

**CHASKA PLANNING COMMISSION
MINUTES
MAY 11, 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, Ashley, Personius, Hughes (arrived at 7:05pm), and Chairperson Young.

Members absent: Commissioner Hewitts and Miller.

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

3. Adopt the Agenda

Motion by Commissioner Keyport, second by Commissioner Personius to adopt the agenda as presented.

Motion carried.

4. Visitor Presentation

No one appeared under Visitor Presentation.

5. Minutes

Motion by Commissioner Broback, second by Commissioner Keyport to approve the minutes of the April 13, 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 April 18, 2011 City Council meeting
- b) Receive the minutes of the April 11, 2011 Park Board meeting
- c) Receive the minutes of the April 18, 2011 EDA meeting
- d) Adopt Final Plat – Nickel Creek/PC. No. 11-06/Scott Carlston
Motion to recommend approval to the City Council of the Final Plat for Nickel Creek, subject to the following conditions:
 - a. Project Narrative, prepared by Alliant Engineering, Inc., dated April 5, 2011;
 - b. Nickel Creek Final Plat, Sheets 1 & 2, prepared by Alliant Engineering, Inc., undated
 - c. Nickel Creek Lot Tabulation, Sheet 2 of 2, prepared by Alliant Engineering, Inc., undated
 - d. Nickel Creek, Phase 1, Cover Sheet, Sheet 1 of 12, prepared by Alliant Engineering, Inc., dated April 5, 2011;
 - e. Nickel Creek, Phase 1, Details, Sheet 2 of 12, prepared by Alliant Engineering, Inc., dated April 5, 2011;

- f. Nickel Creek, Phase 1, Details, Sheet 3 of 12, prepared by Alliant Engineering, Inc., dated April 5, 2011;
 - g. Nickel Creek, Phase 1, Grading Notes and Details, Sheet 4 of 12, prepared by Alliant Engineering, Inc., dated April 5, 2011;
 - h. Nickel Creek, Phase 1, Existing Conditions Survey, Sheet 5 of 12, prepared by Alliant Engineering, Inc., dated April 5, 2011;
 - i. Nickel Creek, Phase 1, Grading, Drainage and Erosion Control Plan, Sheet 6 of 12, prepared by Alliant Engineering, Inc., dated April 5, 2011;
 - j. Nickel Creek, Phase 1, Street and Storm Sewer Plan and Profiles, Sheet 7 of 12, prepared by Alliant Engineering, Inc., dated April 5, 2011;
 - k. Nickel Creek, Phase 1, Street and Storm Sewer Plan and Profiles, Sheet 8 of 12, prepared by Alliant Engineering, Inc., dated April 5, 2011;
 - l. Nickel Creek, Phase 1, Street and Storm Sewer Plan and Profiles, Sheet 9 of 12, prepared by Alliant Engineering, Inc., dated April 5, 2011;
 - m. Nickel Creek, Phase 1, Sanitary Sewer and Watermain Plan and Profiles, Sheet 10 of 12, prepared by Alliant Engineering, Inc., dated April 5, 2011;
 - n. Nickel Creek, Phase 1, Sanitary Sewer and Watermain Plan and Profiles, Sheet 11 of 12, prepared by Alliant Engineering, Inc., dated April 5, 2011;
 - o. Nickel Creek, Phase 1, Landscape and Tree Preservation Plan, Sheet 12 of 12, prepared by Alliant Engineering, Inc., dated April 5, 2011;
1. Payment of Park Dedication Fees upon approval of the Final Plat and prior to the filing of the Final Plat with Carver County.
 2. Revision of the "Tree Plan" as identified in the body of this report prior to the release of the Plat.
 3. Individuals, builders or groups of builders shall not construct single-family home styles having substantially similar appearance (including two or more the following factors; articulation of front wall, number of full stories above grade, principal roof type, materials, and garage type) from the street to other single-family homes within two lots on each side, directly across or diagonally across from the same unit. No building permit shall be issued for a single-family home inconsistent with this requirement.
 4. The following ratios are to be used with respect to the positioning of the garage on all single-family lots:
 - A. A minimum of 50 percent of the single family homes will have garages that are recessed at least six feet from the front wall of the house, including a substantial front porch;
 - B. No garages shall protrude in excess of six feet beyond the front wall of the house, including a substantial front porch, or side-loaded garages on lots that are wide enough to support such garage;
 - C. A substantial front porch shall be: unenclosed; have a minimum depth of eight feet; extend across a minimum of 50 percent of the front of the house, excluding garage; and be located adjacent to the garage; and
 - D. A side-loaded garage shall: be designed to provide for dormers, bays and other architectural elements to be utilized to break up the mass of the garage and the roof line; not to exceed 25 feet in depth; be perpendicular to the right-of-way; not visually terminate at a roadway; and not be adjacent nor directly across the street from other side loaded garages.

