

**CHASKA PLANNING COMMISSION
MINUTES
OCTOBER 12, 2011**

1. Call to Order

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

2. Roll Call

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

Members absent: Commissioners Broback and Hughes.

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

3. Adopt the Agenda

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

Motion carried.

4. Visitor Presentation

No one appeared under Visitor Presentation.

5. Minutes

Motion by Commissioner Keyport, second by Commissioner Ashley to approve the minutes of the August 10, 2011 Planning Commission meeting.

Motion carried.

6. Consent Agenda

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

- a) Receive the minutes of the September 12, 19, and October 3, 2011 City Council meetings
- b) Receive the minutes of the September 12 and 19, 2011 EDA meetings
- c) Approve Chevalle 12th Addition Final Plat
Chevalle Development Company/PC No. 11-22

Motion to recommend approval to the City Council of the Final Plat for Chevalle 12th Addition, subject to the following conditions:

1. Final Plat of Chevalle 12th Addition shall be substantially consistent with the aforementioned staff report and the following exhibits:
 - a. Final Plat, prepared by Stonebrooke Engineering, undated
 - b. Preliminary Plat, Grading & Utility Plans, dated 5-15-07
 - c. Lot Size plan
 - d. Landscape Plan, dated 5-15-07
 - e. Outlot/Easement Summary, dated 6-4-07

2. 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.
3. 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 do not protrude forward of the front wall of the house, or be sideloaded; 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; and
 - c. Substantial front porch shall be: unenclosed; have a minimum depth of 8 feet; and extend across 50 percent of the front of house.
 - 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; and not be adjacent nor directly across the street from other side loaded garages.
4. 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 comply with all 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 six feet; and
 - d. Maximum width of the garage shall be 32 feet.
5. With the addition of a pre-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 3a) has been eliminated.
 - b. Item 3c) 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 a pre-approved substantial architectural feature (i.e. a turret) that prevents the front porch from reaching the full 50 percent.
 - c. Item 4c) has been eliminated.
 - d. In addition, premium color packages (#1-#10 as approved) shall not be built next to one another on either side, nor directly across the street from one another.

- 6.360-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.
- 7.The Final Grading/Drainage and Utility Plans shall reflect direction provided by the City Engineer in the course of his review.
- 8.Provision of the necessary easements and right's-of-way as required by the City Engineer in the course of his review.
- 9.Provision of maintenance trails to the inflows and outflows of the drainage ponds for maintenance purposes.
- 10.All necessary site improvements are constructed by the developer in accordance with the requirements of the City Engineer as determined in his review.
- 11.Adherence to the City Boulevard Tree Policy, including the provision of boulevard trees generally every 50 feet within a seven-foot wide boulevard along the right-of-way.
- 12.Provision of sidewalks on both sides of all public streets.
- 13.Full installation of the Chevalle 3rd Addition Landscape Plan, dated May 15, 2007.
- 14.Outlot A shall be deeded to the Homeowners Association for drainage and maintenance purposes.

Motion carried.

7. Public Hearing: Approve Conditional Use Permit and Lot Split for the West Creek Corporate Center Substation

The City of Chaska/PC No. 11-21

Melissa Duchinsky, the City Planner, presented the item to the Commission.

Dan Geiger, the Electrical Director, presented additional material to the Commission.

Commissioner Personius inquired about the noise level of the substation.

The Electrical Director stated the standard decibel limit is 70, with the decibels being in the 40-50 rate at the edge of the fence on the property.

Commissioner Keyport asked if there is a water management issue.

The Electrical Director stated that the grading plan has the water run-off going into the existing stormwater pond.

Commissioner Miller stated that more trees of a wider variety would be desirable. He also inquired about safety issues. The Electrical Director said more trees could be added and that the area would be completely fenced and locked at all times.

The Public Hearing was opened at 7:23 pm.

Steve Kelzer, property owner of the site and surrounding farmland, stated he would like to see that the existing drain tiles are preserved.

