Chaska
Parks and Recreation Commission
Meeting Minutes
February 8, 2022

1. **Call to Order**

The February 8, 2022, meeting of the Chaska Parks and Recreation Commission was called to order by Chair David Downs at 7:00 pm.

2. **Roll Call**

Attendance: Chair David Downs, Vice Chair Jason Branch, Karli Cich, Donelle Heieie, Georgiann Keyport, Zach Saueressig, and Elizabeth Wyveen

Absent: None

Staff: Parks and Recreation Director Marshall Grange, Assistant to the Director Mary Monteith, and IS Assistant Michelle Blasko

3. **Adopt Agenda**

Motion by Vice Chair Branch, second by Wyveen, to adopt the February 8, 2022, meeting Agenda.

Roll Call for Approval

4. **Visitor Presentation**

None in attendance

5. **Approve Previous Meeting Minutes**

5A. Motion by Cich, second by Vice Chair Branch, to approve the Chaska Parks Commission meeting minutes of January 11, 2022.

Roll Call for Approval

6. **Receive Council and Planning Meeting Minutes**

6A. City Council Minutes December 20, 2021

Heieie questioned the purpose of the land on Highwood Drive across from the Fire Station, that a strip of park land was determined to give back to landowners. Grange stated the original purpose was a possible trail but was decided it was not needed, so the land was given back to the landowners.

6B. Planning Minutes December 8, 2021

Grange noted appointments on Parks and Recreation Board for the current year. Chair Downs and Vice Chair Branch will continue as Chair and Vice Chair, respectively. Grange named the two new board members who were appointed and will set up a meeting with Chair and Vice Chair to bring them up to speed on projects. There is currently still a vacancy for a youth representative. Chair Downs noted Monteith to update contact information for the new members.

7. Action Items

7A. Recommend Consultant for the Community Center Master Plan Architectural Services

Grange provided a brief review of the 2 proposals contained in the packet. He updated City staff on the interviews done by the project management team. Upon conclusion of the interviews, City staff unanimously recommended Perkins and Will as the best architectural firm for the master plan. Grange provided a brief overview of Perkins and Will's architectural history and work experience. Grange also noted a key component to the Master Plan is bringing in the sub consultant, Jeff King with Ballard*King. They are highly regarded in the park and recreation industry. They are one of the top when it comes to market analysis, looking into operations and cost. They will help us understand not only the cost for improvements but also what it will cost to own it and operate it going forward. How we can be set up for a sustainable future. He noted King has 20 + years of experience with Perkins & Will, on lead operations and analysis. Grange recommends this company to the Parks Commission.

Chair Downs was impressed with their proposal, it was thorough and specific to our needs. Grange expressed his confidence with the highly regarded architectural firm, noted the years in business, since 1935. The firm has offices in Minneapolis and in Colorado. John Slack, lead architect is based out of the Minneapolis office and will be the community engagement facilitator.

Keyport wondered about the scope of the Community Center and if the firm has done projects like this before. Grange stated the firm has experience with new builds and renovations of current buildings. He also stated Perkins and Will looked at functionality and multi-purpose ahead of aesthetics if a remodel was decided versus a new build. We have to come out of this with an implementable plan, and mindful of the cost. Heieie questioned whether the current City code requiring a bomb shelter is in place or if it can be retrofitted if necessary. Grange stated if a code is required, the City would comply as soon as renovations begin.

Motion by Keyport, second by Heieie, to recommend to City Council to authorize staff to enter into the service agreement with Perkins and Will.

Roll Call for Approval

8. Discussion Items

8A. Community Center Master Plan Update

Grange provided an update on the Master Plan and stated representatives from the Parks Commission, City Council, Planning Commission, Human Rights Commission, school district, community education, and the school board will be on the task force team. Grange stated they received 37 applications for the 8 vacant positions; 4 of which will be Community Center members and 4 will be non-members. The team that rates the applications include Parks

Commissioners and City Council representatives. The team will rate and bring in 16 applicants: 8 members and 8 non-members. Grange stated the process and recommendations will be brought back to the City Council for approval on Feb. 28th. The recent recommendation of Perkins and Will goes to City Council for approval also on February 28th. Saueressig commented on the time and effort people put into their applications. Grange stated the team is also currently still looking for a youth representative.

8B. Review and Comment on Frenz and Worm Properties-Concept Plan

Grange reviewed the Concept plan submitted to the City and stated it goes to the Planning Commission then to City Council on February 28th for approval to discuss the open space and the preservation components of the plan.

Stephen Gardner, from the Forestar Group was on Zoom, available to help answer any questions the Parks Commission may have.

Grange gave a presentation showing the two properties and providing background information. Keyport wondered if there is currently green space in that area, yes. Grange replied the 2040 Comprehensive Plan has to keep the open green space. Grange also read aloud to the Parks Commission, the history on "The Big Woods." Grange stated 42 of the 128 acres will be part of this plan and is included in the packet. Grange noted a condition for approval in the Concept Plan, that could require the City and Developer to enter into a letter of intent to designate and preserve the open green space as a condition upon approval. Saueressig questioned if the City is looking to own all of the preserved woods in the future. Grange stated they are looking into opportunities to purchase all of the preserved woods through grants. Chair Downs wondered if the preserved woods would still be available to create trails. Gardner stated yes it could be a great idea to create trails in there. Gardner stated it is surprisingly flat and nice for a trail system. Heieie summarized stating if the City did not purchase it, there would be enough buildable land for approximately 40 lots. Grange also discussed other ways to fund the purchase of the preserved woods if they do not receive funding through grants. Saueressig asked about pricing of acreage and value of property. Cich wondered about the condition of invasive species in the preserved woods.

Chair Downs noted he would like the minutes to reflect the Parks Commission request to preserve the green space and recommend the Concept Plan to go to the Planning Commission.

8C. Facility Naming Rights and Sponsorship Update

Grange recommended to City Council last night the use of Superlative Group and approval to execute the Professional Services Agreement within the City Council packet to authorize the Parks Commission to move forward with naming rights and sponsorship. Grange discussed the general feeling at the City Council meeting, there was a sense of community and council wanting the residents to weigh in and be heard. Grange discussed Superlative looking at various city assets and generating the value of those assets. He also explained what the process would be to get cost estimates and bring it to City Council for discussion. The motion was ultimately approved 5-0.

Chair Downs expressed his excitement. Grange stated the curling and event center has regional and out of state functions that draw in visitors. The desire would be to expand the Player's Lounge decreasing patrons visiting other competing establishments. Grange explained this is potential revenue without affecting taxpayer dollars. Grange stated the next step is to meet with the Superlative Group and get things organized and meet. Grange suggested a project team. Saueressig stated he, along with City Council members would like to be part of this team. Grange stated this will remain a regular agenda item to keep the Parks Commission updated and informed on continued progress.

8D. Pedestrian and Bicycle Master Plan Update

Wynveen stated the Open House in February will be online. Grange stated the project will be transitioned to the City's website for 30 days to allow the consultant time to create videos so residents can preview the plan. These efforts should ideally produce more community engagement instead of hosting a single Open House event.

8E. Department Happenings

Grange mentioned all of the indoor and outdoor events going on in February and March to get people outdoors and involved in the community. He recognized his staff for the opportunities they continue to put on for the community.

9. Other Business

9A. Commissioner Round Table

Cich expressed her excitement to tour some of the natural resource projects going on around the city.

Heieie commented on the professionalism and attentiveness of the lifeguards at the Open Swim.

Saueressig also noted the professionalism of the Community Center lifeguards and commented how great it was to see people at the ice rink.

Vice Chair Branch noted the various opportunities the City of Chaska provides. Excited for what is to come.

Wyveen looking forward to the Ice Gardens coming up. Encouraged more posts to the Community Center social media accounts. Grange appreciated the comment and will have his staff look into it.

Keyport enjoyed visiting the ice fishing contest.

Chair Downs was invited to a focus group to review facilities that are in need of repair or renovation. He noted the building most in need is the police station. One such option that came out of the focus group would be to combine the fire hall and police station to create new emergency services building.

10. Adjourn

Motion to Adjourn the February 8, 2022, meeting by Saueressig, second by Keyport.

Roll Call to Adjourn at 8:13 p.m.

Next meeting: March 8, 2022

- MINUTES -
CHASKA CITY COUNCIL
JANUARY 3, 2022

1. Call to Order
The meeting was called to order by Mayor Windschitl at 7:06 pm.

2.Pledge of Allegiance

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

Absent: None.

Also Present: Matt Podhradsky, City Administrator; Noel Graczyk, Administrative Services Director; Kevin Wright, Communication Director; Nate Kabat, Community Development Director; Liz Hanson, City Planner; Jake Saufley, City Attorney; and City Engineer Matt Clark.

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

5. Consent Agenda
Motion by Councilmember Hubbard, second by Councilmember Huang to approve the Consent Agenda Items A through D:

A. Appointment of Acting Mayor

Motion to appoint Council Member Taylor Hubbard as Acting Mayor for the City of Chaska for calendar year 2022.

B. Update to TIF and Abatement Policy for Corporate and Industrial Development

Motion to approve the updates to the Tax Increment Financing and Tax Abatement Policy for the Chaska Biotech Center-Corporate/Industrial Development.

C. Adopt Resolution 2021-97, Approving the Plat Correction for Harvest West 3rd Addition

Motion to adopt Resolution 2021-97, approving the correction to the plat of Harvest West 3rd Addition.

D. Designate City Depositories, Investment Institutions, and Authorized Signatories for 2022

Motion to designate the following official depositories, financial institutions, and authorized account signatories:

Depositories

Bank Vista; Center National Bank; Charter Bank; Old National Bank; Security Bank; USBank; Wells Fargo Bank; and Wings Financial Credit Union

Financial Institutions

Computershare Corporate Trust; League of Minnesota Cities and PMA Financial Network (4M Fund); Northland Securities, Inc.; Oppenheimer & Co.; Inc.; Piper Sandler Companies; Public

Financial Management (PFM); RBC Capital Markets, Inc.; and USBank Investment Services, Inc.

Authorized Account Signatories

Mayor...Mark Windschitl
City Administrator ....Matt Podhradsky
Treasurer ....Noel J. Graczyk
Motion carried.

6. Action Items

6.A. Appointment of City Trustees to the Chaska Fire Department Relief Association Board for 2022

City Administrator Podhradsky introduced and provided background on this item.

Mayor Windschitl stated he has sat on the board for several years and he is looking to step down and would like to know if anyone on the Council has an interest in filling that seat on the board.

Councilmember Grau asked what kind of time commitment is required to be on the board.

Mayor Windschitl stated the meetings are once a month currently and he doesn't see that changing anytime soon.

Councilmember Hubbard stated she is open to serving on the board because she doesn't have any other board obligations at this time but if someone else feels strongly about doing it that is fine with her as well.

Motion by Mayor Windschitl, seconded by Councilmember Hatfield to Appoint Councilmember Hubbard and Noel Graczyk to the Chaska Fire Department Relief Association Board for 2022.
Motion carried.

6.B. Adopt Resolution 2021-96, Approving the Concept Plan for West Creek Apartments/Community Asset Development Group/PC #2021-11

City Administrator Podhradsky introduced this item.

City Planner Hanson provided a presentation and background on this item.

Dave Pokorney with Community Asset Development Group, addressed the Council and stated the reason they didn't want to use an old building and convert it for this project was because they didn't want to take affordable housing from the market and they wanted to make sure the correct message was conveyed for those people coming out of homelessness into their development.

Corey Magstadt with Launch Ministry addressed the Council and stated the type of programs they will be providing will be driven by what the youth need and want, and that remains to be seen until they are living there. He noted the types of programs will be social groups, support groups, events of different kinds like hosting BBQ's and other events that will build community relationships between the residents.

Councilmember Grau stated he likes the building like but he would draw caution to the patio area where there isn't any screening from the street. He stated in the past they have seen spaces like that with shared responsibility become unclean and unkempt because no one wants to take ownership of it. He stated he suggests putting some sort of screening if possible in front of the patio so it hidden from the street.