5. The length of the garage wall facing the street shall not be greater than fifty percent (50%) of the length of the entire front facade of the house; except on lots that are 60 feet in width or less, which shall not exceed sixty percent (60%) if they comply with all three of the following conditions:
 - A. The second floor living space shall extend over the two-car portion of the garage; and
 - B. The garage doors shall be decorative and shall provide for strip windows along the upper edge of the garage door; and
 - C. Houses that provide for a three-car garage shall break the garage into two-car and one-car sections with the one-car section being recessed.
6. With the addition of an approved premium color palette, 4" window wrap on all elevations and the utilization of fiber cement siding on all front elevations, the following regulations are modified as follows:
 - a. Item 5a) has been eliminated.
 - b. Item 5c) shall be revised to: Substantial front porch shall be: unenclosed; have a minimum depth of 6 feet; and extend across 50 percent of the front of house, unless the front elevation includes an approved substantial architectural feature (i.e. a turret) that prevents the front porch from reaching the full 50 percent.
 - c. Item 6c) has been eliminated.
 - d. In addition, approved premium color packages shall not be built next to one another on either side, nor directly across the street from one another.
7. 360-degree architecture shall be provided for all corner lots and all lots whose rear or sides are visible from public right's-of-way across to open spaces, as identified in the body of this report.
8. No building shall be located closer than 125 feet to the centerline of Bavaria Road.
9. Revision of the plat and site plan to include the same Right-of-Way widths as the existing streets in Symphony Hills consistent with City standards.
10. Inclusion of berm and screening in Lot 1, Block 1 along Bavaria Road as shown in the approved Preliminary Plat, to be approved by the Planning Director.
11. Service drives shall be provided to all storm sewer inlets/outlets, to be approved by the City Engineer.
12. Submission and approval of a wetland delineation plan is required subsequent to Final Plat approval and prior to filing the Final Plat to Carver County.
13. Verification of the location of the significant Oak tree in Block 1, between lots 20, 21 and 22, shall be provided to staff.
14. Adherence to the City's Boulevard Tree Policy.
15. Dedicated left and right turn lanes shall be provided on Bavaria Road by the developer, as was required with both the Chevalle and Symphony Hills developments.
16. Provision of sidewalks on both sides of all streets.
17. Disposition of the outlots shall be as follows: Outlot A and Outlot B shall be future single-family residential, based on the Preliminary Plat exhibit (June 8, 2010) and City Council Resolution No. 10-53.
18. Restrictive covenant language, similar to the language used in the Symphony Hills development, shall be provided to staff prior to the release of the Plat, which shall

provide a specific plan for maintenance of all common areas, including, but not limited to, the following:

- a. The trees;
- b. The boulevard areas;
- c. The berm; and
- d. The sidewalks.

19. A trail on the north side of Bavaria Road, from Francesca Drive to Bavaria Hills Trail shall be developed in a partnership between the City of Chaska and the developer as the connection to the City's trail system and the sidewalk system in Bavaria Hill.

20. Submittal of Conservation Easement language for the tree preservation areas in conjunction with the development of Outlots A and B.

21. Inclusion of a breakthrough in the area between Lots 14 and 15 in order to connect the internal Nickel Creek sidewalk network to Bavaria Hills Trail, to be approved by the Planning Director.

22. Addition of tree planting in a Tree Mitigation Area on the eastern side of Lots 14 and 15 to include varying tree sizes and varieties, to be approved by the Planning Director.

23. Elimination of the "tree clearing limits" directly to the west of Lot 24 in Outlot A.

Motion carried.

7. Public Hearing: Approve Preliminary Plat, Conditional Use Permit & Preliminary Site/Building Plans for Construction of High School at Bavaria Rd South of Hwy 212

PC. No. 11-08/Southwest Christian High School

The City Planner presented the item to the Commissioner.

A memo from the Park and Recreation Director, Tom Redman, was entered into the record.

A letter dated May 7th from Nick Mason, a resident of the area, was presented to the Commission.

Bill Monk, the City Engineer, explained the engineering issues to the Commission.

Dan Beckening, a representative of Southwest Christian High School (SWCHS) gave a presentation to the Commission.

