

**CHASKA PLANNING COMMISSION  
MINUTES  
JUNE 10, 2009**

1. Call to Order

Chairperson Young called the meeting to order at 7:03 p.m.

2. Roll Call

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

Members absent: Commissioners Kasper and Miller.

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

3. Adopt the Agenda

Motion by Commissioner Broback, second by Commissioner Keyport 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 Personius to approve the minutes of the May 13, 2009 Planning Commission meeting.

Motion carried.

6. Consent Agenda

Motion by Commissioner Broback, second by Commissioner Hewitt to approve the Consent Agenda as follows:

- a) Receive the minutes of the June 1, 2009 City Council meeting.

Motion carried.

7. Brickyard Villas

a. Concept Plan

PC No. 09-05/DDK Construction

The City Planner presented the item to the Commission.

Jan Susse, the owner of Sun Lake Woods and Sun Lake Apartments, appeared before the Commission to comment that he fully supports the single-family residential development on the west side of the Yellow Brick Road but does not want a future fire lane extension. He voiced concern about density and proximity of the proposed apartments and felt that maintaining quality of rental housing is very important.

Dave Wagner of 390 Brickyard Drive, appeared before the Commission to voice his concern regarding construction, possible water pressure issues at the nearby Copperfield Townhomes, and traffic issues, and to say that he enjoys the natural state of the property and its wildlife.

Barb Walker of 1045 Yellow Brick Road also stated that she enjoys the wildlife on the property. She was concerned about the impact of the development on the natural areas and potential traffic. She was opposed to the fire lane extension.

Another resident of the Sun Lake Apartments had concerns regarding the future Fire Lane extension and the impact of the proposed development on area wildlife.

A female resident of the Copperfield Townhomes appeared before the Commission to state that she felt the development would be detrimental to the woods and wildlife in the area.

Dave Pokorney, a representative of the applicant, DDK Construction, appeared before the Commission to further describe the project.

Commissioner Hewitt asked how critical the houses are on Yellow Brick Road.

Pokorney stated that the elimination of the house could be problematic and that he is working on a redesign of the units along Yellow Brick Road to address staff's concerns by clustering the units.

Commissioner Keyport asked for clarification on which units will have porches and how they would meet the requirements. He also asked for further explanation on traffic issues and whether Yellow Brick Road would have a future stoplight.

Pokorney said the City needs to add a fire lane extension and eventually there would potentially be a signal at Highway 61/Chaska Boulevard (old Highway 212) and the fire lane. It would be difficult to install a signal at Yellow Brick Road due to the proximity of other signals at Walnut and Chestnut Streets.

Chairperson Young asked if the apartments were located in the only buildable area east of Yellow Brick Road.

Pokorney said they were.

Commissioner Broback asked about the City-owned parcel to the north of the proposed apartments and whether the site would be more suitable for them.

The City Engineer stated the soils are not good on the City-owned property. He also commented that the layout of the apartments fits well with the soils at this point in time.

Commissioner Hewitt asked Dave Pokorney, who was representing the application, how he felt about the staff recommendation of further review and redesign of the cul de sac area.

Pokorney stated they are willing to look at a re-design, including a private street, and they want to look at all possibilities. He stated they also want to ensure that the units along Highway 41 are set down and far enough away to avoid noise impacts. He stated that potential grading of MnDOT's right of way would help immensely.

Commissioner Ashley inquired about the overstory canopy exhibit and whether it was existing canopy or the proposed canopy.

Pokorney replied the exhibit represents existing conditions on the site.

Commissioner Hewitt asked about the types of trees that will be removed for the road.

The Planning Director stated they are primarily Cottonwood and Box Elder.

Commissioner Ashley asked if the trees were different where the apartments are shown on the east side of Yellow Brick Road.

Pokorney said they are the same type. The real variety of trees is located on the bluffs near the wetlands.

Chairperson Young asked if there is a way to protect some existing trees along the roadway to create a good tree canopy and sense of place in the neighborhood.

Pokorney said the shared driveways may provide this opportunity and this will remain a goal during development.

Chairperson Young asked the City Engineer to explain the fire lane extension and traffic concerns.

The City Engineer stated the fire lane currently ends at East Creek. He explained that it is important to get this road platted with this project. The development will not push a fire lane through but eventual redevelopment on Chaska Boulevard could trigger its construction. He concluded by saying that the Fire Lane extension would be a future discussion.

A resident of 1045 Yellow Brick Road asked how long the development would take to build.

Pokorney said it would be 3-6 years, with 6-10 single-family homes built per year.

Commissioner Keyport said he would like to see the trail extension and the reduction of density in the area.

Commissioner Hewitt said he felt there are more positives than negatives to the plan and he liked less density. He also like that the units are not facing each other, the trail connections, and that the applicant is using a portion of the existing roadway. He asked how City Staff felt regarding elimination of lots along Yellow Brick Road.

The Planning Director explained that Staff would like to see a logical placement of lots and the applicant will be re-working these lots. Staff will review if there is a way to cluster houses in a way that fits into the site.

Commissioner Personius asked if the park area would have a parking lot.

The Planning Director stated the area would be a neighborhood park, not a programmed space like nearby Lions Park, and therefore would not have a parking lot.

Commissioner Ashley said she struggled with the concept, especially along the east side of Yellow Brick Road. She likes the house design on the west side but would like to see lower density. She stated she could not support development of the east side of the site and she had concerns about proximity of the fire extension to Sun Lake apartments.

Commissioner Broback said we cannot prevent landowners from developing land and that the density has been reduced greatly from the previous concepts for the property. He looked at this concept plan as a sort of miracle because instead, multiple apartment buildings could have been proposed for this area. In the future though he would like more information regarding soils, traffic, wetlands etc.