Councilmember Huang asked if they have a list of criteria that they screen tenants through before leasing to them and is wondering if they will require drug testing or anything for residents.

Mr. Magstadt stated they go through Carver County Social Services who have a list of people who need this type of housing and from there they go through a process that selects the people who should be allowed to lease. He stated there will not be a drug testing requirement; the residents will sign a lease just like at any other apartment so they cannot require that. He noted that should issues arise with a tenant they will address it accordingly and that could mean they are required to do some sort of programming or treatment, or in serious cases be removed from the building.

Councilmember Huang asked if there will be mechanisms to ensure that these apartments serve residents of Chaska or ones in the area first and foremost.

Mr. Pokorney stated Social Services of Carver County has a coordinated entry list which they will look at and choose from that list first. He noted if they are a resident of Carver County is something they consider.

Bob Roepke with Community Asset Development Group, addressed the Council and stated what they hope to do is build a sense of community for the people residing there and prepare them to be a part of the adult programs and move into the broader community and become contributing and positive members of society.

Councilmember Hatfield stated this is a unique opportunity to help get people the shelter they need and deserve and shift perspective on what homelessness looks like. She noted it is exciting to be a part of this opportunity.

Mr. Pokorney stated they have strong support in the community for this project, the only thing left is housing.

Mayor Windschitl asked what changed to make this project sustainable now when it wasn't in the past. He stated he is concerned about their being enough parking spots because he doesn't want parking overflowing into the residential areas.

Mr. Pokorney stated the other facilities like this have less parking and they don't have any issues. He stated if they get to a point where they no longer have a need for the shelter they can use the building for whatever they see sit because it is debt free and they can adjust the unit sizes and parking as needed.

City Planner Hanson explained that because they are single units and only have one staff member on site, so they were comfortable with the amount of parking they included in the concept plan.

Mayor Windschitl stated he isn't concerned about the day to day parking it's the other times when events happen or visitors come, they will have nowhere to park. He stated he would be ok with the plan being a few parking spots short but not 16 spaces short of the recommended amount.

City Planner Hanson stated she can request more information on comparisons to show the Council for the next meeting.

Councilmember Grau echoes Mayor Windschitl and is concerned about parking as well and he would like to see a few more parking options.

City Administrator Podhradsky stated they can look at options for how other buildings compare and also look to get proof of parking which would be a location that they can reserve for parking as a backup. He noted it sounds like the consensus is that they would be comfortable moving forward if they could have a space for extra parking designated although it doesn't need to be built at this time. He stated however, he doesn't see this being an issue for the purpose of this project.

Mr. Pokorney stated he is fine with including the parking as a condition of the leases or they can look at proof of parking, he is fine with either option. He stated from a funding standpoint, because the site is being donated there are no site costs.

Mayor Windschitl stated he would like to see the units go to the people in their community before anyone else.

Councilmember Hubbard shared a personal story about her nephew and his struggle obtaining decent housing as a young adult and noted she thinks this is great because they will be providing safe housing and dignity to these kids. She stated they wouldn't like it if another County had this type of housing and Chaska needed somewhere for their youth to go and they only let people from their own County live there. She noted it's an exciting thing they are doing and while they can never fix the whole issue, change has to start somewhere and that is what this doing.

Mayor Windschitl stated he would like to know the ages of the residents as well as have a conversation with the Police Chief on how things are going to be handled. He stated he thinks it's important to discuss how they will move forward and get out in front of any ways the police department can help the facility.

Councilmember Hatfield stated it would probably be good to have the Community Development Specialist present when they have a conversation with the Police Chief, as she can be a good resource to them.

City Administrator Podhradsky stated that's a good idea and he is sure the Police Chief would like Officer Julie there. He stated its about being an advocate for helping people and building a good working relationship with them, because there will be issues with any type of building regardless if they are market rate or not.

Mr. Magstadt stated what they are proposing is all great because some of these kids have problems trusting law enforcement and they can help change their perspective and build a good relationship.

Mayor Windschitl asked if the whole City parcel is included in the project and if they are donating the extra piece of land to them.

City Administrator Podhradsky stated the whole thing is not being used but the Council can decide how they want to proceed with the extra piece of land and they can address their decision at the next meeting when discussing the TIF.

Motion by Councilmember Hubbard, second by Councilmember Hatfield to adopt Resolution 2021-96 Approving the Concept Plan for West Creek Apartments/Community Asset Development Group/PC #2021-11.
Motion carried.

Councilmember Grau thanked everyone for their hard work and noted he appreciated Councilmember Hubbard sharing her personal experience with them.

7. Bills
7.A. Accounts Payable Council Roster 1-3-2022

Council requested further information on page 17.

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 Grau, Hatfield, Hubbard, Huang, and Mayor Windschitl. Voting nay: None
Motion carried.

8. Other Business
8.A. City Administrator's Report
8.A.i. Bi-Weekly Report January 3, 2022

Councilmember Huang:

- Provided an update on all the 2021 Chaska High School academic, athletic and arts successes

Councilmember Grau:

- Stated he wanted to thank the snow removal crews for all their hard work

Councilmember Hubbard:

- Confirmed the Martin Luther King Day breakfast is on January 17th at 8am at the Event Center, and no RSVP is needed

Councilmember Hatfield:

- Stated there is a food distribution happening on January 13th
- Noted Coffee with a Cop on January 20th at 9am and will be held at the Caribou by Cub
- Stated the Citizens Academy starts on January 25th on Tuesday nights
- Wished everyone a Happy New Year and hopefully a better 2022

Officer Julie:

- Noted the Parent and Community Awareness night regarding social media usage is coming up and they will be providing a free dinner curtesy of Chick-fila and Chaska Lions for sponsoring the event

City Administrator Podhradsky:

- Provided an update on the City Square West funding and noted they got recommended for the award from Livable Communities Demonstration Account (LCDA) of $1.9million, noting Kevin Ringwald and Nate Kabat did great work to get it done
- Stated they are having interviews for the Assistant and Electric Director positions and noted they have a lot of great candidates
- Noted they are starting discussions with the Fire Department regarding their goals and objectives to nail down a final job description for that role
- Stated next week on Thursday the City has a focus group coming to take tours of the City facilities

Mayor Windschitl:

- Stated the next Council meeting is moved to January 24th because of MLK Day and noted there are 5 Mondays in the month and it has been decided to only have a Work Session on the 5th Monday at 6pm
- Noted the Council meetings next month will be on February 7th and 28th because of President's Day

<u>11. Adjourn</u>
Motion by Councilmember Hatfield, second by Councilmember Huang to adjourn the meeting at 9:47 pm.
Motion carried.

- MINUTES -
CHASKA CITY COUNCIL
CHASKA EVENT CENTER (ZOOM)
JANUARY 24, 2022

1. Call to Order
The meeting was called to order by Mayor Windschitl at 7:07 pm.

2.Pledge of Allegiance

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

Absent: None.

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

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

5. Visitor Presentation
5.A. Chaska River City Day's update by Executive Director Billie-Jean Undesser
Billie-Jean Undesser addressed the Council. She stated they have had trouble getting volunteers and sponsorships in recent years for Chaska Rive City Day's and it seems to be due to the Chaska Fire and Ice event being held the weekend prior every year. She stated she would like to request discussing a way to move either event in hopes to build better community involvement in the future.

City Administrator Podhradsky stated it would be difficult to change the dates for the Fire and Ice event this year because the bands and other vendors are booked a year in advance. He noted it isn't required to hold that event those days, so they can discuss it and see about finding new dates for 2023.

6. Approve Previous Meeting Minutes
6.A. Approve December 20, 2021 City Council Meeting Minutes
Motion by Councilmember Grau, second by Councilmember Hubbard to adopt the agenda as presented. Roll call was taken. Voting aye: Councilmembers Grau, Hatfield, Hubbard, Huang, and Mayor Windschitl. Voting nay: None.
Motion carried.

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

A. Approve Support for Hwy 212 Expansion

Motion to support the inclusion and adoption of the six freight projects selected in MnDOT's Minnesota Highway Freight Program, including Highway 212 Rural Freight Mobility and Safety Project, as presented in the Metropolitan Council's proposed Plan Amendment.

B. Election Judge Wage Increases

Motion to approve the pay structure for election judges as follows: Head Judge to $12.33/hr, Asst. Head Judge/Tabulators from $11.00/hr to $11.33/hr and Regular Judge from $10.00/hr to $10.33/hr.

C. Adopt Resolution 2022-1, Accepting Gifts and Donations

Motion to adopt Resolution 2022-1 acknowledging and accepting gifts to the City of Chaska received during the period October 1, 2021 through December 31, 2021.

D. Adopt Resolution 2022-4, Cogeneration and Small Power Production for City Electric Utility

Motion to adopt Resolution No 2022-4 for Cogeneration and Small Production Tariff.

E. Disposition of Excess Property Near Highwood Drive

Motion to authorizing the Mayor and City Administrator to execute the sale and necessary subdivision of excess City property at PID 306860160, PID 305800280, PID 305800290, and PID 305800240 generally located west and south of Highwood Drive as described in Figure 1.

F. Adopt Resolution 2022-12, Approving the Final Plat for Del Webb at Chaska 2nd Addition/Pulte Homes/PC #2022-08

Motion to adopt Resolution No. 2022-12 approving the Final Plat for Del Webb at Chaska 2nd Addition (PC #2022-08).
Roll call was taken. Voting aye: Councilmembers Grau, Hatfield, Hubbard, Huang, and Mayor Windschitl. Voting nay: None. Mayor Windschitl abstained from voting on 7.E.
Motion carried.

8. Action Items
8.A. PUBLIC HEARING: Adopt Resolution 2022-2, Approving the Drainage & Utility Easement Vacations for Oak Ridge/RCS-RCA Oak Ridge LLC/PC #2021-08
City Administrator Podhradsky introduced and provided background on this item.

Mayor Windschitl opened the public hearing at 7:20 pm.

No one wished to address the Council on this item.

Mayor Windschitl closed the public hearing at 7:21 pm.

Motion by Councilmember Huang, seconded by Councilmember Hatfield to adopt Resolution No. 2022-2 to approve the Drainage & Utility Easement Vacations within the Oak Knoll plat.
Roll call was taken. Voting aye: Councilmembers Grau, Hatfield, Hubbard, Huang, and Mayor Windschitl. Voting nay: None.
Motion carried.

8.B. Fire Truck Purchase
City Administrator Podhradsky introduced this item.

City Planner Hanson provided a presentation and background on this item.

Interim Fire Chief Kevin Gravalin addressed the Council and stated he is aware this is a big purchase but looking at how technology has changed over the past 20 years the truck needs the updated technology such as airbags, rollover protection, middle slated ladder, camera, remote nozzle, door locks for safety in the event of something like another unrest, and many more updates.

Councilmember Grau asked what happens to the old truck.

City Administrator Podhradsky stated they will try to sell it, but there isn't a lot of value in the type of truck they currently have. He stated others on the market which are similar, or the same models are selling for under $100k.

Councilmember Huang asked if the City would be liable for the balance if the company went under.

City Administrator Podhradsky stated they will get a performance bond that covers the City in that event. He noted the City is part of the HGA purchasing group, which takes care of the bidding requirements for these types of equipment purchases.

Councilmember Hubbard asked if they will need special mechanics to fix these trucks or will the mechanics within the City be trained to deal with these.

City Administrator Podhradsky stated the City mechanics will be trained.

Motion by Councilmember Huang, seconded by Councilmember Hatfield to authorize the Mayor and City Administrator to execute documents to place on order and purchase from MacQueen Equipment, LLC prior to January 31, 2022 a ladder/platform fire truck. If the covid dollars can be used towards this purchase then staff is authorized to use those funds.
Roll call was taken. Voting aye: Councilmembers Grau, Hatfield, Hubbard, Huang, and Mayor Windschitl. Voting nay: None.
Motion carried.

8.C. Adopt Resolution 2022-7, Bond Sale Reimbursement
City Administrator Podhradsky introduced and provided background on this item.

