

**CITY OF CHANHASSEN
CARVER AND HENNEPIN COUNTIES, MINNESOTA**

ORDINANCE NO. 663

**AN ORDINANCE AMENDING CHAPTER 20 OF THE
CHANHASSEN CITY CODE, THE CITY'S ZONING ORDINANCE,
BY REZONING CERTAIN PROPERTY**

THE CITY COUNCIL OF THE CITY OF CHANHASSEN ORDAINS:

Section 1. Chapter 20 of the Chanhassen City Code, the City's zoning ordinance, is hereby amended by rezoning all property described in the attached Exhibit B "Property" with an approximate area of 9.03 acres to Planned Unit Development-Residential (PUD-R).

Section 2. The rezoning of this Property incorporates the following development design standards:

DEVELOPMENT DESIGN STANDARDS

a. Intent

The purpose of this zone is to create a Residential Low Density Development. The use of the PUD zone is to allow for more flexible design standards while creating a higher quality and more sensitive development. Except as modified by these development standards, the standards of the Residential Low Density District, RSF, shall apply. If there is a question as to whether or not a use meets the definition, the Community Development Director shall make that interpretation.

Each structure proposed for development shall proceed through building permit application based on the development standards outlined below.

b. Uses

1. The permitted uses within the development shall be one single-family home and one accessory dwelling unit.
2. The accessory dwelling unit may not be sold separately from the main single-family structure.
3. Short-term lease of the Accessory Dwelling Unit is prohibited. A short-term is defined as a lease of less than three months.
4. The accessory dwelling unit shall have a maximum of two bedrooms and may not exceed 1,600 square feet of footprint area.
5. Due to the unique access and lack of a viable water source to support fire suppression activity, the city strongly encourages the petitioner to install a fire suppression system for the

residential buildings on the property. The design and installation should be done by a qualified fire suppression engineer.

6. The two homes must utilize one access driveway into the homes which must be shared access until the driveway comes within 50 feet of the first dwelling unit at which point they can split.
7. Prior to any site clearing, a walk-through of the grading limits with the city forester to review opportunities for tree preservation is required.
8. The total footprint area of all detached accessory buildings excluding the accessory dwelling unit, must not exceed 2,000 square feet collectively and no individual detached accessory structure shall exceed 1,000 square feet of foot print area.
9. All water-oriented structures must comply with applicable City ordinances.
10. The Property shall have a maximum of two docks.
11. Prior to issuance of any building permit on the Property, an Operations and Maintenance (O&M) Plan for the existing bridge and a Bridge Safety Inspection Report shall be submitted to the City. The O&M Plan shall be prepared by a registered Professional Engineer in the state of Minnesota and the Inspection Report shall be prepared by a MnDOT Certified Bridge Safety Inspector. The O&M Plan and Inspection Reports shall include applicable information concerning Timber structures. The Owner of the Property shall submit to the City routine inspections of the bridge every 24-months per the MnDOT Bridge and Structure Inspection Program Manual. Upon results of the initial Inspection Report, the bridge load limit shall be clearly posted at the site entrance on Lake Lucy Road per applicable Minnesota Manual on Uniform Traffic Control Devices (MnMUTCD) requirements except for the size of the sign which must be no less than 12 inches x 18 inches as shown in Exhibit A. If at any time a routine Inspection Report indicates the posted load limit is no longer valid, the signage shall be revised to reflect current conditions. As the bridge is privately owned and maintained and does not cross a public right-of-way, the City assumes no responsibility in reviewing or approving the O&M Plan and/or Inspection Reports, and takes no responsibility for the O&M of the bridge. The property Owner is solely responsible and shall comply with all applicable findings and recommendations of the routine Inspection Reports.



c. Setbacks

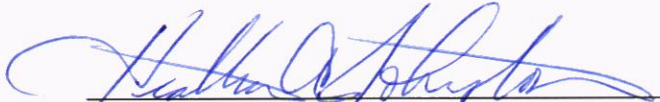
The PUD ordinance requires setbacks from roadways and exterior property lines. The following table displays those setbacks:


Boundary	Building Setback
Lake Lucy Ordinary High Water Mark	75 feet
Bluff Setback	30
Hard Surface Coverage	25 %
Maximum Residential Building/Structure Height	35 feet or 3 stories, whichever is less

Section 3. The zoning map of the City of Chanhassen shall not be republished to show the aforesaid zoning, but the Clerk shall appropriately mark the zoning map on file in the Clerk's Office for the purpose of indicating the rezoning hereinabove provided for in this ordinance, and all of the notations, references, and other information shown thereon are hereby incorporated by reference and made a part of this ordinance.

Section 4. This ordinance shall be effective immediately upon its passage and publication.

PASSED AND ADOPTED this 14th day of December 2020, by the City Council of the City of Chanhassen, Minnesota.


Heather Johnston, Interim City Manager


Elise Ryan, Mayor

(Summary Ordinance 663 Published in the Chanhassen Villager on December 23, 2020)

LEGAL DESCRIPTION
EXHIBIT B
File No. 18-2840

Parcel 1: The East 33.00 feet of the Northeast Quarter of the Southeast Quarter of Section 3, Township 116 North, Range 23 West of the 5th Principal Meridian. (Torrens property)
Subject to an easement for public right of way purposes over and across the North 33.00 feet of the above described property for Lake Lucy Road.

