 1000KVA transformer located west of the existing building will remain existing. Two new 3000A electrical services are proposed for the new expansion which will be served from primary voltage power from a new Chaska Electric switch located on the northwest corner of the property line near the railway and 318 Lake Hazeltine Drive (QualiTech Building).

Landscaping

The proposed landscaping for the site will be designed in accordance with the City's landscape code requirements for overstory/understory trees, shrubs, interior parking, and screening requirements. Currently a tree survey of the existing trees is still being finalized. Upon completion of the tree survey, it is assumed that the preliminary proposed landscape plan will need to be modified once the quantity of preserved trees is factored into the landscape design. A preliminary landscape design plan has been included as part of the concept site plan application.

Sustainability

Beckman Coulter has corporate sustainability goals to meet net zero carbon by 2050 and 100% green power. Chaska Electric offers renewable energy where 100% of its electricity supply from renewable sources such as wind, solar, bioenergy and hydropower. By participating in this program, a certificate and decal will be providing to show the business as being powered by 100% renewable energy.

Electric Vehicle Supply Equipment (EVSE)

(10) level 2 commercial EVSE's are included and are shown on the Civil Site Plan.

Solar (Photovoltaic Panels)

Solar power is being considered for this project and the current scope allows for a future PV-panel install. The electrical design includes a separate switchboard section at one of the new switchboards for the future solar connection. The future photovoltaic system will require inverters and possible some battery storage units for energy storage. The roof structural framing has been designed to include a 5 psf load allowance to accommodate the future placement of photovoltaic solar panels.

Exterior Glazing

High-efficiency glazing can provide sustainable solutions for the project. Improved thermal insulation, reliance on artificial lighting, and reduced energy cost and carbon footprint are all benefits of high-efficiency glazing. Low-emissivity coatings and triple-pane designs can provide indoor comfort while maintaining the exterior aesthetic design.

Electrical

The project will be designed based on 2024 Minnesota Energy Code which is equivalent to 2021 International Energy Conservation Code (IECC) for commercial building. Section C405 of 2021 IECC covers the Electrical Power and Lighting System.

Lighting and Lighting Control

- LED fixtures will be specified for both interior and exterior lighting throughout the entire project.
- Occupant Sensors will be provided per code. Occupant sensors shall be set per the control function as listed in IECC – manual/auto on/off. Additional light reduction through diming is required for Warehouse, Open Offices and Corridors.
- Lighting reduction control (such as dimmers) is not required in areas where there are occupancy sensor controls. Provide dimmer capability in enclosed offices, conference rooms and training rooms to give user flexibility to adjust the brightness level and further reduce energy consumption.
- Daylight responsive control shall be provided to control the general lighting within daylight zones as described in the code. Daylight control is to be programmed to dim lights continuously from full light output to 15 percent of full light output or lower and will completely shut off all controlled lights when there is sufficient daylight.
- Exterior lighting control panel shall be provided for building façade, landscape lighting, and parking lot lighting. Building façade and landscape lighting shall automatically shut off 1 hour after business closing to 1 hour before business opening. Parking lighting shall be controlled per C405.2.7.3 where the light is automatically reduced by not less than 50 percent during a certain period.

Power

- At least 50% of 20A/1P. 120V receptacles in enclosed offices, conference rooms, rooms used primarily for copy/print functions, breakrooms, classrooms and open office requires automatic receptacle control as described in the code. Typically, these controlled receptacles are connected to occupant sensors that turn off the receptacles within 20 minutes of all occupants leaving the room.
- Energy Monitoring is required per 2021 IECC to provide measurement devices to collect energy consumption for each end-use category as listed in Metering and Submetering on Electrical BOD document.

1. VIEW FROM LAKE HAZELTINE DRIVE, LOOKING NORTHWEST

2. VIEW FROM SE CORNER OF SITE, LOOKING NORTHWEST

3. VIEW NORTH OF BUILDING 316, LOOKING NORTHWEST AT WETLAND #1

4. VIEW FROM NORTHEAST OF BUILDING 316, LOOKING NORTHEAST AT WETLAND #2

KEY PLAN:

CLIENT

BECKMAN COULTER Life Sciences

CONSULTING ARCHITECT/ENGINEER

CLARK, RICHARDSON AND BISKUP CONSULTING ENGINEERS, INC.
CRB ARCHITECTS-ENGINEERS P.C.
1251 NW BRIARCLIFF PARKWAY
SUITE 500
KANSAS CITY, MO 64116
PHONE: 816-880-9800
FAX: 816-880-9898

PROJECT TITLE

OLIVE PROGRAM - TWIN HARDWARE EXPANSION

REV	BY	DATE	DESCRIPTION
A	EEA	05NOV2024	CONCEPT SITE PLAN REVIEW

LICENSEE

NOT FOR CONSTRUCTION

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PROJ. NO.	240396	DESIGNED BY:	Designer
SCALE:		CHECKED BY:	Checker
SHEET SIZE:	30x42	APPROVED BY:	Approver

DRAWING TITLE

EXISTING CONDITIONS PHOTOGRAPHS

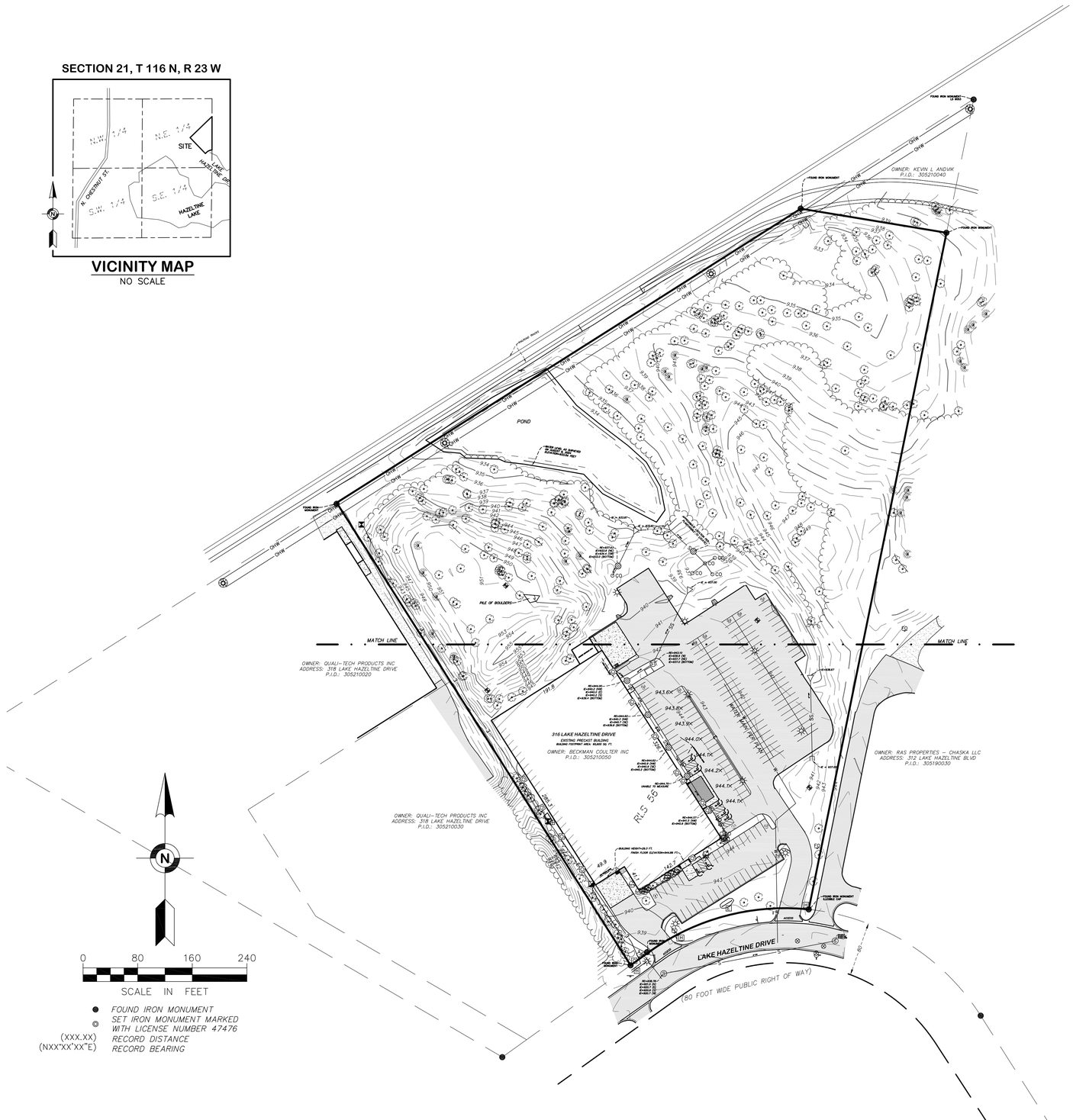
DRAWING NUMBER

A0-00

ALTA/NSPS LAND TITLE SURVEY FOR:
KIMLEY-HORN & ASSOCIATES, INC

SECTION 21, T 116 N, R 23 W

VICINITY MAP
NO SCALE



LEGEND:

- CLEAN OUT
- SANITARY MANHOLE
- STORM MANHOLE
- CATCH BASIN
- FLARED END SECTION
- ROOF DRAIN (OUTLET)
- CULVERT
- AUTO SPRINKLER
- GATE VALVE
- HYDRANT
- ELECTRIC BOX
- ELECTRIC METER
- ELECTRIC OUTLET POST
- HANDHOLE
- LIGHT
- COMMUNICATION BOX
- FIBER OPTIC SIGN
- GAS METER
- SIGN
- BOLLARD
- HANDICAPPED PARKING SPACE
- HANDICAPPED PARKING SIGN
- BORING
- (175) PARKING COUNT
- S — SANITARY SEWER
- SS — STORM SEWER
- E — UNDERGROUND ELECTRIC
- OHW — OVERHEAD WIRE
- TREELINE
- TREE
- SHRUB
- BITUMINOUS SURFACE
- CONCRETE SURFACE
- GRAVEL SURFACE

LEGAL DESCRIPTION:

Part of Tract D, Registered Land Survey No. 56

GENERAL SURVEY NOTES:

1. The orientation of this bearing system is based on the Carver County coordinate grid (NAD 83–2011 Adj.).
2. The legal description and easement information used in the preparation of this survey is based on the Commitment for Title Insurance prepared by (Title Insurance Company), Commitment No. _____ dated _____ ___, ____.
3. The angular rotation (measured clockwise) OR (measured counter–clockwise) from record bearings depicted on the plat of PLAT NAME to this survey is XX degrees XX minutes XX seconds.
4. The surveyed property has direct access to Lake Hazeltine Drive, a public right of way.

OPTIONAL TABLE A ITEMS:

1. Monuments have been placed at all major corners of the surveyed property described hereon, unless already marked or referenced by existing monuments or witnesses in close proximity to the corner.
2. The address of the property described hereon is 316 Lake Hazeltine Drive, Chaska MN 55318.
3. The property described hereon lies within NO SPECIAL FLOOD HAZARD AREAS per Un–Printed Federal Insurance Rate: Map No. 27019C0227D & 27019C0229D, both dated December 21, 2018.
4. The total area of the property described hereon is xx,xxx square feet or x.xxxx acres. The area of the property hereon described less areas used for right–of–way purposes is xx,xxx square feet or x.xxxx acres.
5. The contours depicted hereon are per elevation data collected while conducting the fieldwork. The contour interval is (1 foot)(2 feet).

   BENCHMARK: Top of Minnesota Department of Transportation Geodetic Monument HAZE MNDT
   Elevation = 965.76 feet. (Datum per source)

   SITE BENCHMARK: EFN CONTROL POINT 300
   Elevation: 947.23 feet.

6a. No zoning report or letter was received from the insurer pursuant to Optional Table A Item 6(a), as set forth in the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys.

7a. Exterior building dimensions are depicted hereon.

7b1. The exterior building footprint area at ground level is depicted hereon.

7c. The measured building height is depicted hereon.

8. Substantial features observed in the process of conducting the fieldwork are depicted hereon.

9. As of the date of this survey the property described hereon contains a total of 183 parking spaces of which 176 are standard spaces (4 of which are designated as Motorcycle Parking), and 7 are handicapped spaces.

11a. Existing utilities, services and underground structures shown hereon were located either physically, from existing records made available to us, by resident testimony, or by locations provided by Gopher State One Call, per Ticket No. 242003879. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary. Other utilities and services may be present and verification and location of all utilities and services should be obtained from the owners of the respective utilities prior to any design, planning or excavation.

13. The names of adjoining owners according to current tax records are depicted hereon.

14. The distance to the nearest intersection of Lake Hazeltine Drive and Lyman Boulevard as specified by the client, is approximately 1683 feet.

16. As of the date of this survey there is no observable evidence of current earth moving work, building construction or building additions on the property described hereon.

18. The plottable offsite easements or servitudes disclosed in documents provided to the surveyor are depicted hereon.

GOPHER STATE ONE CALL NOTE:

List of utilities notified per Gopher State One Call Ticket No. 242003879.

AARVIG
JAGUAR COMMUNICATIONS
CITY OF CHANHASSEN
CITY OF CHASKA ELECTRIC
CITY OF CHASKA WATER/SEWER
COMCAST
CENTURYLINK
CENTERPOINT ENERGY
MEDIACOM
BECKMAN COULTER INC
MAGELLAN MIDSTREAM PARTNERS

CERTIFICATION:

To (name of lender), (name of insurer), (names of others as negotiated with the client):

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6(a), 7(a), 7(b)(1), 7(c), 8, 9, 11(a), 13, 14, 16, and 18 of Table A thereof. The fieldwork was completed on August 8, 2024.

Date of Plat or Map: August 16, 2024

PRELIMINARY

Eric Roeser
Minnesota License No. 47476
eroeser@efnsurvey.com

FIELD BOOK	PAGE

DRAWING NAME: 42118 ALTA.dwg
JOB NO. 42118
FILE NO. 59071E

FIELDWORK CHIEF: DBF
DRAWN BY: DBF
CHECKED BY: EAR

REVISIONS

NO.	DATE	DESCRIPTION

ALTA/NSPS LAND TITLE SURVEY

SURVEY FOR:
Kimley-Horn & Associates, Inc.

PROPERTY ADDRESS:
316 Lake Hazeltine Drive
Chaska, MN 55044

Egan, Field & Nowak, Inc.
land surveyors since 1872
475 Old Highway 8 NW, Suite 200
New Brighton, Minnesota 55112
PHONE: (612) 466-3300
WWW.EFNSURVEY.COM

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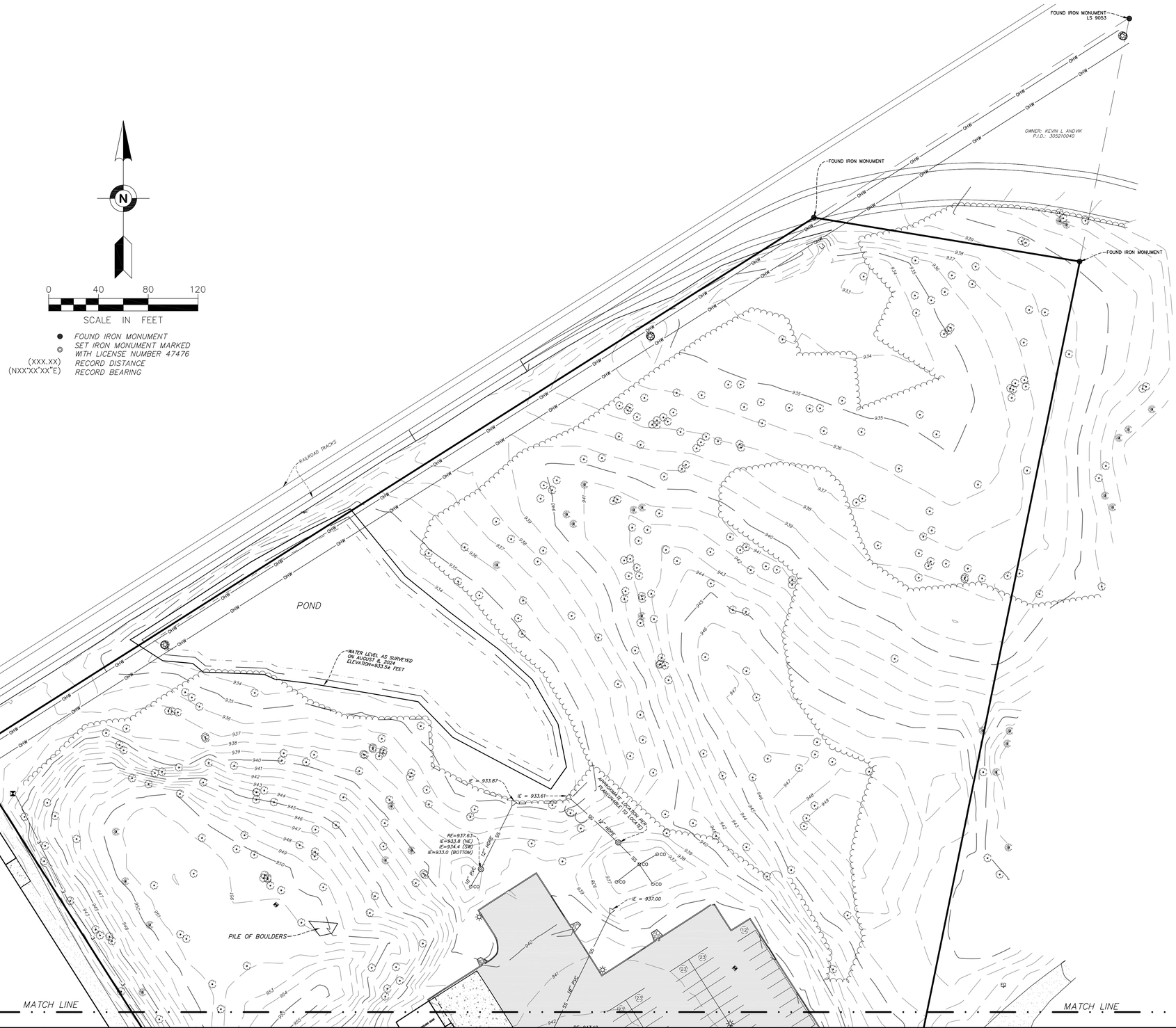
ALTA/NSPS LAND TITLE SURVEY FOR:
KIMLEY-HORN & ASSOCIATES, INC