Motion by Councilmember Hatfield, second by Councilmember Grau to adopt Resolution 2022-7 relating to financing certain proposed projects and establishing compliance with reimbursement bond regulations under the Internal Revenue Code.
Roll call was taken. Voting aye: Councilmembers Grau, Hatfield, Hubbard, Huang, and Mayor Windschitl. Voting nay: None.
Motion carried.

8.D. Adopt Resolution 2022-8 and Ordinance 1008, Approving the Preliminary Plat, Preliminary Site & Building Plan, and Rezoning for West Creek Apartments/Community Asset Development Group/PC #2022-02
City Administrator Podhradsky introduced and provided background on this item.

City Planner Hanson provided a presentation on this item.

Mayor Windschitl asked how the parking that is on City property plays into this, unless they are selling it to the developer.

City Planner Hanson stated most likely yes, the City land will be sold to the developer and the purchase agreement will need to be completed before the final plat approval.

Councilmember Huang stated since the last meeting he visited the other centers like this, and they were well kept and had a nice esthetic, as well as, they had adequate parking. He noted it seems this property will have more than enough parking based on his observations.

Motion by Councilmember Hatfield, second by Councilmember Huang to adopt Motion to adopt Resolution No. 2022-8 approving the Preliminary Site & Building Plan and Preliminary Plat for West Creek Apartments (PC #2022-02).
Roll call was taken. Voting aye: Councilmembers Grau, Hatfield, Hubbard, Huang, and Mayor Windschitl. Voting nay: None.
Motion carried.

Motion by Councilmember Hubbard, second by Councilmember Grau to adopt Ordinance No. 1008 approving the rezoning from R2 to PRD-80.
Roll call was taken. Voting aye: Councilmembers Grau, Hatfield, Hubbard, Huang, and Mayor Windschitl. Voting nay: None.
Motion carried.

8.E. Adopt Resolution 2022-9, Approving the Preliminary Site & Building Plan and Preliminary Plat for River Valley Industrial Center/Joel Buttenhoff/PC #2022-03
City Administrator Podhradsky introduced and provided background on this item.

City Planner Hanson provided a presentation on this item.

Councilmember Hatfield stated she is glad to see sidewalks in the plan. She asked if the county has approved the right out to the intersection.

City Planner Hanson stated it is still under review.

Mayor Windschitl asked who covers the utilities for this site.

City Administrator Podhradsky stated they have onsite well and septic within Chanhassen city boundaries.

There was discussion about the utilities and who has responsibility for the other parts of this.

City Engineer Clark stated the City currently serves sewer to a portion of the existing building and have no plans to provide water to it in the future.

Dan Parks, Westwood Professional Engineers, stated there is a well on site and it provides water to the large storage tank on the southeast side of the building which will be used to fight fires that could occur on site.

Motion by Councilmember Grau, second by Councilmember Huang to Adopt Resolution 2022-9, Approving the Preliminary Site & Building Plan and Preliminary Plat for River Valley Industrial Center/Joel Buttenhoff/PC #2022-03.
Roll call was taken. Voting aye: Councilmembers Grau, Hatfield, Hubbard, Huang, and Mayor Windschitl. Voting nay: None.
Motion carried.

8.F. Adopt Resolution 2022-5, Approving the MBE Excavating Concept Plan/Sambatek on behalf of MBE Excavating/PC #2022-05
City Administrator Podhradsky introduced and provided background on this item.

City Planner Hanson provided a presentation on this item. She explained the purpose of this resolution is to make the space residential.

Mayor Windschitl stated his concern is access on Bade Road because it is on a hill.

Eric Miller, Engineer, addressed the Council and stated he appreciates the process and clarity. He stated they are appreciative for the opportunity to continue in the process, and they will make corrections and changes before the next plan is due.

Councilmember Grau asked how long it will take before the property will be useable.

Eric Miller, Engineer, stated it really depends on the market.

Billie-Jean Undesser addressed the Council and stated the revenue and other safety issues are a big concern.

City Administrator Podhradsky stated if they are leaning towards denying this item, he suggests tabling this item and bringing it back with options and increased language showing alternative resolution.

Motion by Councilmember Grau, second by Councilmember Huang to table consideration of Resolution 2022-5, Approving the MBE Excavating Concept Plan/Sambatek on behalf of MBE Excavating/PC #2022-05.
Roll call was taken. Voting aye: Councilmembers Grau, Hatfield, Hubbard, Huang, and Mayor Windschitl. Voting nay: None.

Motion carried.

Mayor Windschitl adjourned to a 5-minute break at 9:41 pm.
Mayor Windschitl re-convened the meeting at 9:45 pm.

8.G. Adopt Resolution 2022-10, Approving the Concept Plan for 5 Single Family Lots on 6th Street and Maple Street/Landmark Builders/PC #2022-04
City Administrator Podhradsky introduced this item.

City Planner Hanson provided a presentation on the background and proposal for this item.

City Engineer Clark stated they are working with the developer to figure out is if there are 4 or 5 lots, and they will figure that out with developer as it gets closer to final plat.

Councilmember Hatfield stated at preliminary they will have a better idea of how the water mitigation will be handled. She noted this was her childhood park, so she knows it floods a lot. She stated it feels like 5 houses is a stretch for that property size but thinks 4 could maybe work. She also noted a big safety concern is the huge powerline above the proposed lots.

Councilmember Grau stated whatever they do they need to make sure they look similar to the others in the area.

Eugene Vorobey, Developer, addressed the Council and stated the houses will be 2-story and at least 2k sq ft. and they will then have a better idea how the concerns mentioned can be addressed.

Martin Douglas, 519 N. Maple, addressed the Council and stated they don't seem concerned that they aren't doing anything with that park, they got rid of a bunch of trees and it seems they have neglected the resident's input on this.

Mayor Windschitl stated they had these discussions in the past about the parks. He stated the City takes a lot of pride in the parks. He noted the City doesn't own the property and there was a lot of consideration about how to handle this.

Brad Headman, 520 East 5th Street, addressed the Council and asked if there has been any testing done due to there being an old clay mine and noted there are tunnels under it so there will be a lot of work to do and it will need to be built up.

Karen Thompson, 531 East 6th Street, addressed the Council and stated she is concerned about what may become of their neighborhood with the residential projects going on.

Lynn Manivanh, 525 East 6th Street, addressed the Council and stated a section of road that goes around Auburn Manner is very small and that is a lot of traffic that will have to go through there if they build the houses.

Motion by Councilmember Huang, second by Councilmember Grau to Adopt Resolution 2022-10, Approving the Concept Plan for 5 Single Family Lots on 6th Street and Maple Street/Landmark Builders/PC #2022-04.
Roll call was taken. Voting aye: Councilmembers Grau, Hatfield, Hubbard, Huang, and Mayor Windschitl. Voting nay: None.
Motion carried.

8.H. Adopt Resolution 2022-11, Approving the Preliminary Site & Building Plan for 212 Medical Center/Ridgeview Medical Center/PC #2022-07
City Administrator Podhradsky introduced and provided background this item.

City Planner Hanson provided a presentation on this item.

Councilmember Hubbard asked what the plan was for the extra floor they want to add.

Paul Ham, Ridgeview, addressed the Council and stated they have enjoyed a great working relationship with the City and because they have grown they are looking to add this extra floor.

Councilmember Grau stated he appreciates this sites organization and the services they provide with high class facilities.

Councilmember Huang stated he is the closest of the Councilmembers to this facility, it is right outside his door. He stated the biggest concerns are the lights coming from the facility and the fact that some neighbors feel it isn't fair because they are paying the price for the right to have the good facility in the community.

City Engineer Clark stated they need to understand what the full build out will be but also try to figure out what the access needs are at Hunter Mark and Ridgeview entrance.

Mike Phelps, CEO of Ridgeview, addressed the Council and stated the pandemic has shown a demand for more beds and prior to the pandemic the predictions were that need for beds would go down due to different markets and alternative medicine.

Motion by Councilmember Grau, second by Councilmember Hatfield to Adopt Resolution 2022-11, Approving the Preliminary Site & Building Plan for 212 Medical Center/Ridgeview Medical Center/PC #2022-07.
Roll call was taken. Voting aye: Councilmembers Grau, Hatfield, Huang, and Mayor Windschitl. Voting nay: None. Councilmember Hubbard recused herself from the vote due to her working relationship with Ridgeview.
Motion carried.

8.I. Adopt Resolution 2022-3, Approving the Ess Lot & Ernst Home (Chaska Yards) Concept Plan/Carver County CDA/PC #2022-06
City Administrator Podhradsky introduced and provided background on this item.

There was discussion on how the parking will work with one car garages. Mayor Windschitl stated he isn't sure the parking they are proposing will work out.

Councilmember Hatfield stated this is her favorite concept plan for this site. She is however worried that the guest parking spots will always be taken unless signage is put up.

Councilmember Huang stated the turn into that lot from the alley is super tight so his biggest concern is how they can make the alley feel comfortable and spacious so people can walk through there as well as accommodate the increased traffic when this project is completed.

Mayor Windschitl stated the homes don't look historic so they will need to bring in the historic concept for these homes.

Motion by Councilmember Hubbard, second by Councilmember Huang to Adopt Resolution 2022-3, Approving the Ess Lot & Ernst Home (Chaska Yards) Concept Plan/Carver County CDA/PC #2022-06.
Roll call was taken. Voting aye: Councilmembers Grau, Hatfield, Hubbard, Huang, and Mayor Windschitl. Voting nay: None
Motion carried.

8.J. Appointment of Elected Representatives to the SW Transit Commission
City Administrator Podhradsky introduced this item.

Councilmember Hubbard asked when this Commission normally meets. Councilmember Huang stated they meet on the third or fourth Wednesday of each month starting at 6 pm.

Motion by Councilmember Hubbard, second by Mayor Windschitl to appoint McKayla Hatfield to the SW Transit Commission.
Roll call was taken. Voting aye: Councilmembers Grau, Hatfield, Hubbard, Huang, and Mayor Windschitl. Voting nay: None.
Motion carried.

9. Bills
9.A. Accounts Payable Council Roster 1-24-2022

Council requested further information on pages 20 and 25.

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 Grau, Hatfield, Hubbard, Huang, and Mayor Windschitl. Voting nay: None
Motion carried.

10. Other Business

10.A. City Administrator's Report
- 10.A.i. Bi-Weekly Report January 24, 2022

10.B. City Administrator's Report
- 10.B.i. Building Officials Analysis of 2021 Construction
- 10.B.ii. 4th-Qtr 2021 Investment Report dated January 24th, 2022
- 10.B.iii. Financial Reports - YTD 11/30/21

Councilmember Hubbard:
- Thanked the Human Rights Commission for an outstanding job putting on the MLK event
- Attended the recent Steering Committee meeting and noted the committee was debating on hosting an in person open house event and she would keep Council informed.

Councilmember Hatfield:
- Echoed Councilmember Hubbard and stated Human Rights Commission did great job on the MLK event
- Provided a reminder of the Parent and Community Awareness Night this Thursday

Councilmember Grau:
- Gave a heartfelt thank you to the community as whole for all the hard work everyone is doing to keep the schools safe and in-person

Councilmember Huang:
- Echoed Councilmember Grau and noted his wife is a teacher and he greatly appreciates all their efforts to keep the kids safe
- Stated the MLK celebration was great
- Provided a reminder about the ice fishing contest this weekend

Mayor Windschitl:
- Stated he attend a meeting with many different Hennepin County Officials regarding car jackings and community safety, noted it was a good experience
- Congratulated Fire Chief Tim on his upcoming retirement in two weeks
- Noted the next meeting is a work session only and the next meeting is on February 21st

11. Adjourn

Motion by Councilmember Hatfield, second by Councilmember Huang to adjourn the meeting at 12:02 am.
Motion carried.

CHASKA PLANNING COMMISSION
MINUTES
JANUARY 12, 2022

1. Call to Order

Chairperson Dahlke called the meeting to order at 7 pm. He explained that tonight's meeting was being held at the Chaska Event Center at 3210 Chaska Boulevard and available on Zoom.