Michael Gilbertson, of 1959 Schoolmaster Drive, expressed concern that the houses in their neighborhood are higher in elevation than the substation and trees, and also had safety

concerns regarding electron emissions. Gilbertson was also concerned about residential property values, power outages, and water quality issues, and suggested the possibility of having the substation along Engler Boulevard.

Joel Bothof of 1967 Schoolmaster Drive stated he was unaware of a nearby substation and commented on residents' perception of safety.

Marie Vossberg of 2601 Clover Field Circle asked whether any alternative locations had been considered for the substation. She commented that substations are usually built near a roadway and asked why this one is near a residential neighborhood, expressing concerns over property values and environmental concerns.

Ellen Carlson of 2019 Schoolmaster Drive inquired about the timeline of the project and how many other substations are near a residential neighborhood and whether alternative locations had been considered.

Brian Cameron of 2619 Clover Field Circle asked if it is possible to have a substation housed instead of out in the open.

Doug Boorstra of 2602 Clover Field Circle asked why the project could not be located on the south side of Engler and expressed concerns of ill health due to electromagnetic radiation.

Ruth Ivesdal of 1965 Schoolmaster Drive appeared before the Commission to advise that she lives directly north of the proposed substation and was worried about her view, as well as safety.

Jason Valiga of 1961 Schoolmaster Drive expressed concerns over property values, landscaping and screening of the project, long-term health effects, and whether other sites had been considered.

The Public Hearing was closed at 7:44 pm.

Dan Geiger, the Electrical Director addressed the Commission and stated that five different sites had been researched for the project. The substation needs to be as close to United Health Group as possible. Electric utility boundaries are just west of the proposed substation. South of Engler is served by another utility. Geographical boundaries and health concerns had been considered. Xcel had provided literature regarding the electromagnetic field. He further stated that air is the best insulation for a substation, versus enclosing it, with safer electric loads near residential areas. He cited the Shakopee substation as an example of being located near a residential area.

Commissioner Keyport inquired whether the screening of the site is the norm.

The Electrical Director stated the more natural vegetation, the better.

Commissioner Huang asked if berming around the substation was an option.

Dan Geiger said berming becomes a stormwater issue.

Commissioner Huang inquired whether there would be an effect on property values in the neighborhood and asked about loads and distances.

The Electrical Director said he had no information on the relationship to property values, and that the system planning shows improvements are needed in this area of Chaska.

Commissioner Keyport asked the Planning Director to address the drain tile issue regarding the Kelzer farm.

The Planning Director said it just needs to be coordinated with Steve Kelzer.

Commissioner Young asked the Planning Director to explain the future westward expansion of Clover Field Circle.

The Planning Director said it is to the west of Clover Field Circle and at least ¼ mile from the substation with a berm of 300 feet of greenspace will buffer it from the development to the south.

Commissioner Ashley asked about the timeline for industrial growth in the area.

Kevin Ringwald said the land is available now and he sees the property developing within the next seven years. The infrastructure is there and it is an easy extension to the Kelzer property.

Commissioner Keyport asked the Planning Director if there are any issues with additional screening of the project, and was advised there is sufficient room on the north and east sides for additional screening.

Commissioner Miller asked if the landscaping could be designed to look more natural and native to the area, with more deciduous trees and shrubs.

Commissioner Huang commented that he felt berming was important for future uses to the north and that the project should be fit in as best as possible.

Commissioner Keyport stated that United Health Group had always been shown as a large electrical user, so this should not be a surprise. Increased reliability of the project would be a good thing though and additional landscaping and screening to the north.

Commissioner Hewitt felt there is not a better alternative, and that providing improved electric service is a positive thing.

Commissioner Ashley asked if it would be possible to add more landscaping closer to the residential area.

The Planning Director stated that Steve Kelzer is still farming nearby land but extra screening could be added to the substation site.

Commissioner Miller left the meeting at 8:30 pm.