0 40 80 120

SCALE IN FEET

- FOUND IRON MONUMENT
- SET IRON MONUMENT MARKED WITH LICENSE NUMBER 47476
- (XXX.XX) RECORD DISTANCE
- (NXX°XX'XX"E) RECORD BEARING

LEGEND:

- CLEAN OUT
- SANITARY MANHOLE
- STORM MANHOLE
- CATCH BASIN
- FLARED END SECTION
- ROOF DRAIN (OUTLET)
- CULVERT
- AUTO SPRINKLER
- GATE VALVE
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- GAS METER
- SIGN
- BOLLARD
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- HANDICAPPED PARKING SIGN
- BORING
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FIELD BOOK	PAGE

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JOB NO. 42118
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DRAWN BY: DBF
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REVISIONS		
NO.	DATE	DESCRIPTION

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ALTA/NSPS LAND TITLE SURVEY FOR:
KIMLEY-HORN & ASSOCIATES, INC

LEGEND:

- CLEAN OUT
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- STORM MANHOLE
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NO.	DATE	DESCRIPTION

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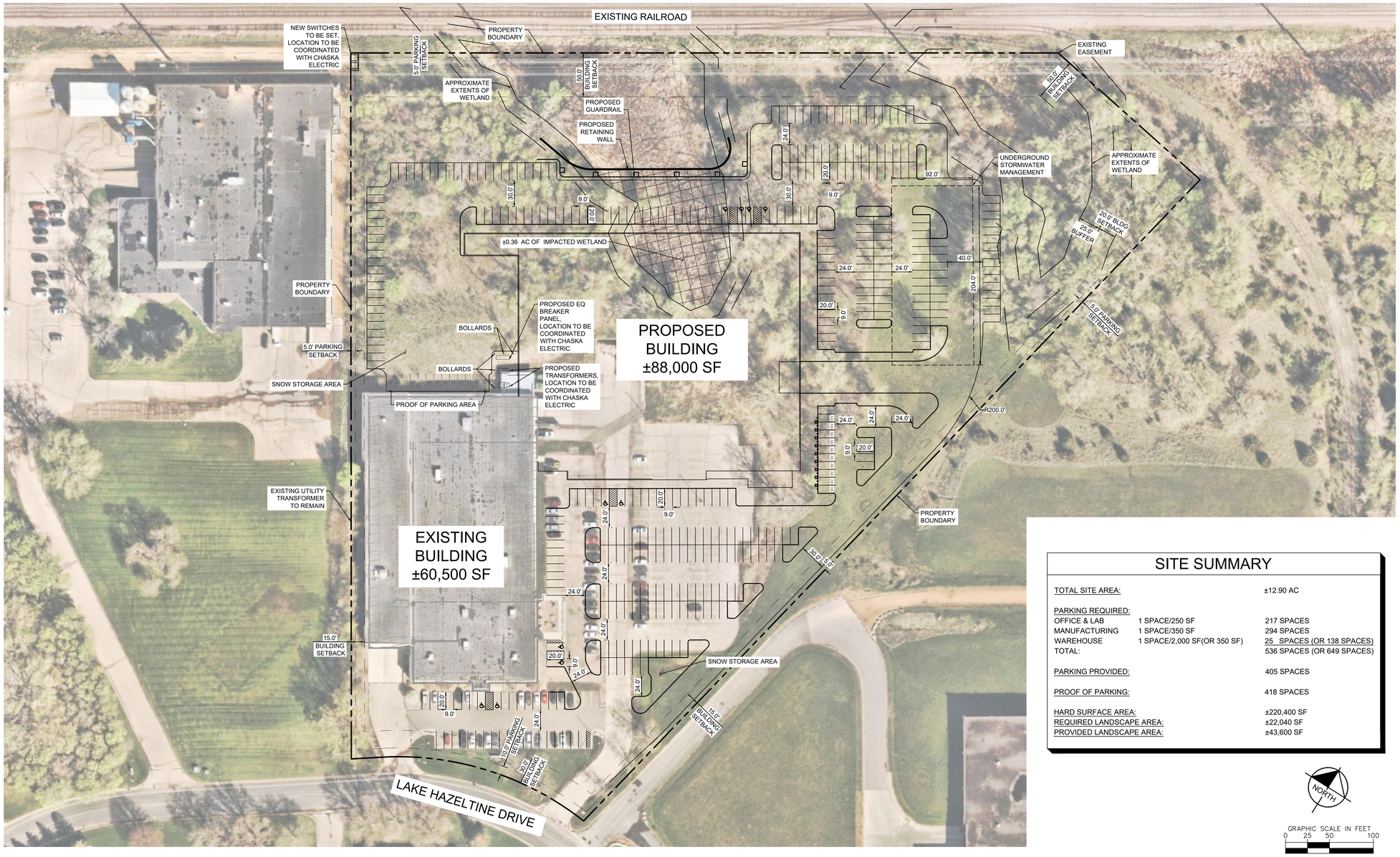

SITE SUMMARY

TOTAL SITE AREA:		±12.90 AC
PARKING REQUIRED:		
OFFICE & LAB	1 SPACE/250 SF	217 SPACES
MANUFACTURING	1 SPACE/350 SF	294 SPACES
WAREHOUSE	1 SPACE/2,000 SF(OR 350 SF)	25 SPACES (OR 138 SPACES)
TOTAL:		536 SPACES (OR 649 SPACES)
PARKING PROVIDED:		405 SPACES
PROOF OF PARKING:		418 SPACES
HARD SURFACE AREA:		±220,400 SF
REQUIRED LANDSCAPE AREA:		±22,040 SF
PROVIDED LANDSCAPE AREA:		±43,600 SF

NORTH

GRAPHIC SCALE IN FEET
0 25 50 100

OLIVE PROGRAM - TWIN HARDWARE EXPANSION

CRB Project Number 240396

CIVIL ENGINEER

Kimley»Horn

© 2024 KIMLEY-HORN AND ASSOCIATES, INC.
767 EUSTIS STREET, SUITE 100, ST. PAUL, MN 55114
PHONE: 651-645-4197
WWW.KIMLEY-HORN.COM

CLIENT

CONSULTING ARCHITECT/ENGINEER

CLARK, RICHARDSON AND BISKUP CONSULTING ENGINEERS, INC.
CRB ARCHITECTS-ENGINEERS P.C.
1251 NW BRIARCLIFF PARKWAY
SUITE 500
KANSAS CITY, MO 64116
PHONE: 816-880-9800
FAX: 816-880-9898

PROJECT TITLE

OLIVE PROGRAM - TWIN HARDWARE EXPANSION

REV	BY	DATE	DESCRIPTION
A		17OCT2024	BASIS OF DESIGN
B		25OCT2024	BASIS OF DESIGN-FINAL

LICENSEE

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SCALE:	AS INDICATED	CHECKED BY:	
SHEET SIZE:	30x42	APPROVED BY:	