2. Roll Call

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

Members absent: Commissioner Sailer

Also present: Luke Melchert, City Attorney; Nate Kabat, Community Development Director; Kevin Wright, Communications Manager; and, Liz Hanson, City Planner.

3. Adopt the Agenda

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

4. Visitor Presentation

No one appeared under Visitor Presentation.

5. Approve Previous Meeting Minutes

A. Minutes of the December 8, 2021 Planning Commission Meeting

Motion by Commissioner Urbanski, second by Commissioner Brass, to approve the minutes of the December 8, 2021 Planning Commission meeting.
Motion carried.

6. Consent Agenda

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

a. Recommend Approval of the Final Plat for Del Webb at Chaska 2nd Addition/Pulte Homes/PC #2022-08
b. Recommendation for Disposition of Excess Property Near Highwood Drive

Motion carried.

7. Action Items

A. PUBLIC HEARING: Recommend Approval of the Preliminary Plat, Preliminary Site and Building Plan, and Rezoning for West Creek Apartments/Community Asset Development Group/PC #2022-02_

City Planner Hanson presented the item to the Commission and noted that the expectation is that this item will go before the City Council on January 24, 2022.

Commissioner Brass asked if the Planning Commission needed to make a recommendation of approval to sell the land.

City Planner Hanson stated that will eventually need to take place once there is a final layout of what is needed.

Chairperson Dahlke opened the public hearing at 7:13 p.m.

Communications Manager Wright confirmed that there was nobody on-line who would like to speak to this item.

There being no public comment, Chairperson Dahlke closed the public hearing at 7:14 p.m.

Motion by Commissioner Rylee, second by Commission Brass, to recommend approval of the Preliminary Site & Building Plan and Preliminary Plat for West Creek Apartments, subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:
    a. Existing Conditions Hickory Addition, prepared by Sathre Bergquist, Inc., dated January 12, 2021
    b. Tree Survey, prepared by Sathre Bergquist, Inc., dated April 23, 2021
    c. Preliminary Plat, prepared by Sathre Bergquist, Inc., dated November 29, 2021
    d. Site Plan, prepared by Sathre Bergquist, Inc., dated November 17, 2021
    e. Utility Plan, prepared by Sathre Bergquist, Inc., dated November 17, 2021
    f. Grading Plan, prepared by Sathre Bergquist, Inc., dated November 17, 2021
    g. Basin Plan, prepared by Sathre Bergquist, Inc., dated November 17, 2021
    h. Erosion Control and Topsoil, prepared by Sathre Bergquist, Inc., dated November 17, 2021
    i. City Detail Plates (pgs 1-3), prepared by Sathre Bergquist, Inc., dated May 19, 2021
    j. Tree Inventory Plan, prepared by 292 Design, dated November 2, 2021
    k. Landscape Plan, prepared by 292 Design, dated November 2, 2021
    l. Elevation at Patio, prepared by 292 Design, dated January 5, 2022
    m. Patio Enlargement, prepared by 292 Design, dated November 2, 2021
    n. Landscape Details, prepared by 292 Design, dated November 2, 2021
    o. Photometric Site Plan, prepared by 292 Design, dated November 12, 2021
2. Compliance with section 9.11 Building Design/Materials in Multi-Family Residential.
3. Provision that modular face brick is used.
4. Provision to provide usable open space that meets zoning section 9.11.4.1.1A and to be submitted at preliminary.

5. Provision of a sidewalk on the west side of Hickory Street and safe pedestrian connection between the east and west sides of Hickory Street at the Chaska Blvd and Hickory St intersection, and to be shown at preliminary.
6. Parking on Hickory Street between Chaska Blvd and 4th Street will be prohibited.
7. Coordination with the City Engineer for the provision of public utilities to the site.
8. Provision of two fire hydrants on site to be in locations determined by the fire department, and to be shown on the preliminary plans.
9. Compliance with applicable zoning requirements, in particular Chapter 9 (General Requirements).
10. Provision of a storm water management plan meeting City and Carver County WMO standards.
11. Provision of a lot split to occur on the City-owned parcel prior to Final Plat approval.
12. Provision for developer to pay City for the City's land being added to the lot for a value determined by City Council, and a Purchase Agreement to be executed prior to Final Plat recording.

Motion carried.

Motion by Commissioner Olson, second by Commission Brass, to recommend approval of the rezoning from Medium Density Residential (R2) to Planned Residential Development (PRD-80).

Motion carried.

B. PUBLIC HEARING: Recommend Approval of the Preliminary Site and Building Plat and Preliminary Plat for River Valley Industrial Center/Joel Buttenhoff/PC #2022-03

City Planner Hanson presented the item to the Commission and noted the expectation that this will come before the City Council on January 24, 2022.

Chairperson Dahlke asked if Gedney's would be torn down in this process.

City Planner Hanson explained that there is currently a user in there, so they are planning to keep it.

Chairperson Dahlke opened the public hearing at 7:26 p.m.

Dustin Brockmeyer, 300 Ehlers Avenue, stated that he thinks it is a good idea to have more businesses in the area with more employment opportunities. He stated that when Gedney closed there were a lot of people in the community who lost jobs. He stated that if Mr. Buttenhoff can get this project to work, he thinks it is a fantastic plan.

Communications Manager Wright confirmed that there was no one online that would like to speak to this item.

Chairperson Dahlke closed the public hearing at 7:27 p.m.

Commissioner Urbanski asked if there had been clarification on the questions that were raised by the developer.

City Planner Hanson explained that the City just received that information today, so there has not been time to review it.

Motion by Commissioner Brass, second by Commissioner Lacey to recommend to City Council approval of the Preliminary Site & Building Plan and Preliminary Plat for River Valley Industrial Center, subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:
    a. Narrative (pgs 1-6), submitted by Joel Buttenhoff, Bill Karges and Phillip D. Johnson Architect, dated August 3, 2021 and December 22, 2021.
    b. Cover Sheet (pg C001), submitted by Westwood, dated November 29, 2021
    c. Boundary Survey (pg C100), submitted by Westwood, dated November 29, 2021
    d. Existing Conditions & Removals Plan (pg C101), submitted by Westwood, dated November 29, 2021
    e. Preliminary Plat (pg C102), submitted by Westwood, dated November 29, 2021
    f. Civil Site Plan (pg C200), submitted by Westwood, dated November 29, 2021
    g. Site Plan Aerial Overlay (pg C201), submitted by Westwood, dated November 29, 2021
    h. Grading & Drainage Plan (pg C300), submitted by Westwood, dated November 29, 2021
    i. Erosion Control Plan (pg C400), submitted by Westwood, dated November 29, 2021
    j. Utility Plan (pg C500), submitted by Westwood, dated November 29, 2021
    k. Site Plan (pg A2), submitted by Phillip D. Johnson, dated December 7, 2021
    l. Planting Plan (pg A2), submitted by Phillip D. Johnson, dated December 22, 2021
    m. Lighting Plan, submitted by Luma Sales Associates, dated December 6, 2021
    n. Floor Plan (pg A3), submitted by Phillip D. Johnson, dated August 3, 2021
    o. Floor Plan (pg A4), submitted by Phillip D. Johnson, dated August 3, 2021
2. Adherence with the City Engineer's Memo dated January 6, 2022.
3. Adherence with the Carver County Public Works Memo dated August 26, 2021.
4. Prior to final plat approval, developer shall enter into an agreement with the City for the provision of necessary infrastructure and associated development costs.

5. Provision of the berm to continue to the extent of the proposed access point on Stoughton Avenue, and to be addressed in the landscape plan at final submittal.
6. Provision that additional trees are filled in the southern greenspace adjacent to the loading dock, and to be addressed at final submittal.
7. Provision of a storm water management plan meeting City, Carver County WMO and any other applicable agency standards.
8. Adherence to the City's Boulevard Tree Policy and local street section design.
9. Provision to meet the City's sign regulations for any signage proposed within property in the City of Chaska, and for a sign permit to be obtained prior to installation.
10. Provision of cross access easements for the various lots, to be recorded with the Final Plat.
11. Provision that requirements set forth by the City of Chaska, Carver County and City of Chanhassen are adhered to prior to Final Plat submittal.
12. Provision of an updated traffic analysis, including the analysis of the full access at Crystal Lane and right-out access onto Audubon Road, to be submitted at final.
13. Provision of right-of-way requirements incorporated into the final plan that address all City and County requirements.
14. Provision that all trail and sidewalk facilities are within right-of-way and modified on the final plan.

Motion carried.

C. Recommend Approval of the MBE Excavating Concept Plan/Sambatek on Behalf of MBE Excavating/PC #2022-05

City Planner Hanson presented the item to the Commission and noted that the expectation is that this will come before the City Council on January 24, 2022.

Commissioner Urbanski asked about discussions that have happened with the County regarding the road.

City Planner Hanson stated that they have sent the City some correspondence that basically indicated that it still needed to be reviewed further with a traffic analysis and an access plan that aligns more with their future intentions.

Commissioner Olson asked if the County had elaborated on what their plans were with relation to access points.

City Planner Hanson stated that they have indicated the expected access points in terms of the corridor study that they have completed.

Chairperson Dahlke stated that he would like to understand how this project will help take care of the erosion issue that is going on currently because it looks pretty serious and like it could get worse. He asked if that was something that the Commission could address tonight.

Community Development Director Kabat stated that may be something for the applicant to weigh in on how they envision that.

Chairperson Dahlke stated that he thinks that may help the project be more palatable if it was fixing a problem.

Eric Miller, Sambatek, stated that they are aware that this is a bit of an unusual request. He stated that because it is unusual it does not have a clearly defined process. So any feedback and questions they can get from the Planning Commission as well as the neighbors will be very helpful. He stated that they recognize the work that needs to be done with respect to slopes, surveys, tree inventory, storm water, traffic, access, operational details, and restoration of the site. He stated that if all parties decide to move forward with this project, they realize that those will need to be done in much greater detail. He stated that with regard to erosion, they recognize the scouring of the property is not a result of the current agricultural conditions or of the current operations on the gravel mine. He stated that they believe it is a result of storm water volume increase from activity related to development upstream. He stated that he believes that Mr. Mark Lano can further elaborate on a storm event that happened a few years ago where the storm water overflowed from one of the sedimentation ponds located on the south side of Highway 61. He stated that once a scouring process like this begins, it continues to be a real problem. He stated that he thinks this is an opportunity for them to leverage the engineering potential, the expertise of MBE trucking, and to engage the City/County/MnDot/watershed on finding out what the issue is, and what opportunities may be available to resolve the it. He stated that if they can come to a consensus on cause and resolution, then he thinks the technical solutions are probably not going to be very difficult. He stated that with a mass grading operation, going in and stabilizing the area that has been scoured and eroded and putting some sort of stormwater BMP in place to manage the flow that is coming through the property or may be a result of the operations on the site. He stated that if there are improvements that need to be done upstream there may need to be discussions with Carver County, MnDot, and the watershed on what those improvements may be to mitigate this concern. He stated that they recognize the concern and feel that all parties are willing to cooperate on the resolution in some capacity but will take additional time and study in order to resolve it.

Commissioner Brass asked if Mr. Miller, at this point in time, had any idea on how this problem could be addressed or if he had a vision for the solution.

Mr. Miller stated that he would be speculating, at best, but believes there is an increase in water coming through this corridor that was not intended to cross Highway 61 and come across this property in the manner that it is. He stated that the area is not stabilized to be able to accommodate additional run-off that is coming to the area.

Commissioner Brass asked how Mr. Miller would envision stabilizing the site.

Mr. Miller stated that the first step is to find out why the additional run-off is coming through the property and determine whether there is something that is failing upstream. He stated that it may be able to be mitigated upstream by different outlet control structures or finding where there may be a failure in the system. He stated that then once that is done, they can come onto the property and control, stabilize, and create stormwater BMPs to control additional stormwater run-off for the property itself and also, through conversations with those other agencies, explore opportunities to accept off-site run-off.

