AGENDA
CHASKA PLANNING COMMISSION
VIRTUAL VIA ZOOM
Wednesday, October 14, 2020
7:00 PM

1. Call to Order

2. Roll Call

3. Adopt Agenda

4. Visitor Presentation

5. Approve Previous Meeting Minutes

    5.A. Approve the September 9th, 2020 Planning Commission Meeting Minutes

6. Consent Items

    6.A. Recommend Approval of the Final Plat for Club West 10th/Traditions Development/PC #2020-19

7. Action Items

    7.A. CONTINUE TO NOVEMBER 18, 2020 PLANNING COMMISSION: Recommendation of Preliminary Site & Building Plan, Preliminary Plat & Rezoning for Oak Ridge/RCS-RCA Oak Ridge LLC/PC #2020-17

    7.B. PUBLIC HEARING: Recommend Denial of the Variance at 220 Elm Street North to Expand a Non-Conforming Accessory Structure Exceeding Height Requirements/Blake & Amie Krone/PC #2020-21

8. Other Business

    8.A. Receive Other Meeting Minutes

        8.A.i. Receive the Sept 14th and Sept 21st City Council Meeting Minutes

        8.A.ii. Receive the September 21st Draft EDA Meeting Minutes

9. Adjourn

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CHASKA PLANNING COMMISSION
MINUTES
September 9, 2020

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

Chairperson Dahlke read aloud a statement explaining that due to the COVID-19 pandemic the Chaska Planning Commission met via electronic means. He explained how the public can still be involved in the meeting and discussions.

2. Roll Call
Roll call was taken. Members present: Commissioners Brass, Cross, Lacey, Olson, Rylee, Sailer, and Bowe and Chairperson Dahlke

Members absent: Commissioner Urbanski

Also present: Liz Hanson, City Planner.

3. Adopt the Agenda
Motion by Commissioner Cross, second by Commissioner Bowe, to adopt the agenda as presented.
Roll Call Vote: Ayes – all. Motion carried.

4. Visitor Presentation
There was none.

5. Minutes
Motion by Commissioner Bowe, second by Commissioner Sailer, to approve the Minutes of the Aug 12, 2020, Planning Commission meeting as presented.
Roll Call Vote: Ayes – all. Motion carried.

6. Consent Items
Motion by Commissioner Olson, second by Commissioner Lacey, to approve the Consent Agenda as follows:

6.A. Motion to recommend to City Council approval of a Final Plat of a 54 unit townhome development on approximately 17 acres of land just north of Clover Ridge (PC# 2020-18), subject to the following conditions:

1. **Approvals shall be based on the following graphic exhibits:**
    a. Response to Additional Items Needed, prepared by Lennar, dated August 26, 2020
    b. Title Sheet (pg C1.01), prepared by Sambatek, dated August 25, 2020
    c. Overall Site-PRD Plan (pg C3.01), prepared by Sambatek, dated August 25, 2020
    d. Site-PRD Plan-West (pg C3.02), prepared by Sambatek, dated August 25, 2020
    e. Site-PRD Plan-East (pg C3.03), prepared by Sambatek, dated August 25, 2020
    f. Overall Grading Plan (pg C4.01), prepared by Sambatek, dated August 25, 2020

g. Grading Plan-West (pg C4.02), prepared by Sambatek, dated August 25, 2020
h. Grading Plan-East (pg C4.03), prepared by Sambatek, dated August 25, 2020
i. Topsoil Management Plan (pg C4.04), prepared by Sambatek, dated August 25, 2020
j. Erosion Control Phase 1 (pg C5.01), prepared by Sambatek, dated August 25, 2020
k. Erosion Control Phase 2 (pg C5.02), prepared by Sambatek, dated August 25, 2020
l. Erosion Control Notes & Details (pg C5.03), prepared by Sambatek, dated August 25, 2020
m. Overall Utility Plan (pg C6.01), prepared by Sambatek, dated August 25, 2020
n. Utility Plan-West (pg C6.02), prepared by Sambatek, dated August 25, 2020
o. Utility Plan-East (pg C6.03), prepared by Sambatek, dated August 25, 2020
p. Overall Storm Sewer Plan (pg C7.01), prepared by Sambatek, dated August 25, 2020
q. Storm Sewer Plan-West (pg C7.02), prepared by Sambatek, dated August 25, 2020
r. Storm Sewer Plan-East (pg C7.03), prepared by Sambatek, dated August 25, 2020
s. Storm Sewer Plan-Central (pg C7.04), prepared by Sambatek, dated August 25, 2020
t. Street Plan-West (pg C8.01), prepared by Sambatek, dated August 25, 2020
u. Street Plan-East (pg C8.02), prepared by Sambatek, dated August 25, 2020
v. Overlay Plan (pg C8.03), prepared by Sambatek, dated August 25, 2020
w. Details (pg C9.01-C9.04), prepared by Sambatek, dated August 25, 2020
x. Tree Inventory Plan (pg L0.0), prepared by Sambatek, dated August 25, 2020
y. Tree Preservation List (pg L0.1), prepared by Sambatek, dated August 25, 2020
z. Overall Landscape Plan (pg L1.01), prepared by Sambatek, dated August 25, 2020
aa. Landscaping Plan-West (pg L1.02), prepared by Sambatek, dated August 25, 2020
bb. Landscaping Plan-East (pg L1.03), prepared by Sambatek, dated August 25, 2020
cc. Landscape Details and Notes (pg L1.04), prepared by Sambatek, dated August 25, 2020
dd. 54 Unit Residential Neighborhood Site Plan, prepared by Sambatek, date July 29, 2020
ee. Section/Elevations, prepared by Sambatek, date July 29, 2020
ff. Home Plans (pgs 1-28), prepared by Lennar
gg. Pioneer Vista Final Plat (pgs 1-5), prepared by Van Neste Surveying

2. Adherence with the City Engineer's Memo dated September 1, 2020.
3. Adherence with the Carver County Public Works Memo, dated August 6, 2020.
4. Adherence to the following building setbacks:
   a. Front (from Street Right of Way): 20 feet
   b. Between Buildings: 15 feet
   c. Clover Ridge Drive: 20 feet
   d. Pioneer Trail: 125 feet from centerline
   e. Railroad: 50 feet
5. Provision of 360 degree architecture be used on all facades seen from public view.
6. Prior to final plat approval, developer shall enter into an agreement with the City for the provision of necessary infrastructure and associated development costs.
7. Preservation of wetlands and a 30 foot buffer.
8. Provision of a storm water management plan meeting City and Carver County WMO standards.
9. Provision of a construction traffic plan with appropriate traffic signage to be coordinated and approved by the City Engineer.
10. Construction traffic shall not use the existing Clover Ridge neighborhood streets and shall be limited to Pioneer Trail only.
11. Provision of a separate outlot for the monument sign with a drainage and utility easement over its entirety to be revised on the Final Plat prior to recording.
12. Provision that Emerson Court is used for the street name on the Final Plat and to be revised prior to recording.

Roll Call Vote: Ayes – all. Motion carried.

7. Action Items
None.

8.Other Business

8.A. Receive Other Meeting Minutes

8 A.i. Receive the Minutes of the August 3rd and draft August 17th, 2020 City Council Meetings.

8 A i.i. Receive the Minutes of the August 3rd, 2020 EDA Meeting.

8 A.i.i.i. Receive the Minutes of the August 10,th 2020 Park Board Meeting.

8.B. Project Updates

City Planner Hanson gave a brief overview of of various projects thoughout the City. She stated that the 2040 Comprehensive Plan was adopted at the City Council meeting on August 17, 2020. She stated that there are a few projects in town that have hit a standstill. She stated that those projects are: Structures Incorporated to construct an office building off of Old Audobon Road. She noted that they ran into troubles with their financing because the construction costs would be so high because the site has poor soils. She stated that she believes they have found a different site in Chanhassen and may be looking to sell this property; Chaska Building Center site at the corner of Fire Lane and Chaska Boulevard, this had a concept plan brought before the City, but there has not been much marketing done on this site, so she is not sure if this will be moving forward. She stated that they have not yet secured a stakeholder for either the office or industrial side of this project; Hazelview Senior Co-op which is located at Hundertmark Road and Pioneer Trail, the City reviewed a concept plan for this and the City has recently heard from the property owner that they are going back and forth on a decision on whether to develop or sell the property.

Commissioner Cross

- Stated that she would like to share her opinion that a homeowner's association should be the entity that makes the decision of what type of play area, if at all, goes into their development.

Chairperson Dahlke

- Likes the rapid progress that is happening on Lyman Boulevard

9. Adjourn
Motion by Commissioner Brass, second by Commissioner Cross to adjourn the meeting at 7:20 pm.
Roll Call Vote: Ayes – all. Motion carried.

REQUEST FOR ACTION
CHASKA PLANNING COMMISSION
10/14/20

Subject: **Club West 10th Addition – Final Plat**

Applicants: Traditions Development

Location: North of County Road 44 and east of Savanna Way

Case No.: 2020-19

Synopsis: Applicant seeks to obtain approval of a Final Plat for 4 single-family lots in the southwest Chaska area

Prepared By: Elizabeth Hanson

Staff Recommendation: Recommendation of Approval

BACKGROUND

In 2013, phase I of Tradition's development concept plan was approved. Phase I encompasses the 1st-3rd additions of Club West, also known as The Harvest.

In April of 2016, phase II of Tradition's development concept plan was approved. Phase II encompasses the development area north of Club West 1st-3rd additions, which was the ultimate layout for The Harvest neighborhood.

In June of 2016, the preliminary plat and rezoning for 89 lots (south half of concept plan) in phase II of Tradition's development was approved.

In September of 2016, the preliminary plat and rezoning for 80 lots (north half of concept plan) in phase II of Tradition's development was approved.

A small area (4 lots) on the northwest portion of the development along Boulder Lane was left un-platted because these lots were encompassed in land owned by Mr. Cottrell who lived at 4255 Creek Road. Until this land was acquired by the developer then they could proceed with Final Plat of the 4 lots.

In 2020, the City of Chaska purchased the most northerly portion of right-of-way for Savanna Way (collector road) in SW Chaska. As the road went through the home on the property (4255 Creek Road), the city purchased the entire 9.48 acre parcel of land (PID 300060300). The property consists of the road right of way, area for street ponding, creek, wooded steep slopes and developable land at the southeast corner of the property (along Boulder Lane). The developable land was then sold off to Traditions Development so that they can finish out the 4 lots planned along Boulder Lane.

EXISTING CONDITIONS
The subject area being looked at tonight is comprised of approximately 2.8 acres and located in the northwest portion of the existing Harvest neighborhood.

CURRENT REQUEST
The request this evening is for final plat for 4 new single-family lots in the Harvest/Club West neighborhood.

Layout
The initial access to the property will be from Farm Hill Boulevard to the west from the adjacent collector road, Savanna Way. The layout of the local streets (Millstone Drive) would then continue throughout the development to access the 4 lots, which are located on Boulder Lane.

Transportation/ROW
Boulder Lane is the road that the 4 lots will be serviced on. This road has already been constructed.