DRAWING TITLE

SITE PLAN

DRAWING NUMBER

C100

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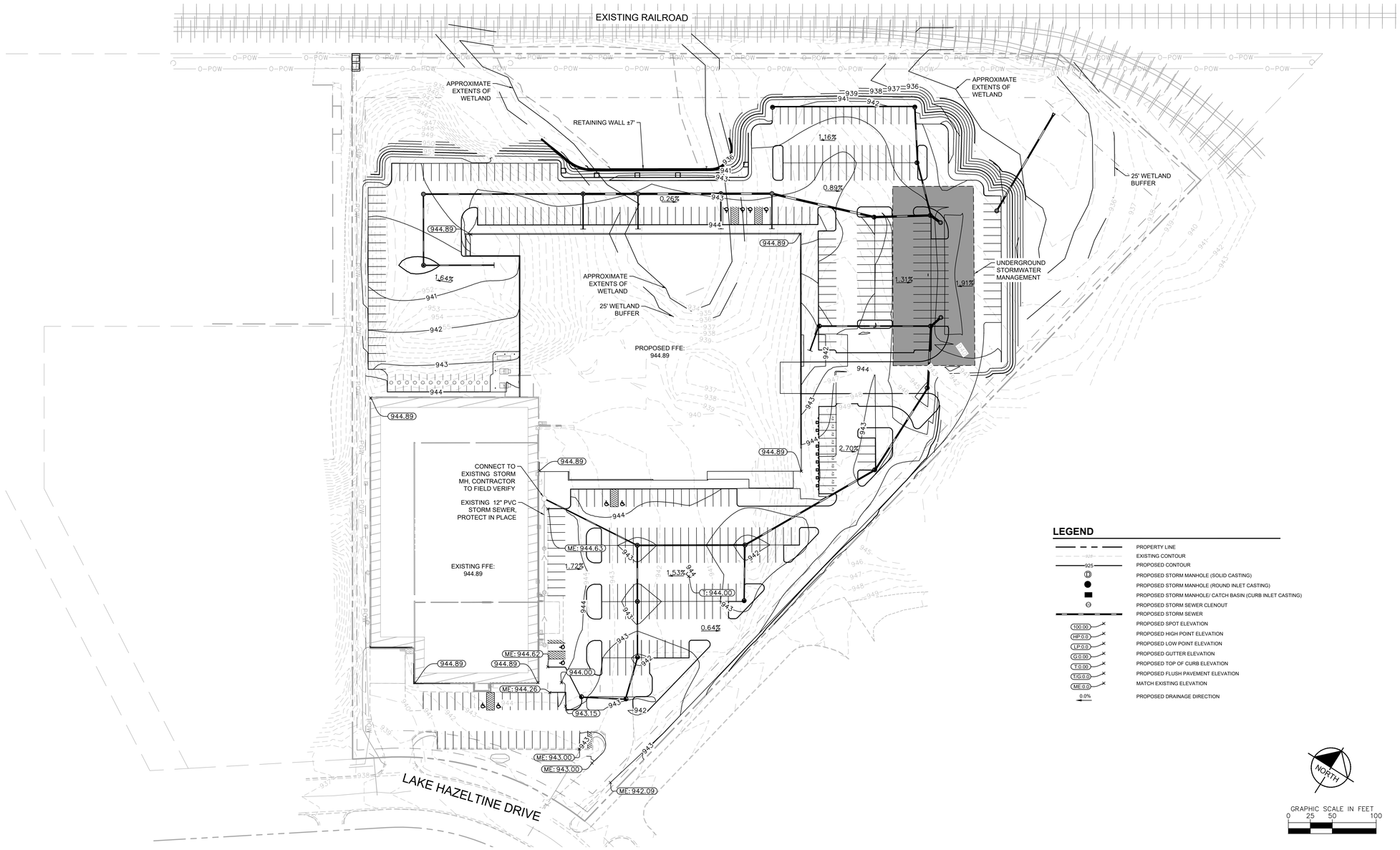

LEGEND

- PROPERTY LINE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- PROPOSED STORM MANHOLE (SOLID CASTING)
- PROPOSED STORM MANHOLE (ROUND INLET CASTING)
- PROPOSED STORM MANHOLE/ CATCH BASIN (CURB INLET CASTING)
- PROPOSED STORM SEWER CLENOUT
- PROPOSED STORM SEWER
- PROPOSED SPOT ELEVATION
- PROPOSED HIGH POINT ELEVATION
- PROPOSED LOW POINT ELEVATION
- PROPOSED GUTTER ELEVATION
- PROPOSED TOP OF CURB ELEVATION
- PROPOSED FLUSH PAVEMENT ELEVATION
- MATCH EXISTING ELEVATION
- PROPOSED DRAINAGE DIRECTION

NORTH

GRAPHIC SCALE IN FEET
0 25 50 100

OLIVE PROGRAM - TWIN HARDWARE EXPANSION

CRB Project Number 240396

CIVIL ENGINEER

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DRAWING TITLE

GRADING PLAN

DRAWING NUMBER

C200

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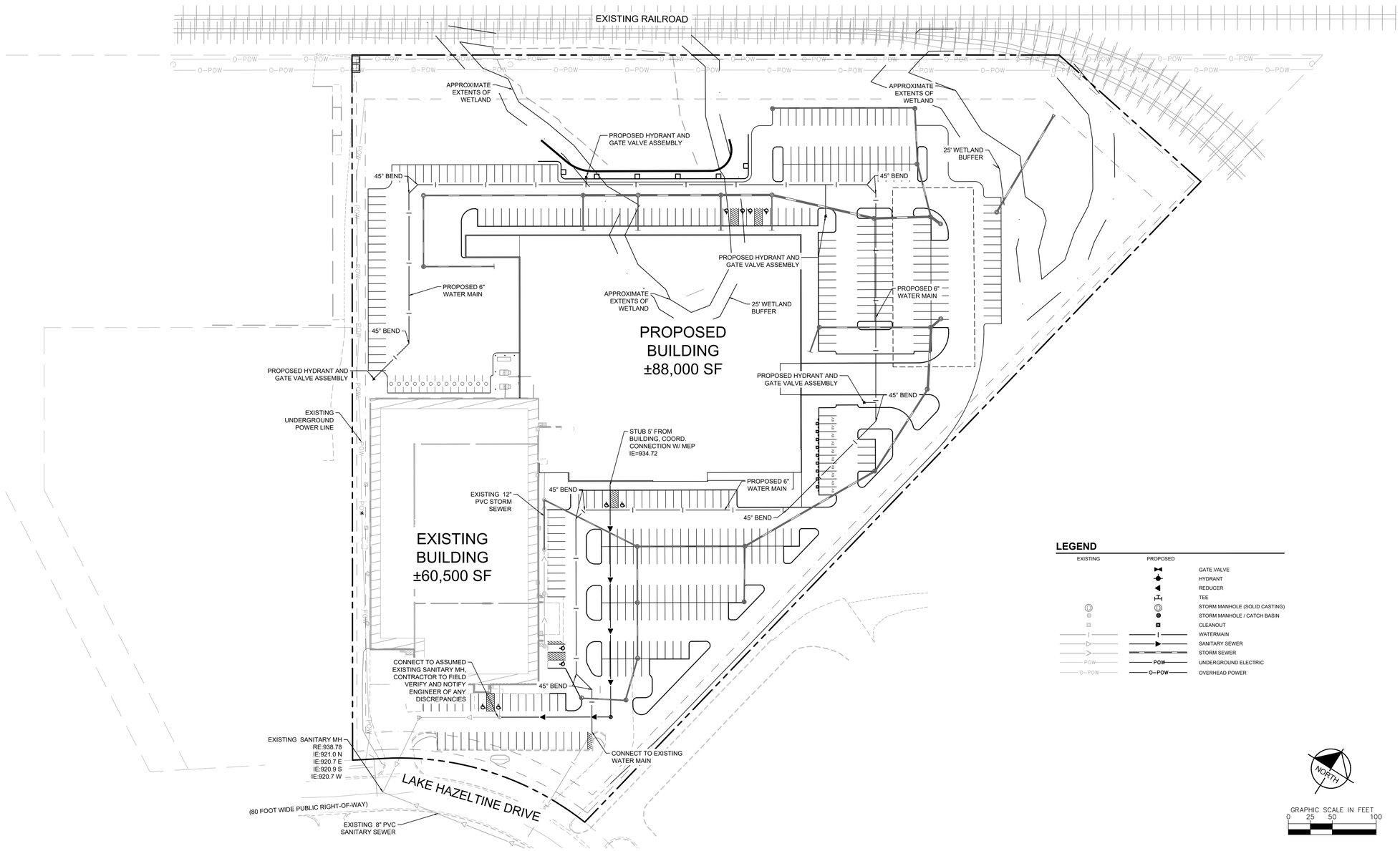

LEGEND

EXISTING	PROPOSED	
		GATE VALVE
		HYDRANT
		REDUCER
		TEE
		STORM MANHOLE (SOLID CASTING)
		STORM MANHOLE / CATCH BASIN
		CLEANOUT
		WATERMAIN
		SANITARY SEWER
		STORM SEWER
POW	POW	UNDERGROUND ELECTRIC
O—POW	O—POW	OVERHEAD POWER