Commissioner Brass asked if the site would still need to be stabilized if the flow was controlled upstream.

Mr. Miller stated that the material that they will be importing back to the site will not be clean sand. He stated that the operation wants to export the clean sands that are more highly erodible out of the site and will likely import more compactable materials that can remain in place, in a stabilized fashion that will not erode.

Commissioner Urbanski stated that he has a few things that he will be looking for at the next step in the process. He stated that safety is a huge issue on that road so with a large volume of trucks coming and going, he would like to make sure it is safe and that they are not leaving residue on the roadway. He stated that he would like to see a good ingress/egress preferably with something that will knock off the loose junk from the trucks. He stated that having a deadline of when they think this would be done and reclaimed would be helpful to see. He stated that he believes the entire Commission is concerned about the scouring on the ravine and agreed that if it is starting upstream somewhere that needs to be addressed before there is an attempt to fix it because that will only mean having to come back and fix it again.

Chair Dahlke stated that he assumes that the scouring issue will need to be investigated and repaired in order for the site to operate properly.

Mr. Miller stated that he assumes that for them to take on the site and operate that would be one of their first orders of business. He stated that there still needs to be a consensus on how to appropriate resolve that issue.

Chair Dahlke stated that he is a little concerned that there should be discussion with the neighbors about hours of operation. He stated that 7:00 a.m. to 7:00 p.m. 6 days/week seems like a pretty significant time for trucks to be going in and out and suggested that they consider doing that in the construction season/summer for Monday through Friday, but have a shorter day on Saturdays. He stated that during the winter months, the lighting and hours for the site will also need to be addressed and clarified by the time this gets to the Preliminary phase.

Mr. Miller explained that Dan Zimmerman with MBE Trucking is in attendance at the meeting and is taking note of the comments and concerns from the Commission and realizes that a more detailed operational plan will be a critical part of the next steps.

Commissioner Brass asked if there was any idea if the plan was for this operation to take months or years to complete the operation.

Mr. Miller stated that he believes in their application they stated anywhere between 5-15 years, but explained that it is somewhat dependent on the marketplace and the demand.

Commissioner Olson stated that with reference to the erosion, he asked at what point the fixes will address the problem or they would be delayed a bit in order to capitalize on being able to excavate what is sitting in the field. He asked what limitations or expectations the City will have on the project to ensure that what they have done is a permanent fix. He stated that he sees the need for a permanent fix of the problem but would also like to maintain as much of the vegetation as possible, for when it does turn into residential. He referenced the aerial view of the existing operations and the proposed location topography. He stated that he has large concerns about the viability of making it an operation that is worthwhile while keeping the balance of fixing the problem and retaining the current resources that are there.

Mr. Miller stated that fixing the problem will come at a significant cost in and of itself that he does not think the landowner is willing to bear. He stated that it is not a problem that was created by the land owner. He stated that MBE Trucking is willing to partner in the process to evaluate the issue and try to come to a consensus on how to resolve the issue but it will require effort from the City, County, watershed, and MnDot on understanding why it has been occurring. He stated that they also assume that the resolution will take fairly significant operations on that end of the property to mitigate the issue.

Commissioner Rylee stated that this is the first step in a three step process because it is a concept plan. He stated that what he thinks is important is education and getting information out there. He stated that he understands the goal for the application is to get a CUP and get to the Final Plat. He explained that the goal for the residents is that they can live with this and it sounds like they will have to live with it for a multitude of years and he feels it should not have detriment to their lifestyle or finances. He stated that he has a list of questions and explained that he lives with the idea that if there is an elephant in the room, it should be thrown out there and discussed at the beginning of the process. He stated that Mr. Miller has mentioned building consensus a number of times, so that should also be a goal for him with the residents. He stated that there is reference to 560,000 cubic yards of sand and asked about the 'street value' of sand per yard.

Dan Zimmerman, MBE Trucking, stated that the general value of sand is probably $6.00/ton FOB.

Commissioner Rylee asked if that would equate to about $10.00/cubic yard.

Mr. Zimmerman stated that the total amount for this site would be about $5 million.

Commissioner Rylee stated that this will roughly be a $5 million project and there will also be a fee for material to come back into the site.

Mr. Zimmerman stated that there is a problem with the ravine and explained that they had begun this process not realizing how bad the problem was but agree that it needs to be addressed. He stated that they want to work with both property owners, but they are a business and are trying to eventually make money with this venture. He stated that the truck volume will be exactly the same as they have had for the last 25 years for the most part, because they have already been on Lano.

Commissioner Rylee stated that there is talk about two additional properties to the west that are for sale and asked if those are under consideration as part of these plans because he assumes the sand extends along the bluff.

Mr. Zimmerman stated that the sand probably does extend, but they do not know for sure. He stated that he thought that property was just sold to a developer.

Commissioner Rylee asked if there was a possibility to extend this pit into those properties to the west.

Mr. Zimmerman stated that it is a big hole in the ground and the first goal is to fix the ravine and stop the washout. The next would be to start the operations in there and then take a look at other possibilities in the area. He stated that he thinks eventually the whole site will be raised up so it is not a big hole and is usable.

Mr. Miller clarified that they are not expanding their operations onto the Worm property.

Commissioner Rylee asked if those two properties were within the City's jurisdiction.

Community Development Director Kabat stated that the application is only for the Lano property and they are not talking about a mining operation on the other two properties.

Commissioner Rylee stated that he understands that but there could be a progression to the west which, in his opinion, is the elephant in the room that he wants to have out there in the open. He stated that there is potentially a resource under those properties and what the City does as part of this CUP will most likely have implications for future CUPs on those other properties.

Mr. Zimmerman noted that they have not had any discussions about that nor do they know if there is anything there. He explained that there is no intent for that work.

Commissioner Rylee stated that with reference to the erosion, they have talked about consensus with all the parties. He stated that at the end of the day, he as a Planning Commissioner wants assurance that the scour will not continue to be an issue. He stated that when this comes back for Preliminary, the Commission will want to see an engineered design to reflect how it will be fixed. He asked how dust mitigation is handled and if there had been any complaints from their existing site to the east.

Mr. Zimmerman explained that it is a constant battle and they do what they can to keep the roads clean with sweepers. He stated that they are in mud and sometimes they cannot operate on the site because it is too muddy. He stated that if there is dust flying through the air, they need to use water trucks or water wagons on the road. He stated that it is similar to a construction site, but theirs is just more long term with more permanent structures that they can maintain every day. He stated that they do it every day but will admit that they are not perfect. He stated that if there is a complaint, they try to get out there was soon as possible to address it.

Commissioner Rylee stated that there is not City water available on-site and asked if there was a well on-site for access to water.

Mr. Zimmerman stated that if they need water, they go retrieve metered water from somewhere else and bring it in with the water trucks.

Commissioner Rylee asked for details on their history with noise and what the expectation will be in this case.

Mr. Zimmerman stated that they will be running, on average, 2 pieces of equipment with the addition of a sweeper sometimes. He stated that it will be less than what was heard when the Chaska Event Center was built. He stated that they need one machine to push off dirt and one machine to load. He explained that they are down in a hole, so especially people on the Carver side, they will not hear a lot. He stated that the most noise will come from the trucks and not the equipment.

Commissioner Rylee confirmed that there will be pushing and loading of the dirt and not a crushing/conveyor system for the material.

Mr. Zimmerman confirmed that they would not be doing anything like what can be found at the pits with Mueller. He explained that it will be nothing like that and they have a big track hoe and they sit and load sand. He stated that from what they can tell, there is no rock there. He stated that the sand will go directly into a truck and when material comes back in the same trucks, it will basically go in the same hole.

Commissioner Rylee stated that there is a property just on the other side of the scour problem and asked about vibrations for them.

Mr. Zimmerman stated that to fix that washout, they will have to have heavy equipment which means they will be close to the shed, but was unsure if the house would be able to feel the vibrations.

Commissioner Rylee noted that he felt the applicant should do some due diligence on this issue.

Mr. Miller noted that vibration monitoring is a fairly minor expense to an operation like this and can be part of a testing protocol when they are working in close proximity to a residential home.

Commissioner Rylee asked if they would be doing environmental screening for the material coming into the site.

Mr. Zimmerman stated that anything on a residential/commercial site has to be proven clean before it gets onto the truck.

Chair Dahlke stated that regulation restrictions would be part of the permit.

Commissioner Rylee stated that there are concerns about flooding at 3880 Chaska Boulevard from a box culvert that goes under Highway 61. He stated that if they are taking vegetation off the property they will be reducing the amount of time on these storm events for the water to get to that box. He asked if their drainage design would account for that situation.

Mr. Miller stated what is happening to this property is happening to properties downstream of them so there will be a lot of scrutiny and requirements regarding stormwater which will be part of the regulations that they have to comply with.

Commissioner Rylee stated that there has not been any discussion of screening for 3950 Chaska Boulevard. He stated that he would not want to look at his back window and see the operations for 5-15 years and would like to see some screening incorporated into the plans. He stated that he feels it is important that the CUP had a duration because the discussion about property values is real and important for the residents. He stated that if it is open ended then that will be a permanent impact for them.

Mr. Miller stated that they can spend some time on that plan and bring back more details to the City on what they believe that will look like.

Chair Dahlke asked if a CUP can have a definite start and finish date that can be reviewed.

Community Development Director Kabat explained that the CUP can have a timeframe associated with it. He stated that he thinks it is important to think about the feasibility of executing the enforcement because sometimes that can be challenging.

Commissioner Rylee stated that it appears as though the access off of Chaska Boulevard may be problematic with Carver County. He asked about the envisioned route to come off the property to the east and asked how they would cross the ravine.

Mr. Zimmerman stated that the preferable way would be to go across the ravine from the old property. He stated that they would like to create a temporary road for them across the ravine, but understand that it would have to be engineered for the water.

Commissioner Rylee stated that it sounds like the traffic volumes will be comparable with what has historically happened on the east pit and asked how the function has been for that entrance off of Chaska Boulevard.

Mr. Zimmerman stated that it has worked okay. He stated that it is not a perfect situation and they have had a few close calls with the 'Y', but there have not been any accidents. He stated that he knows the neighbors have complained because some of the trucks have stopped in the driveway which is why they want to keep an open dialogue with the neighbors because they do not want to cause problems. He stated that, in general, over the years, the access has worked fine for them.

Commissioner Rylee reiterated that his goal is that if this makes it to the Final stage, that it is something that the residents can live with it and feel like the City has adequately addressed their concerns. He noted that he would also like to see the applicant make a profit through this endeavor.

Commissioner Urbanski asked if the DNR had anything to say about this project because its proximity to the Minnesota River.

City Planner Hanson stated that they will probably have input, but explained that she does not know the answer to that question, at this point, but staff can look into that further.

Commissioner Urbanski noted that he would assume that they would want some guarantee that there would not be a lot of wash going through directly into the river.

Commissioner Olson asked what would happen if nature were just left to take its course.

Mr. Miller stated that there has been some review on the Lano property. He explained that due to the topography, it is challenging because of the relief from 61 down to the site and from the site over to the properties to the west. He stated that if you look at Carver County's access plan, their preferred option is to move the access north to the Worm property. He stated that without filling the site in some form, it would make development a challenge and may not even be feasible. He stated that one of the benefits of this operation is that they are not only pulling material out, but are proposing to backfill and bring the site up in grade in an engineered fashion to allow the potential for future development in accordance with the City's Comprehensive Plan. He stated that if nothing were to occur, it would probably take longer to develop the site.

Chair Dahlke noted that this was not a public hearing, but would welcome public input.

Joe Atkinson, 3880 Chaska Boulevard, stated that he feels this has been a great discussion and is happy to hear the Commission show some skepticism and are looking at conditions. He asked if there could be a condition to have a project identified, such as a signed contract, that would limit the timeframe, so there is not just an open ended 5-15 years that could be extended to 25 years. He stated that the nearby residents do have concerns regarding their property value and is glad that the Commission had mentioned those issues. He stated that the box culvert that currently runs under Chaska Boulevard is on his property and there have been erosion problems there. He stated that their plans show a potential water treatment area but that will wash over onto their side and he would like to see flood insurance provided or something that would protect their property from that kind of unforeseen damage. He stated that he would also like to see the existing creek and waterflow addressed. He stated that he would also like to see one project stop before the next begins and would like there to be dates attached to them.