The Public Hearing was opened at 7:43 pm.

Jim Reynolds of 406 Oak Hill Road, Chaska appeared before the Commission. He explained his concerns regarding stormwater and its impact on the existing wetland and treats, possible stagnation of the pond, the location of the future gymnasium expansion, and lighting issues.

Nick Mason, of 1888 White Oak Drive, Chaska appeared before the Commission. He stated he would like to see a fence on the eastern edge of the property, and he raised concerns regarding construction traffic in the neighborhood, vehicular access to the park, drainage issues, and parking lot lights directed at the adjacent neighborhood.

Dale Hoogeveen, of 475 Oak Hill Road, Chaska appeared before the Commission to express concerns over the distance of the site and traffic issues, and the impact of a stoplight on nearby intersections.

Dave VanOrden of 1897 White Oak Drive, Chaska stated he would like to see additional buffering along the existing MnDOT fence.

Diane Blecha of 509 Westwood Lane, Chaska explained her concerns regarding traffic and whether there was a way to stop the project.

The Public Hearing was closed at 8:15 pm.

Kevin Ringwald, the Planning Director, advised the Commission and the audience on the issue of construction vehicles and the similarity to other projects in the City. He also advised that the only ballfield to be lit would be the football field; the lights would be 25 feet; and additional screening can be included. He further stated that City Staff did not feel that a fence was necessary for safety concerns, but if the surrounding neighbors want a fence, one can be built to match the retaining walls. The Planning Director stated that parking needs meet the requirements.

The City Engineer, Bill Monk, said the ponds will be inspected and a certificate of occupancy will not be issued until all improvements are complete. He advised that there is an ordinance regarding stadium lighting not being lit past 10:00 pm. Construction vehicle access will be limited to Bavaria Road. Eventually there will be a need for a signal at Engler and Bavaria Road. Lastly, he stated the City will become involved if the trees or wetlands are impacted.

Commissioner Keyport inquired about parking management.

The City Engineer said other schools use parking permits and a two-hour parking limit on the street.

Commissioner Broback asked _____.

The City Engineer said that would be a requirement.

Commissioner Personius asked if the City would be monitoring whether there is a traffic increase along Bavaria and Hundertmark Roads.

The Engineer said it would be monitored and a solution developed as needed.

Chairperson Young said he was happy to see the changes in the plan from the previous submittal. He asked why the exterior materials were not consistent with the other schools in the area and why they seemed to be of less quality.

Commissioner Keyport thanked the developers for getting input from the neighbors. He also said he was in full support of having a fence along the east side of the project.

Commissioner Huang said he understood the concerns about parking and traffic. He liked the feeling of more openness in this plan. He also stated he would prefer enforcement of parking and parking permits, rather than fencing. He thought all parties should be in agreement. He had concerns about the lighting.

The architect, Gary Tushie, stated there has been no change in the parking. He also said the lights are on a timer to correspond to the school hours.

Commissioner Keyport asked what percent of the SWCHS students were from Chaska.

Dan Beckering, of SWCHS, said about 30% of the students are from cities in the surrounding area.

Commissioner Broback stated he was disappointed with the choice of materials for the buildings. He felt a change would reflect more positively on the school and neighbors.

Mr. Beckening said the choice was due to the timeline and money. The school would like to open in September 2012.

Commissioner Ashley asked if the exterior materials meet the standards of the City.

Chairperson Young commented on the building materials and stated that they didn't meet the standards of the new proposed ordinance.

The Planning Director stated that the materials and traffic concerns of the Commissioner should be made known to the Council.

Commissioner Hughes asked if the school was willing to share facilities and ballfields with other entities and whether it was all right if the fence was not installed. He reiterated that high quality materials should be used in the building and also inquired about two accesses onto the property.

Commissioner Broback stated the revisions to the plan were favorable and he was appreciative of the applicant's efforts.

Motion by Commissioner Broback, second by Commissioner Keyport to recommend approval of a Conditional Use Permit for Southwest Christian High School to allow construction of a school on a site greater than 10 acres in size in an R-1A zone district, located on the Hammers property south of Highway 212, subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:
 - a. Project Narrative, submitted by Southwest Christian High School, undated
 - b. Purchase Agreement (for Hammers property)
 - c. Traffic Impact Study, prepared by Wenck Associates, dated March 7, 2011
 - d. Wetland Determination, prepared by Wenck Associates, dated March 2, 2011
 - e. Existing/Proposed Slope Analysis, prepared by Clark Engineering, dated March 4, 2011
 - f. Retaining Wall Examples
 - g. Soil Borings Logs, prepared by Professional Service Industries, Inc.