Commissioner Ashley said she was not against the whole concept, but that she opposed the development of the east side of Yellow Brick Road.

Commissioner Hewitt asked the Planning Director if the Commission should be firming up the language in the conditions to ensure certain results in the preliminary plan.

The Planning Director invited the Commission to make any changes it felt appropriate in the conditions.

Commissioner Ashley supported modifying Condition No. 12 to include the elimination of Lots 1, 2, and 3.

Commissioner Hewitt said he would support the modification.

Commissioner Broback hesitated eliminating the possibility of lots at this point but also concluded that eliminating those lots would give the community better access to the park.

Commissioner Personius agreed that with the inclusion of Lots 1, 2 and 3 along Yellow Brick Road, access to the park would be difficult.

The Planning Director suggested instead adding language to the condition that the developer be allowed to work out a solution to those lots while at the same time improve access to the park.

Pokorney said they were willing to look at improving access to the park from Yellow Brick Road.

Motion by Commissioner Broback, second by Commissioner Hewitt to amend Condition #12 to say, "Review of all lots that access Yellow Brick Road to focus on clustering of said lots and the also the enhancement of the access from Yellow Brick Road to the park."

Motion carried.

Motion by Commissioner Personius, second by Commissioner Hewitt to approve the Brickyard Villas Concept Plan, subject to the following conditions, as amended:

1. Approvals shall be based on the following graphic exhibits:
  - a. Narrative, Community Asset Development Group, undated
  - b. Typical Brickyard Villa Plan
  - c. Concept Development Plan, Brickyard Villas, prepared by Ernst Associates, dated 05.15.09
  - d. Pond Setback exhibit, Brickyard Villas, prepared by Ernst Associates, dated 05.15.09
  - e. Overstory Street Canopy exhibit, Brickyard Villas, prepared by Ernst Associates, dated 05.15.09
  - f. Brickyard Villas – East, as prepared by City of Chaska
  - g. Brickyard Villas – West, as prepared by City of Chaska
  - h. Brickyard Villas – Overview, as prepared by City of Chaska
  - i. Location Map, as prepared by the City of Chaska
2. Provision of a final wetland delineation report.
3. Provision of a soils report and, if determined as required by the report, subsequent soils correction.
4. Adherence to the City Engineer's memo dated June 5, 2009.
5. Adherence to the City of Chaska Boulevard Trees policy.
6. Elimination of the partial apartment building shown to the immediate north of the future Fire Lane extension.
7. Provision of the Right-of-Way for the future Fire Lane extension during the platting process.
8. Provision of a trail connection from Highway 41 to the north side of Clayhole Lake as well a trail connection to Yellow Brick Road and the future Fire Lane extension.
9. Provision of a pedestrian connection from the sidewalks within the development to the trail system around Clayhole Lake, as approved by the Director of Public Works and the Director of Planning and Development.
10. Provision of sidewalks on both sides of the street.
11. Provision of a crosswalk across Yellow Brick Road to the future Fire Lane extension.
12. ~~Elimination of the four detached single family lots on the east side of Yellow Brick Road.~~ Review of all lots that access Yellow Brick Road to focus on clustering of said lots and also the enhancement of the access from Yellow Brick Road to the park.
13. Further study and analysis in cooperation with staff on the feasibility of the lots closest to the end of the cul-de-sac with the emphasis on slope stability, erosion control and trail locations.
14. Further study in consultation with the City Engineer regarding the safety and feasibility of the private driveway access provided to Lots 1, 2 and 3, as shown off Yellow Brick Road.
15. Elimination of Lot 30 or 31.
16. 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.

17. The following ratios are to be used with respect to the positioning of the garage on all single-family lots, except those zoned RR-2:
    - 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 porch; and
    - b. No garage shall protrude in excess of six feet beyond the front wall of the house, including a substantial porch, or side-load garages on lots that are wide enough to support such garage. Except, for walkout ramblers, where no garage shall protrude in excess of twelve feet beyond the front wall of the house, excluding the porch.
    - c. Substantial front porch shall be: unenclosed; have a minimum depth of 8 feet; extend across 50 percent of the front of house, excluding garage; and be located adjacent to the garage.
    - d. 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.
  18. Garage walls shall not exceed 50 percent of the length of the front wall of the house. 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.
  19. 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 or across from open spaces, as identified by staff in the review of the application.
  20. Sanitary Sewer and water supply shall be coordinated with the City Engineer and the Water & Sewer Supervisor.
  21. Provision of a phasing plan.
  22. Provision of a temporary turn-around, to be included in the first phase of the development, as approved by the City Engineer and the Fire Marshall.
  23. Further evaluation of wetland areas and steep slopes with regard to minimizing impact of these areas, as identified in the body of this report.
- Motion carried 5-1 (Ashley).

#### 8. Other Business

- Commissioner Hewitt asked about construction near Fireman's Park and the Planning Director stated the developer still needs a preliminary plan approved.
- Commissioner Hewitt asked about the status of Chaska Farm and Garden and was told by the Planning Director that the item will be on the Planning Commission agenda in July.

- Commissioner Hewitt inquired whether there had been much public concern over the wind turbine installation. The Planning Director said most comments came from the Clover Ridge neighborhood.
- Commissioner Ashley inquired whether there would be complimentary tickets for the upcoming PGA Championship. The Planning Director said details were still being worked out, but it is anticipated that there would a Commissioner appreciation day during the PGA.

9. Adjourn

Motion by Commissioner Hewitt, second by Commissioner Broback to adjourn the meeting at 9:25 pm.

Motion carried.