

**CHASKA PLANNING COMMISSION
MINUTES
APRIL 13, 2011**

1. Call to Order

Chairperson Young called the meeting to order at 7:00 p.m.

2. Roll Call

Roll call was taken. Members present: Commissioners Huang, Keyport, Broback, Hewitt, Ashley, Personius, Hughes, and Chairperson Young.

Members absent: Commissioner Miller.

Also present: Kevin Ringwald, Director of Planning and Development; Luke Melchert, City Attorney; and Melissa Duchinsky, City Planner.

3. Adopt the Agenda

Motion by Commissioner Hewitt, second by Commissioner Huang to adopt the agenda as presented.

Motion carried.

4. Visitor Presentation

No one appeared under Visitor Presentation.

5. Minutes

Motion by Commissioner Ashley, second by Commissioner Huang to approve the minutes of the March 9, 2011 Planning Commission meeting.

Motion carried.

6. Consent Agenda

Motion by Commissioner Huang, second by Commissioner Keyport to approve the Consent Agenda as follows:

- a) Receive the minutes of the March 21, 2011 City Council meeting
- b) Receive the minutes of the March 14, 2011 Park Board meeting
- c) Receive the minutes of the March 21, 2011 EDA meeting

Motion carried.

7. Public Hearing: Approve Zoning Ordinance Amendment to PMD-2 and Conditional Use Permit for Lodging at 1057 and 1059 Stoughton Avenue, Chaska/Jason Palmby of Topaz Investments/PC No. 11-04

The City Planner presented the item to the Commission.

Commissioner Ashley inquired as to the access points to the site and the impact to deliveries and truck traffic from the Sugar Factory.

Commissioner Hughes asked about Public Hearing notification distance and garages.

The City Planner stated it is 350 feet from the project.

The applicant, Jason Palmby, addressed the Commission about accessing the 17 garage stalls and the renovation to one of the buildings and the roof repair.

Commissioner Keyport asked about the windows being used for window replacement.

Mr. Palmby said they will be slider egress windows and that the opening size would not change.

Commissioner Keyport inquired about the landscape.

Mr. Palmby said they were thinking about adding additional trees and plantings in the future.

Commissioner Hewitt asked about lodging and the size of the zoning district.

The City Planner advised that the PMD-2 zoning district encompasses only three lots.

Commissioner Broback voiced concerns about security issues and staff to patient ratio.

Jason Palmby explained that patients are busy attending meetings and that there are staff present 24/7.

The Public Hearing was opened at 7:34 pm.

Jane Hergot, a resident of Parallel Street, Chaska, appeared before the Commission to express concerns about safety issues and patient to staff ratio and whether patients are allowed to leave voluntarily.

Mr. Palmby said patients can leave voluntarily. There will be alarms on the doors to alert staff of comings and goings.

Dan Lawrence, plant manager of United Sugar, appeared before the Commission to state his concerns regarding noise, traffic, overflow parking, security, food safety, and increase of cost to protect his business.

Commissioner Keyport asked the applicant if he was aware of potential noise issues from United Sugar.

He stated that he was aware of that.

Commissioner Huang asked what the hours of operation were for the sugar factory.

Mr. Lawrence said the hours vary and at this point the plant is down to two shifts per day.

Commissioner Huang asked the applicant if this would be a detriment to the recovery of the patients who stay at the facility.

Mr. Palmby believes the area has a peaceful setting, with a good space for productivity.

Commissioner Hughes asked if Mr. Palmby has operated anything similar to this in the past.

Mr. Palmby said he had not, but this would be a combination service.

Commissioner Broback asked if they had any other sites in the area.

Mr. Palmby said they have one downtown, as well as some others.

Shirley Peters, a resident of West Zemble Street, appeared before the Commission to inquire about security issues.

The City Attorney, Luke Melchert, stated that there has been a good track record with Five Star Recovery in the past 20 years.

Commissioner Huang asked how patients with criminal or sexual offender records would be handled.

Mr. Palmby said it is possible that patients could have a criminal record, but sexual offenders would not be allowed.

Chairperson Young asked if patients could be ordered by the court to attend treatment there, and whether the patients would only be men.

Mr. Palmby said they could be court ordered and only men would attend treatment at the facility.

The Public Hearing was closed at 8:00 pm.

Commissioner Keyport stated that he wished the Executive Director of Five Star Recovery could be present to address the Commission on the security issues. He also stated that he believed this is a great use for the historic building and would also welcome the landscaping as a good addition to the area.

Chairperson Young said he liked the idea of removing building B5 if possible, and asked that it be added to the list of conditions.

Commissioner Ashley had concerns with the access points and proximity to United Sugar.