- h. Overview of Colored Perspective Sheets, prepared by Tushie Montgomery Architects, April 11, 2011
- i. Colored Perspective: View from West (looking east from Bavaria Road), undated
- j. Colored Perspective: View from Northeast with Trees (from the end of White Oak Drive), undated
- k. Colored Perspective: View from Northeast without Trees (from the end of White Oak Drive), undated
- l. Colored Perspective: View from West (south intersection of Westwood Lane and Bavaria Road), undated
- m. Colored Perspective: View from Southwest (southwest corner of site), undated
- n. Colored Perspective: View from Southeast (end of Groves Drive), undated
- o. Colored Perspective: View from Southwest (Backyard of 400 Oak Hill Road), undated
- p. Colored Perspective: View from South (backyard of 406 Oak Hill Road), undated
- q. Colored Perspective: View from South (backyard of 408 Oak Hill Road), undated
- r. Southwest Christian High School Cover Sheet, Sheet CS, prepared by Tushie Montgomery Architects, March 8, 2011
- s. Southwest Christian High School Site and Signage Plan, Sheet L1.0, prepared by Tushie Montgomery Architects, April 11, 2011
- t. Southwest Christian High School Site and Signage Plan – Phase One, Sheet L1.1, prepared by Tushie Montgomery Architects, April 11, 2011
- u. Southwest Christian High School Site Details, Sheet L2.0, prepared by Tushie Montgomery Architects, April 11, 2011
- v. Southwest Christian High School Landscape Plan, Sheet L3.0, prepared by Tushie Montgomery Architects, April 11, 2011
- w. Southwest Christian High School Landscape Plan – Phase One, Sheet L3.1, prepared by Tushie Montgomery Architects, April 11, 2011
- x. Southwest Christian High School Landscape Details, Sheet L4.0, prepared by Tushie Montgomery Architects, April 11, 2011
- y. Southwest Christian Preliminary Plat, Sheet C1, prepared by Clark Engineering, April 8, 2011
- z. Southwest Christian Grading, Drainage & Erosion Control Phase I, Sheet C2, prepared by Clark Engineering, March 8, 2011
- aa. Southwest Christian Grading, Utility Plan Phase I, Sheet C3, prepared by Clark Engineering, March 8, 2011
- bb. Southwest Christian Grading, Civil Detail Sheet, Sheet C4, prepared by Clark Engineering, March 8, 2011
- cc. Southwest Christian Tree Preservation Plan, Sheet C5.0, prepared by Clark Engineering, March 8, 2011
- dd. Southwest Christian Tree Preservation Plan, Sheet C5.1, prepared by Clark Engineering, March 8, 2011
- ee. Southwest Christian Grading, Drainage & Erosion Control Phase 2, Sheet C6, prepared by Clark Engineering, March 8, 2011
- ff. Southwest Christian High School, New School Building, Main Level Floor Plan, Sheet A1, prepared by Bossardt, April 8, 2011
- gg. Southwest Christian High School, New School Building, Lower Level Floor Plan, Sheet A2, prepared by Bossardt, April 8, 2011
- hh. Southwest Christian High School, New School Building, Photometrics, Sheet A3, prepared by Bossardt, April 11, 2011
- ii. Southwest Christian High School, New School Building, Photometrics [Phase 2], Sheet A3, prepared by Bossardt, April 11, 2011
- jj. Southwest Christian High School, New School Building, Exterior Elevations, Sheet A4, prepared by Bossardt, April 8, 2011
- kk. Southwest Christian High School, New School Building, Exterior Elevations, Sheet A5, prepared by Bossardt, April 8, 2011
- ll. Southwest Christian High School, New School Building, Exterior Elevations, Sheet A6, prepared by Bossardt, April 8, 2011
- mm. Site, Landscape and Utility Plan Overlay, Sheet L0.0, prepared by Tushie Montgomery Architects, April 11, 2011

2. The school shall not allow the enrollment to exceed 600 students.

3. No parking associated with Southwest Christian High School or associated events may occur on White Oak Drive, Groves Drive or any other adjacent public Right-of-Way.
4. The applicant shall enter into an agreement with the City to reconstruct the section of Bavaria Road adjacent to the school to accommodate dedicated left and right turn lanes at the school access, as well as a potential traffic signal.

Motion carried. Unanimous.