NORTH

GRAPHIC SCALE IN FEET
0 25 50 100

OLIVE PROGRAM - TWIN HARDWARE EXPANSION

CRB Project Number 240396

CIVIL ENGINEER

Kimley»Horn

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DRAWING TITLE

UTILITY PLAN

DRAWING NUMBER

C300

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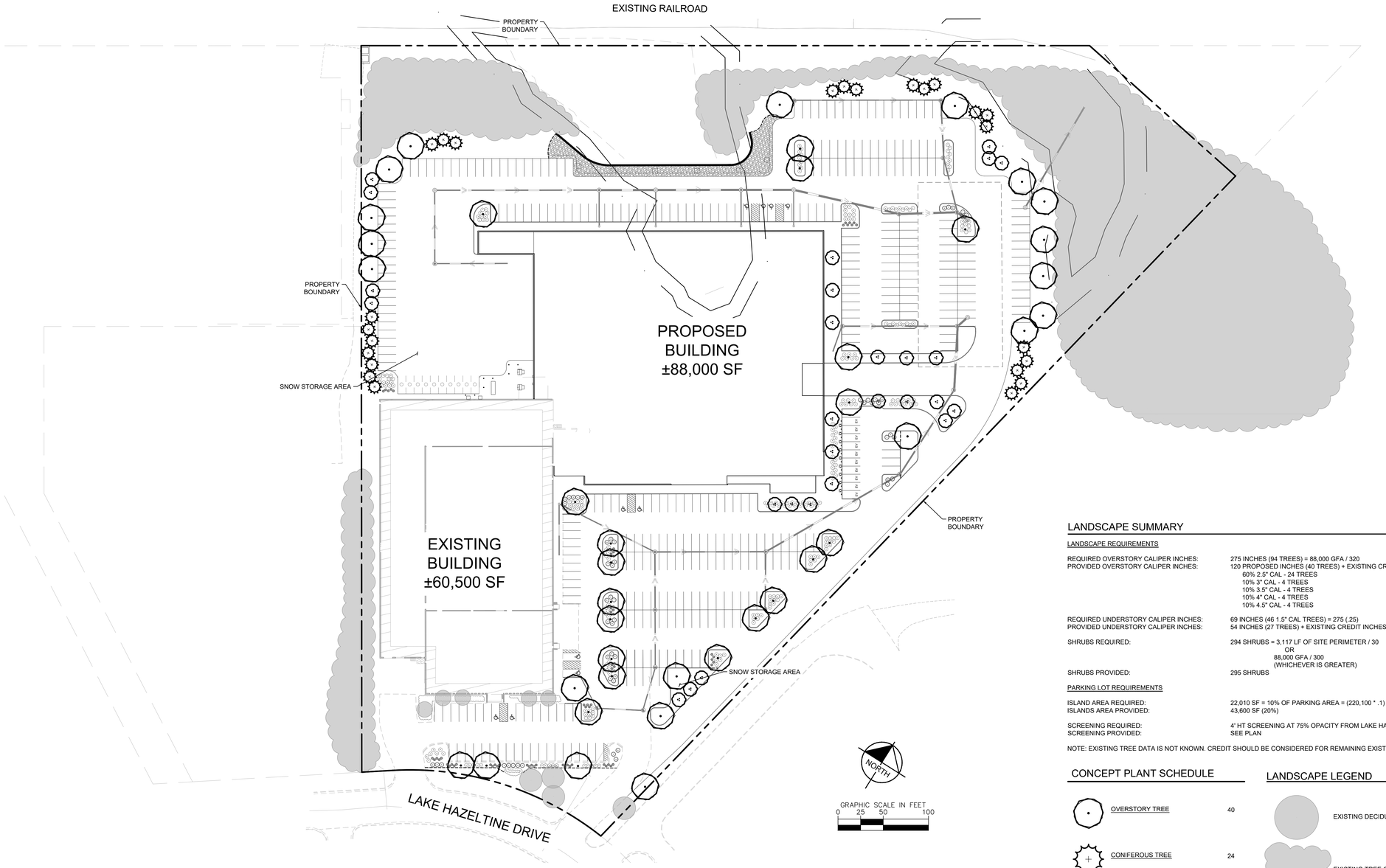

LANDSCAPE SUMMARY

LANDSCAPE REQUIREMENTS

REQUIRED OVERSTORY CALIPER INCHES:	275 INCHES (94 TREES) = 88,000 GFA / 320
PROVIDED OVERSTORY CALIPER INCHES:	120 PROPOSED INCHES (40 TREES) + EXISTING CREDIT INCHES TBD 60% 2.5" CAL - 24 TREES 10% 3" CAL - 4 TREES 10% 3.5" CAL - 4 TREES 10% 4" CAL - 4 TREES 10% 4.5" CAL - 4 TREES
REQUIRED UNDERSTORY CALIPER INCHES:	69 INCHES (46 1.5" CAL TREES) = 275 (.25)
PROVIDED UNDERSTORY CALIPER INCHES:	54 INCHES (27 TREES) + EXISTING CREDIT INCHES TBD
SHRUBS REQUIRED:	294 SHRUBS = 3,117 LF OF SITE PERIMETER / 30 OR 88,000 GFA / 300 (WHICHEVER IS GREATER)
SHRUBS PROVIDED:	295 SHRUBS

PARKING LOT REQUIREMENTS

ISLAND AREA REQUIRED:	22,010 SF = 10% OF PARKING AREA = (220,100 * .1)
ISLANDS AREA PROVIDED:	43,600 SF (20%)
SCREENING REQUIRED:	4' HT SCREENING AT 75% OPACITY FROM LAKE HAZELTINE DRIVE
SCREENING PROVIDED:	SEE PLAN

NOTE: EXISTING TREE DATA IS NOT KNOWN. CREDIT SHOULD BE CONSIDERED FOR REMAINING EXISTING TREES ON SITE.

CONCEPT PLANT SCHEDULE

OVERSTORY TREE	40
CONIFEROUS TREE	24
ORNAMENTAL TREE	27
DECIDUOUS SHRUB	240
CONIFEROUS SHRUB	55
ORNAMENTAL GRASS	67

LANDSCAPE LEGEND

- EXISTING DECIDUOUS TREE (TYP.)
- EXISTING TREE CANOPY (TYP.)
- EXISTING SHRUBS / PERENNIALS (TYP.)
- EDGER (TYP.)
- APPROXIMATE LIMITS OF IRRIGATION (TYP.)
- SEED EDGE, SEED ALL DISTURBED AREAS (TYP.)
- ROCK MULCH (TYP.)

OLIVE PROGRAM - TWIN HARDWARE EXPANSION

CRB Project Number 240396

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PROJECT TITLE
OLIVE PROGRAM - TWIN HARDWARE EXPANSION

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DRAWING TITLE
LANDSCAPE PLAN

DRAWING NUMBER
L100

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CLIENT

BECKMAN COULTER
Life Sciences

CONSULTING ARCHITECT/ENGINEER

CLARK, RICHARDSON AND BISKUP CONSULTING ENGINEERS, INC.
CRB ARCHITECTS-ENGINEERS P.C.
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PROJECT TITLE

OLIVE PROGRAM - TWIN HARDWARE EXPANSION

REV.	BY	DATE	DESCRIPTION
A	EEA	05NOV2024	CONCEPT SITE PLAN REVIEW

LICENSEE

NOT FOR CONSTRUCTION

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SHEET SIZE:	30x42	APPROVED BY:	Approver

DRAWING TITLE

EXISTING SITE

DRAWING NUMBER

A1-00

SPACE FUNCTION LEGEND

- OFFICE
- MANUFACTURING ASSEMBLY
- WAREHOUSE
- AMENITY
- MANUFACTURING SUPPORT LABS
- BUILDING SERVICES
- SHELL
- ROOF BELOW

CLIENT

BECKMAN COULTER Life Sciences

CONSULTING ARCHITECT/ENGINEER

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DRAWING TITLE

SPACE FUNCTION DIAGRAMS LEVEL 1

DRAWING NUMBER

A1-01

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SPACE FUNCTION LEGEND

- OFFICE
- MANUFACTURING ASSEMBLY
- WAREHOUSE
- AMENITY
- MANUFACTURING SUPPORT LABS
- BUILDING SERVICES
- SHELL
- ROOF BELOW

CLIENT

BECKMAN COULTER Life Sciences

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A	EEA	05NOV2024	CONCEPT SITE PLAN REVIEW

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DRAWING TITLE

SPACE FUNCTION DIAGRAMS LEVEL 2

DRAWING NUMBER

A1-02

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EXISTING BUILDING PHOTOS:

EXISTING SITE SIGNAGE

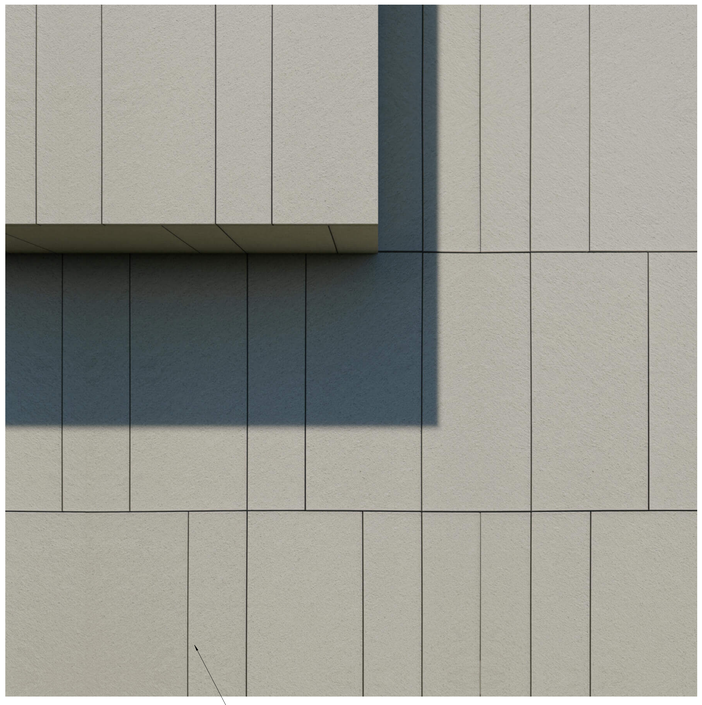
CURTAIN WALL ENTRANCE

METAL ENTRANCE FRAMING

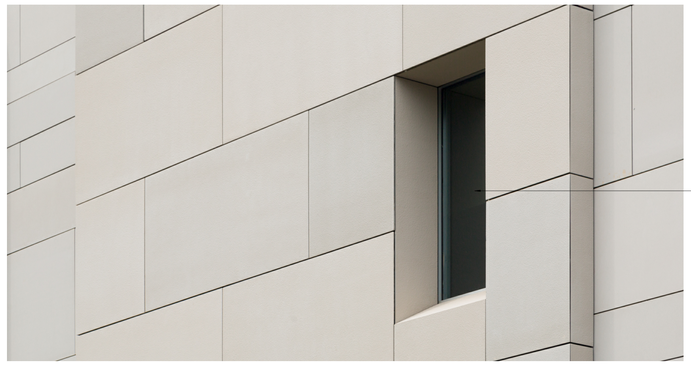
TILT-UP AND PRECAST CONCRETE FAÇADE

PUNCHED OPENINGS

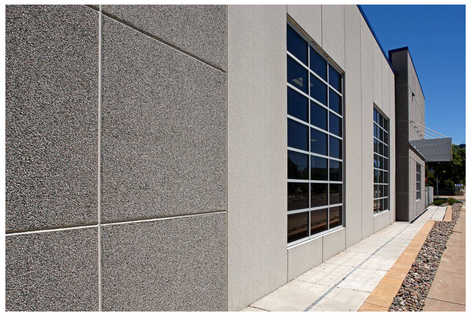
PRECEDENT IMAGERY:



PRECAST PANELS
WITH REVEALS



PUNCHED OPENINGS



GLAZED ENTRANCES

CLIENT

BECKMAN COULTER
Life Sciences

CONSULTING ARCHITECT/ENGINEER

CLARK, RICHARDSON AND BISKUP CONSULTING ENGINEERS, INC.
CRB ARCHITECTS-ENGINEERS P.C.
1251 NW BRIARCLIFF PARKWAY
SUITE 500
KANSAS CITY, MO 64116
PHONE: 816-880-9800
FAX: 816-880-9898

PROJECT TITLE

OLIVE PROGRAM - TWIN HARDWARE EXPANSION

REV.	BY	DATE	DESCRIPTION
A	EEA	05NOV2024	CONCEPT SITE PLAN REVIEW

LICENSEE

NOT FOR CONSTRUCTION

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PROJ. NO.	240396	DESIGNED BY:	Designer
SCALE:	NONE	CHECKED BY:	Checker
SHEET SIZE:	30x42	APPROVED BY:	Approver

DRAWING TITLE

BUILDING MATERIALS
AND PRECEDENTS

DRAWING NUMBER

A1-03

EXISTING WITH BUILDING ADDITION, STREET VIEW

BUILDING ADDITION, PERSPECTIVE VIEW

CLIENT

BECKMAN COULTER
Life Sciences

CONSULTING ARCHITECT/ENGINEER

CLARK, RICHARDSON AND BISKUP CONSULTING ENGINEERS, INC.
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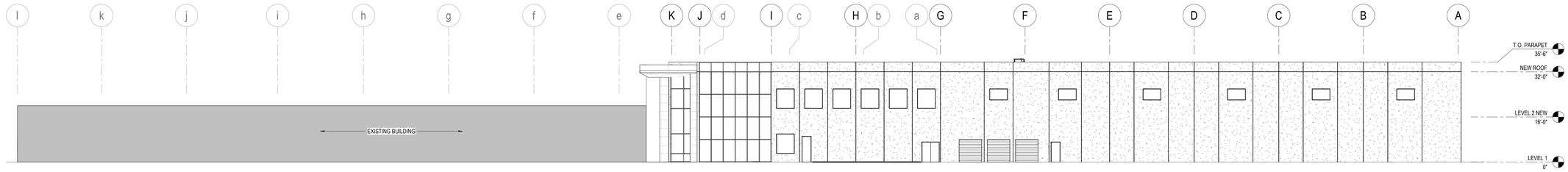
DRAWING TITLE

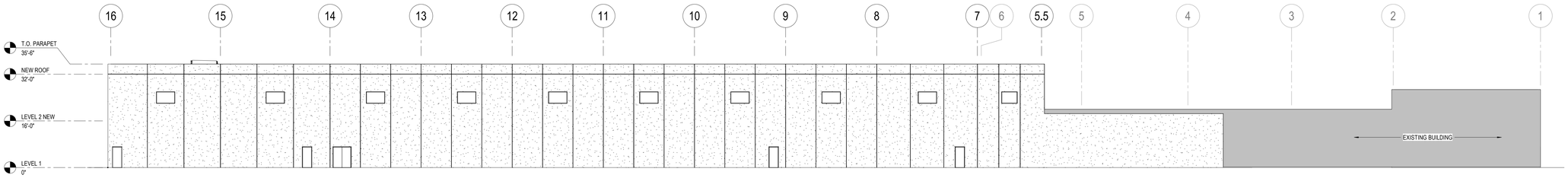
RENDERINGS

DRAWING NUMBER

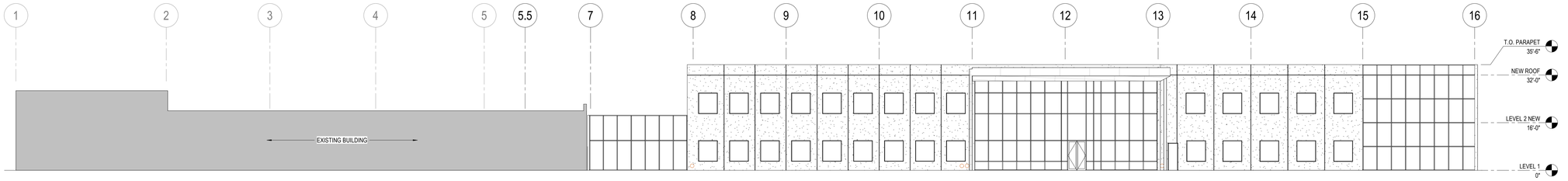
A1-04



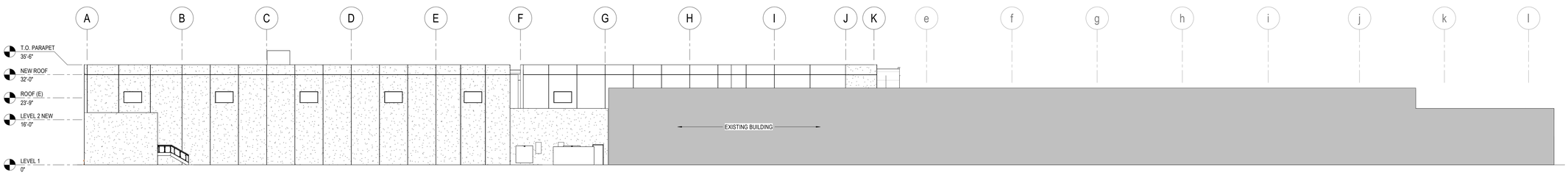
1 EAST EXTERIOR ELEVATION
1/16" = 1'-0"



2 NORTH EXTERIOR ELEVATION
1/16" = 1'-0"



3 SOUTH EXTERIOR ELEVATION
1/16" = 1'-0"



4 WEST EXTERIOR ELEVATION
1/16" = 1'-0"

CLIENT

BECKMAN COULTER
Life Sciences

CONSULTING ARCHITECT/ENGINEER

CLARK, RICHARDSON AND BISKUP CONSULTING ENGINEERS, INC.
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PROJECT TITLE

OLIVE PROGRAM - TWIN HARDWARE EXPANSION

REV	BY	DATE	DESCRIPTION
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PROJ. NO.	240396	DESIGNED BY:	Designer
SCALE:	1/16" = 1'-0"	CHECKED BY:	Checker
SHEET SIZE:	30x42	APPROVED BY:	Approver