Motion by Commissioner Keyport, second by Commissioner Huang to add Condition No. 4 to the Conditional Use Permit to include the addition of overstory and understory deciduous trees and shrubs, including native species, and the installation of a berm on the north side of the substation.

Motion carried.

Motion by Commissioner Keyport, second by Commissioner Hewitt to approve the Conditional Use Permit and Lot Split in order to construct the West Creek Corporate Center substation, subject the following conditions:

1. Approvals shall be based on the following graphic exhibits:
 - a. Project Narrative, prepared by the City of Chaska Electric Department, dated 09/06/2011
 - b. Landscape Plan, prepared by Bonestroo, undated
 - c. Site Plan, prepared by Bonestroo, undated
 - d. Profile A-A, prepared by Power Engineering Inc., dated 04/01/2011
 - e. West Creek Substation Site Lot Split, prepared by Bonestroo, dated 09/16/2011
 - f. Typical 115kV Substation Design
 - g. Existing Conditions, prepared by Bonestroo, dated 08/22/2011
 - h. Conceptual Layout, dated 09/01/2011
2. Pavement of the proposed access road.
3. Any onsite lighting shall be designed and installed so that the light source is fully concealed.

Motion carried.

8. Public Hearing: Approve Conditional Use Permit to Construct an Earthen Berm on the South Side of Athletic Park Ballfield for Flood Protection Purposes
The City of Chaska/PC No. 11-20

The City Planner presented the item to the Commission.

Commissioner Keyport inquired about the impact of the berm on the view.

The City Planner stated that this was looked at very carefully to have the least impact possible.

Commissioner Huang asked if the portion of the berm in the right field took out any of the trees.

The City Planner said that no, the sightline would be the 8-foot berm with trees behind it.

Tim Wiebe, the Public Works Director, appeared before the Commission to explain the berm and the public benefit it would provide.

More Commissioners _____

The Public Hearing was opened at 8:50 pm.

No one appeared before the Commission.

The Public Hearing was closed at 8:51 pm.

Motion by Commissioner Personius, second by Commissioner Huang to recommend approval of the Conditional Use Permit to construct an 8-foot berm on the south side of the Athletic Park ballfield for flood mitigation purposes, subject to the following conditions:

1. Approvals shall be based on the following exhibits:
 - a. City of Chaska memo from Bill Monk (City Engineer) to Kevin Ringwald (Director of Planning & Development, dated September 14, 2011; and
 - b. Preliminary Berm Layout, created by Bonestroo, dated August 2011.

Motion carried.

9. Approve Final Site & Building Plans for Chaska Building Center Redevelopment Chestnut Group/PC No. 11-18

The City Planner presented the item to the Commission.

Commissioner Ashley inquired about changes to the landscape plan and the City Planner explained that more evergreen trees were added to the north edge for screening purposes.

Commissioner Huang asked if there could be a Weocom Sign at the ponding area.

The Planning Director stated the City owns the outlot and can look into the option.

The City Engineer presented information to the Commission regarding storm water and utility issues.

Dave Pokorney, a representative of the applicant, appeared before the Commission to explain the truck turn around, the dust collector system, and how data will be provided to the engineer regarding noise standards. He went over the details of phasing the tearing down of old buildings. He stated they are also still working on an EDA agreement.

The Planning Director stated that he is OK with the conditions of the project but supplemental information is needed for the dust collector, as discussed in meetings with the applicant.

Motion by Commissioner Huang, second by Commissioner Ashley to recommend approval to the City Council of the Final Site/Building Plans for Phase I of the Chaska Building Center, subject to the following conditions:

1. The Final Site/Building Plans of the Chaska Building Center Phase I shall be substantially consistent with the aforementioned staff report and the following exhibits:
 - a. Project Narrative, prepared by Chestnut Group, undated;
 - b. Lighting Specification Sheets;
 - c. Landscape Plan, prepared by BCE Consultants, dated September 25, 2001;
 - d. ATLA/ACSM Land Title Survey, prepared by Demars-Gabriel Land Surveyors, Inc., dated April 1, 1998;
 - e. Existing Conditions/Removal Plan, Sheet 2 of 8, prepared by Broson, LLC, dated July 5, 2010
 - f. Colored Perspectives (from south and northwest), undated;