Motion by Commissioner Huang, second by Commissioner Broback to recommend approval to City Council of the Preliminary Plat and Preliminary Site/Building Plans for Southwest Christian High School in order to construct a high school on the Hammers property south of Highway 212, subject to the following conditions, and the addition of Conditions 24-27:

1. Approvals shall be based on the following graphic exhibits:
 - a. Project Narrative, submitted by Southwest Christian High School, undated
 - b. Purchase Agreement (for Hammers property)
 - c. Traffic Impact Study, prepared by Wenck Associates, dated March 7, 2011
 - d. Wetland Determination, prepared by Wenck Associates, dated March 2, 2011
 - e. Existing/Proposed Slope Analysis, prepared by Clark Engineering, dated March 4, 2011
 - f. Retaining Wall Examples
 - g. Soil Borings Logs, prepared by Professional Service Industries, Inc.
 - h. Overview of Colored Perspective Sheets, prepared by Tushie Montgomery Architects, April 11, 2011
 - i. Colored Perspective: View from West (looking east from Bavaria Road), undated
 - j. Colored Perspective: View from Northeast with Trees (from the end of White Oak Drive), undated
 - k. Colored Perspective: View from Northeast without Trees (from the end of White Oak Drive), undated
 - l. Colored Perspective: View from West (south intersection of Westwood Lane and Bavaria Road), undated
 - m. Colored Perspective: View from Southwest (southwest corner of site), undated
 - n. Colored Perspective: View from Southeast (end of Groves Drive), undated
 - o. Colored Perspective: View from Southwest (Backyard of 400 Oak Hill Road), undated
 - p. Colored Perspective: View from South (backyard of 406 Oak Hill Road), undated
 - q. Colored Perspective: View from South (backyard of 408 Oak Hill Road), undated
 - r. Southwest Christian High School Cover Sheet, Sheet CS, prepared by Tushie Montgomery Architects, March 8, 2011
 - s. Southwest Christian High School Site and Signage Plan, Sheet L1.0, prepared by Tushie Montgomery Architects, April 11, 2011
 - t. Southwest Christian High School Site and Signage Plan – Phase One, Sheet L1.1, prepared by Tushie Montgomery Architects, April 11, 2011
 - u. Southwest Christian High School Site Details, Sheet L2.0, prepared by Tushie Montgomery Architects, April 11, 2011
 - v. Southwest Christian High School Landscape Plan, Sheet L3.0, prepared by Tushie Montgomery Architects, April 11, 2011
 - w. Southwest Christian High School Landscape Plan – Phase One, Sheet L3.1, prepared by Tushie Montgomery Architects, April 11, 2011
 - x. Southwest Christian High School Landscape Details, Sheet L4.0, prepared by Tushie Montgomery Architects, April 11, 2011
 - y. Southwest Christian Preliminary Plat, Sheet C1, prepared by Clark Engineering, April 8, 2011
 - z. Southwest Christian Grading, Drainage & Erosion Control Phase I, Sheet C2, prepared by Clark Engineering, March 8, 2011
 - aa. Southwest Christian Grading, Utility Plan Phase I, Sheet C3, prepared by Clark Engineering, March 8, 2011
 - bb. Southwest Christian Grading, Civil Detail Sheet, Sheet C4, prepared by Clark Engineering, March 8, 2011
 - cc. Southwest Christian Tree Preservation Plan, Sheet C5.0, prepared by Clark Engineering, March 8, 2011