The City Planner explained the previous office use was more intense than what is being proposed and also patients will not have their own vehicles.

Commissioner Huang asked about traffic over spill.

Commissioner Hughes said he felt the project would fit better in a more industrial setting.

Chairperson Young felt this was an ideal setting.

Commissioner Keyport said it was a great spot and a good use for the community.

Commissioner Hewitt felt it was a good site for the project.

Motion by Commissioner Keyport, second by Commissioner Hewitt to recommend approval of the Zoning Ordinance Amendment that would add "lodging" as a Conditional Use in the PMD-2 zone district.

Motion passed. Commissioners Broback, Ashley and Hughes voting nay.

Motion by Commissioner Keyport, second by Commissioner Personius to recommend approval of a Conditional Use Permit for lodging at 1057 & 1059 Stoughton in the PMD-2 zone district, subject to the following conditions:

1. The construction of the fence shall be substantially consistent with the aforementioned staff report and the following exhibits:
 - a. Letter from Topaz Investments, dated March 7, 2011
 - b. Proposed alteration for 2nd floor stair
 - c. Window Alterations for 1059 Stoughton Ave
 - d. 1057 Stoughton Ave – Current Side Elevation
 - e. 1057 Stoughton Ave – Proposed Alteration Change
 - f. 1057 Stoughton Ave – Current Side Elevation
 - g. 1059 Stoughton Ave – Proposed Elevation Change
 - h. 1059 Stoughton Ave – Current Interior Layout
 - i. 1059 Stoughton Ave – Proposed Layout
 - j. 1059 Stoughton Ave – Front Elevation Alteration
 - k. 1057 Stoughton Ave – Current Front Elevation
 - l. 1059 Stoughton Ave – Vines will be cleared from building
 - m. 1059 Stoughton Ave – Vegetation is an issue with this building.
 - n. 1057 Stoughton Ave – Current 2nd Floor Layout
 - o. 1057 Stoughton Ave – Proposed 2nd Floor Interior
 - p. 1057 Stoughton Ave – Current Main Floor Layout
 - q. 1057 Stoughton Ave – Proposed Main Interior Layout
 - r. 1057 Daily Client Schedule –28 Day Program
 - s. Parking Plan
 - t. Existing site (aerial)
 - u. Existing site
 - v. Letter of Need for Five Stars Recovery Center Residential Program, dated January 2, 2011
2. Approval of the Zoning Ordinance Amendment that would add "lodging" as a Conditional Use in the PMD-2 zone district.
3. Submittal of the application for, and approval of, a building permit.
4. Utilization of high quality aluminum clad wood windows.
5. Installation of decorative lighting on the exterior of the building that fits the historic character of the building.
6. The filing of a certified copy of the Conditional Use Permit with the Carver County Recorder or Registrar of Titles, which shall include a legal description of the subject property.
7. The 1059 building will house a maximum of 16 people and the 1057 building will lodge a maximum of 12 people.
8. Outdoor storage of any kind will not be permitted.

9. Compliance with 14.74 of the Zoning Ordinance, requirements for a Conditional Use Permit.

10. Removal of Building B-5 within one year of closing on the properties.

Motion passed. Commissioners Broback, Ashley, and Hughes voting nay.

8. Other Business

8a. Exterior Building Materials Group feedback

Kevin Ringwald, the Planning Director, presented information gathered by the Exterior Building Materials Group. He asked that comments from the Planning Commission be submitted by the first week in May.

Commissioner Keyport liked the idea of adding context to the application.

The Planning Director said there was always the option of flexibility with combining the preliminary and final plans.

Commissioner Hewitt asked if developers would like this.

The Planning Director said developers appreciate the clarity and to know what is expected of their projects.

Commissioner Hewitt asked if this could be an indicator that we are pushing people away.

The Planning Director said most communities have development standards so developers are used to it.

Chairperson Young said we will be proud of having a unique concept application in the long run.

Commissioner Personius asked if there had been traffic issues when 41 was closed and there was no signage and the median was added.

Commissioner Broback reminded everyone that the Town Course opens on Thursday.

Commissioner Huang said he thought traffic increased during the parade of home and the Downtown Master Plan will be having its last meeting before implementation.

Commissioner Keyport said he is excited about implementation of of the Downtown Master Plan.

The Planning Director said this will be the sole focus of the upcoming Council retreat.

Commissioner Keyport asked if there was an update on the status of the railroad tracks through Chaska.

The Planning Director was unsure of the status at this point, as it is the responsibility of the County.

9. Adjourn

Motion by Commissioner Personius, second by Commissioner Huang to adjourn the meeting at 9:02 pm.

Motion carried.