

WACONIA PLANNING COMMISSION  
THURSDAY May 2, 2019

Pursuant to due call and notice thereof, a regular meeting of the Waconia Planning Commission was called to order by Chairperson Hebeisen at 6:30 p.m.

1. CALL MEETING TO ORDER.

MEMBERS PRESENT: Grohmann, Meisch, Hebeisen and Leshner.  
MEMBERS ABSENT: Vilmain, Ludford  
ALTERNATE: Ludford-absent  
STAFF PRESENT: Braaten, Nelson, Stein  
VISITORS: See attached sheet  
CITY COUNCIL LIAISON: Charles Erickson

No modifications to the agenda.

2. ADOPT AGENDA: MOTION BY MEISCH, SECOND BY GROHMANN, TO APPROVE THE AGENDA AS PRESENTED. ALL PRESENT VOTED AYE. MOTION CARRIED.
3. ADOPT MINUTES: MOTION BY GROHMANN, SECOND BY LESHER TO APPROVE THE MINUTES FROM APRIL 4, 2018. ALL PRESENT VOTED AYE. MOTION CARRIED.

**NEW BUSINESS:**

**A. PUBLIC HEARING – VARIANCE –SHARON MONTAGUE AND THE YARD MAN LANDSCAPE – 808 BEACH LANE.**

Nelson presented the Variance application for the property located at 808 Beach Lane. The application was submitted by Sharon Montague and Charles Kinney to allow improvements that encroach within the Shore Impact Zone and exceed the 25% impervious surface maximum. Nelson identified the location of 808 Beach Lane and highlighted the existing impervious surface areas on the property. Pictures were shown of the property describing the front area, retaining wall, back patio and the shed. Nelson explained the non-conformities such as property setbacks, lot coverage and impervious surface coverage.

Nelson went on to explain the proposed improvements indicating that the existing deteriorating retaining wall was a concern to the applicants. In addition to the replacement of the retaining wall, the applicants were also requesting a replacement of the existing patio in the rear yard/lake side of the home. Staff noted that a portion of the proposed retaining wall and a significant section of the proposed patio would

be located within the Shore Impact Zone in addition to the property exceeding the 25% impervious surface maximum. The section of boulder wall replacement was completed last year except the portion proposed to be located within 25 ft. of Lake Waconia (i.e. the Shore Impact Zone).

Nelson displayed the site survey describing the definitions for Shoreland, shore impact zone (SIZ) and hardcover surface and how they relate to the proposed project for the property at 808 Beach Lane. Nelson stated that the variance application was necessary to replace and expand their existing patio by 200 sq. ft. and expand the proposed retaining wall within the SIZ.

Nelson recommended for the Commission Members to read over the listed below to take into consideration.

1. The property and its improvements have been in existence prior to City Code requirements, thus creating a legal non-conformity for some of the improvements. Limited information exists regarding when all of the improvements were made thus we do not have enough information to determine what improvements were made legally and which were not.
2. The driveway curb cut is non-conforming to City standards, however it has been in existence prior to annexation into City limits.
3. The applicant is proposing an extension of the existing boulder wall. That specific distance should be clarified by the applicant via an updated site plan/certificate of survey prior to installation of the improvements.
4. The existing site plan does not adequately reflect the existing patio area in the rear yard. The Planning Commission should be aware that the existing patio area is larger than depicted. This is more clearly reflected in the attached aerial imagery provided as Attachment #8 and in the photographs staff has taken of the property, which are also attached to this report.
5. The DNR requested that the Planning Commission consider restricting the proposal to the total area of the existing patio or require installation of mitigation practices such as a raingarden and/or restoration plantings on the landward side of the retaining wall.
6. The City Engineer and Public Services Director recommend the applicant submit additional information regarding the specific type and manufacturer of the proposed permeable pavers. Further, the applicant should comply with the Carver County Water Management Organization standards for pervious paver systems and all other requirements set by the Public Services Director and City Engineer.
7. The proposed 56.5% impervious surface includes the entire pervious paver area in the calculation along with existing improvements on the parcel. It does not include any credit for the pervious nature of the installation. A better description would be 56.5% lot coverage. In the event the Planning Commission is not comfortable with this amount of hardcover surface and/or lot coverage on the property and within the Shore Impact Zone, the Planning Commission may consider what hardcover/lot coverage percentages may be acceptable (if any), or other mitigation tools such as rain gardens, native planting buffers, etc. These mitigation options could be recommended as conditions of approval if the Planning Commission so directs.