DRAWING TITLE

ELEVATIONS
NEW BUILDING ADDITION

DRAWING NUMBER

A1-05

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CITY OF CHASKA LAND USE/DEVELOPMENT APPLICATION

DATE: 11/22/24 PLANNING CASE NUMBER: _____

APPLICATION/REQUEST FOR:	X	APPLICATION FEE	PROCESSING FEE	DATE PAID	RECEIPT NUMBER
Planned Development Districts					
Concept Plan/Rezoning	X	$1,256.95	$1,335.00	06NOV2024	
Preliminary Plat					
Final Plat (Account Codes A & C)					
Non PDD					
Concept Plan/Rezoning					
Preliminary Plat					
Final Plat					
Lot Consolidation/Division and Vacations (Account Codes A & C)					
Others					
Building/Site Plan Review					
Public Hearing Mailing List Fee			$131	06NOV2024	
Zoning/Comp Plan Amend.					
Other (Account Codes A & C)					
Permits					
Special (Conditional) Use Permit					
Variance					
Site Alteration Permit (HPC)					
Mining/Filling Permit (Account Codes B & C)					
Total Amount Due		$ $1,256.95 +	$ 1,466.00 +	Equals	$ 2,722.95

Location of Property: 316 Lake Hazeltine Drive

Legal Description of Property: Part of Tract D, Registered Land Survey No. 56 (Refer to Survey)

Existing Zoning: PMD 01 Use: Industrial

Description of Request: Proposed Building Expansion as Detailed in Project Narrative

Number of Acres: 12.90 Lots 1 Units _____

Owner Name: Beckman Coulter, Inc. c/o Amy Salisbury Phone: 952-448-4848

Street: 1000 Lake Hazeltine Drive City: Chaska State: MN Zip: 55318

Applicant Name: Clark, Richardson & Biskup Consulting Engineers, c/o Steven McKee Phone: 816-589-0138

Street: 1251 NW Briarcliff Pkwy, Suite 500 City: Kansas City State: MO Zip: 64116

Property Owner Signature: _____ Date: 11/25/24

Applicant Signature: _____ Date: 11/25/24
(if different than owner)

* Note: Time spent by the City's Planning, Engineering, Landscape Architect and/or Legal Consultants reviewing application materials will be billed directly with payment within 30 days of date of invoice.

**Account Codes for Office Use: A: 101-1710-3440 (Planning & Zoning Application Fees) B: 101-1710-3441 (Processing Fees)

*** S:\Work\Community Development\Forms

BECKMAN COULTER

Neighborhood Meeting

Property Address: 1000 Lake Hazeltine Drive, Chaska, Minnesota 55318 **Date:** October 22, 2024

Name (Please Print)	Phone or Email	Signature
Michael Hamilton	303-641-0950	
Brian Wurdeman	763-291-4009	
TRAVISE BEATON	646-573-1060	
Amy Salisbury	920-342-9639	
TERENCE WAUSH	678-617-7710	
Carol Gustafson	612-669-9504	
MichelleGeangel	9136694460	
Steven McKee	816 589 0138	

Confidential - Company Proprietary

Meeting minutes

Meeting 1: Neighborhood Meeting - Oct 22, 2024 6:15 PM

Date: Oct 22, 2024 **Time:** 6:15 PM - 7:00 PM CDT **Meeting location:** Building 326 Conference Room

Invitees & Attendance

Organizers

Steven McKee (CRB Group)

Description

Neighborhood meeting to allow members of the community to ask questions regarding the design and construction of the proposed building addition to Beckman Coulter's Building 316.

Attendance:
Beckman Coulter: Terry Walsh, Travise Beaton, Michael Hamilton, Amy Salisbury, Carol Gustafson, Elaine, Jeff
CRB: Steven McKee, Michelle Gangel, Brian Wurdeman
Community: N/A

Meeting Discussion

Introductions

1. Beckman Coulter Team:
   Terry Walsh, Senior Vice President, Global Manufacturing Operations
   Amy Salisbury, Senior Director Operations
   Travise Beaton, Project Manager
   Michael Hamilton, CAPEX Program Manager

Open

Created on Oct 22, 2024 by Steven McKee **Last updated on** Oct 22, 2024 by Steven McKee

2. CRB Team:
   Michelle Gangel, Director, Operations
   Steven McKee, Senior Project Manager
   Brian Wurdeman, Civil Engineer

Open

Created on Oct 22, 2024 by Steven McKee **Last updated on** Oct 22, 2024 by Steven McKee

Q&A Summary

1. Who is Beckman Coulter? — Open
   Part of Danaher, a global science and technology leader
   Quick overview of company figures and statistics
   Diagnostic laboratory systems manufacturer

Created on Oct 22, 2024 by Steven McKee **Last updated on** Oct 22, 2024 by Steven McKee

2. What is the proposed project? — Open
   Potential expansion to existing Building 316, minor renovation to existing Building 316
   Utility and site improvements

Created on Oct 22, 2024 by Steven McKee **Last updated on** Oct 22, 2024 by Steven McKee

3. What are the benefits provided by this proposed project? — Open
   Access to Twin Cities educational institutions and its labor market
   Positive economic impact and job creation for 2025-2027 and beyond
   A sustainable and environmentally friendly manufacturing process
   A consolidated location for Beckman Coulter

Created on Oct 22, 2024 by Steven McKee **Last updated on** Oct 22, 2024 by Steven McKee

4. What will the proposed project look like? — Open
   The rendering in the presentation was shared with the group

Created on Oct 22, 2024 by Steven McKee

Meeting Summary

This meeting has no summary

- MINUTES -
CHASKA CITY COUNCIL
NOVEMBER 18, 2024

1. Call to Order
The meeting was called to order by Mayor Windschitl at 7 p.m.

2.Pledge of Allegiance

3. Roll Call
Roll call was taken. Present: Mayor Windschitl and Councilmembers Grau, Hatfield, Hubbard, and Huang.

Absent: None.

Also Present: Matt Podhradsky, City Administrator; Kevin Wright, Community Engagement Manager; Elise Durbin, Assistant City Administrator; Liz Hanson, City Planner; Julie Grove, Economic Development Coordinator; Leah Sheveland, Councilmember Elect; and Michael Melchert, City Attorney.

4. Adopt the Agenda
Motion by Councilmember Hatfield, second by Councilmember Hubbard to adopt the agenda as presented. Motion carried.

5. Proclamation
5.A. Proclamation – Small Business Saturday 2024
Mayor Windschitl read a proclamation declaring November 30, 2024, as Small Business Saturday.

Councilmember Hatfield encouraged community members to support Downtown Chaska businesses.

5.B. Proclamation – Veterans Park Drive
Mayor Windschitl read a proclamation commemorating the dedication of Veterans Park Drive.

6. Visitor Presentation
Sam Bonnafus, representative of the Chaska RoboHawks, introduced himself. He explained the group consists of Chaska High School students. The team build robots, community outreach, and business and marketing. The primary aim is a six-week period to build a robot to play a particular game.

Mahi ____, RoboHawk team member, pointed out FIRST Lego League (FLL) is another organization for younger folks. The robots are made of Lego and the programming is simpler. Participants can be as young as preschoolers. Mr. _____ is the Head Coach of the Chaska FLL.

Wyatt ____, RoboHawk team member, noted he is part of the FTC team with 7th through 12th graders. It is an afterschool club coordinated through community education.

Mr. Bonnafus showed a slide with previous years' robots. He pointed out the team must build from scratch each year. He showed a photo of the most recent robot build where the robot launched rings or placed rings for the competition. A video of a recent match was shown.

Councilmember Hatfield pointed out the teamwork, comradery, and skills enhanced in the club are amazing.

Councilmember Hubbard asked how the team receives funding. Mr. Bonnafus has a sponsorship program where a team of students reaches out to obtain sponsors and funding. Individuals are responsible for paying for travel to competitions.

Councilmember Hubbard asked if any materials can be recycled. Mr. Bonnafus stated the motors and electronics can be recycled after the robot is disassembled. Materials can be ordered through the national organization's website.

Councilmember Huang agreed the technical and interpersonal skills learned are extremely impactful.

Mr. Bonnafus demonstrated the robot for the Council. Some coaches and parents provided comments on the program.

7. Approve Previous Meeting Minutes
7.A. Approve the November 4, 2024, City Council Meeting Minutes
Motion by Councilmember Grau, second by Councilmember Hubbard to approve the minutes of the November 4, 2024, City Council meeting.
Motion carried.

7.B. Approve the November 13, 2024, Election Canvass City Council Meeting Minutes
Motion by Councilmember Hubbard, second by Councilmember Hatfield to approve the minutes of the November 13, 2024, Election Canvass City Council meeting.
Motion carried.

8. Consent Agenda
Motion by Councilmember Huang, second by Councilmember Grau to approve the Consent Agenda Items A through B:

A. Adopt Resolution No. 2024-91 Bond Sale Reimbursement

Motion to adopt Resolution No 2024-91 establishing compliance with reimbursement bond regulations under the Internal Revenue Code of 1986.