Setbacks
The proposed setbacks are consistent with the 2nd-9th additions of Club West. Namely, the front yard setback should be no less than 23 feet, with the front porch being allowed to encroach into the setback up to 8 feet. This essentially renders the front yard setback for the porch to 15 feet. The rear yard setback should be 30 feet. The side yard setback of 10 feet for the house and 5 feet for the garage side work within the City's guidelines except for corner lots, which should have a side yard setback of 23 feet.

Utilities and Stormwater
Utilities are available to service the site.

Development Costs (Infrastructure Improvements)
The Heights of Chaska has a number of area-wide development cost such as but not limited to:

- Collector Roads
- Transportation
- Storm Sewer
- Parks

Prior to recording the final plat, the applicant will need to work with City staff to determine which of these are applicable and what those fees will be.

FINAL PLAT
The request this evening involves final plat for 4 single-family lots. There is one outlot (Outlot A), which will be for the preservation of the bluff area in the rear of these lots and deeded to the City of Chaska.

PLANNING COMMISSION ACTION:
Motion to recommend to City Council approval of the final plat for Club West 10th Addition for 4 single-family lots, subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:
    a. Club West 10th Addition Final Plat (pgs 1-2), submitted by Alliant Engineering

b. Club West 10th Addition Area Exhibit, submitted by Alliant Engineering

2. Payment of all applicable development fees prior to recording the Final Plat.
3. Compliance with applicable zoning requirements, in particular Chapter 9 (General Requirements).
4. Compliance with Section 9.27 Anti Monotony and Design Requirements in Detached Single-Family Residential Developments.
5. Provision of a stormwater management plan meeting City and Carver County WMO standards.
6. Provision of an executed development agreement prior to recording Final Plat.
7. Provision of sidewalks on both side of all local streets.
8. Adherence to the City's Boulevard Tree Policy and local street section design.
9. Provision of a 60 feet Right of Way width for all local streets.
10. Adherence to the following building setbacks:
    a. Front (house): 23 feet
    b. Front (porch): 15 feet
    c. Rear: 30 feet
    d. Side (house/garage): 10 feet/5 feet
    e. Side (corner): 23 feet

CITY OF CHASKA

Club West 10th - Aerial

Date: 10/9/2020

0 0.0175 0.035 0.07 0.105 0.14 mi

N

PLAT FILE NO.
C.R. DOC. NO

CLUB WEST TENTH ADDITION

KNOW ALL PERSONS BY THESE PRESENTS: That Club West Partners, LLC, a Minnesota limited liability company, owner of the following described property:

That part of the Southeast Quarter of the Northeast Quarter of Section 6, Township 115, Range 23, Carver County, Minnesota, described as follows:

Commencing at the northwest corner of Outlot M, CLUB WEST FOURTH ADDITION, according to the recorded plat thereof said Carver County; thence North 89 degrees 38 minutes 58 seconds East, assumed bearing along the north line of said Outlot M and its easterly extension, a distance of 344.30 feet to the point of beginning; thence continuing North 89 degrees 38 minutes 58 seconds East along last described line, 591.94 feet to the west line of Outlot J, said CLUB WEST FOURTH ADDITION; thence North 00 degrees 43 minutes 15 seconds East, along said west line of Outlot J, CLUB WEST FOURTH ADDITION, a distance of 377.86 feet; thence South 84 degrees 00 minutes 28 seconds West 19.18 feet; thence South 79 degrees 47 minutes 11 seconds West 49.87 feet; thence North 79 degrees 40 minutes 25 seconds West 29.98 feet; thence North 81 degrees 44 minutes 44 seconds West 22.90 feet; thence South 05 degrees 03 minutes 56 seconds West 55.27 feet; thence South 02 degrees 44 minutes 01 seconds West 40.82 feet; thence South 38 degrees 10 minutes 09 seconds West 36.46 feet; thence South 31 degrees 49 minutes 41 seconds West 40.37 feet; thence South 33 degrees 18 minutes 20 seconds West 24.92 feet; thence South 56 degrees 59 minutes 19 seconds West 22.15 feet; thence South 52 degrees 25 minutes 01 seconds West 23.30 feet; thence North 61 degrees 36 minutes 51 seconds West 18.00 feet; thence South 57 degrees 10 minutes 04 seconds West 43.68 feet; thence South 12 degrees 12 minutes 40 seconds East 16.27 feet; thence South 66 degrees 45 minutes 55 seconds West 41.99 feet; thence South 65 degrees 00 minutes 38 seconds West 88.94 feet; thence South 82 degrees 18 minutes 10 seconds West 84.73 feet; thence North 82 degrees 01 minutes 38 seconds West 27.66 feet; thence North 88 degrees 00 minutes 18 seconds West 22.23 feet; thence South 24 degrees 23 minutes 14 seconds West 60.14 feet; thence South 70 degrees 27 minutes 23 seconds West 38.09 feet; thence South 41 degrees 37 minutes 36 seconds West 18.68 feet to the point of beginning.

AND

Outlot C, CLUB WEST SEVENTH ADDITION, filed as Doc. No. A666362, Carver County, Minnesota.

Has caused the same to be surveyed and platted as CLUB WEST TENTH ADDITION, and does hereby dedicate to the drainage and utility easements as created by this plat.

In witness whereof said Club West Partners, LLC, a Minnesota limited liability company has caused these presents to be signed by its proper officer this _____ day of _____, 20____.

Signed: Club West Partners, LLC

_____
Chief Manager

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me on _____ by _____, Chief Manager of Club West Partners, LLC, a Minnesota limited liability company, on behalf of the company.

_____

_____
(printed name)

Notary Public, _____ County, Minnesota
My Commission Expires _____

SURVEYOR'S CERTIFICATE

I Peter Goers do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this ___ day of _____, 20_____

_____
Peter Goers, Licensed Land Surveyor
Minnesota License No. 44110

STATE OF MINNESOTA
COUNTY OF _____

This instrument was acknowledged before me on _____ by Peter Goers, a Licensed Land Surveyor.

_____

_____
(PRINT)
Notary Public, _____ County, Minnesota
My Commission Expires _____

CHASKA, MINNESOTA

This plat of CLUB WEST TENTH ADDITION was approved and accepted by the City Council of the City of Chaska, Minnesota at a regular meeting thereof held this _____ day of _____, 20_____, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

City Council, City of Chaska, Minnesota

By: _____ _____
Mayor Clerk

COUNTY SURVEYOR, CARVER COUNTY, MINNESOTA

Pursuant to Chapter 395, Minnesota Laws of 1971, this plat has been approved this _____ day of _____, 20_____.

Brian Praske, County Surveyor

By: _____

PROPERTY AND FINANCIAL SERVICES DIVISION, CARVER COUNTY, MINNESOTA

I hereby certify that taxes payable in _____ and prior years have been paid for land described on this plat. Dated this _____ day of _____, 20_____.

David Frischmon, Property and Financial Services Director

By: _____

COUNTY RECORDER, CARVER COUNTY, MINNESOTA

I hereby certify that this plat of CLUB WEST TENTH ADDITION was filed this _____ day of _____, 20_____, at _____ o'clock ___.M. as Document Number _____ .

Kaaren Lewis, County Recorder

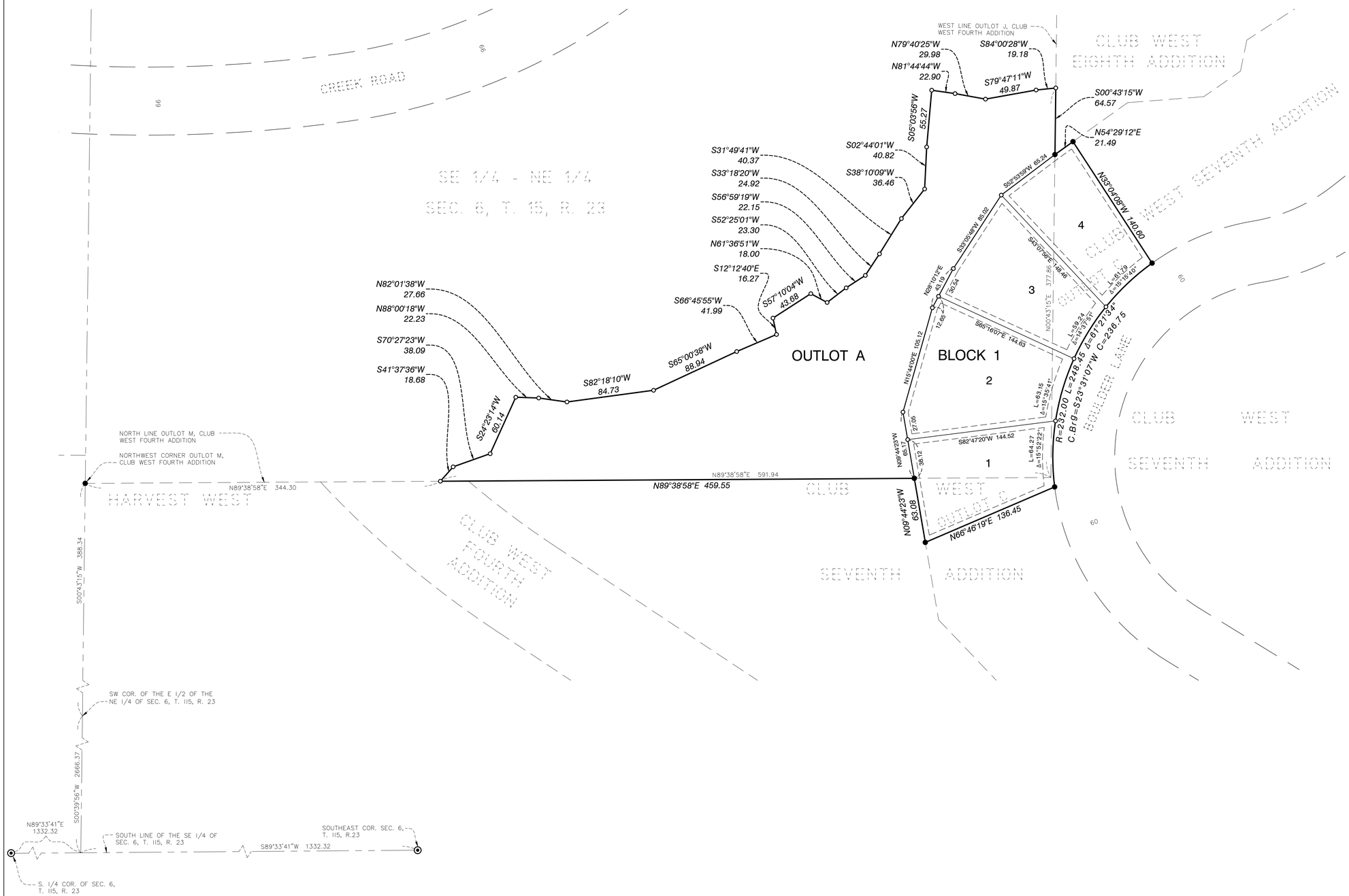
By: _____

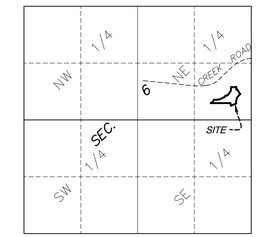
ALLIANT
ENGINEERING

SHEET 1 OF 2 SHEETS

PLAT FILE NO.
C.R. DOC. NO

CLUB WEST TENTH ADDITION

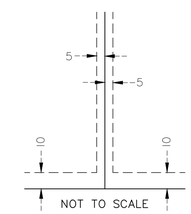




VICINITY MAP

SECTION 6, T115N, R23W
NOT TO SCALE

DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



Being 5 feet in width and adjoining lot lines and 10 feet in width and adjoining street lines as shown on this plat, unless otherwise shown.