Hebeisen asked about the impervious calculation and the request for further information requested by the City Engineer regarding the pervious paver design. Nelson explained

that the home owner has not submitted final plans for the proposed pervious paver system and if the variance is approved additional design information will be necessary.

Meisch asked Nelson to clarify the impervious and pervious areas of this request.

Leshner asked about the increase of impervious coverage compared to what the existing impervious is on the parcel. Nelson explained it was a 5% increase and clarified that the shed was not shown on the survey submitted.

Grohmann reconfirmed with Nelson that even with the expansion of the patio, the improvement a pervious paver system would be an improvement.

Leshner inquired about the timeline to receive the accurate and final updated survey for this project. Nelson stated that it is critical to have the final information before the City Council meeting.

Meisch indicated he was okay with the variance as long as the final design of the pervious system did not cause the property to exceed the existing hardcover on the property.

#### HEBEISEN OPENED THE PUBLIC HEARING.

##### Sharon Montague and Charlie Kinney-808 Beach Lane.

Comments and Concerns: Hebeisen inquired about the statement in Montague letter regarding the permeable paver system with regard to the gutter system. Kinney explained that three out of four down spouts would be directed into the permeable paver system, therefore handling the majority of the roof rain water as well.

Montague's intent is to improve what is existing and further protect the lake. Kinney stated that the existing hard surface patio is 500 sq. ft. and the proposed permeable paver patio would occupy an additional 200 sq. ft. while removing the section going out to the timber retaining wall. Hebeisen questioned how many feet from the edge of the proposed patio to the lake. Kenny stated at it was roughly 5feet. Hebeisen questioned the possibility of rain barrels. Kenny mentioned that the down spouts are already filtering through the system and the rain barrels would not serve a purpose other than off one corner of the garage. Braaten stated that the gutters will run directly into the system so that the rain barrels are not needed. Meisch asked about extending the patio. Kinney added that patio will be larger, but still not go further into the impact zone. Leshner reconfirmed that Kinney would use silt fencing and logs to control the erosion.

##### Steve Hahn-816 Beach Lane.

Hahn voiced his support for Montague's project.

##### Reva Hortsch- 800 Old Beach Lane.

Hortsch spoke of Montague's diligence in making sure the lake is protected and stated everything Montague does supports the welfare of the lake.

MOTION BY MEISCH, SECOND BY GROHMANN TO CLOSE THE PUBLIC HEARING. ALL IN FAVOR VOTED AYE. MOTION CARRIED.

Conditions of approval.

1. Submission of a pervious paver design that meets Carver County Water Management Organization standards in addition to requirements set by the Public Services Direct and City Engineer.
2. The applicant shall submit a final site plan/certificate of survey detailing all proposed landscaping improvements.

MOTION BY GROHMANN SECOND BY LESHER TO APPROVE THE VARIANCE SUBMITTED BY SHARON MONTAGUE AND THE YARD MAN LANDSCAPE FOR 808 BEACH LANE WITH THE TWO STAFF RECOMMENDED CONDITIONS OF APPROVAL NOTED ABOVE. THE PERMEABLE PAVER PATIO SYSTEM SHALL NOT CAUSE THE PRPROPERTY TO EXCEED THE EXISTING IMPERVIOUS SURFACE ON THE SUBJECT PROPERTY AND THE REVISED SURVEY BE SUBMITTED PRIOR TO REVIEW BY THE CITY COUNCIL. THE ALL IN FAVOR VOTED AYE. MOTION CARRIED.

Braaten suggested the Planning Commission to realign the agenda to have the Anderson Property Sketch Plan discussion before the Zoning Ordinance Amendment.

MOTION BY GROHMANN TO REVISE THE AGENDA TO REVIEW THE SKETCH PLAN DISCUSSION BEFORE THE ZONING ORDINANCE AMENDMENT.