B. Adopt Resolution No. 2024-92 Bond Sale Reimbursement

Motion to adopt Resolution No 2024-92 establishing compliance with reimbursement bond regulations under the Internal Revenue Code of 1986.
Motion carried.

9. Action Items

9.A. Public Hearing - Adopt Resolution 2024-89 Approving the City's application to MN Department of Employment and Economic Development for the MIF Program

City Administrator Podhradsky introduced the item to the Council and Economic Development Coordinator Julie Grove provided a presentation on it.

Amy Salzbury, 1000 Lake Hazeltine Drive, explained Beckman Coulter has been in the same location for years. They look forward to consolidating some manufacturing and growing organically.

Councilmember Huang thanked Beckman Coulter for their investment in the Chaska community.

Mayor Windschitl opened the public hearing at 7:59 p.m. and closed the public hearing at 8:00 p.m. as no one wished to address the Council.

Motion by Councilmember Huang, second by Councilmember Hubbard to adopt Resolution 2024-89 Approving the City's Application to the Minnesota Department of Employment and Economic Development on Behalf of Beckman Coulter, Inc. to the Minnesota Investment Fund Program. Motion carried.

9.B. Approve Resolution No. 2024-90 Denying a Major Variance for 2979 Hilltop Drive to Encroach into the Rear Yard Setback/Joe & Michelle Heiland/PC #2024-19

City Administrator Podhradsky introduced the item to the Council and City Planner Elizabeth Hanson provided a presentation on it.

Michelle Heiland, 2979 Hilltop Drive, thanked Staff and Council for their time. She pointed out the contractor failed to apply for a permit, and they moved forward in good faith assuming the contractor followed the proper channels. The current setback requirement does not allow a three-season porch, which is a common feature all over Chaska. The setback also doesn't allow the homeowners to enhance their living situation. The porch is 14 feet by 14 feet which is reasonably sized. Their lot configuration is unique. The porch aligns with the character of the neighborhood.

Ms. Heiland noted the average lot size of homes in their neighborhood is 15,000 square feet with the minimum lot size around 11,500 square feet per zoning. The City permitted the developer to create the lot in question smaller through an ordinance. The lot is 11,325 square feet which is a disadvantage.

Ms. Heiland added the porch does not inhibit any views or lighting. They have obtained letters from their neighbors in support of the porch. When they moved into the home in 2003, they planted trees which have now grown and provide additional privacy.

Ms. Heiland stated the Planning Commission cited concern that other homeowners would build before seeking approval. However, that was not their aim, nor would it be a reasonable choice considering the thousands of dollars that would go into the project.

Justin Ecklund, 121 West Street North Norwood Young America, explained, he as the contractor, submitted the permit. It was approved except there was a request for engineering plans. The engineering plans were submitted to the City. Staff reviewed the Site Plan after the other documents which impacted the timeline he normally operates on. He added the site survey is somewhat off as they measured the porch from the property lines and it encroaches four feet and two feet from each corner rather than the eight feet on the site survey.

Mayor Windschitl asked how the measurements could be so different. Ms. Hanson stated Staff completed their calculations based off of the scaled site map provided for the permit process.

Councilmember Huang stated either measurement is over the setback requirements.

Councilmember Hatfield asked why the work continued after the denial. Mr. Ecklund stated he continued with the project once Tony Zappa said the engineering drawings were approved. It was a couple weeks later that he was informed the application was denied.

Mayor Windschitl asked why Mr. Ecklund didn't pick up the permit for the porch. Mr. Ecklund stated he didn't receive an email notification that the permit wasn't approved.

Councilmember Hubbard pointed out it is common practice to post the permit on the site. Mr. Ecklund stated it has been common practice, but many components of the construction process are going paperless.

Councilmember Huang stated the approval email went out May 3, 2024. Mr. Ecklund was informed in person of the denial towards the end of May. He asked how much construction happened between the end of May and when the homeowners became aware of the issue in July. Mr. Ecklund stated the porch was already framed, roofed, and shingled. Any progress after his notification was finishes. He wasn't on the job site, so he can't speak to why the project continued.

Councilmember Huang asked why the homeowners weren't informed of the issue with the permit. Mr. Ecklund stated he didn't have an answer for the question. This is the first time he has had an issue with permitting in his 18 years as a contractor.

Mayor Windschitl stated the Council is put in a hard spot when they shouldn't have to be involved with the issue at all. If the Council approves the variance, it may set a precedent for future applications. A mistake of this nature shouldn't be rewarded.

Mr. Ecklund explained he believed the project could move forward because they asked for the engineering plans. Mayor Windschitl stated the contractor shouldn't have done a single part of the project without a permit in hand.

Councilmember Hubbard agreed the situation is difficult. The Heiland home is beautiful, and the porch is lovely. However, the Council must consider Code and setting a precedent.

Councilmember Huang noted he spent almost a decade handling variances at the County. Ultimately, one cannot create the circumstances under which a variance is granted. There were multiple opportunities for the contractor to properly obtain a permit. Due to State Statute, the Council cannot grant the variance. The situation is unfortunate.

Ms. Heiland pointed out the homeowner is requesting the variance, and they did not create the circumstances requiring a variance. Councilmember Grau stated the homeowner is still responsible for the actions of the contractor because they hired the contractor. The homeowner should have been more informed by the contractor, but the law states the contractor was operating on behalf of the homeowner.

Ms. Heiland asked if there is consideration for the lot size. She pointed out many of her neighbors have a similar porch. Councilmember Huang stated it would be a different conversation if the porch wasn't already constructed.

Councilmember Grau apologized for being unavailable to meet since receiving an email from the Heilands. It is entirely human to make mistakes, but they must comply with State law.

Councilmember Huang added violating Code can be a liability for the City as well.

City Attorney Michael Melchert recommended the Council if they have additional findings for the resolution state that before moving forward with the motion.

Motion by Councilmember Huang, second by Councilmember Hatfield to adopt Resolution No. 2024-90 denying the major variance request to encroach into the rear yard setback 8 feet for the purpose of an existing porch addition (Zoning Ordinance 15.12.200) that did not receive a building permit.
Motion carried.

10. Bills
10.A. Accounts Payable Claims Roster 18-11-2024
The Council requested further information about bills on pages 3, 7, and 22.

City Administrator Podhradsky provided further information regarding those bills.

Motion by Councilmember Huang, second by Councilmember Grau 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.

11. Other Business
11.A. City Administrator's Report
11.A.i. Bi-Weekly Report 18-11-2024
11.B. Financial Reports as of 30-09-2024
11.C. Q3 – 2024 Investment Report Memo

Councilmember Grau:

- Noted the Santa Parade will be on December 20, 2024.
- Congratulated the newly elected City officials.

Councilmember Huang:

- Congratulated Councilmember-Elect Benesh and Mayor-Elect Hubbard on their new positions.
- Noted the Veteran's Day Service was well done and thanked those who put the event together.
- Pointed out the Chaska High School production of *Annie* is underway.
- Stated the Hometown Holiday is December 7, and the Tree Lighting is December 8, 2024.
- Congratulated Chaska on receiving American Public Works Association Minnesota Chapter Best Project of the Year award and thanked Staff for their work.
- Encouraged current and future Councilmembers to participate in Metropolitan Cities' committee meetings to represent Chaska.

Councilmember Hubbard:

- Attended the Veteran's Day event hosted by the middle school.
- Noted Chaska Community Center is hosting a free week of membership November 18-24, 2024.
- Coffee with a Cop is November 21, 2024.
- Wished everyone a Happy Thanksgiving.
- Encouraged folks to shop small.

Councilmember Hatfield:

- Asked who represents Chaska at the Metropolitan Cities Policy Adoption meeting. City Administrator Podhradsky stated the meeting is online and anyone is welcome to attend. Councilmember Hatfield confirmed she would attend the meeting.
- Noted the nominations for Chaska Human Rights Award are open.
- Pointed out there are open positions on the Planning Commission, Parks and Recreation Commission, Human Rights Commission, and the Heritage Preservation Commission.
- Stated the Truth in Taxation hearing is December 2, 2024.

Assistant City Administrator Durbin:

- Noted Walnut Street south of 3rd will be closed for a couple of weeks for utilities to be installed for the new Chaska Yards project.

City Administrator Podhradsky:

- Pointed out the State of the City address is November 20, 2024.
- Provided an update on the Cooper site.

Mayor Windschitl:

- Reiterated his empathy for the Heilands.
- Noted his appreciation of the new pickleball courts.
- Discussed arrangements for Hometown Holiday.

- Stated the 100 Club purchases the lights throughout the City.
- Congratulated the new Councilmembers on their appointments.

Community Development Director Nate Kabat:

- Provided an update on the KFC site.

12. Adjourn

Motion by Councilmember Grau, second by Councilmember Haung to adjourn the meeting at 9:29 p.m.
Motion carried.