

**CHASKA PLANNING COMMISSION  
MINUTES  
FEBRUARY 10, 2010**

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 Miller, Huang, Kasper, Broback, Personius, and Chairperson Young.

Members absent: Commissioners Hewitt, Ashley, and Keyport.  
Commissioner Ashley arrived at 7:12 pm.

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

3. Adopt the Agenda

Motion by Commissioner Broback, 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 Kasper, second by Commissioner Broback to approve the minutes of the January 13, 2010 Planning Commission meeting.

Motion carried.

6. Consent Agenda

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

- a) Receive the minutes of the January 25 and February 1, 2010 City Council meetings

Motion carried.

7. Public Hearing: Approve Conditional Use Permit for a House Move from 3910 Bavaria Road to 2490 Schneider Court

PC. No. 10-01/Ron Olson

The City Planner presented the item to the Commission.

Commissioner Ashley arrived at 7:12 pm.

Commissioner Ashley inquired about the five foot setback in the neighborhood.

Commissioner Huang asked if the house would be used as a homestead or investment.

Commissioner Broback asked if the style of the house was contemplated when the neighborhood was planned.

Planning Director Ringwald stated that the neighborhood was designed to accommodate a variety of home styles.

Commissioner Broback inquired about the vacant homes in the area.

The Planning Director said issues about vacant homes are coordinated between the various City departments.

The Public Hearing was opened at 7:15 pm.

Bradley Pierce of 2486 Schneider Court appeared before the Commission to express his opposition to the project and presented a petition signed by the neighborhood residents in opposition to the proposed project.

Nate Bostrom of 2743 Faulkner Drive, and also a member of the Jonathan Association Board, noted several items to consider, including that it would be the first villa style home in the Clover Ridge neighborhood, it was built with a different neighborhood in mind, and inquired whether a buyer has been identified yet or whether it would sit empty for a period of time.

Commissioner Kasper inquired whether the Jonathan Association has an architectural committee.

Mr. Bostrom said they do, but the item had not yet been reviewed by the architectural committee yet.

Commissioner Young stated that action had been taken on the previous evening and what would that mean moving forward?

Mr. Bostrom said the proposal came in front of the Board and they quickly agreed to come to the Planning meeting tonight to support the neighbors.

A resident of 11225 Hutchins Court, who is also a member of the Jonathan Board, stated that the covenants do not allow the proposed house on the lot in question.

Commissioner Broback asked if the architectural review committee does not approve the house move, would that affect the City approvals?

The Planning Director said the building permit can still be approved through the City because both entities are separate. It would be the prerogative of the Jonathan Association to pursue the matter with the property owner.

Commissioner Miller explained that the style and taste of the homes as outlined in the Jonathan documents is subject to the Board's opinion.

Walt Ripplinger of 549 Saxony Court, a member of the Jonathan Association Board, appeared before the Commission to state that he agreed with the previous speakers. He felt the house would not fit into the neighborhood and voiced several concerns supporting his belief.

Stacy Elman of 2477 Schneider Court appeared before the Commission to express concerns about the look and proximity of the house to the wetlands.

Kelly Cutter, of 2507 Schneider Court, appeared before the Commission to state that she did not feel the house would fit into the neighborhood scheme.

A resident of 2483 Schneider Court appeared before the Commission to express concerns about property values and the proximity to the wetland.

The Public Hearing was closed at 8:10 pm.

The Commission requested that Ron Olson appear before the Commission to answer questions.

Commissioner Broback asked Olson about the history of the house and the decision to place it on this particular lot.

Ron Olson said the plan is to sell the house once it has been moved. It was previously a pre-sold home with smoke damage.

Chairperson Young inquired about the height and value of the home after completion.

Olson stated it would be of a similar height to neighboring homes and would have an estimated value of \$450,000 according to two realtor he had consulted with.

Commissioner Huang inquired about a change of location.

Olson said he needed a lot that could accommodate a walk out home.

Commissioner Ashley inquired about the nearby wetland.

Olson stated the house will be set back from the wetland and the basement will not be any lower than the neighboring houses.

Commissioner Broback asked Olson how many other lots he had looked at.

Olson said he had looked at another lot in Clover Ridge and one in Victoria.

Commissioner Ashley asked Olson what would happen if he could not sell the house.

Olson explained that he would lower the price until it sold.

Commissioner Huang asked if he had an estimate of the repair work and the return on his investment.

Olson said he did not have one at this point, but his goal was to sell the house as soon as possible. He also stated that he has liability coverage for workers on the house.

Commissioner Personius said she had observed a house across the street very similar to this one and that it extends farther than the other houses on the block.

Commissioner Miller stated that he thought it was a nice home with similar amenities to the neighborhood.

Commissioner Broback agreed that the house is nice looking but had concerns about moving it into an existing fully developed neighborhood.

Chairperson Young said the house meets the required criteria, just as a new construction would.

Commissioner Kasper said the house appears as a two-story and we want diversity in the housing and the applicant is motivated to sell the property.

Commissioner Broback wanted to go on record as stating that this is bad public policy to move a house from a struggling neighborhood to an established neighborhood, particularly when there are numerous lots available in Chevalle.

Commissioner Ashley agreed with Commissioner Broback.

Commissioner Huang had concerns of the impact of the sale of a smoke damaged home and the high cost of renovation and the economic impact of the potentially vacant home.

Motion by Commissioner Miller, second by Commissioner Kasper to approve the Conditional Use Permit for moving a single-family residential house from 3910 Bavaria Road to 2490 Schneider Court, subject to the following conditions:

1. Approvals shall be based on the following graphic exhibits:
  - A. Survey for 2490 Schneider Court, undated
  - B. Applicant memo to staff, undated
  - C. Map of route house move will take, dated 01-19-10
  - D. Elevations, dated 08-28-08
2. Applicant shall submit a grading plan with permit application.
3. The route of the house move shall be approved by the City.
4. A Conditional Use Permit for the house move shall be obtained in addition to any necessary building permits.
5. Revision of the survey to meet all setbacks as outlined in the body of this report.
6. Submittal of a builder's deposit in the amount of \$50,000 to cover potential damages to City property in relation to the house relocation.
7. The basement of the proposed house at 2490 Schneider Court shall be ready to accept a house, as evaluated by the Building Official, prior to the relocation of the house.

8. Approval of a building permit for 2490 Schneider Court, including a plan for repair of smoke damage acceptable to the Building Official.

Motion passed 4-3. Commissioners Broback, Ashley, and Huang voting nay.

#### 8. Other Business

- ✓ Commissioner Broback congratulated Commissioners Ashley, Young, and Keyport on their re-appointment to the Planning Commission.
- ✓ Commissioner Personius offered congratulations to the new Mayor, Mark Windschitl.
- ✓ Commissioner Huang also offered his congratulations to the Mayor and Commissioner and gave a short update on the downtown master planning process.
- ✓ Commissioner Kasper inquired as to when the old Pauly's Restaurant would be opening. He also said he had been to the new Tommy's Malt Shoppe and thought it was great and always busy.
- ✓ The Planning Director stated the Council had approved the liquor license for the old Pauly's, now Cuzzy's of Chaska, on 02-22-10.
- ✓ Commissioner Miller thanks everyone for their support of the volleyball teams' recent spaghetti dinner.

#### 9. Adjourn

Motion by Commissioner Huang, second by Commissioner Personius to adjourn the meeting at 9:05 pm.

Motion carried.

Motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_,  
to

**BE SURE TO CHANGE DATE!**