

**CITY OF WACONIA  
JANUARY 5, 2023**

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

Pursuant to due call and notice thereof, the regular meeting of the Planning Commission of the City of Waconia was called to order by Leshner at 6:30 PM.

|                         |                                                        |
|-------------------------|--------------------------------------------------------|
| <b>Members Present:</b> | Leshner, Zellman, Sarcletti, Genz, Polunc, and Paulsen |
| <b>Members Absent:</b>  | All present                                            |
| <b>Alternate:</b>       | Paulsen-Present                                        |
| <b>Staff Present:</b>   | Braaten, Nelson, Havlik, Stein                         |
| <b>City Liaison:</b>    | Yetzer-Present                                         |

Braaten added a change to the agenda. The Election of Officers will be at the end of the meeting.

2) [Adopt Agenda](#)

City Attorney, Mike Melchert, to read the Oath of Office to new Commission members: Bruce Paulson, Joe Polunc and Chad Genz.

Welcome to the new Commission members.

**Motion by Sarcletti, seconded by Zellman to approve and adopt the agenda. All present voted aye. MOTION CARRIED**

3) [Minutes Approval](#)

**Motion by Sarcletti, second by Zellman to approve and adopt the December 1<sup>st</sup> 2022 meeting minutes. All present voted aye. MOTION CARRIED.**

[DRAFT December 1st 2022 Planning Commission Meeting Minutes.pdf](#)

4) [New Business](#)

4.1 [PUBLIC HEARING - Woodland Creek 5th Addition Preliminary Plat and PUD Amendment](#)

Nelson presented the Public Hearing for Woodland Creeks 5<sup>th</sup> Addition Preliminary Plat and PUD Amendment. Tim Heiland on behalf of the applicant and DDK Construction is asking for an amendment to the previously approved Woodland Creek 5<sup>th</sup> Addition Preliminary Plat and PUD. Nelson displayed the location. The applicant is proposing 30 single family lots with altered lot conditions and revised site improvements that differ from the approved Plan and PUD.

Nelson showed the previous plat approval compared to the one being presented. The tables in the packet showing the approved vs proposed preliminary plat was described by Nelson in detail. One of the more significant items requesting to be modified is the side setback proposal, which currently approved as 7.5' / 7.5' and the applicant is requesting side yard setbacks of 7.5' / 5'. Nelson spoke of the requirements and conditions regarding lot 10 which a section of the wetland buffer was proposed to encroach into said parcel. Lots 5-10 of lot 2 have significant as well. Lots 16-19, Block 1 of the proposed plat will also be limited due to the 50ft. structure setback from the creek. block 1.

Leshner mentioned the comment that was submitted regarding turn lanes. Nelson responded by reconfirming that MNDOT and Hartman Communities will need to acquire a permit and get the turn lanes figured out. Nelson also stated that in the Developers Agreement there are specific sections talking about the turn lanes and that Hartman Communities is obligated finish this process.

### **Leshner opened the Public Hearing.**

#### **Comments and Concerns:**

Dave Pokorney, 1110 Yellowbrick Road, Chaska, MN. Pokorney represents DDK Construction and owner. This development will be a part of a homeowner's association. Pokorney talked about the covenants of the homeowner's association being very specific with accessory buildings in which they are not even allowed.

Another change is that the units are larger with the side loaded garage that are set up to be three stalls. One of the key selling points is a three-stall garage for 55 and older.

Leshner wondered if there were concerns with the proposed conditions of approval stated in the packet. Pokorney stated that he has no concerns. Sarcletti inquired about potential decks or patios in the back yard. The homes are designed so the deck/patio will not protrude into the rear yard structure setback.

Discussion took place regarding the side yard setbacks.

Sarcletti inquired about the location of the air conditioning units. The applicant indicated that they will be located on the side the garage is on.

### **Motion by Zellman, second by Polunc to close the Public Hearing for Woodland Creek 5<sup>th</sup> Addition Preliminary Plat and PUD Amendment. All present voted aye. MOTION CARRIED.**

Sarcletti commented that there are not a lot of proposed changes from the initial Woodland Creek 5<sup>th</sup> Addition approval. Leshner agreed, this development has sensitive environmental features that are being dealt with.

**Motion by Leshar, seconded by Sarcletti to recommend approval of the Woodland Creek 5<sup>th</sup> Addition a Preliminary Plat and PUD Amendment with the three conditions of approval stated in the packet. All present voted aye. MOTION CARRIED.**

[Location Map \(1 Page\).pdf](#)

[Public Hearing Notice \(1 Page\).doc](#)

[Application \(3 Pages\).pdf](#)

[Woodland Creek 5th Preliminary Plat \(1 Page\).pdf](#)

#### [4.2 PUBLIC HEARING - Ordinance Amendment - Park Dedication](#)

Braaten presented the proposed Ordinance Amendment which was in response to the Park Dedication discussion and recommendations that the Park Board had in November. City Ordinance requires the developer to dedicate 10% of the land for park purposes or cash lieu. Braaten gave examples on how this is currently calculated.

Sarcletti inquired about the example given regarding acre per price being the same as fair market price. Discussion took place regarding the fair market value and how to better define the definition of this term.

#### **Leshar opened the Public Hearing**

**Motion by Sarcletti, seconded by Polunc to close the Public Hearing for the Ordinance Amendment regarding Park Dedication. All present voted aye. MOTION CARRIED.**

Polunc wondered who would be determining the fair market value at the time of the sale. It's possible that this could be challenged by the buyer.

Sarcletti asked if the proposed amendment would be applied both Residential and Commercial subdivisions.

Mr. Mike Melchert, City Attorney, commented on Fair Market Value and the use of purchase agreements to identify the value. Additionally, he indicated that additional parameters should be put in place to further clarify this issue.

**Motion by Leshar, seconded by Sarcletti to continue the Park Dedication Ordinance Amendment until the March 2, 2023, Planning Commission Meeting. All present voted aye. MOTION CARRIED.**

[Cover Page](#)

[Public Hearing Notice Park Dedication.pdf](#)

Park Dedication Ordinance Amendment.pdf

5) Old Business

No Old Business

6) Other – Staff Updates

- Braaten updated the Commission members on the Olive Street Apartment located at 233 Olive Street South.
- Summary of housing projects for 2022. Land Use Summary overview: Single family homes 148 homes, 34 townhomes, 206 apartment units in two buildings for a total of 388 living units permitted in the City of Waconia in 2022.
- City Council accepted the 10<sup>th</sup> Street Small Area Plan.
- TMC Site Plan, 1370 Mill Lane was approved by City Council.
- February agenda will be a site plan for Scooters Coffee to be located next to Taco bell.

6) Other – Election of Officers

Two positions are available, Chair and Vice Chair.

**Nomination by Leshner to appoint Sarcletti for Chairmen of the Planning Commission. All in favor voted aye. MOTION carried.**

**Nomination by Sarcletti to appoint Leshner for Vice Chairmen of the Planning Commission. All in favor voted aye. MOTION carried.**

Adjourn

**Motion by Zellman, seconded by Polunc to adjourn at 7:36 p.m. All in favor voted aye. MOTION carried.**

**Work Session - Variance Training following the regular meeting.**

Respectfully Submitted by:  
Brenda Stein  
Office Assistant