THE NORTH LINE OF OUTLOT M, CLUB WEST FOURTH ADDITION, CARVER COUNTY, MINNESOTA HAS A CARVER COUNTY BEARING OF N89°38'58"E (NAD 83, 1986).

- ● Denotes 1/2 inch x 18 inch iron monument found marked by license no. 18425 unless otherwise shown
- ○ Denotes 1/2 inch x 18 inch iron monument set marked by license no. 44110 unless otherwise shown
- ⊙ Denotes Carver County Cast Iron Monument found

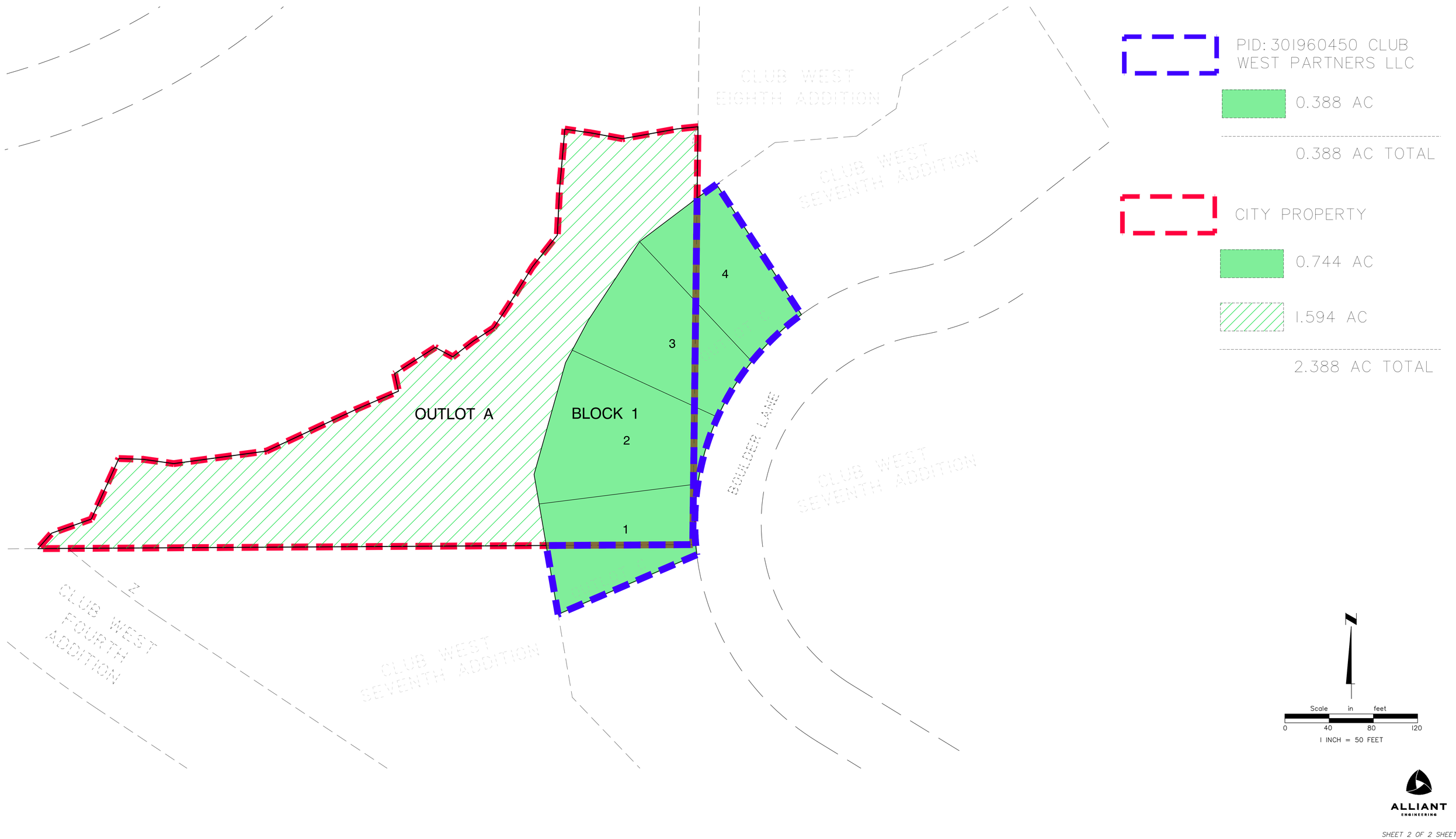
Scale in feet

0 50 100 150

1 INCH = 50 FEET

ALLIANT ENGINEERING

CLUB WEST TENTH ADDITION AREA EXHIBIT



SHEET 2 OF 2 SHEETS

REQUEST FOR ACTION
CHASKA PLANNING COMMISSION
10/14/2020

Subject: **Expansion of Accessory Structure — Variance Request to Exceed Height Requirements for Accessory Structure and to Expand a Non-Conforming Structure**

Applicant: Blake & Amie Krone

Location: 220 Elm Street North

Case No.: 2020-21

Synopsis: Applicant is requesting the approval of a variance request to exceed the height requirements for an accessory structure, and to expand a non-conforming structure that does not meet setbacks requirements

Prepared By: Elizabeth Hanson

Recommendation: Motion to recommend denial to City Council

Existing Conditions
The property, 220 Elm Street North, is legally described as Lot 10, Block 40 of the City Lots of Chaska, and is approximately 0.19 acres (8,519 square feet) in size; this lot is located in downtown Chaska. The property currently consists of a single-family home and one detached garage structure on the eastern portion of the site. The detached garage is 986 square feet in size and approximately 13 feet in height. The detached garage does not meet setbacks in its current position. The structure has to be setback 5 feet from both the rear and interior side yard lot lines. The structure is setback 0.4 feet from the rear lot line, and 4.6 feet from the side interior lot line. Because the detached garage does not meet setbacks it is currently a non-conforming structure.

Land Use
The property is currently zoned Medium Density Residential (R2).

VARIANCE FACTS
In order for a variance to be granted, the applicant must provide a written statement containing the following:

- Conditions that create a hardship (see hardship definition below) that would prohibit reasonable development without a Variance;
- Conditions on the property that create a hardship that are not present on similar sized lots in the same area and zoning district; and
- Relationships with abutting property that will not be adversely affected by the Variance.

Minnesota State Statue in Chapter 462.357, Subdivision 6, (2), defines "undue hardship" as: "... means the property in question cannot be put to a reasonable use if used under conditions allowed the official controls, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute an undue hardship if reasonable use of the property exists under the terms of the ordinance...".

The general standards for approval of a variance are found in Section 14.8.1, of the Zoning Ordinance, which states the following:

"The City Council may grant variances from the literal provisions of this Ordinance where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration, and to grant such variances only when it is demonstrated that such actions will be in keeping with the spirit and intent of this Ordinance.

"Undue hardship" as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use if used under conditions required by the official controls, the plight of the landowner is due to circumstances unique to his property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Undue hardship also includes, but is not limited to, inadequate access to direct sunlight for solar energy systems.

Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of this Ordinance. Variances shall be granted for earth-sheltered construction as defined herein when in harmony with this Ordinance.

The City Council may not permit as a variance any use that is not permitted under the Ordinance for property in the district where the affected person's land is located. The City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling. The City Council may impose conditions in the granting of a variance to insure compliance and to protect adjacent properties."

The following are some of the questions Staff asks with each variance request.

- The variance shall not impair the health, safety, comfort and general welfare of the public?
- The variance shall not be contrary to the intent and purpose of the Comprehensive Plan, Official Map or any ordinances of the City?
- Variances shall not allow a use in a district that is not otherwise allowed?
- The variance should not be greater than necessary to accomplish the landowner's objective?
- Are there alternative locations, development concepts or space requirements that would reduce or eliminate the request?
- The variance, if granted, would not alter the essential character of the locality (neighborhood)?
- Conforming to City Code, the property could not be put to a "reasonable" use?
- The variance would improve an existing non-conforming condition.

- The variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood?

STAFF EVALUATION

The applicant is requesting a variance from zoning ordinance Section 9.22.8 which states:

"One accessory building shall not exceed 768 square feet in floor area on lots of 7,200 square feet in size or greater, or 624 square feet on lots of less than 7,200 square feet in size and shall not exceed 15 feet in height. The garage door opening shall be limited in height to eight feet as measured from the driveway apron or grade at the door opening."

The applicant is also requesting a variance from zoning ordinance Section 2.4.1.2 which states:

"A non-conforming building or structure shall not be added to or enlarged in any manner unless such additions or enlargements are made so as to bring said building or structures into conformity with the regulations of this Ordinance."

The applicant is proposing to add on to their existing detached garage that would increase the height of the building; they are using the same building footprint of the existing detached garage but adding an additional level above. Per Ordinance, building height is defined as the vertical distance measured from the curb level to the mean height level between the eaves and the ridge of gable roofs. Using this definition, the detached garage roof will be 15.8 feet in height, which is 0.8 feet (approximately 10 inches) higher than the 15 feet height maximum for accessory structures. The applicant is also requesting to expand on a structure that is non-conforming due to it not meeting required setbacks. 5 feet is required from both the rear and interior side property lines, however, the structure is only 0.4 feet away from the rear property line and 4.6 feet away from the side interior property line.

<u>Applicant's Argument</u>

The applicant has stated that the reasoning for variance and the expansion of the detached garage is to add square footage for an office/classroom space for their family. Because of Covid-19 they have had to completely readjust the usage of their house. Going from being a full-time traveling employee/office worker to a full-time home-based worker for both the husband and wife has required workspaces in the home for both. Home-schooling their children has also put a strain on the organization of their home. In sum, there is not enough space in their existing home to separate each workspace adequately, and they would prefer to use their dining room table as a traditional eating space rather than a workspace. The new space above the garage would allow their family additional square footage, and allow the applicant to fix a roof issue on the garage.

In terms of reasonableness, the applicant believes that there are other properties with similar dimensions that have larger open spaces inside their homes that allow them the space to have adequate work areas that do not involve the dining room table. The vertical addition to their existing detached garage would allow them to reasonably use their property and provide adequate workspace.

The applicant has discussed this issue with their neighbors. Concerns were raised about the height of the structure adjacent to the alleyway and how garbage/snow removal trucks would be able to adequately access the alleyway. The applicant states that they have specifically designed the addition to provide for adequate clearance from the alleyway. They state that they did numerous iterations to ensure the proposed height fits in with neighboring structures and the downtown area, and ultimately does not impact the supply of lighting air flow. A supplement is provided that has signatures of neighbors supporting the project.

The applicant believes that they should be granted the variance because their neighboring property to the south of them (216 Elm Street North) is not meeting setbacks on the lot line abutting their property. Staff's response to this is that although there may be a setback issue noted on the neighboring property, this does not constitute having a variance approved.