Kevin Norby, 131 Highland Drive, noted that there are many other residents in attendance from his neighborhood. He stated that they attended the last open house meeting and when they heard gravel mining operations, their concern was that it would be something they would hear and see and that it would jeopardize their property values. He stated that after hearing MBE talk about the idea of removing the gravel and bringing the property back up to grade and making it more developable as well as addressing the erosion issue, it seems like a pretty logical solution to a pretty big problem of the scouring and erosion of the creek corridor. He stated that he still has some strong concerns about noise, but not with the equipment working on the property. He stated that his concern is with the trucks that are gearing down and jake braking as they come down Chaska Boulevard because that is already an issue for them. He stated that the gravel trucks start at 6:00 a.m. jake braking down the hill. He stated that the idea of putting in an entrance with 150 trucks/day on that curve seems to be a big safety issue because there would need to be acceleration and bypass lanes. He stated that from his standpoint, it is a noise and safety issue. He stated that the proposal by MBE to have the temporary box culvert to cross the ravine and utilize their existing entrance makes a lot of sense, but, long term, a solution that would address the erosion in that creek corridor.

Peter Carlson, stated that his family has owned 3675 County Road 140, and noted that their property abuts this land to the northeast. He stated that there are national builders who want to put in 40-60 houses just northeast of the current pit. He stated that he thinks this is relevant as part of the discussion because of the continued operation. He stated that right now there is about a 30 foot gap from all the fill that has come in and now they have all this water running onto their property. He stated that means there are majestic oaks that will be compromised. He stated that he has reached out to Mr. Miller, however, he has not responded. He stated that he assumes City staff will pick this up in the process and suggested that perhaps as the old pit is filled in, the requirements from the City regarding water run-off could apply. He stated that this project is in the long term vision and will be here in a few years and it would be a shame if all of this was not taken into consideration and would like to City to have broad, holistic planning. He stated that he thinks what is happening in the City is exciting and he is not here to stand in the way of progress, but wants to make sure that everyone is looking at the full picture.

Commissioner Rylee asked if there was a restoration plan for the existing site.

Mr. Zimmerman stated that would be the decision of the owner, Rick.

Mr. Carlson stated that he just wanted to make sure the Commission had that conversation.

Commissioner Urbanski confirmed that this is the Concept Plan and next will be Preliminary. He stated that there are a lot of unanswered questions and he would hate for the Commission to just 'rubber stamp' it to get it to the next step. He asked if there was merit to table this while they get some more answers to the concerns that have been raised.

Community Development Director Kabat noted that if this moves forward tonight, he would not consider that to be 'rubber stamping' it because there are a lot of conditions that have been attached to the approval so the expectation would be when they come back for Preliminary that there will be answers to the questions being raised.

Chair Dahlke asked if there were any concerns raised tonight that were not reflected in the conditions.

Commissioner Rylee stated that he thinks additional conditions could be added but feels as through the applicant heard the concerns that were raised.

Commissioner Brass stated that he is comfortable moving forward with this because this is the concept phase and feels between the conditions and the concerns raised with the applicant tonight those can be addressed by the Preliminary phase.

Commissioner Rylee asked if it was fair to say that if they did not come back with the answers, or if they were not acceptable to the residents they will be adding additional conditions at the Preliminary stage.

Commissioner Brass stated that he feels that is where things are really nailed down.

Commissioner Olson stated that with relation to the 2040 Comprehensive Plan, he asked how this area falls into play for what the overall long term expectations are for the growth being planned with the neighboring areas, specifically the things that are just off the County road.

Community Development Director Kabat stated that the progression of growth in the southwest area follows the ability to provide sewer and water service. He stated that the way this is being planned and how it is being staged is starting at County Road 40 and progressing southward towards 61. He noted that this particular piece of property is not in line to be served by that sewer. He stated that the sewer that would serve this currently ends at 1st Street and terminates around the athletic park area, so sewer will need to be extended to this property in order for it to be developed which means it will be a number of years before that happens. He stated that it could happen earlier if there was an aggressive builder that was willing to take on those costs. He stated that he thinks the Commission can anticipate that the Worm and Frenz site that are served by the sewer could develop in the next 5-10 years, with the assumption that development will continue at its current pace.

Commissioner Olson asked if the City would open the door for a sand pit next to residential development that is actually happening.

Community Development Director Kabat stated that he thinks that has to be a consideration within the CUP and how they can co-exist.

Motion by Commissioner Brass, second by Commissioner Rylee, to recommend to City Council approval of the Concept Plan for MBE Excavating, subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:
    a. Project Narrative (pgs 1-19), prepared by Sambatek, dated December 7, 2021
    b. Context Map, prepared by Sambatek, dated December 6, 2021
    c. Existing Conditions, prepared by Sambatek, dated December 6, 2021
    d. Slope Analysis, prepared by Sambatek, dated December 6, 2021
    e. Site Forces Plan, prepared by Sambatek, dated December 6, 2021
    f. Photo View Reference, prepared by Sambatek, dated December 6, 2021
    g. Site Photo View 1, prepared by Sambatek, dated December 6, 2021
    h. Site Photo View 2, prepared by Sambatek, dated December 6, 2021
    i. Site Photo View 3, prepared by Sambatek, dated December 6, 2021
    j. Site Photo View 4, prepared by Sambatek, dated December 6, 2021
    k. Pit Excavation Plan, prepared by Sambatek, dated December 6, 2021
2. Adherence with the City Engineer's Memo, dated January 6, 2022.
3. Provision that a Conditional Use Permit (CUP) is applied for and approved at final submittal.
4. Provision of Carver County analysis and approval of any access proposed on the County road.
5. Provision to further evaluate tree preservation efforts on the site, and to be submitted with a Tree Survey and Preservation Plan at preliminary submittal.
6. Adherence to the following setbacks:
    a. From Adjacent Property Lines or ROW: 100 feet from edge
    b. From Existing Structures: 300 feet from edge
    c. Wooded Steep Slope: 50 feet from edge for buildings; 30 feet from edge for grading/mowing

7. Provision of a field walk of the wooded steep slope edge and its edge to be determined by City staff and to be completed prior to preliminary submittal.
8. Preservation of wooded steep slopes and their required setbacks.
9. Provision of a storm water management plan meeting City, State, and Carver County WMO standards.
10. Provision of a wetland delineation report to be completed and provided at time of preliminary submittal.
11. Provision of a truck route plan to be submitted at preliminary submittal.
12. Provision of a traffic analysis to be submitted at preliminary submittal.
13. Provision to further explore other access points from an internal point off of the Lano property and be addressed at preliminary submittal.
14. Provision to meet zoning ordinance section 15.28.050 Land Excavation and Reclamation.
15. Provision of a Restoration/Reclamation plan that includes grading plans, phasing plan, topsoil replacement, soil testing provisions, seeding/vegetation, mulching, erosion control and sedimentation control specifications for each phase, and an end use plan for final site restoration.
16. Provisions for effectively controlling fire, rodents, and dispersal of material by wind or by hauling to and from the site, and for general maintenance of the site shall be made, and shall be addressed at preliminary submittal.
17. Provision of a dust control analysis to be completed and submitted at preliminary.
18. Provision of a noise study to be completed and submitted at preliminary.
19. Provision of a feasibility analysis of future sewer and water utilities that are planned to serve the site is needed to ensure the mining operations do not preclude how utilities would service development.
20. Provision of a fully designed grading, drainage, and stormwater management plan for the mining operations that would support future development to be submitted at preliminary.
21. Provision of engineering maps of the mining operations that include existing and proposed conditions, new structures, clearing limits, fencing, mining limits, stockpile locations, parking, access roads, haul routes, mining staging and phasing plan, and to be submitted at preliminary.
22. Provision of a defined restoration plan of the severely eroded ravine area south of the mining operation, and to be submitted at preliminary.
23. Provision of soil boring information showing material depth profiles as well as water table elevation, and to be submitted at preliminary.
24. Provision of an analysis that if extraction is anticipated below the water table, details should be provided on how that will be achieved (i.e. dewatering or below water excavation), and to be submitted at preliminary.

Motion carried.

D. Recommend Approval of the Preliminary Site and Building Plan for 212 Medical Center/Ridgeview Medical Center/PC #2022-07

City Planner Hanson presented the item to the Commission and noted that this item was tentatively scheduled to come before the City Council on January 24, 2022.

Commissioner Brass stated that he is excited to see this item on the agenda and thinks it is a great asset to the community.

Chair Dahlke asked if the site was going to be specialties.

City Planner Hanson suggested that the applicant answer those types of questions.

Paul Hamm, explained that he was representing Ridgeview located at 500 Maple Street in Waconia. He stated that Ridgeview is thrilled to be in Chaska and the addition will expand their existing clinical and surgical operations that already happen in the building. He stated that Ridgeview is one of many tenants in the space, so the project would involve expanding the existing space and moving around some of the existing tenants in the building.

Commissioner Urbanski stated that the plans are for a 5th floor now and a 6th floor at some time in the future. He asked why they would not just go ahead and put in both additional floors at the same time.

Mr. Hamm stated that it is a complicated answer and explained that they have spent a lot of time evaluating that situation. He stated they do not currently have the need for that additional square footage and having it just sit vacant would be costly and would not generate revenue.

Chair Dahlke stated that there is ample parking but asked if this would add any stress to traffic in the area.

Mr. Hamm asked Ed Farr, their architect to answer that question.

Mr. Farr, stated that they completed a parking study, but not a traffic study and had counted cars during a 4 day period back in September. He stated that concurrently with that, they did individual tenant questionnaires on how they are using their space or if they had concerns about operating and full capacity with COVID. He stated that they feel very confident about their increase in parking counts. He stated that one of the benefits of a medical center is that they don’t operate on typical office rush hour peak like a typical office building or school with strict start and end times. He noted that there is a 3 hour duration in the morning between 6:00 a.m. and 9:00 a.m. to ramp up the site and again in the afternoon to empty the site which will be a real benefit to the traffic system in the area. He stated that they also have their own signal which is timed. He stated that there is information available on the City’s website regarding street capacity and where there is excess capacity such as Hundertmark and Highway 41 have excess capacity at this time. He noted that they are aware of a small micro problem with the school buses coming down Hundertmark in the middle of the afternoon that has caused congestion.

Commissioner Olson asked when they foresee the need to have the deliberate conversation about the parking ramp on site. He asked if it would happen for the next floor.

Mr. Farr stated that there is a lot of math involved and 1 car per 250 sq. ft. of medical clinic space is a general application of a parking density concept, but the nuances of what actually happens in the building varies wildly from a more intensive use such as the clinic space. He stated that there are other less intense uses going on in the building that they monitor with leasing and square footage balances which is why they know that there is a lower demand on site.

Community Development Director Kabat explained that from a City process perspective, the Commission can expect that as they come forward with applications to add more floors, that the City would want to see a similar parking analysis done and that proof of parking is provided.

Chair Dahlke noted that this was not a public hearing but was open to hearing comments from the public if anyone would like to give feedback.

There were no comments.

