

WACONIA PLANNING COMMISSION MEETING AGENDA
Thursday, November 7, 2024
6:30PM

1) [Call meeting to order and roll call](#)

Pursuant to due call and notice thereof the regular meeting of Planning Commission of the City of Waconia was called to order by Commissioner Chair Genz. Commissioner Kamerud was absent from the meeting and alternate member Weckman was in attendance.

2) [Adopt Agenda](#)

No change to the agenda.

Motion by Paulsen, seconded by Peterson to adopt the agenda. All in favor voted aye. MOTION CARRIED.

3) [Minutes Approval](#)

3.1 [October 3rd, 2024 Planning Commission Meeting Minutes](#)

[Cover Page](#)

[October 3, 2024 Planning Commission Meeting Minutes.pdf](#)

Motion by Polunc, second by Paulsen to approve the minutes from October 3rd, 2024. All in favor voted aye. MOTION CARRIED.

4) [New Business](#)

4.1 [CONTINUED - Holbrook Preliminary Plat, PUD Zoning Request & Comprehensive Plan Amendment - 9550 Little Avenue, 9780 Little Avenue and 10080 Little Avenue](#)

[Cover Page](#)

[Location Map.pdf](#)

[Holbrook Preliminary Plat.pdf](#)

[TIA Summary Falk Saltire.pdf](#)

[ISD110 Comments_B Gersich.pdf](#)

[Example Ag Use Language.pdf](#)

Braaten reminded the Commission that the Holbrook Preliminary Plat, PUD and Comprehensive Plan Amendment was continued at the October 3rd, 2024 regular meeting. The Commission conducted the public hearing on October 3rd, 2024 and closed the public hearing. The Commissioners requested additional information related to traffic and traffic improvements. Braaten displayed the location of the properties showing future roads, future round-a-bout and a residential development to the south.

Braaten indicated that the packet materials included the following additional information:

- Traffic summary provided by Westwood.
- Comments from the superintendent of Waconia Schools.
- lanage related to agricultural uses in close proximity to residential developments used by the County and the City of Vicotria.

The developer has proposed dedicating the road right of way for the future round about at the intersection of future County Road 92 and County Road 10.

Paulsen wondered about the traffic study. Jake Saulsbury, City Engineer, gave background information regarding this project and stated the corridor study was completed in 2020. The traffic impact analysis is recent.

Paulsen asked about the covenant processes. Discussion followed.

Dean Lotter, Pulte Homes, 1650 West 82 Street West, Bloomington, MN

The HOA covenants are recorded against the land with the plat. Standard disclosures will be added in the records.

Polunc asked questions about the roundabout, and the homes being built before the roundabout. Saulsbury stated that this is both common and reasonable.

Tara Hough, 9014 102nd Street, Waconia, MN 55387

Asked about the timing of the development and the roundabout. Saulsbury response stating the timing of the roundabout is uncertain the county knows it's coming, but it will be synced by the pace of the development.

Cheryl Luce, 9455 102nd Street, Waconia, MN 55387

Questions about timing.

John Zimmerman, Waconia Township

Wondered about the ownership of 102nd and Little Avenue. Braaten stated that the City's intent is to annex the entire segment of Little Avenue from County Road 10 to 102nd Street and it will be improved as a part of this project if the project is approved by the City Council.

Discussion followed regarding including language in the developers agreement related to agricultural uses in close proximity to residential development.

Motion by Paulsen, seconded by Polunc to recommend approval of the Preliminary Plat Application, Comp Plan Amendment and Rezoning application including the 17 conditions stated in the staff memo and the addition requiring language related to agricultural uses in close proximity to residential development.
All in favor voted aye. MOTION CARRIED.

4.2 PUBLIC HEARING – Variance – 241 Lake Street West

Cover Page

Public Hearing Notice (1 Page)

Existing Site Plan (1 Page)

Application and Letters (5 Pages)

Proposed Plan (7 Pages)

Stormwater Plan (2 Pages)

Nelson presented an impervious surface variance application for 241 Lake Street West showing the location of the property. Nelson displayed the existing survey showing house, garage, deck, shed and sidewalks. The applicant is requesting to remove everything existing on the property, which is currently built out to 38% impervious surface versus the 25% allowed in the Shoreland Overlay District. The sketch site plan overlay on the existing site survey shows the proposed house/garage, driveway, trench drain system and down spouts. The site plan shows setbacks and hard cover improvements. There are discrepancies in impervious cover, and elevations. Nelson displayed the variance criteria for review by the Commission.

Paulsen wondered about using the same footprint of the house to build. Direct replacement could be done with the non-conforming rules and regulations and would not need a variance.

Genz to opened the public hearing.

Andy Vasek, Mathews Vasek Construction and Greg James, property owner.

The presentation and submittal provided was to receive input from the Commissioners to see if this is a feasible request regarding the impervious surface.

Vasek went through other residential developments and the percentage of impervious that's allowed comparing in lot size. They plan to scrap the site which was at 38% impervious and replace with a new home and garage and they were hoping to remain at 38% impervious with a storm water management plan.

Polunc mentioned the gravel driveway in the plans and reminded the applicants that it would need to be improved as the City Code does not allow gravel driveways. Paulsen

went through the variance criteria and stated that the application as presented did not meet the variance criteria. Additionally, he stated that it was confusing not knowing the size of the house and garage as the plans were not complete, nor consistent.

Genz gave examples of other variances that the Commission had reviewed. He brought up the fact of different Commission members after the 1st of the year. Braaten responded that typically the Planning Commission was seeing a reduction in hardcover in variance proposal with the installation of a stormwater mitigation plan.

Motion by Paulsen, seconded by Peterson to close the public hearing. All in favor voted aye. MOTION CARRIED.