- dd. Southwest Christian Tree Preservation Plan, Sheet C5.1, prepared by Clark Engineering, March 8, 2011
 - ee. Southwest Christian Grading, Drainage & Erosion Control Phase 2, Sheet C6, prepared by Clark Engineering, March 8, 2011
 - ff. Southwest Christian High School, New School Building, Main Level Floor Plan, Sheet A1, prepared by Bossardt, April 8, 2011
 - gg. Southwest Christian High School, New School Building, Lower Level Floor Plan, Sheet A2, prepared by Bossardt, April 8, 2011
 - hh. Southwest Christian High School, New School Building, Photometrics, Sheet A3, prepared by Bossardt, April 11, 2011
 - ii. Southwest Christian High School, New School Building, Photometrics [Phase 2], Sheet A3, prepared by Bossardt, April 11, 2011
 - jj. Southwest Christian High School, New School Building, Exterior Elevations, Sheet A4, prepared by Bossardt, April 8, 2011
 - kk. Southwest Christian High School, New School Building, Exterior Elevations, Sheet A5, prepared by Bossardt, April 8, 2011
 - ll. Southwest Christian High School, New School Building, Exterior Elevations, Sheet A6, prepared by Bossardt, April 8, 2011
 - mm. Site, Landscape and Utility Plan Overlay, Sheet L0.0, prepared by Tushie Montgomery Architects, April 11, 2011
2. Approval of a Conditional Use Permit to allow construction of a school on a site greater than 10 acres in size in an R-1 zone district.
 3. Applicant shall meet the requirements of the City Engineer's memo dated April 26, 2011, including the provision of a traffic study and the provision of left and right turn lanes on Bavaria Road.
 4. Revision of the cul-de-sac of White Oak Drive in the Preliminary Plat to include the redistribution of the property so that the public Right-of-Way is located only in the cul-de-sac.
 5. Modification of the Site Plan to include that any proposed fence be constructed of a high quality material, to be approved by the Planning Director.
 6. Provision of a fence detail prior to Final Site/Building plan approval.
 7. Coordination with the City Engineer with regard to the design of the cul-de-sac on White Oak Drive.
 8. Modification of the Site Plan to include of the location of the "future gym expansion", not to conflict with any site details including the fire access or the stormwater ponding area.
 9. Submittal of a colored west elevation.
 10. Submittal of a sign permit application for all proposed signage.
 11. Provision of building elevations for all future building additions to be submitted prior to Final Site/Building Plan approval.
 12. Submittal of specification sheets and cross-sections for all proposed retaining walls.
 13. Submittal of photometrics measurements for the area to the east of the proposed football complex that demonstrates the impact of the complex lighting on adjacent residential.
 14. Submittal of a specification sheet for the proposed lighting at the future football complex.
 15. The school shall not allow the enrollment to exceed 600 students.
 16. No parking associated with Southwest Christian High School or associated events may occur on White Oak Drive, Groves Drive or any other adjacent public Right-of-Way.
 17. Confirmation of the size of the trees proposed along the eastern edge of the site.

18. Revision of the Landscape Plan to include augmentation of the landscaping along the western edge of the White Oaks Drive cul-de-sac, to include 8, 10 and 12 feet tall Black Hills Spruce trees planted 12 inches on center.
19. Provision of irrigation for the landscaped and sodded areas of the site.
20. Revision of the Tree Preservation Plan to include saving tree #101 by not grading within the limits of the crowns of the trees.
21. Submission of a Final Wetland Delineation Report.
22. The applicant shall enter into an agreement with the City to reconstruct the section of Bavaria Road adjacent to the school to accommodate dedicated left and right turn lanes at the school access, as well as a potential traffic signal.
23. Modification of the Site Plan to include stormwater access for maintenance, to be coordinated with the City Engineer.
24. Payment of park dedication fee.
25. Any fence used on the east side of the site shall be consistent with other decorative fences used on the site.
26. Construction vehicles shall use Bavaria Road only.
27. Exterior building materials shall be consistent with the exterior building materials of other schools in Chaska.

Motion carried.

8. Public Hearing: Approve Revised Concept Plan, Preliminary Plat & Preliminary Site/Building Plans for Creeks Run Townhomes at Yellow Brick Road North of Clayhole Lake and South of Crosstown Boulevard

PC. No. 11-11/09-05/Everwood Development

The City Planner presented the item to the Commissioner.

Commissioner Keyport asked if the units had decks off the back.

Ryan Seilber of Everwood Development, the applicant, stated that they would not have decks, but they would have ground level patios.

Commissioner Ashley asked about tree removal.

The City Planner stated that the tree removal was consistent with the approved concept plan and that the trees to be removed are pioneer vegetation (Elms, Cottonwoods, etc.).

Chairperson Young asked the applicant to beef up the foundation landscape plan.

The Public Hearing was opened at 9:37 pm.

No one appeared before the Commission.

The Public Hearing was closed at 9:38 pm.