Motion by Commissioner Urbanski, seconded by Commissioner Brass, to recommend approval to City Council of the Preliminary Site & Building Plan for the fifth floor building addition at 212 Medical Center, subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:
    a. Project Narrative (pgs 1-6), prepared by Edward Farr Architects, dated December 7, 2021
    b. Two Twelve Medical Center Parking Study Update (pgs 1-12), prepared by Alliant Engineering, Inc., dated December 6, 2021
    c. Cover Sheet (sheet A0), prepared by Edward Farr Architects, dated December 7, 2021
    d. Existing Conditions Per Site Plan (sheet C1), prepared by Edward Farr Architects, dated November 23, 2021
    e. Existing Tree Inventory Plan (sheet L1), prepared by Edward Farr Architects, dated December 7, 2021
    f. Site Plan – Parking (sheet A1), prepared by Edward Farr Architects, dated December 7, 2021
    g. Site Plan – Proof of Parking (sheet A2), prepared by Edward Farr Architects, dated December 7, 2021
    h. Exterior Elevations (sheet A3), prepared by Edward Farr Architects, dated December 7, 2021
    i. Renderings (sheet (A4), prepared by Edward Farr Architects, dated December 7, 2021
    j. Floor Plan (sheet A5), prepared by Edward Farr Architects, dated December 7, 2021
    k. Master Plan Full Build-Out (sheet A6), prepared by Edward Farr Architects, dated December 7, 2021
    l. Proof-of-Parking Parking Deck (sheet A7), prepared by Edward Farr Architects, dated December 7, 2021
2. Adherence to the requirement of the City Engineer's memo dated January 12, 2022.
3. Adherence to the PCD-13 Ordinance #829.
4. All signage shall comply with the City of Chaska Zoning Ordinance, the PCD-13 (Planned Commercial Development District No. 13) Ordinance and the 212 Medical Center Sign Criteria.
5. Submittal of a sign permit application for all signage, to be approved by staff prior to installation.
6. Provision that no new wall signs are installed.
7. All roof mechanicals shall be screened per Section 15.28.120H of the Zoning Ordinance.
8. Provision of a roof mechanical screening detail, to be approved by the Planning Department.

9. Any request for expansion of the project beyond what is already in place (3 floors north addition; 4 floors south building; total of approximately 262,000 square feet) and what is being approved with this application (5th floor south building; 38,867 square feet) shall be subject to formal site review consistent with City Ordinances, including review and approval by Planning Commission and City Council.
10. Provision that the multi-level parking ramp be subject to formal site review and Conditional Use Permit review consistent with City ordinances, including review and approval by Planning Commission and City Council.

E. Recommend Approval of the Ess Lot and Ernst Home (Chaska Yards) Concept Plan/Carver County CDA/PC #2022-06

City Planner Hanson presented the item to the Commission and noted that this is tentatively scheduled to come before the City Council on January 24, 2022.

Elaine Ess, explained that she was the great-great granddaughter of Joseph Ess. She stated that she would like to see the name remain as Ess Ernst instead of Chaska Yards. She stated that Joseph Ess was a founding father of Chaska before Minnesota even became a State and would like to keep that name going.

Commissioner Rylee asked about the parking plans and noted that he suspects people will park on the street and also use the nearby public parking. He asked if the public parking area could accommodate overnight parking when residents overflow. He gave the example of residents wanting to move in and out of their space without their spouse having to move their car.

City Planner Hanson stated that she is unsure if there are specific rules attached to the parking lot.

Community Development Director Kabat stated that there is a public parking lot to the south as part of the Paseo improvements and noted that the City is also pursuing obtaining additional public parking on that block. He stated that, in general, the way public parking works downtown is that it is not intended to be permanent or semi-permanent where a vehicle can just be left there for multiple days. He explained that there would be nothing preventing someone from parking overnight in that lot or any public lot downtown. He stated that as staff is evaluating this project, they found it important that the site at least accommodate 2 spots/unit which is the City's requirement.

Commissioner Rylee stated that he liked the comment relative to the architectural consistency with the Ess structure and noted that he also thinks that is important and would expect to see something more compatible with the historical significance of the Ernst and Ess families.

Commissioner Brass stated that he likes the idea of the development because it is almost like a little micro-community. He stated that it sounds like staff understands the desire to see compatibility and asked if the existing Ernst house would also be 80% median income because the difference in size is pretty noticeable and appears to be more market rate. He reiterated that he likes the idea but feels the compatibility needs some work. He stated that he was unaware that the alley was there and could be used. He noted that he likes the idea of having affordable housing right downtown and feels this is a good use of the land.

Commissioner Rylee stated that the walkway through this development may end up gathering some pedestrian traffic and asked if there was additional lighting planned near the alley and the path to assist with pedestrian safety.

Community Development Director Kabat stated that as it pertains to the alleyway going north/south, those improvements will occur this summer. He stated that the alleyway will be rebuilt, public parking will be improved, street scaping and other things that will change how this looks on the block. He stated that a component of that is lighting and the intent is that it be used to access parking and navigate deliveries for the commercial users in that block but also make it very pedestrian friendly so people have an alternate route beyond walking on 41 to navigate through downtown. He reiterated that lighting will be a component of this work. He stated that pertaining to the east/west pathway that the developer is proposing, he does not know how they intend to light that area, but suggested it is something to take a closer look at. He noted that the intent is not for the east/west passage to be a public passage.

Commissioner Rylee stated that he thinks that it is inevitable that it will become a public passage because people walk as a bird flies.

Todd Grover, McDonald & Mack Architects, stated that he believes the intent regarding public access is to provide an access but attempt to make it so it does not feel 'public'. He stated that there will be families here and they want them to have access to the other units and feel comfortable. He stated that they recognize that the immediate pass through may need to be tweaked and detailed a bit with things like a gate at the alleyway. He stated that they understand that people will still use this pass through but they are leaning towards making it feel more private.

Commissioner Urbanski asked if the fire department had reviewed the plans.

City Planner Hanson confirmed that the fire department has reviewed the plans and noted that as far as staff is aware, they are comfortable with the plans.

Motion by Commissioner Lacey, seconded by Commissioner Olson, to recommend City Council approval of the Concept Plan for 4 housing units on the Ess Lot and Ernst Home, subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:
    a. Project Narrative (pgs 1-5), prepared by MacDonald & Mack Architects, dated December 29, 2021
    b. Chaska Yards Context Plan, prepared by MacDonald & Mack Architects, dated December 28, 2021
    c. Chaska Yards Existing Conditions Plan, prepared by MacDonald & Mack Architects, dated December 28, 2021
    d. Chaska Yards Site Forces Plan, prepared by MacDonald & Mack Architects, dated December 28, 2021

e. Chaska Yards Site Plan, prepared by MacDonald & Mack Architects, dated December 28, 2021
f. Chaska Yards Birdseye View (pgs 1-9), prepared by MacDonald & Mack Architects, dated December 28, 2021
g. Floor Plans, prepared by MacDonald & Mack Architects, dated December 28, 2021
h. Ernst House Elevations, prepared by MacDonald & Mack Architects, dated December 28, 2021
i. New Housing Unit Elevations, prepared by MacDonald & Mack Architects, dated December 28, 2021

2. Adherence with the City Engineers Memo dated January 5, 2022.
3. Provision of an analysis on the qualities of the edge and spatial relationship between the surface parking lot and alleyway/paseo on the western edge of the site to be provided during preliminary submittal.
4. Provision of an access analysis for all parking stalls oriented off the alleyway and to be provided during preliminary submittal.
5. Provision of 360-degree architecture be provided on the west and south facades of the detached garage.
6. Provision that traditional historic Chaska details are explored further in the new housing units and detached garage building to be submitted at preliminary submittal.
7. Provision that mechanical equipment will be fully screened from view.
8. Provision of decorative garage doors on the parking garage building are used.
9. Provision of an approved Site Alteration Permit by the HPC for the Ernst Home and Ess Lot (Chaska Yards) prior to final submittal.
10. Compliance with applicable zoning requirements, in particular Chapter 15.28 (Special Regulations).
11. Provision that building code is adhered to for all buildings.

Motion carried.

F. Recommend Approval of the Concept Plan for 5 Single Family Lots on 6th Street and Maple Street/Landmark Builders/PC #2022-04

City Planner Hanson presented the item to the Commission and noted that this is scheduled to come before the City Council on January 24, 2022.

Commissioner Rylee stated that philosophically he does not like the idea of removing a park and feels that it would be a strange thing to do within the downtown area. He stated that the goal is for the downtown area to redevelop and be rejuvenated so young families come back. He stated that not every family can afford the $500,000 suburban home. He stated that the urban downtown can be an area for more moderate income levels to have a place to raise a family. He stated that this proposes to remove a park in an area where the City should be encouraging the life cycle of the community.

Community Development Director Kabat stated that the property was previously owned by the school district. He stated that although it appeared to be, and was used as one, it has never been a City park. He stated that it was the school districts choice to sell it to the person who is now looking to develop it. He stated that the City has identified, in the Comprehensive Plan, the need to locate park property downtown on the east side of 41, but that has not yet been resolved. He stated that there have been long-standing discussions with St. John's Church about the playground they have that serves their school and the property that surrounds them.

Commissioner Lacey asked if the Commission could hear from the developer.

Commissioner Brass stated that the technicality here was that this was never a public park and was school district property that was just used as a part over the years. He asked what the intent was for the development demographics.

Eugene Vorobey, Landmark Builders, stated that these homes will be starting at $550,000 for 2,800 square feet.

Chair Dahlke stated that the Commission has not yet seen a concept for the homes.

Commissioner Brass asked if there would be front loading garages.

Mr. Vorobey explained that this will be their next step but noted that they do intend to have front loading, 3-car garages.

Chair Dahlke asked about the curve and asked if it ran along the edge of the creek because if so, he believes they will have an issue with one of the lots.

Community Development Director Kabat stated that he agrees that the southern most lot will require a closer look at for right-of-way and setbacks through that area.

Commissioner Brass asked if there was any future plans to bury the power.

Community Development Director Kabat stated that it is an overhead high-voltage line.

City Planner Hanson stated that she did not think that would be feasible.

Commissioner Brass asked what the school district had asked for the property and whether the City had ever looked at purchasing it and buying it for park usage.

City Planner Hanson stated that she believes it was considered and that the school district had approached the City, but the City did not think that was the area that they wanted the park since they have primarily evaluated the St. John's area.

Commissioner Brass noted that he sees why the City would be looking at the St. John's area because it is more centrally located and asked if they were willing to 'play ball' with the City.

Community Development Director Kabat stated that he thinks in the long-term, there is a solution there. He noted that there have already been a lot of discussion, but thinks there are many more that need to be had.

Commissioner Olson stated that the orientation was all going towards Maple for all 5 lots and asked if there may be potential to have the northern most lot go to 6th. He asked if it was set in stone that they all needed to be facing towards the west.

Community Development Director Kabat stated that from his perspective, the solution for this area needs to comprehend what the street needs to do, the setbacks, and the overhead lines. He stated that he thinks that they can look at this and try to be creative. He noted that everyone is interested in trying to maximize what happens on the site but they also need to be reasonable about what will fit.

Chair Dahlke stated that would need to be well defined by the Preliminary phase.

Paul May, 503 Beech Street, stated that there was a referral to a report from the committee to the Planning Commission and asked if that report was available for the public to review. He stated that some of the statements that have been made appear to be inconsistent with the study that was done about the entire block getting new sewer, water and street repair. He stated that the statements City Planner Hanson said were inconsistent with what the street construction is out there. He stated that they cannot put sidewalks in on 2 sides of it because there is insufficient room nor can there be landscaping put in. He stated that he would like to see their report to the Commission and review it for comment.

City Planner Hanson stated that if staff can get Mr. May's e-mail, they can get copies of that information to him.

Commissioner Brass stated that a sidewalk is not required, but is something the City is looking to do to enhance to community.

City Planner Hanson stated that this was correct and with any street reconstruction plan they try to look at all the facilities that could be improved. She stated that as far as staff is concerned, right now, they are trying to plan for it, but staff can share those details with Mr. May.

Chair Dahlke asked when the street is supposed to done.

Community Development Director Kabat stated that the downtown street reconstruction program for this summer is looking at this area. He stated that in general that includes, Beech Street, 6th Street, and Maple Street. He explained that engineering is going through the process right now to figure out what the final program will be, including where sidewalks will or will not go, because some of that is not fully resolved yet. He reiterated that it is intended to be done this summer.