Braaten mentioned there is still plenty time for a continuation of the application to gather information and make decisions before the 60-day time frame.

Motion by Paulsen to recommend denial of the variance as the application does not meet the variance criteria, second by Peterson. MOTION FAILED. 3-2

Motion by Genz, second by Weckman to table the variance to allow the applicant more time to finalize and clarify the plan. All favor voted aye. MOTION CARRIED.

4.3 PUBLIC HEARING - Site Plan, Design Review & Variance Amendment - Olive & Second Mixed-Use Project

[Cover Page](#)

[Amendment Narrative.pdf](#)

[Olive and Second Amend Plans.pdf](#)

[Resolution No. 2024-177.pdf](#)

[Resolution No. 2024-178.pdf](#)

Braaten presented an amendment and revisions to the site plan for Olive & Second project that was approved in August. The applicants are not proposing to change the height or footprint but are asking for modifications on the 4th and 5th floor. Braaten described and displayed the previous plan along with the proposed plan showing the 4th and 5th floor.

Polunc asked about the TIF agreement regarding the change. Braaten stated he would look into it, but the application was about the modifications to the 4th and 5th floor.

Genz opened the Public Hearing.

Craig Hartmann, Principal Momentum Design Group, 755 Prior Avenue N, Suite 301 A, St. Paul, MN 55104

Hartmann talked about bearing walls and egress strategy for the reasoning behind the changes.

Genz doesn't see anything on the 4th floor that indicates a structural issue. Hartmann mentioned this was a two-prong issue and is needed for a new egress stair on the north side of the roof deck.

Motion by Paulsen, seconded by Polunc to close the public hearing. All in favor vote aye. MOTION CARRIED.

Motion by Polunc, seconded by Peterson to approve the Site Plan Amendment. All in favor voted aye. MOTION CARRIED.

4.4 PUBLIC HEARING – Variance – 141 2nd St. E.

Public Hearing Notice (1 Page)

Application & Letter (5 Pages)

Site Photos and Proposed Pavilion (3 Pages)

Existing and Proposed Site Plan (2 Pages)

Nelson presented the variance request for the property located at 141 2nd Street East. The request is to expand their accessory structure beyond the maximum of 1,000 gross square feet. The applicant is requesting a footprint of 1,280 sq ft. Nelson displayed the existing survey showing the hard surface coverage and location of the proposed gazebo type structure.

Genz opened the Public Hearing.

Tom Simons, owner of Express Home Services, 6844 Washington Avenue S, Eden Prairie, MN.

Craig Hessenius, homeowner, 141 Lake Street East, Waconia, MN 55387.

Mr. Hessenius stated the reason for the roof structure is for shade as well as cleaning sidewalks.

Eric Salden, neighbor, 241 South Spruce Street, Waconia, MN.

Salden noted that the structure makes sense in shading for this particular property.

Motion by Paulsen, seconded by Weckman to close the Public Hearing. All in favor voted aye. MOTION CARRIED.

Motion by Paulsen, seconded by Polunc to recommend approval of the Variance for 141 2nd Street East with the condition recommended in the staff memo. All in favor voted aye. MOTION CARRIED.

4.5 Moving Permit - 16 2nd Street West

Cover Page

Moving Permit Application (3 Pages)

Structure Elevations (6 Pages)

Proposed Moving Route (1 Page)

Inspection Report (1 Page)

Nelson presented the moving permit for a garage structure located at 16 2nd Street West, displaying the location to where the garage will be moved.

Motion by Paulsen, seconded by Polunc to approve the moving permit for 16 2nd Street West. All in favor voted aye. MOTION CARRIED.

4.6 PUBLIC HEARING - Addition of Chapter 515. Cannabis and Amending Chapter 900. Zoning Ordinance and Chapter 1100. Fee Schedule

Cover Page

Chapter 515 Cannabis Amendments (Draft 10-31-2024).pdf

Chapter 900 Zoning Amendments for Cannabis (Draft 10-31-2024).pdf

Chapter 1100 Fee Schedule Amendments (10-31-2024).pdf

Braaten presented a summarized version of the cannabis ordinance:

SUMMARY- Add/Update-Chapter 515-Cannabis-regulation, licensing & definition section.

- B-1, B-2, & B-3 Districts-Retail uses with Special Restrictions.
- I-1 & I-2 Cultivation, Manufacturer, Wholesale, Transportation, Delivery, Medical & Low Potency Hemp Edible Manufacturer – Uses Permitted with Special Restrictions.
- A, Agricultural District – Cultivation – Uses Permitted with Special Restrictions.

Buffer Requirements – Supplementary Regulations

School = 1,000 ft. buffer min.

Daycare = 500 ft. buffer min.

Residential Treatment Facility = 500 ft. buffer min.

Public Park Attraction = 500 ft. buffer min.

Polunc wondered about the restrictions for the Carver County Fair grounds. The fairgrounds fall under a different set of rules and regulations. Braaten indicated that he would gather more information related to this question.

Genz opened the Public Hearing.

Motion by Paulsen, seconded by Peterson to continue the discussion related to cannabis regulation to the December 5th, 2024 Planning Commission meeting. All in favor voted aye. MOTION CARRIED.

5) Old Business

None

6) Other

Staff Update:

New Homes- 108 total which includes both detached single family and townhomes.

City Council approved the Variance for 241 Olive Street S.

City Council approved the Site Plan and Variance for 80 8th Street.

December meeting will consist of the Design and Site Plan Review for Tractor Supply, the Cannabis ordinance, and possibly the continued residential variance.

Motion by Polunc, seconded by Weckman to adjourn. All in favor voted aye. MOTION CARRIED.

Adjourn

ATTEST: _____

Brenda Stein, Office Assistant