Motion by Commissioner Huang, second by Commissioner Ashley to recommend approval of the Revised Concept Plan and Preliminary Site/Building Plans for Creek's Run Townhomes and the Preliminary Plat for The Klein Brickyard Tenth Addition, subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:
 - a. Project Narrative
 - b. Drainage Report, Creek's Run Townhomes, Prepared by Alliant Engineering, dated April 5, 2011
 - c. Colored Rendering, Creek's Run Townhomes – View from Yellow Brick Road (facing south), Prepared by Kaas Wilson Architects, dated April 5, 2011
 - d. Creek's Run Townhomes [bedroom layout], Sheet A120, Prepared by Kaas Wilson Architects, dated April 5, 2011
 - e. Creek's Run Townhomes Unit Plans, Sheet A450, Prepared by Kaas Wilson Architects, dated April 5, 2011
 - f. Creek's Run Townhomes Exterior Elevations, Sheet A500, Prepared by Kaas Wilson Architects, dated April 5, 2011
 - g. Creek's Run Townhomes Exterior Elevations, Sheet A501, Prepared by Kaas Wilson Architects, dated April 5, 2011
 - h. Creek's Run Townhomes Exterior Material Selections, Prepared by Kaas Wilson Architects, dated April 5, 2011
 - i. Creek's Run Townhomes Cover Sheet, Sheet C-0, Sheet 1 of 10, Prepared by Alliant Engineering, dated April 5, 2011
 - j. Creek's Run Townhomes Existing Conditions Survey, Sheet C-1, Sheet 2 of 10, Prepared by Alliant Engineering, dated April 5, 2011
 - k. Creek's Run Townhomes Preliminary Plat, Sheet C-2, Sheet 3 of 10, Prepared by Alliant Engineering, dated April 5, 2011
 - l. Creek's Run Townhomes Site and Signage Plan, Sheet C-3, Sheet 4 of 10, Prepared by Alliant Engineering, dated April 5, 2011
 - m. Creek's Run Townhomes Grading and Erosion Control Plan, Sheet C-4, Sheet 5 of 10, Prepared by Alliant Engineering, dated April 5, 2011
 - n. Creek's Run Townhomes Storm Sewer Plan, Sheet C-5, Sheet 6 of 10, Prepared by Alliant Engineering, dated April 5, 2011
 - o. Creek's Run Townhomes Sanitary Sewer and Water Main Plan, Sheet C-6, Sheet 7 of 10, Prepared by Alliant Engineering, dated April 5, 2011
 - p. Tree Preservation Plan, Sheet C-7, Prepared by Alliant Engineering, dated April 5, 2011
 - q. Tree Preservation Plan, Sheet C-8, Prepared by Alliant Engineering, dated April 5, 2011
 - r. Creek's Run Townhomes Landscape Plan, Sheet L-1, Sheet 9 of 10, Prepared by Alliant Engineering, dated April 5, 2011
 - s. Creek's Run Townhomes Landscape Plan, Sheet L-2, Sheet 10 of 10, Prepared by Alliant Engineering, dated April 5, 2011
2. Adherence to the City Engineer's memo dated April 27, 2011.
3. Approval of the existing drainage and utility easement vacation on the southwest corner of the site.
4. Provision of a material board.
5. Completion of the internal trail connection to the City trail in the first phase.

6. Provision of elevations of the community center, including the addition of a patio on the rear of the structure.

Motion carried.

9. Public Hearing: Approve Conditional Use Permit for Cell tower Extension at 1068 Walnut Court

PC. No. 11-07/Verizon Wireless

The City Planner presented the item to the Commission.

The Public Hearing was opened at 9:47 pm.

Greg Ohnsorg, who owns the property east of the subject property, asked about the fall zone of the tower, the structural report for the tower, and replacement of dead vegetation.

Dave Fischer of Buell Consulting, representing Verizon Wireless, described the fall out zone of the tower, commenting that the structural report for the tower would be approved as part of the building permit. He also noted that they were replacing the dead vegetation.

The Public Hearing was closed at 9:54 pm.

Motion by Commissioner Personius, second by Commissioner Keyport to recommend approval of the Conditional Use Permit for 20 feet total cell tower extension (15 feet tower extension plus a 5 feet lighting rod) on the existing cell tower located at 1068 Walnut Court, subject to the following conditions:

1. Approval shall be based on the following exhibits:
 - a. Structural Analysis Report, submitted by Crown Castle, dated March 24, 2011
 - b. MINC Cartway – Coverage Map Without Site, submitted by Verizon Wireless, undated
 - c. MINC Cartway – Coverage Map with antennas @ 135' AGL, submitted by Verizon Wireless, undated
 - d. Photograph of the proposed accessory structure, undated
 - e. Verizon Wireless Justification for MINC Cartway Tower Extension Request, submitted by Verizon Wireless, undated
 - f. Project Narrative, submitted by Buell Consulting on behalf of Verizon Wireless, dated April 5, 2011
 - g. Verizon Wireless MINC Cartway Title Sheet, Sheet T-1, submitted by Design 1, dated April 1, 2011
 - h. Verizon Wireless MINC Cartway Site Plan, Sheet A-1, submitted by Design 1, dated April 1, 2011
 - i. Verizon Wireless MINC Cartway Enlarged Site Plan, Sheet A-2, submitted by Design 1, dated April 1, 2011
 - j. Verizon Wireless MINC Cartway Tower Elevation, Sheet A-3, submitted by Design 1, dated March 25, 2011
 - k. Verizon Wireless MINC Cartway Landscape Plan, Sheet L-1, submitted by Design 1, dated April 1, 2011
 - l. Survey for MINC Cartway, submitted by Sunde Land Surveying, dated March 28, 2011