Brad Hedman, 520 E 5th Street, stated that it was supposed to happen last summer but they ended up doing 41 and the box culvert by the Head Start school. He stated that the school did not own this the entire time and explained that it used to be Fireman's Park II which the City always maintained, including flooding it for a skating rink. He stated that there was a warming shed there that the City pulled out and then it belonged to the school. He stated that he thinks they will have to bring in a large amount of fill to the site. He stated that he has lived there for 32 years and explained that if they get a 2 inch rain, 3 days later you can go for a walk and the water will still be over your feet. He stated that he does not think this is a good place to build and would hate to be the owner of #4 because they will have a great big power pole in their front yard. He stated that he thinks it would be a big mistake to take this park away, and will mean losing a lot of young families.

Chair Dahlke confirmed that these were proposed slab on grade homes.

Barb Moran, 507 N. Maple Street, commented via Zoom, that her property is up against the creek on the west side of Maple. She asked if there will be road construction and housing construction at the same time and how many trucks that will mean coming in and out. She stated that she is concerned about what this will mean to access to the existing homes and driveways.

City Planner Hanson explained that at the next level, the City will want to get from the developer a construction traffic plan so the City.

Community Development Director Kabat stated that there is the potential construction for this proposal on this site and also the street reconstruction. He stated that he wants the residents to know that as far as this relates to the street reconstruction, there will be meetings and outreach that will be led by the engineering department. He stated that process has not yet begun, but they will be contacted and communicated with regarding how it will impact access including the specific questions raised by Ms. Moran. He stated that the other construction being proposed is another conversation.

Commissioner Brass stated that these are two separate projects and noted that this is a concept plan. He noted that it is admittedly more minimal than some others that have been seen by the Commission tonight. He stated that there will be information coming with regard to traffic studies, lot lines, lighting, at the next meeting to ensure that is all taken care of.

Mrs. Thomas, 531 E. 6th Street, stated that the park is her front yard and her kids have loved it and would be sad to see it go away. She noted that she is a bit concerned about the buildings that are the warehouse buildings on E 6th Street because if they were to sell it would become zoned residential which means adding more houses to the area along with additional traffic. She stated that will mean a lot of traffic for the street and does not think young families would choose to live to the street for that reason. She stated that they just replaced the bridge which looks great, but now buses come through and the corner around Beech Street is tight.

Commissioner Brass asked if she would rather have the industrial buildings than more houses.

Mrs. Thomas stated that she does not like it but when they bought the house, they never thought the park would sell nor did she realize the amount of traffic that would be coming through for the Carver County school building. She stated that she is concerned about traffic and feels that long-term there will need to be work with traffic patterns. She stated that she wishes the school and the City could have worked out that park remaining as a park.

Commissioner Rylee stated that he has a problem with this proposal and it is not related to the developer. He stated that it goes back to removing a park because that, to him, is a big deal. He stated that based on a Google search, this park equipment is relatively new and isn't the old iron jungle gyms and seesaws. He stated that one of the residents has stated that the City was maintaining it and mowing it. He stated that he thinks there is a missed opportunity here and that this should go back to the Park Board and believes that there should be a public involvement process. He stated that he thinks the City should have purchased this land. He noted that he does not feel building $500,000 homes on these lots is compatible with the downtown area. He stated that he will vote against this concept plan and encouraged the other Commissioners to join him. He stated that he would like to put this on pause in order to let the public involvement process occur instead of just losing this asset.

Commissioner Brass asked if the City has maintained this lot or is it just the perception of the neighbors and the school district was actually maintaining it. He asked if it was perhaps something like the school district paying the City to maintain it which made it look like the City was doing it.

Community Development Director Kabat explained that he did not know the answer to that question. He stated that he just knows that most recently it was a school district owned property, who determined that it was excess property and they decided to sell it.

Chair Dahlke asked how long the school district had owned the property.

Community Development Director Kabat stated that he would have to look into that in order to get an exact answer.

Chair Dahlke stated that it is not 'a' park, but is used as a park.

Mr. Hedman reiterated that it was called Fireman's Park II and had a sign.

Chair Dahlke asked if he knew who owned the park at that time.

Mr. Hedman stated that the City mowed it, fertilized it, and did everything to maintain it.

Commissioner Brass stated that he understands that, but it could be that the City was paid to maintain it for the school district.

Mr. Hedman reiterated that the City did everything for Fireman's Park II and as soon as the sign disappeared, then the school owned it.

Commissioner Brass stated that it is possible the school district owned it the entire time and reiterated that the school could have hired the City to maintain it.

Mr. Hedman stated that the City also flooded the park for ice skating.

Commissioner Urbanski noted that back before attorneys got involved in everything, it was not uncommon for cities to say, 'hey, we will maintain it for you'.

Mr. Hedman stated that he has been there for 32 years and 2 years ago, the school district started mowing it.

Commissioner Brass stated that it will be on the tax records so it can easily be found out who owned the property.

Commissioner Urbanski asked if the Park Board had ever looked at it.

City Planner Hanson stated that they did not because if the City does not own the park, then they do not get involved.

Commissioner Urbanski asked if it was anything that they have ever targeted that if it ever became available, the City should take a look at it.

Commissioner Brass gave a hypothetical situation where he lived close to Jonathan Elementary and the decision was made to close that school. He stated that the playground/hill area is obviously used by kids that live in the neighborhood but that would be considered outside of the City's jurisdiction.

Community Development Director Kabat stated that the school district can make decisions about their property and the City can make decisions about the City's property. He stated that if the City owns property as a park, there are a lot of legal restrictions on the ability to do things with it that would prevent the City from turning it into something else. He stated that in the case of this property, it is not a City owned property nor has it been City owned. He stated that he understands the use of it and that there may be a different perception, but it is not a City park.

Commissioner Rylee stated that he is skeptical that the school district followed the proper process in making that decision because they are a public entity.

Community Development Director Kabat stated that he understands Commissioner Rylee's concern, but it needs to be understood that the jurisdiction and the decision making authority around that was made, the City had no involvement and did not have an opportunity to be involved in it.

Commissioner Rylee stated that if that is the case, then he feels the City missed an opportunity.

Community Development Director Kabat stated that is not really a decision that is in front of the Commission tonight.

Commissioner Rylee stated that he does feel the Commission could say 'hold on a minute' and ask staff to take a step back and take a look at the missed opportunity and see if it can be rectified.

Commissioner Brass stated that the property has already been sold which means the City would have to buy the land back.

Mr. May stated that he has lived on that corner for 50 years and new Fred Breyer who owned the brewery at the top of the hill. He stated that he knows the whole history of the area. He stated that the area being discussed that is being called a 'park' was part of Mr. Breyer's farm. The Klein brothers bought that section and turned it into a clay mine for their brick operation. He explained that when the clay wore out, they dug the creek to get water to mine the clay. He stated that they then deeded the property to the school district for a playground. He stated that there was a handshake agreement between the school district when it was closed because they did not want to maintain the property. He stated that the handshake agreement was between the City and the school district that said the City could use it and have it for a park as long as they maintained it, but it was to remain as school district land. He stated that the fire department purchased and put in the playground equipment. He stated that equipment was given to the City to be playground equipment at this park. He stated that he does not know who gets the equipment now that the property has been purchased, but he believes it should go back to the fire department for them to reposition it for use elsewhere. He stated that there were a lot of handshake agreements surrounding this parcel.

Commissioner Brass stated that is good information to have for the record that this is school district land.

Mr. May stated that if they put a sidewalk on the north side of the park, there will be about a 30 foot drop so it will need a fence of some sort because it will be a hazard. He stated that on his side, there is not room for a sidewalk and each home on that side is on a different terrace. He noted that his home is 18 inches off of the property line and if the road is straightened out like the City is planning, there will be no room to put in a sidewalk. He stated that there are a lot of problems in this area and noted that the land frequently floods. He explained that he had spoken with the contractor who purchased the land and he was unaware that every time there is .5 inches of rain it takes about 3 weeks until the park is dried out enough that you can walk across it. He stated that whoever sold it to him also did not disclose that it had been a dump and no one knows what is underground. He stated that the picture the developer has of the property shows it going all the way across the street and talking the power pole. He stated that he believes whoever sold this property lied about what was there and what was available. He explained that, in his opinion, the lot will have to be raised at least 2 feet and noted that the City has never maintained the alleyway because there is a dead tree in there. He reiterated his request to be able to see the report on what was out there because he is sure that he will find a lot of discrepancies and inaccuracies.

Commissioner Brass stated that he is always a pusher for parks and this also frustrates him. He stated that he agrees with Commissioner Rylee, but with his professional background in real estate, this is private property and it has been sold, unless it can somehow be proven differently. He stated that the City may have missed the mark by not purchasing this property, but now would have to come up with even more money now to buy it from the developer.

Commissioner Lacey confirmed that the developer was also the property owner and asked if the information being shared tonight was new to him.

Mr. Vorobey stated that they will address the drainage issue and the property will not be left at the same level it is right now.

Commissioner Lacey stated that he would recommend continued meetings with the neighborhood.

Chair Dahlke stated that he can understand why the City did not purchase this land for a park, because it is not a centralized location.

Commissioner Olson stated that he understands that it is been titled as a park, but legally, it is not. He stated that the City has been in discussion with St. John's for years so he would recommend that they ramp those up because the neighborhood will be losing something that was being used as a park. He asked the City to put some actions in place to make the additional park at St. John's happen rather than just continue to talk about it.

Commissioner Brass stated that he agreed that it would be nice to get more aggressive on that front.

Commissioner Olson explained that he realizes that there needs to be discussions and negotiations, but thinks it should now have a different urgency to it because of what is happening on this parcel. He stated that this is just the first stage of the process and as they get more information, they may find out it is not viable.

Motion by Commissioner Urbanski, seconded by Commissioner Lacey, to recommend City Council approval of the Firemen's Park II – 6th St & Maple St Concept Plan for a 5-lot subdivision on 1 acre of land, subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:
    a. Project Narrative (pgs 1-3), prepared by Eugene Vorobey, dated November 1, 2021
    b. Response to Incomplete Letter (pgs 1-3), prepared by Todd J. Olin of Landform, dated December 15, 2021
    c. Concept Sketch Plan, prepared by Landmark Builders, undated
    d. Existing Conditions, prepared by Landform, dated December 6, 2021
    e. Site Forces, prepared by Landform, dated December 6, 2021
2. Adherence with the City Engineer's Memo, dated January 12, 2022.
3. Provision of a preliminary plan showing adherence with ROW acquisition needs for Maple Street and meeting required setbacks.
4. Adherence to the City's Boulevard Tree Policy and local street section design.
5. Provision to further evaluate tree preservation efforts near the east side of the site, and to be submitted with a Tree Preservation Plan at preliminary submittal.
6. Provision of sidewalks on both sides of all local streets, and to be shown on plans at preliminary submittal.
7. Adherence to the following building setbacks:
    a. Front (house): 20 feet
    b. Rear: 25 feet
    c. Side(house/garage): 5 feet
    d. Side (corner): 20 feet
    e. Chaska Creek: 50 feet from edge
8. Prior to final plat approval, developer shall enter into an agreement with the City for the provision of necessary infrastructure and associated development costs.
9. Compliance with the City's anti-monotony and design requirements zoning ordinance (Section 15.28.290).
10. Provision of a storm water management plan meeting City and Carver County WMO standards.
11. Provision of a wetland delineation report to be completed and provided at time of preliminary submittal.
12. Provision of a construction traffic plan to be submitted at preliminary submittal.

13. Provision of a survey indicating certified flood protection elevations and to be submitted at preliminary submittal.
14. Adherence with Zoning Code Section 15.20 Flood Protection.
15. Provision to show all easements, including transmission line, at preliminary submittal.

Motion carried. 5-1 (Commissioner Rylee opposed)

8. Other Business

A. Receive Other Meeting Minutes
    a. Receive the December 6, 2021 City Council Meeting Minutes

ii. Receive the October 12, 2021 Park Board Meeting Minutes

9. Other Business
Commissioner Olson

- Noted that he liked the additional information being shared of when these items are expected to go before the City Council.

10. Adjourn
Motion by Commissioner Olson, second by Commissioner Brass to adjourn the meeting at 10:35 pm.
Motion carried.