**B. SKETCH PLAN – ANDERSON PROPERTY – LAKE WACONIA PARTNERS, LLC – 7980 LAKETOWN PARKWAY.**

Braaten presented the Sketch Plan application submitted by Lake Waconia Partners, LLC to facilitate a discussion with the Planning Commission regarding the possible future development of the Anderson properties. Braaten indicated on a map the location of these properties. The Sketch Plan allows possible developers to provide a concept plan to the Planning Commission to receive feedback on a potential project to determine any conflicts prior to submittal of any future applications such as Preliminary Plat, Comprehensive Plan Amendments, Annexation, etc.

Hebeisen asked Braaten to point out the areas of high and low density in relation to the Comprehensive Plan. Braaten explained one the property on the west side of County Road 92 is guided for low density residential which presumes 2-4 units per acre. The parcel east of County Road 92, the highly wooded parcel, is guided for medium density assuming 4-10 units per acre.

David Stradtman, Rachel Construction.

Comments and Concerns: Stradtman complemented Braaten and Eldred on working out the details of the Anderson properties. Stradtman spoke about the calculations regarding density and the road right of way on the west parcel. Stradtman stated that they are working with M/I Homes on the east parcel, which proposes two story single family homes and Charles Cudd Company on the west/lake property which would

include a villa type home product. Stradtman also talked about the shared docks per every two on lake homes and the shared dock proposed for the outlot.

Braaten spoke briefly about the lake side property being developed as a Planned Unit Development.

Hebeisen asked about the trail system along the county road. Stradtman explained that the trail would connect with the Park trail and extend all the way to County Rd 92. There are two options for the trail system which need to be discussed.

John Sonnek, Charles Cudd

Described the proposed utilities path and the possible extension of the trail for this property from the park.

Hebeisen asked about possible price points for the homes. Rick Denman, Charles Cudd Company indicated that the villas on the lake price points would range between 1.2 million and 1.6 million.

Stradtman informed the Commission that the tree survey is being done now. The timing on the project would include closing and acquisition this fall, utilities installed and hopefully a model Cudd home by next spring.

The Planning Commission was generally accepting of the plan understanding that some of the finer points still required revisions.

**C. PUBLIC HEARING – ZONING ORDINANCE AMENDMENT - SECTION 900.10 – SIGN REGULATIONS.**

Nelson presented the proposed amendments to the sign ordinance.

A summary of the changes made included: 1) Edits to all subd. – Legal edits regarding content, 2) Revisions to Section 900.10 structure uniform to City Code, 3) Definitions – Removal / addition of definition terms, including the removal of content-based wording, advertising signs and campaign signs and the addition of off-premises commercial signs and window signs, 4) General Provisions & District Regulations-additions/revisions and removal of certain sections, including the addition of required signs and election season preemption and the revision to temporary signs, banners and illuminated signs, 5) Administration and Enforcement - Revisions to Administrative review.

Nelson indicated that the district regulations revised included signage for multi-family dwellings, awnings, and blade signs. Murals have been completely removed due to content based regulation.

Meisch voiced appreciation for the work that's been done on the Zoning Ordinance Amendment. Leshar asked if the existing signage is grandfathered in, Nelson stated that they are.

HEBEISEN OPENED THE PUBLIC HEARING

MOTION BY GROHMANN, SECOND BY MEISCH TO CLOSE THE PUBLIC HEARING. ALL IN FAVOR VOTED AYE. MOTION CARRIED.

MOTION BY GROHMANN, SECOND MEISCH TO APPROVE THE ZONING ORDINANCE AMENDMENT, SECTION 900.10, SIGN REGULATION. ALL IN FAVOR VOTED AYE. MOTION CARRIED.

**STAFF UPDATES**

- Three annexations currently being considered: Plocher properties, Carver County Regional Park properties and the Anderson properties.
- June meeting will consist of a residential variance and a rezoning request from Nagel Assistant Living.
- 7 new home permits issued so far this year.
- Reichenberger variance for the shed permit has been submitted and is going forward.
- South Point Financial Credit Union permit has been submitted.

Hebeisen asked about the 2040 Comprehensive Plan. Braaten stated that there are some revisions and additional information requested by the Metropolitan Council.

THERE BEING NO FURTHER BUSINESS, MOTION BY GROHMANN TO ADJOURN AT 8:00 PM, SECOND BY LESHER. ALL PRESENT VOTED AYE. MOTION CARRIED.

Respectfully submitted,

Brenda Stein  
Recording Secretary