The applicant also brought up in their narrative that a neighboring property (321 2nd Street West) received approval for a new detached garage that exceeds height requirements. The applicant believes their request is similar, however, they believe their request will be more appropriate compared to the one at 321 2nd Street West.

<u>321 2nd Street West – Accessory Structure</u>
It should be noted that the property at 321 2nd Street West is a local historic structure. In that regard all exterior alterations/demolitions require Heritage Preservation Commission review and approval. In 2009, a Site Alteration Permit (SAP) was approved at this address to demolish the older detached garage and construct a new one. The detached garage roof at 321 2nd Street West is 17 feet in height, which is two feet (24 inches) higher than the 15 feet height maximum for accessory structures. The 12:12 roof pitch used on the garage reconstruction at 321 West 2nd Street mimics the existing historic residence, which is also a 12:12 roof pitch. Traditionally, staff has viewed roof pitch, and subsequent roof height, for *historic* structures as a part of the overall architecture of a historic project—one component of the whole project. Precedent exists with regard to accessory structures matching the roof pitches of other historic homes in downtown Chaska. For instance, the garage reconstruction at 301 East 3rd Street (Nobel-Sell House) was approved in 2005. The Chaska brick garage that was reconstructed on the property measures 20.5 feet tall. The roof pitch of the garage is 9:12, which matches the residence. The findings iterated by staff, and adopted by the HPC, was that the garage reconstruction complemented the existing residence well and fit in to the overall historic character of the parcel. In sum, exceptions on accessory structure height have only been made for historically designated properties, which are approved and validated with a Site Alteration Permit (SAP). The comparison between the property in question tonight (220 Elm Street North) and other historic homes with accessory buildings is not relevant since 220 Elm Street North is not historic.

<u>Undue Hardship, Conditions Not Present on other Similar Sized Lots, & Relationship with Abutting Property</u>
As stated above under Variance Facts, in order to grant a variance the applicant has to provide conditions that create an undue hardship that would prohibit reasonable development without a Variance. *"Undue hardship" as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use if used under conditions required by the official controls, the plight of the landowner is due to circumstances unique to his property not created by the landowner, and the variance, if granted, will not alter the essential character of*

the locality. Undue hardship also includes, but is not limited to, inadequate access to direct sunlight for solar energy systems.

The property (220 Elm Street North) is already being put to reasonable use being that it has a home and detached garage on it. The current detached garage meets height requirements and can certainly meet setbacks if torn down and reconstructed. The request for added height to the garage is so that the property owner can provide more workspace amidst the Covid situation; it would be a convenience to have this additional space. Meeting height requirements for an accessory structure does not burden the property owner in the sense that the property cannot be reasonably used, and Covid is not a viable rationalization for a variance as everyone is going through it. In sum, there has not been any proven undue hardship on the property that would constitute the need for a variance. In addition, it appears that the applicant could add onto their home, potentially on the rear portion, while still meeting required setbacks. The applicant could also look into adding over their bump out on the rear of the home by adding a second story.

The applicant has not provided unique, physical conditions of the property that are not otherwise present on similar sized lots. The lots within downtown Chaska are all fairly similar in size and conditions. The applicant does mention that their home does not have the same space as other homes in the area. However, the size of the home does not constitute as a unique, physical condition/constraint of the property. Home sizes are created by the landowner, or a previous landowner.

The variance, if granted, will be adding height to an accessory building that does not meet setbacks. Abutting properties will be effected by this change as the detached garage will be enlarged to be taller but the setbacks will not be corrected. If granted, the variance will set a precedence that will provide an ability for other properties to request the same.

The variance shall not impair the health, safety, comfort and general welfare of the public?

The applicant believes the variance will not impair the health, safety, comfort and general welfare of the public, as the proposal will fix a roof issue that is otherwise dangerous and could potentially collapse. However, Staff's analysis is that that fixing the roof can occur without a variance request/approval. General maintenance, such as roof replacement, to a non-conforming structure can occur without the need for a variance as long as it does not involve enlarging the non-conformity or building more than what it is today.

The variance shall not be contrary to the intent and purpose of the Comprehensive Plan, Official Map or any ordinances of the City?

The variance will be contrary to the intent and purpose of the Comprehensive Plan, Official Map or any ordinances of the City. The applicant believes that their concept to add an additional level to the detached garage will stay within the charm that is present in downtown Chaska. Staff's analysis is that the proposal is contrary to various zoning ordinances as noted above (Section 9.22.8 and Section 2.4.1.2). These ordinances are in place to ensure that accessory buildings are designed to be secondary to the principal structure and not primary to the overall site. The height requirement was meant to allow for typical storage above a detached

structure, but not necessarily living space. Adding living space above a detached garage will have to meet certain building codes as well and be careful not to be constituted as an accessory dwelling unit/duplex, which is not permitted on single-family lots. Additionally, the lot is a corner lot so the visibility of the detached garage will be significant on the streetscape and relationship between the home. The non-conforming ordinance prohibits non-conformities from enlarging so that the issue itself, in this case setbacks, does not become greater to resolve.

Variances shall not allow a use in a district that is not otherwise allowed?

The variance will not allow a use in the zoning district that is not otherwise allowed.

The variance should not be greater than necessary to accomplish the landowner's objective?

The variance proposal is greater than necessary to accomplish the landowner's objective.

Are there alternative locations, development concepts or space requirements that would reduce or eliminate the request?

There are other alternatives for adding space for work and home-schooling. The applicant can explore adding on to their home to provide for additional space, and avoid variating from zoning regulations. A couple options could be to add on to the rear of the home, southerly side where the paver patio is shown on the survey. Another option could be to add over the bump out on the rear of the home by adding a second story. The detached garage could also be re-evaluated for space. The applicant is already investing a lot of money in adding on to the garage and re-doing the structure/roof that it would seem feasible to tear down and rebuild meeting setbacks and height; the garage could be reformatted to include a space that could have an office as long as it is still meeting square footage allowance (plumbing/bathroom, kitchen facilities, or anything that could constitute as a duplex/accessory dwelling unit would be prohibited). It appears that there can be other options to explore that would not require a variance.

The variance, if granted, would not alter the essential character of the locality (neighborhood)?

The variance would alter the essential character of the locality. The proposal for increased height on an accessory structure exceeding the maximum standard, if granted, would set a precedence to allow other accessory structures to do the same. The height standard is so that accessory buildings do not become more primary in terms of look and scale than the home. Accessory structures are meant to be "accessory". The height of accessory buildings is controlled so that the accessory building does not become more significant than the principal building.

Conforming to City Code, the property could not be put to a "reasonable" use?

The property could be put to reasonable use if it had to conform to the maximum height requirement for accessory structures. The property currently has a detached garage on it that meets the height requirement.

The variance would improve an existing non-conforming condition.

The variance would not improve an existing non-conforming condition. In fact, the variance will enlarge a non-conforming condition. The detached garage does not currently meet the required rear and side yard setbacks, and thus makes the structure non-conforming. The applicant's proposal to add on another level/height to the non-conforming structure would mean that they are enlarging the non-conformity, and making the issue more challenging to resolve. In addition, there are certain building codes that need to be met when buildings are so close to the property line.

The variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood?

The variance will impair the surrounding properties. The proposal will enlarge an accessory building above the maximum standards thus increasing the visual that people see on this property. This property is a corner lot and the visibility of this detached structure would be significant.

FINDINGS

Staff feels as if there is not an undue hardship on the applicant, and therefore a variance should not be granted, for the following reasons:

1. The property in question can be put to a reasonable use under the current regulations and setbacks. The property currently has a home and accessory building on the property. There are no unique physical constraints on the property which would otherwise make the property unusable.

2. Staff also feels that the variance, if granted, will alter the essential character of the area. An accessory building exceeding the maximum height would set a negative precedence and alter the essential character of the area.

3. There is a reasonable alternative to the variance. The applicant can explore adding on to their home.

4. The variance would not improve an existing non-conforming condition rather it will make it worse. The detached garage currently does not meet rear and side yard setbacks. The proposal to add height to the detached garage would make the non-conformity larger.

PLANNING COMMISSION ACTION REQUESTED

Motion to recommend denial of the major variance request to exceed the height requirements for accessory structures (Zoning Ordinance 9.22.8), and to expand a nonconforming structure (Zoning Ordinance 2.4.1.2), to the City Council based on the following findings:

FINDINGS:

1. The property in question can be put to a reasonable use under the current regulations and setbacks. The property currently has a home and accessory building on the property. There are no unique physical constraints on the property which would otherwise make the property unusable.

2. Staff also feels that the variance, if granted, will alter the essential character of the area. An accessory building exceeding the maximum height would set a negative precedence and alter the essential character of the area.

3. There is a reasonable alternative to the variance. The applicant can explore adding on to their home.

4. The variance would not improve an existing non-conforming condition rather it will make it worse. The detached garage currently does not meet rear and side yard setbacks. The proposal to add height to the detached garage would make the non-conformity larger.

Blake & Amie Krone
220 N ELM ST, CHASKA, MN 55318
Lot 10, Block 40, Townsite (now City) of Chaska
August 31, 2020

Variance Request

We, as the property owners of Lot 10, Block 40, Townsite (now City) of Chaska, Mr. Blake & Mrs. Amie Krone, are requesting a special variance to be approved for our existing detached garage structure. Our current structure has a failing roof due to older building techniques used that are inadequate to support the weight of heavy snow falls in Winter. As a temporary solution we have installed a pair of laminated beams running the length of the garage portion of the structure to prevent the roof from collapsing in on itself.

The roof line has been supported raising the middle section approximately 2” but is still sagging as can be seen in the image below. The side of the garage has multiple bows due to trusses being spaced 24” O.C. without adequate sheathing. The garage also lacks overhangs causing water damage and rotting to some of the structure.

The property located at 300 W 2ND ST on the opposite end of the alley had a similar issue with their garage collapsing which we are working to avoid with our property for the safety of us and our neighbors who use the alleyway to enter their garages. ***(Item 3.i of narrative request.)***

While we are fixing the roof issues of the garage we are requesting that we be allowed to raise the roof above the attached 3rd car stall to include an office/classroom space for our family. This would raise the overall height of the structure by 6' at the highest point away from the alleyway. This would be above the maximum allowed height by 3' thus requiring the variance approval. Due to COVID-19 we have had to completely readjust our usage of the house in its current state. Going from a full-time traveling employee and office worker to 100% home-based remote workers we need adequate work spaces for both of us as well as space for home schooling our children that doesn't involve losing the dining room table for family meals. As a teacher I need a space that can have a full camera setup with digital whiteboards for remote teaching without interruptions or background distractions. Amie, as a Director of HR, needs to have a space she can have meetings in confidence without concern for privacy issues of her employees. During the past few months we have adjusted setups many times trying to find ways to utilize our existing space but can't get enough distance between all of us while on concurrent video conferences to reduce background noise. ***(Item 3.vii, 3.v)*** Many of the other homes of similar lot size and home size have larger open spaces inside their homes from previous remodels or being built that way allowing them the space to have work areas that don't involve the dining room table. ***(Item 3.b)*** This small vertical addition would allow us to continue to utilize our property reasonably and allow us to stay in the Chaska area. ***(Item 3.a)***

We have discussed this addition with our neighbors that are located on the block and have direct line of sight with the addition. Concerns were expressed around the height of the garage at the alleyway to not interfere with garbage & recycling trucks as well as snow removal vehicles. We have specifically designed the addition to provide adequate clearances for vehicles, we are in fact raising the roof line a foot on the alleyway to increase the clearance height for trucks as a precautionary measure. ***(Item 3.c, 3.viii)*** Numerous iterations of the roof height were tested to

see how they fit with the neighboring structures in order to meet the minimally viable interior ceiling height needed for the space while ensuring not to impact the supply of light and air flow to the block. ***(Item 3.iv, 3.ix)*** To stay within the charm that is present in Downtown area homes we designed the addition to have a small town charm and not be a typical cookie cutter blocky shape. This coupled with improvements to our main structure (via other permits) will return charm to our current large boxed house on the block. ***(Item 3.ii, 3.vi)*** All of the neighbors we have been able to talk to have approved the addition from their perspective and can be seen via the attached signature sheet. We have taken serious consideration to the look and feel of the neighborhood while designing this addition.