- m. Verizon Wireless MINC Cartway Shelter Elevations, submitted by Design 1, dated March 25, 2011
 2. Coordination with the City and the private utility owner with regard to the potential relocation and/or utility sleeving that is required.
 3. Approval of a building permit.
 4. Coordination with the City for a new ground lease for the proposed accessory building and tower extension.
 5. Coordination with the City for an access easement to the proposed accessory building.
- Motion carried.

10. Public Hearing: Approve Conditional Use Permit for Lodging in the C-3 Downtown Commercial Zone District at 314 Walnut Street-Klein Mansion
PC No. 11-05/Jason Vanderscoff – Five Star Recovery
The City Planner presented the item to the Commission.

A letter of recommendation was received from Pastor Mike Eder of the Moravian Church.

The Public Hearing was opened at 10:19 pm.

No one appeared before the Commission.

The Public Hearing was closed at 10:20 pm.

Commissioner Ashley inquired whether the property was on the historical register.

The City Planner said it is.

Commissioner Huang asked if the HPC controls interior and exterior changes to the building.

The City Planner stated it is the exterior only.

Ben Palmby of Five Star Recovery, the applicant, gave the Planning Commission a presentation on the history of Five Star Recovery and the proposed use of the Peacock Inn.

The Commission expressed doubts about the project and its repercussions for the downtown area.

Motion by Commissioner Keyport, second by Chairperson Young to recommend approval of a Conditional Use Permit for a residential facility at 314 Walnut Street North (C.H. Klein Mansion), subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:
 - a. Project Narrative, Pages 1-2, written by Jason Vanderscoff, undated
 - b. Fire Exit and Storm Shelter Routes, Pages 1-3
2. 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.
3. The building will house a maximum of 9 people.

4. Outdoor storage of any kind will not be permitted.
5. Compliance with 14.74 of the Zoning Ordinance, requirements for a Conditional Use Permit.

Motion failed 5-2 (Commissioners Huang, Broback, Ashley, Personius, Hughes voting nay), based on the following rationale:

- It appears the City of Chaska is becoming a regional treatment center for treatment of alcohol and drug addiction and that these uses should be allocated more fairly in to adjacent communities.
- This type of use does not fit into the goals and objectives of the Downtown Master Plan.
- The revitalization of retail is major goal of the Downtown Master Plan and the proposed use would not necessarily facilitate that goal.
- This property is prime real estate on City Square Park and a key area for revitalization.
- The utilization of a historic residential building for this use is not appropriate.

11. Public Hearing: Approve Amendment of Sections 9.6, 9.9, 9.11, and 9.27 of the Zoning Ordinance

PC No. 11-12/City of Chaska

The Planning Director presented the item to the Commission.

Commissioner Keyport inquired about any significant changes since the last version.

The Planning Director said there were landscaping changes made due to the comments of the Planning Commissioner.

Commissioner Hughes asked about invasive materials and whether they were mentioned in the ordinance.

The Planning Director stated there is already a section in the current ordinance regarding noxious weeds and materials.

Commissioner Ashley asked if her recommendations could be incorporated into the ordinance that she had sent via email today.

The Planning Director said they could.

The Public Hearing was opened at 10:45 pm.

No one appeared before the Commission.

The Public Hearing was closed at 10:45 pm.

Motion by Commissioner Broback, second by Commissioner Ashley to recommend approval of the Zoning Ordinance Amendment that would change sections 9.6 – Landscaping and Screening, 9.9 – Additional Setbacks, 9.11 Building Design and Materials, 9.27 – Parking Ramps of the Zoning Ordinance to read as attached in Ordinance No. 849 and modifications to the

Concept and Preliminary Site and Building Plan applications.
Motion carried.

12. Other Business

There was no Other Business.

13. Adjourn

Motion by Commissioner Ashley, second by Commissioner Broback to adjourn the meeting at 10:50 pm.

Motion carried.