- g. Site Plan, Sheet C2.0, prepared by BCE Consultants, dated September 25, 2001;
 - h. Removal Plan, Sheet C1.1, prepared by BCE Consultants, dated September 25, 2001;
 - i. Grading Plan, Sheet C3.0, prepared by BCE Consultants, dated August 15, 2011;
 - j. Utility Plan, Sheet C4.0, prepared by BCE Consultants, August 15, 2011;
 - k. New Floor Plan, Sheet A1.2, prepared by 292 Design Group, undated;
 - l. Existing Elevations, Sheet A2.1, prepared by 292 Design Group, dated June 6, 2011; and
 - m. Proposed Elevations, Sheet A2.2, prepared by 292 Design Group, dated June 6, 2011.
2. Provision/modification of any drainage and utility easements as required by the City Engineer in the course of his review.
 3. Provision of easements for the private drives (vehicular cross access easements) and utilities (utility easements) that services these lots, to be recorded with the plat.
 4. Coordination with the City Engineer with regard to utilities, grading and drainage.
 5. Installation of all site lighting at a 0 degree angle with the light source fully concealed.
 6. Provision of a material board.
 7. Utilization of modular brick as a Class I material.
 8. Removal of all exterior storage, structures and other debris from the west side of the site to Fire Lane, prior to the issuance of a building permit for the one 23,600 building to remain.
 9. No exterior storage will be permitted on Lot 1, Outlot A or Outlot B of the Chaska Building Center site.
 10. Revision of the Landscape Plan to include: an irrigation system detail; the addition of 8, 10 and 12 feet evergreen trees along the north side of the property; installation of 3 additional understory trees; installation of 42 additional shrubs; and two separate cross-section drawings at legible scale illustrating the effectiveness of proposed screening for the west side and the north side of the property.
 11. All noise produced by the use of the site shall comply with the State noise regulations.
 12. The dust collector shall be contained within the building.
 13. Approval by Carver County for: the access plan to CSAH 61; accommodation of drainage from the swale along the north side of CSAH 61 to East Creek and placement of a drainage pond across an existing roadway easement; and Right of Way requirements for CSAH 61 prior to recording of the Final Plat.
 14. Provision of the required 50 feet setback from the edge of the top of the creek bank to all buildings and impervious surfaces.
 15. Reduction of the pavement of the parking lot turnaround to preserve the onsite natural tree canopy.
 16. Relocation of the proof of parking on the north side of the site south of the landscape area.
 17. Prior to the commencement of any site work, including the issuance demolition/construction permits, the following items shall be fully complied with: approval of a Final Plat for the overall Chaska Building Center redevelopment project (entire property to Fire Lane); all required City of Chaska (including EDA) agreements shall be executed and recorded; and submission of plans that are fully compliant with Conditions 2, 3, 4, 6, 10, 12, 13, 14, 15 and 16.

Motion carried.

10. Other Business

Commissioner Keyport asked if the City had submitted an RFI to Surley Brewing and was told by the Planning Director that they had done so.

Commissioner Ashley asked if there are regulations governing recreational vehicles in the street. The City Attorney stated he would look into the matter.

Chairperson Young read a comment by Commissioner Miller regarding control of coyotes in the community.

Commissioner Huang reminded everyone to cast their vote for Chaska Athletic Park to obtain grant funds from the Partners in Preservation Facebook competition. He also publicly thanked Ridgeview 212 Medical Center for added additional screening to their property near the neighborhood of Cortina Woods.

Commissioner Personius reminded everyone of the Fire Department Open House on Saturday.

11. Adjourn

Motion by Commissioner Huang, second by Commissioner Keyport to adjourn the meeting at 9:33 pm.

Motion carried.