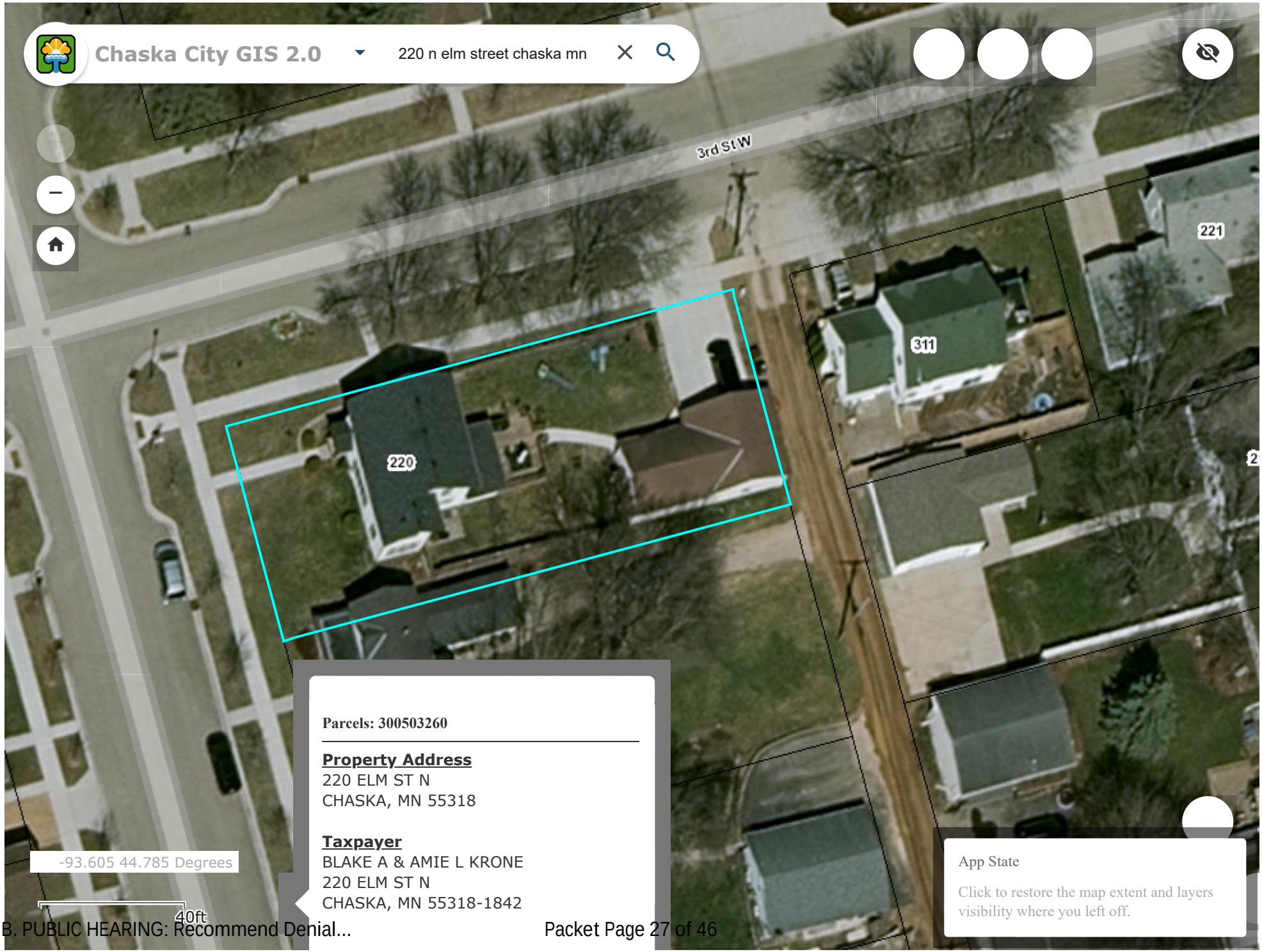
Recently another property received approval of a special variance request for their new detached garage with second story loft. This property had a small carriage house garage, while the request was for a garage to be built it doesn't meet item 3. iv. *The variance should not be greater than necessary to accomplish the landowner's objective*. This is a similar request with the primary difference being our structure already exists, it will be hardly noticeable from streets due to the matured trees surrounding the area. When comparing the two properties we feel that our addition flows with the property better than the previously approved variance given the relationship of the structure to the main house and allows us to improve the currently built garage structurally ensuring safety of us and all those around it.

While performing a land survey it was determined that the neighboring property is partially on our property. This property, located at 216 N ELM, has also had work performed on it without permits involving removing the garage in a fashion that has made the house an eye sore on the neighborhood and goes against the character of the locality. With this property being right on the boundary (3" - 6") what we see out of our windows is this eye sore of a repair job performed by the county. A fair compromise to the boundary issue would be acceptance of this variance request.

We appreciate your time in reviewing this application and look forward to discussing it in person with you at the planning meetings.

https://www.dropbox.com/sh/89lr0ho5m6ucija/AAABUNZxxYwzsypdgQlalyqfa

Address	Name	Signature
216 N ELM ST	Chelsey Olson	
212 N ELM ST	Chelsey Olson	
208 N ELM ST	Peter Gephart	
320 W 2ND ST	Julie Parris	Julie Parris
316 W 2ND ST	Josh Zangl	
300 W 2ND ST	Randy A. Fox	Ronald Fhom
209 N CEDAR ST	Rocky Marshall	Rocky Marshall
211 N CEDAR ST	NOT HOME	
217 N CEDAR ST	NOT HOME	
221 N CEDAR ST	Tim Dahlke	Tim Dahlke
311 W 3RD ST	ASHLEY KHAN	Ashley Khan
303 N CEDAR ST	Lemuel McDermott	
316 W 3RD ST	Kira Bristol	Kira L Bristol


Chaska City GIS 2.0
220 n elm street chaska mn
3rd St W
220
311
221
Parcels: 300503260
Property Address
220 ELM ST N
CHASKA, MN 55318
Taxpayer
BLAKE A & AMIE L KRONE
220 ELM ST N
CHASKA, MN 55318-1842
-93.605 44.785 Degrees
40ft
App State
Click to restore the map extent and layers visibility where you left off.

220 N Elm St
Google Earth

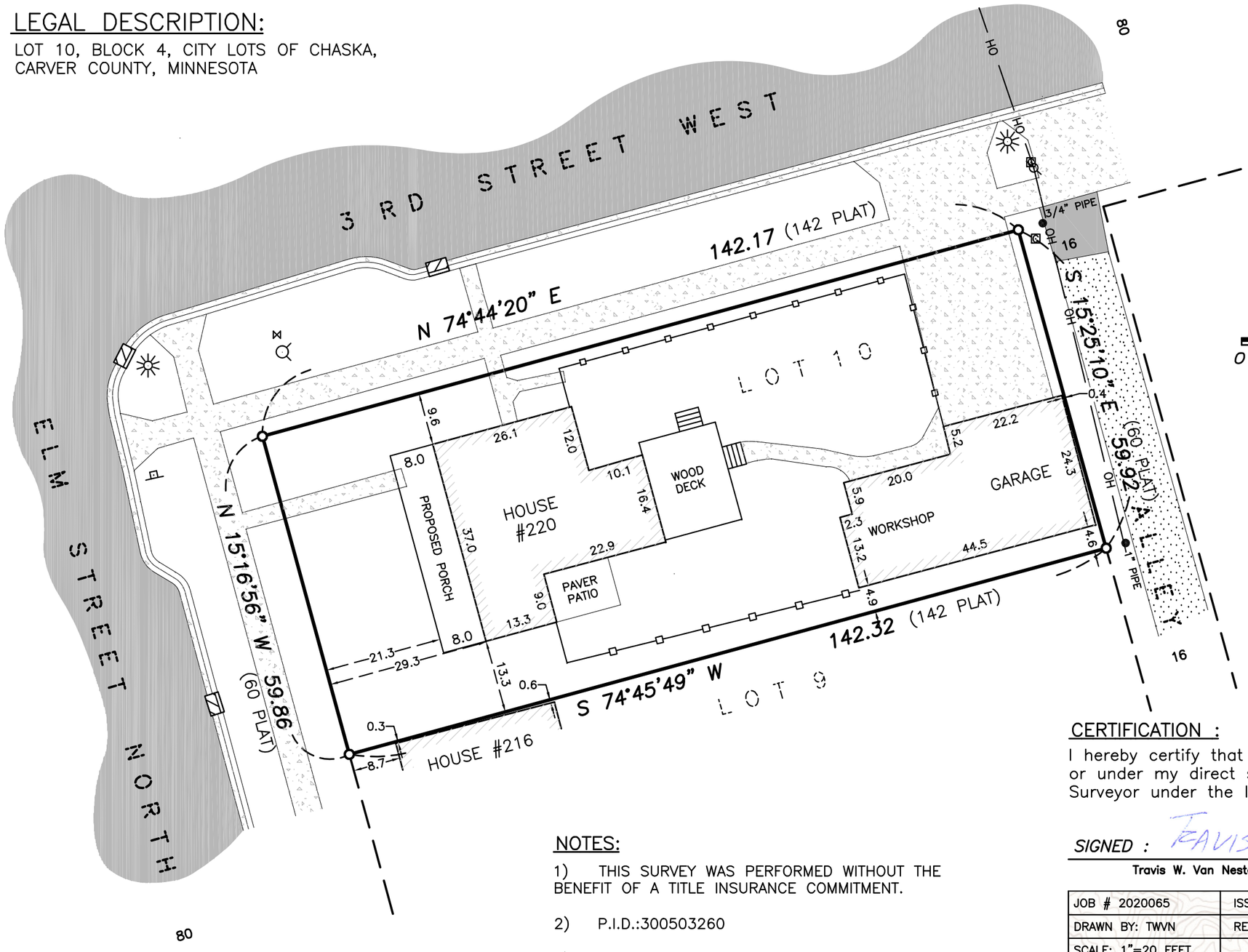
CERTIFICATE OF SURVEY

LEGAL DESCRIPTION:

LOT 10, BLOCK 4, CITY LOTS OF CHASKA,
CARVER COUNTY, MINNESOTA

PREPARED FOR:

BLAKE A & AMIE L KRONE
220 ELM ST N
CHASKA, MN 55318



LEGEND:

- FOUND IRON PIPE (AS NOTED)
- SET 1/2" REBAR W/CAP #44109
- POWER POLE
- FIRE HYDRANT
- GATE VALVE
- SIGN
- LIGHT POLE
- COMMUNICATIONS PEDESTAL
- CATCH BASIN
- OVERHEAD UTILITY LINE
- WOOD FENCE
- CONCRETE SURFACE
- BITUMINOUS SURFACE
- GRAVEL SURFACE

Scale, In Feet
0 20

NOTES:

1) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE INSURANCE COMMITMENT.

2) P.I.D.:300503260

3) PARCEL AREA: 8,519 SQ. FT.

4) BEARING BASIS IS ASSUMED.

5) DATE OF FIELDWORK: 9–18–2020

CERTIFICATION :

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota.

SIGNED : TRAVIS W VAN NESTE

Travis W. Van Neste, Minnesota Professional Surveyor #44109
Michigan Professional Surveyor #46695

JOB # 2020065	ISSUED: 9–21–2020	
DRAWN BY: TWVN	REV:	
SCALE: 1"=20 FEET		

VAN NESTE SURVEYING
PROFESSIONAL SURVEYING SERVICES
4400 WEST ARM RD, UNIT 120, SPRING PARK, MN 55384
(952) 686–3055 VANNESTESURVEYING.COM

SHEET 1 OF 1

Exterior Materials:
Existing: OSB Plywood & 3/4” Lapboard
New: 15/32” Sheathing
4” Double Vinyl Siding
3’ Rock facade from ground (TBD)

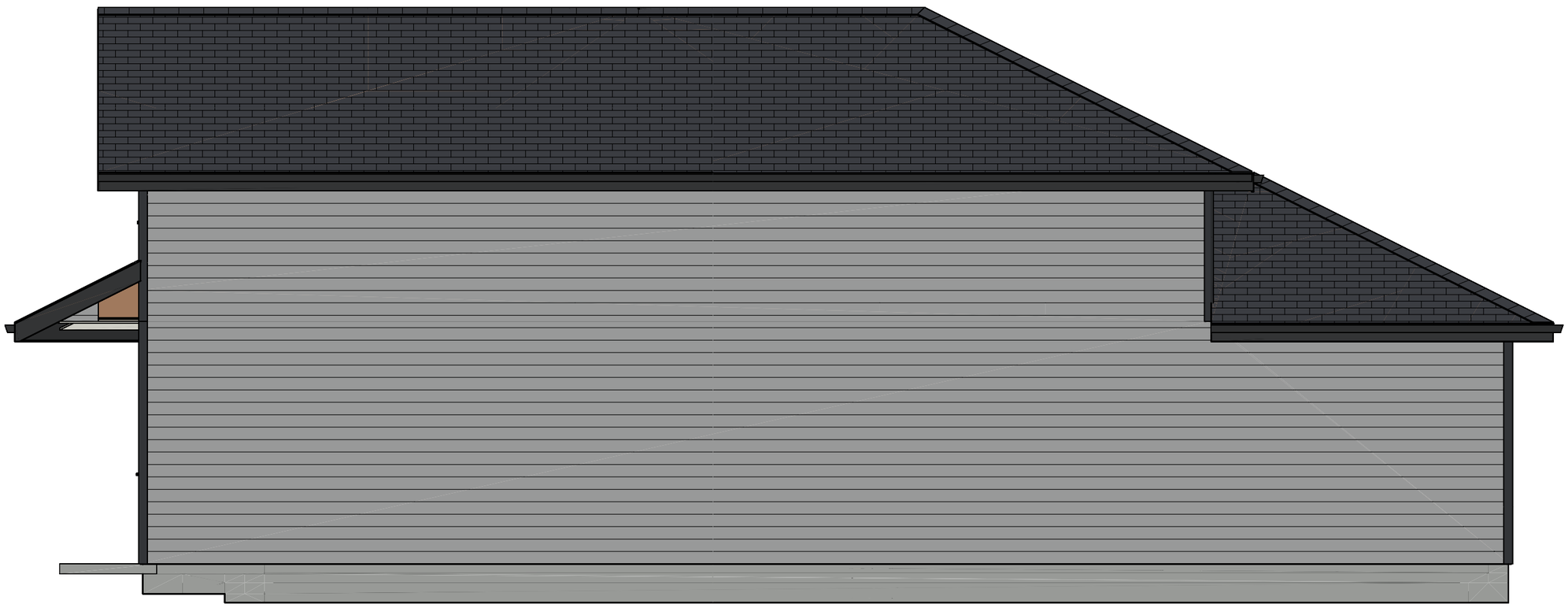
Roofing:
8” Pitch
19/32” Sheathing
30 Year Asphalt Shingle
Adhesive backed underlayment

1/4” = 1’

Height By City Ordinance = 15.8 feet

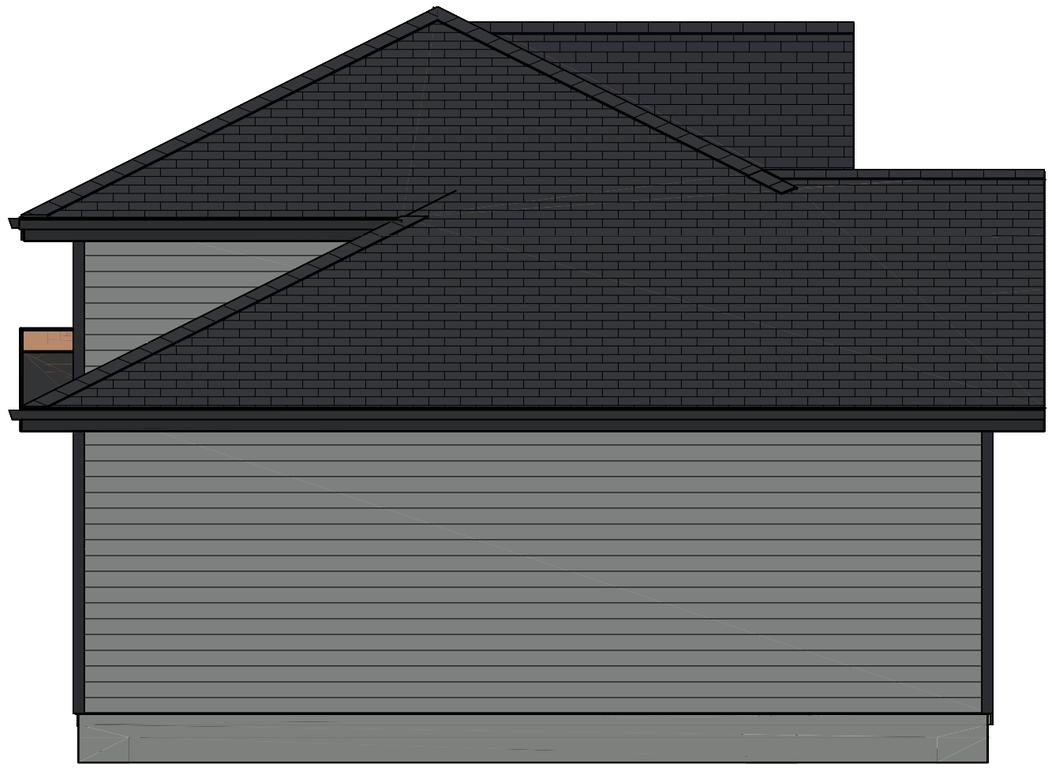
NORTH VIEW

1/4” = 1’



SOUTH VIEW

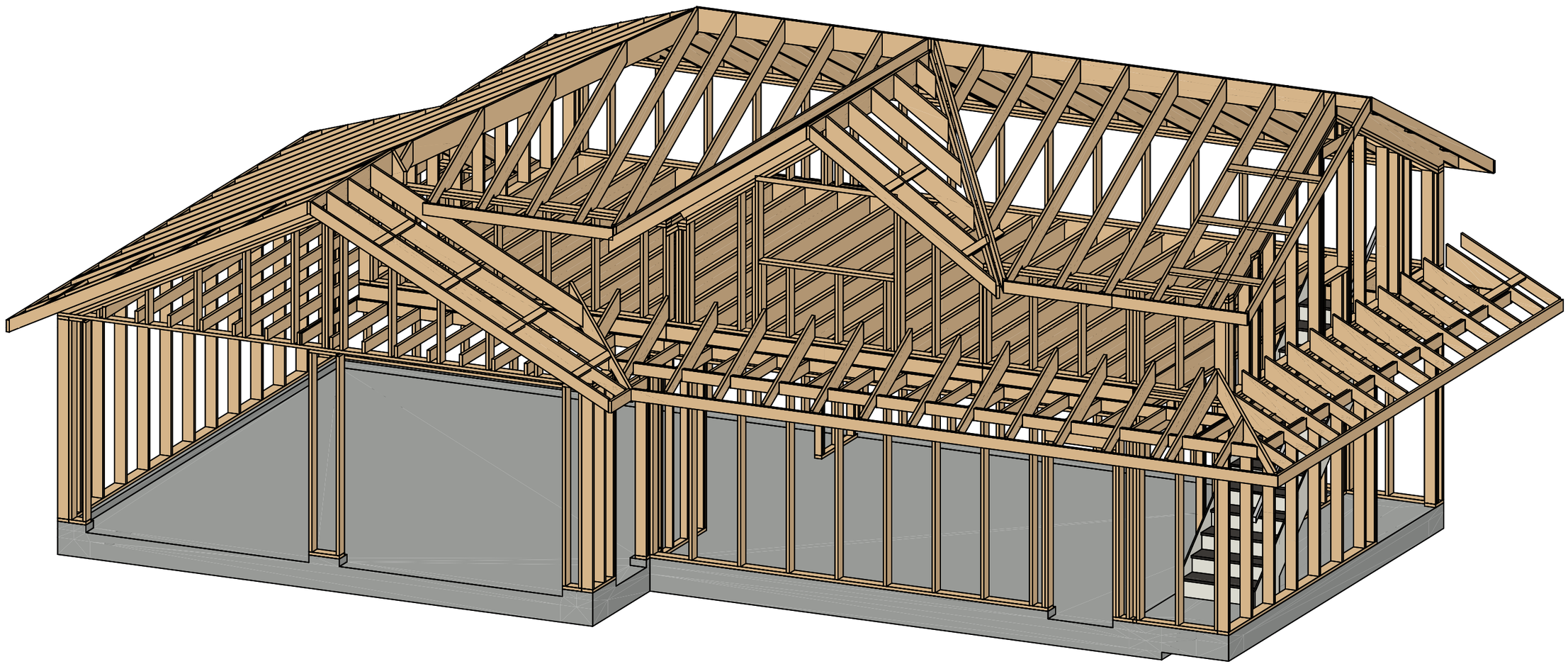
1/4” = 1’

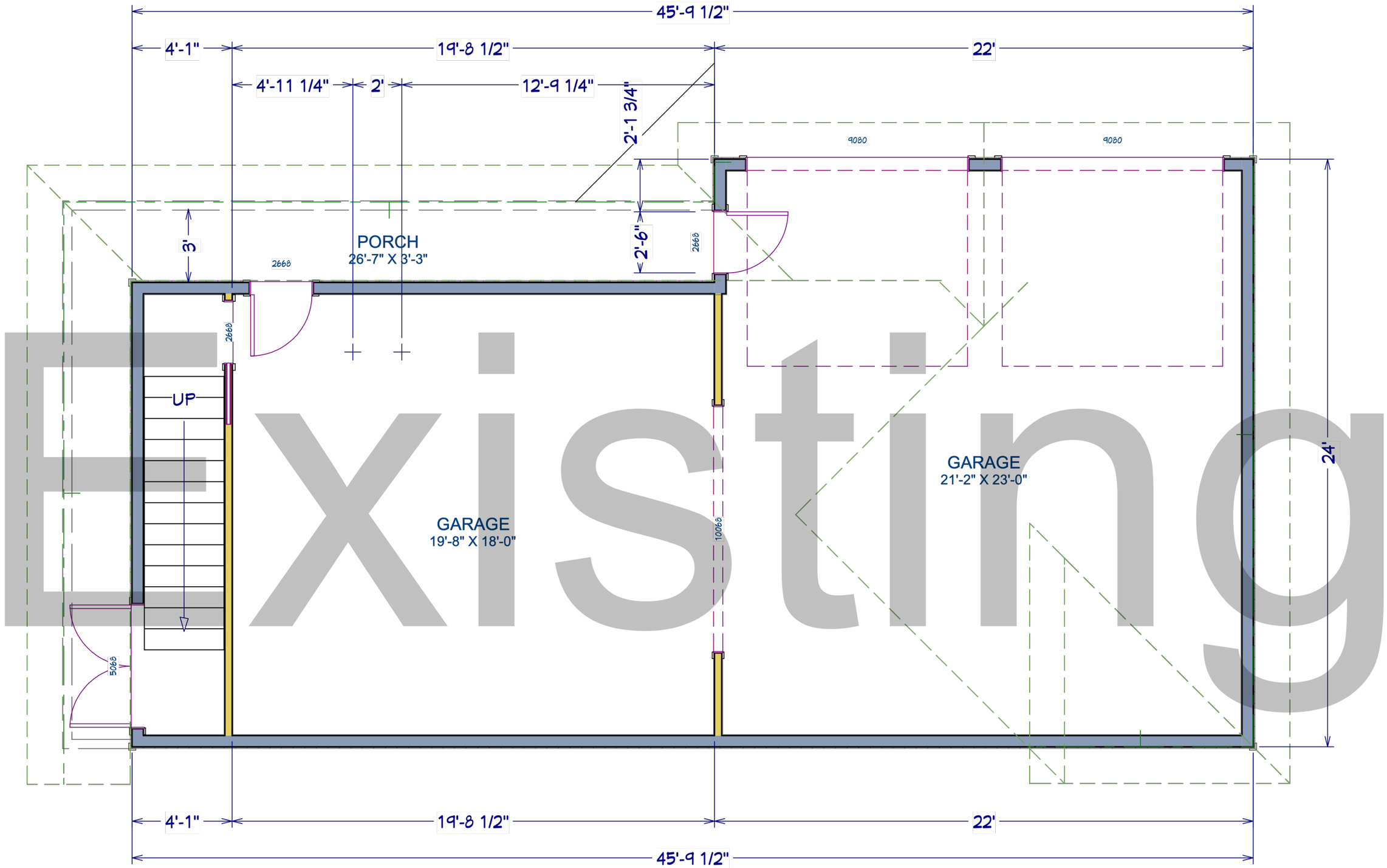


EAST VIEW

1/4” = 1’

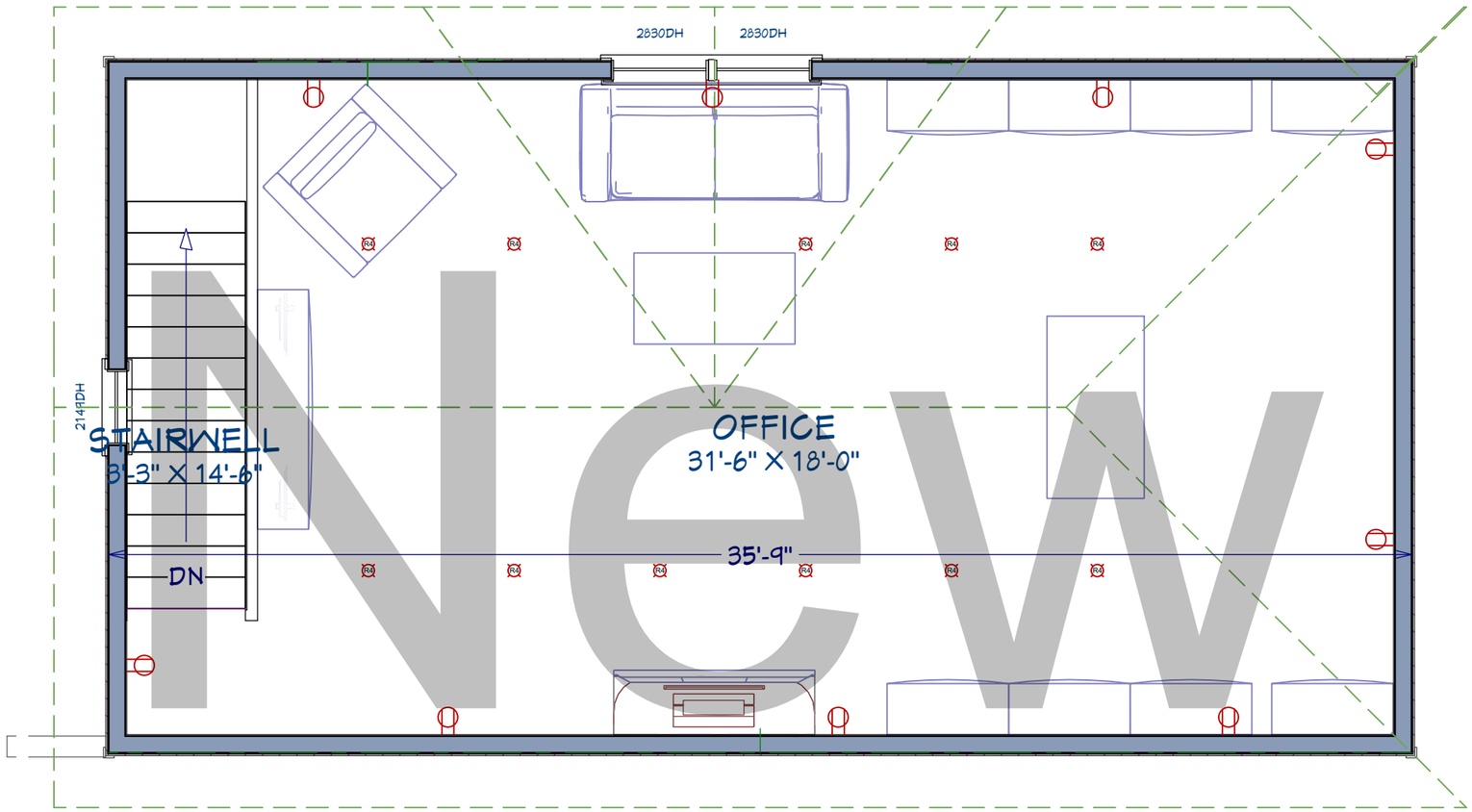
WEST VIEW





SQUARE FEET TOTAL = 986 sq ft

FIRST FLOOR PLAN



LIVING AREA
622 SQ FT

SECOND FLOOR PLAN - PROPOSED

- MINUTES -
CHASKA CITY COUNCIL
September 14, 2020

1.Work Session
1.A. CIP Program Update
Public Works Director Jung provided an update of the CIP Program.

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

3.Pledge of Allegiance

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

Also Present: Kevin Ringwald, Community Development Director; Ryan Seibert, Police Chief; Luke Melchert, City Attorney; Nate Kabat, Assistant Administrator; and Matt Podhradsky, City Administrator.

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

6. Visitor Presentation
None.

7. Minutes
Motion by Councilmember Hatfield, second by Councilmember Grau to approve the minutes of the August 17, 2020 City Council meeting. Motion carried.

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

A. Approve Temporary Liquor License for Guardian Angels Church
   Motion to approve Temporary On-Sale Intoxicating License TW.20.03 for Guardian Angels Church, allowing them to serve intoxicating beverages at the AngelFest Celebration, effective September 26, 2020.
B. Accept Resignation from the Human Right's Commission - Darryl Scarborough
C. Establish a Public Hearing to Consider Approval of the Proposed 2021 Operating Plan and Budget and Imposition of Service Charges for the Chaska Downtown Special Services District
   Motion to set the public hearing for October 19, 2020, to review and approve the

proposed SSD 2021 operating plan, budget, and service charges and direct staff to give notice of the public hearing.

D. Adopt Resolution 2020-74, Approving the Right of Way Vacation for Cardinal Street/Pulte Homes

Motion to adopt Resolution No. 2020-74 to approve the Right of Way (ROW) Vacation for a portion of Cardinal Street.

E. Adopt Resolution 2020-75, Approving the Lot Split and Consolidation for 3919 Bavaria Road and PIDs 300180800 and 300170400/Tim George/PC #2020-20

Motion to adopt Resolution #2020-75, approving the Lot Split and Lot Consolidation between 3919 Bavaria Road and PIDs 300180800 and 300170400 (on 82nd Street), subject to the stipulations included in said resolution and the following conditions:

1. Approvals shall be based on the following graphic exhibits: a. Certificate of Survey, prepared by Wenck Associates, dated September 4, 2020 and revised September 10, 2020
2. Tract A is consolidated into PID 300180800 and Tract B is consolidated into PID 300170400
3. Lot Consolidation is obtained through Carver County
4. If the property owner wishes to pursue the third venue for Bavaria Downs at 3919 Bavaria Road it will require three-step planning process with the City (Concept Plan, Preliminary/CUP, and Final Plan).

F. Approving the Sale of Excess City Property in SW Chaska

Motion to authorize the Mayor and City Administrator to execute a Purchase Agreement and execute the necessary steps to transfer ownership of the property consistent with said agreement.

G. Approving 2021 Prosecution Contract

Motion to authorize the Mayor and City Administrator to execute the 2021 County Prosecution Contract.

H. Adopt Resolution 2020-76, Approving the Final Plat for Pioneer Vista/Lennar/PC #2020-18

Motion to adopt Resolution No. 2020-76 approving the Pioneer Vista Final Plat for a 54-unit townhome development on 17 acres of land (PC #2020-18).

Mayor Windschitl inquired which portion of Cardinal Street is to be vacated.

Community Development Director Ringwald detailed that vacation location.

Mayor Windschitl also inquired about the lot split in item 8.E.

Community Development Director Ringwald provided further information regarding that item.

Motion carried.

9. Action Items

There were no action items.

10. Bills

10.A. Accounts Payable Council Roster 9-14-2020

The Council requested further information about bills on pages 3, 5, 10, 12, 16, 19-21, 32, 37-38, 41, and 50, as well as requested an update on Community Center refunds.

City Administrator Podhradsky provided further information regarding those bills and the refunds.

Motion by Councilmember Huang, second by Councilmember Hubbard 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 9-14-2020
11.B. Financial Reports July 2020

Councilmember Hatfield:
- Mentioned early voting starts September 18, 2020.
- Noted there is a food distribution event on September 16 from 4:30pm-6pm at the old Gedney factory.

Councilmember Hubbard:
- Updated the Council on a meeting with Sheriff Kamerud and other members of the community and noted they will be meeting every other week.
- Noted she toured the Town Course today and that it is looking great.
- Noted the Carver County Small Business Emergency Assistance Program application window has been reopened until September 18, 2020 at 5pm.
- Noted the backyard chicken ordinance is being worked on by Staff.
- Reported there is a Carver County Commissioner candidate forum on Thursday, September 17, 2020.

Councilmember Huang:
- Commented that school is back in session and that is great for the kids.
- Noted Launch Ministries is having an online fundraiser on September 23, 2020 from 7-8pm.
- Noted the My Health non-profit annual fundraiser is on October 2, 2020 from 7-7:45pm. See myhealthmn.org for more information.
- Noted the September 25, 2020 food truck festival that was scheduled is now canceled.
- Noted the Night to Unite is canceled.
- Inquired what happened to the site near Jonathan Flats that the Dairy Queen was going to relocate to. City Administrator Podhradsky provided further detail into why that site is for sale.

- Asked what the purpose of the parallel train tracks near Linemen and Chanhassen High School is. City Administrator Podhradsky explained the purpose of those tracks in that location.
- Relayed a question from a constituent regarding whether the City sees any money back from fines for drug trafficking if the Chaska police help with the situation and whether this is guided by State Statute. Chief Seibert provided further information regarding this inquiry.
- Provided an update on SouthWest Transit.

Councilmember Grau:

- Inquired why the bike path near Bigwood Boulevard stops a mile short of the Jonathan-Carver bike path. City Administrator Podhradsky explained this will likely be done when the County works on the industrial park.
- Inquired when the preliminary plan from Costco is planned. City Administrator Podhradsky provided further information regarding that timeline.
- Thanked the schools for their hard work getting school up and running.

City Attorney Melchert:

- Reminded residents to fill out their census information.

Mayor Windschitl:

- Noted the next City Council meeting is September 21, 2020.
- Noted the speed signs have been repaired.
- Noted Highway 41 to 169 is open now.
- Reported Veterans Park was used last week to honor a Marine Corps retiree.

12. Adjourn

Motion by Councilmember Huang, second by Councilmember Hatfield to adjourn the meeting at 8:09 pm.
Motion carried.

- MINUTES -
CHASKA CITY COUNCIL
September 21, 2020

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

2.Pledge of Allegiance

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

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

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

5. Visitor Presentation
None.

6. Consent Agenda
Councilmember Grau requested further information regarding item 6.A.

City Administrator Podhradsky provided more detail on item 6.A.

Motion by Councilmember Hatfield, second by Councilmember Grau to approve the Consent Agenda Items A through F:

A. Adopt Resolution 2020-77, Approving the Street Name Change of Cardinal Street on the South Side of Del Webb Parkway
   Motion to Adopt Resolution No. 2020-77, approving the street name change of Cardinal Street on the south side of Del Webb Parkway from Cardinal Street to Stargaze Point.
B. Adopt Resolution 2020-78, Appointment of Election Judges for the 2020 General Election
   Motion to adopt Resolution No. 2020-78 appointing those persons listed on Exhibit A as Judges of Election for the General Election, Tuesday, November 3, 2020.
C. Adopt Resolution 2020-79, Bond Sale Reimbursement
   Motion to adopt Resolution No. 2020-79 relating to financing certain proposed projects and establishing compliance with reimbursement bond regulations under the Internal Revenue Code.

D. Approve Mt. Pleasant Cemetery Plot Repurchase
   Motion to approve repurchase of Mt. Pleasant Cemetery Plot 593-1, from Shirley Lebo for $150.00
E. Approving Appointment of Alternate to MMPA Board of Directors
   Motion to appoint Interim Electric Director Andrew Romine to the MMPA Board of Directors as the Alternate Member for the City of Chaska.
F. TH 41/CSAH 61 Downtown Chaska Professional Services RFP
   Motion to authorize staff to distribute the TH 41-CSAH 61 Historic Downtown Chaska Professional Services "Best Value" RFP, based on the aforementioned weighted selection criteria.

Motion carried.

7. Action Items

7.A. Adopt Resolution 2020-80, Establish Preliminary City Tax Levy for Taxes Payable 2021
City Administrator Podhradsky introduced the item to the Council.

Mayor Windschitl summarized the budget process for this year.

City Administrator Podhradsky presented the item to the Council.

Per request of the Council, City Administrator Podhradsky spoke into detail regarding other cities being Triple A rated.

The Council noted that the City tax levy has been discussed quite a bit at work sessions and they had the opportunity to have many of their questions answered there. They shared their thoughts regarding the options presented.

City Administrator Podhradsky noted that the $11,413,137 includes the "all-in" for Chaska, not just the general fund.

Motion by Councilmember Huang, second by Councilmember Hubbard to adopt Resolution No. 2020-80 adopting the proposed assessed 2020 payable 2021 maximum property tax levy. Motion carried.

7.B. Chaska Par 30/Learning Links of Chaska Project Consider Approval of Bids and Final Project Agreements
City Administrator Podhradsky presented the item to the Council.

Councilmember Huang asked for clarification regarding the number of rounds given to Learning Links.

City Administrator Podhradsky explained that amount and continued his presentation of the item.

Mayor Windschitl asked for a summary of the current parking agreement with Goodman Group.

City Administrator Podhradsky briefly detailed the current agreement and continued his presentation of the item.

Councilmember Grau noted concern with how to define "barrier-free golf."

City Administrator Podhradsky addressed this concern and continued his presentation of the item.

Mayor Windschitl inquired what the course will be charging.

A representative of Par 30 provided an update on the pricing discussions.

Mayor Windschitl asked if the average golfer will be comfortable not having traps.

The Par 30 representative provided more detail regarding that and the layout of the course.

Councilmember Grau inquired if there is any interest for a private organization to take on this plan and partner with Learning Links.

City Administrator Podhradsky explained why he did not think that would happen.

Councilmember Hubbard asked if Learning Links needs to continue raising money throughout this partnership beyond the initial amount.

City Administrator Podhradsky stated that is not part of the agreement and gave more information about how that might look into the future.

Councilmember Hubbard inquired how many rounds of golf per season allows the course to break even and what the cap-out would be.

City Administrator Podhradsky stated that at present, a break even would be 16,000-17,000 rounds per year and the cap-out is 32,000.

Councilmember Huang noted there is a probability that there will be a surge in peak the first few years. He asked if the programming cost will be determined.

City Administrator Podhradsky provided that information.

Mayor Windschitl inquired if the City or Learning Links will manage the programming.

City Administrator Podhradsky explained the City will handle operations but will work with Learning Links closely.

Councilmember Hubbard inquired if the partnership with Learning Links will be 50-50.

City Administrator Podhradsky detailed the partnership further.

The Council and Staff discussed the uniqueness of this project.

A representative of Learning Links thanked the Council for supporting this project.

Mayor Windschitl asked for more information about the 8'x16' prefab shaded structure that has been taken out of the project.

City Administrator Podhradsky provided further detail regarding the Change Order #1 and thanked the Public Works Staff for their hard work.

Motion by Councilmember Hubbard, second by Councilmember Huang to approve the following items and to authorize the City Administrator to execute these documents on behalf of the City:

- Construction Contract with Mid America Golf accepting their base bid
- Change Order #1 with Mid America Golf reducing construction scope of project
- Partnership agreement between Learning Links and the City of Chaska
- Amendment to Parking Lease Agreement between City of Chaska and Goodman Group
- Approval of Drainage Easement Agreement between Goodman Group and the City.

Motion carried.

8. Bills

8.A. Accounts Payable Council Roster 9-21-2020

The Council requested further information about bills on pages 1, 5, 8, 10, 11, and 15.

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.

9. Other Business

9.A. City Administrator's Report

9.A.i. Bi-Weekly Report September 21, 2020

Councilmember Grau:

- Updated the Council on the Eastern Carver County Education and Advisory Committee held earlier today.
- Inquired about at sign put up on Big Woods Boulevard. City Administrator Podhradsky stated the County put that up.

Councilmember Hatfield:

- Noted early voting has started.
- Commented Chaska residents have been really respectful with the mask mandate.

Councilmember Hubbard:

- Noted she had a chance to meet with Marshal and got to see some updates with the Community Center.
- Noted Cycle Chaska is this Saturday at 11 am and summarized the participation options.
- Shared a compliment from a participant in Chaska community programming.

Councilmember Huang:

- Noted the Launch Ministry fundraiser is this Wednesday from 7-8pm.
- Noted the My Healthy virtual fundraiser is on October 7, 2020.
- Reported the food distribution event at the old Gedney factory went very well and another one is scheduled at the same location on October 10, 2020 from 10:30am to noon.
- Noted Councilmember Hubbard and he are hosting an informal forum on Sunday, October 4 at City Square Park in the gazebo.

Mayor Windschitl:

- Noted the transportation in Washington will be virtual this year.
- Reported he attended the groundbreaking at West Brook Church.
- Inquired if dead end, barricaded streets in developments could be signed by the developer or the City if necessary.
- Noted Guardian Angels is having a car show this Saturday and luncheon.
- Noted Schram is having an Oktoberfest but that tickets are needed.
- Noted the October Council meetings are on the 5th and the 19th.

10. Adjourn

Motion by Councilmember Hatfield, second by Councilmember Grau to adjourn the meeting at 10:19 pm.
Motion carried.

- MINUTES -
CHASKA ECONOMIC DEVELOPMENT AUTHORITY
SEPTEMBER 21, 2020

DRAFT

1. Call to Order
President Windschitl called the meeting to order at 10:20 pm.

2. Roll Call
Roll call was taken. Present: Commissioners Hatfield, Hubbard, Grau, Huang, and President Windschitl.
Absent: None.

Also Present: Nate Kabat, Assistant Executive Director and Matt Podhradsky, Executive Director.

3. Agenda
Motion by Commissioner Huang, second by Commissioner Hatfield to adopt the agenda as presented.
Motion carried.

4. Minutes
Motion by Commissioner Hubbard, second by Commissioner Hatfield to approve the minutes of the August 3, 2020 EDA meeting.
Motion carried.

5. Adopt Resolution EDA 2020-9, Adopt Resolution Establishing a Maximum Preliminary Chaska EDA Tax Levy for Payable 2021
Executive Director Podhradsky presented the item to the Commission.

The EDA noted this item was discussed at length in Council works sessions and the Council meeting tonight.

Motion by Commissioner Hatfield, second by Commissioner Huang to adopt EDA Resolution 2020-9 establishing a preliminary maximum property tax levy for payable 2021.
Motion carried.

6. Other Business
There was no other business.

7. Adjourn
Motion by Commissioner Hatfield, second by Commissioner Hubbard to adjourn the meeting at 10:24 pm.
Motion carried.