Parcel 2: The East 33.00 feet of Government Lot 1, Section 3, Township 116 North, Range 23 West of the 5th Principal Meridian. (Torrens property)

Parcel 3: That part of Government Lot 5, Section 2, Township 116 North, Range 23 West of the 5th Principal Meridian described as follows:

Beginning at a point on the West line of said Government Lot 5 distant 1685.01 feet Southerly from the Northwest corner of said Lot; thence Easterly, perpendicular to the West line of said Lot, 375.00 feet; thence Southerly at a right angle, 50.00 feet; thence Easterly, at a right angle about 80 feet to the shoreline of Lake Lucy; thence Southeasterly, Northeasterly, Southeasterly, Southwesterly, Westerly, Northwesterly and Northerly, along the shoreline of said lake, to the West line of said Government Lot 5; thence Northerly along said West line, about 48 feet to the point of beginning. (Torrens property)

Parcel 4: That part of Lot Five (5), in Section Two (2), Township One Hundred Sixteen (116), Range Twenty-three (23), Carver County, Minnesota, described as follows:

That part of the following described property:

Which lies Westerly of a line drawn from a point on the North line of the below described property distant 61.00 feet Easterly from the Northwest corner of said below described property to a point on the West line of said below described property distant 240.00 feet Southerly from said Northwest corner.

Commencing at the Northwest corner of lot 5; thence East on North line of said Lot 5, 375 feet; thence South parallel with the West line of said Lot 5, 1,716 feet; thence West parallel to the North line of said Lot 5, 375 feet to the West line of said Lot, thence North along said West side 1,716 feet to the place of beginning, EXCEPTING THEREFROM the following described property: Commencing at a point on Section line between sections 2 and 3, Township 116, Range 23, which point is 1427 feet South of the Northwest corner of Lot 5, Section 2, Township 116, Range 23, thence running South 289 feet; thence East 375 feet; thence North 289 feet; thence West 375 feet to the place of beginning, situated in Lot 5, Section 2, Township 116, Range 23. (Abstract Property)

Parcel 5: Outlot C, Whitetail Cove, according to the plat thereof on file and of record in the office of the County Recorder, Carver County, Minnesota. (Abstract Property)

Parcel 6: That part of the east 15.00 feet of Lot 4, Block 2, Lake Lucy Highlands, Carver County, Minnesota, according to the recorded plat thereof which lies northerly of a line drawn perpendicular to the East line of said Lot 4 from a point on said East line distant 255.00 feet southerly from the Northeast corner of said Lot 4. That part of the East 15.00 feet of Lot 4, Block 2, Lake Lucy Highlands, Carver County, Minnesota, which lies between lines erected perpendicular to the East line of said Lot 4 from points on said East line distant 255.00 and 501.00 feet, respectively, Southerly from the Northeast corner of Lot 4 according to the recorded plat thereof.

That part of the East 25.00 feet of Lot 4, Block 2, Lake Lucy Highlands, Carver County, Minnesota, which lies between lines erected perpendicular to the East line of said Lot 4 from points on said east line distant 501.00 feet and 968.00 feet, respectively, Southerly from the northeast corner of said Lot 4.

(18-2840.PFD/18-2840/41)

**CITY OF CHANHASSEN
CARVER AND HENNEPIN COUNTIES, MINNESOTA**

SUMMARY OF ORDINANCE NO. 663

**AN ORDINANCE AMENDING CHAPTER 20 OF THE
CHANHASSEN CITY CODE, THE CITY'S ZONING ORDINANCE,
BY REZONING PROPERTY TO A PLANNED UNIT DEVELOPMENT**

The purpose of this ordinance is to rezone property to Planned Unit Development to allow for the construction of a single family home and an accessory dwelling unit with standards.

A printed copy of Ordinance No. 663 is available for inspection by any person during regular office hours at the office of the City Manager/Clerk.

PASSED, ADOPTED, AND APPROVED FOR PUBLICATION this 14th day of December, 2020, by the City Council of the City of Chanhassen.

(Published in the Chanhassen Villager on December 23, 2020)

Affidavit of Publication Southwest News Media

State of Minnesota)
)SS.
County of Carver)

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COUNTIES, MINNESOTA
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PASSED, ADOPTED, AND APPROVED FOR PUBLICATION this 14th day of December, 2020, by the City Council of the City of Chanhassen.
(Published in the Chanhassen Villager on Thursday, December 24, 2020; No. 4973)

Laurie A. Hartmann, being duly sworn, on oath says that she is the General Manager the newspapers known as the Chaska Herald and the Chanhassen Villager and has full knowledge of the facts herein stated as follows:

(A) These newspapers have complied with the requirements constituting qualification as a legal newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed public notice that is attached to this Affidavit and identified as No. 4973 was published on the date or dates and in the newspaper stated in the attached Notice and said Notice is hereby incorporated as part of this Affidavit. Said notice was cut from the columns of the newspaper specified. Printed below is a copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the kind and size of type used in the composition and publication of the Notice:

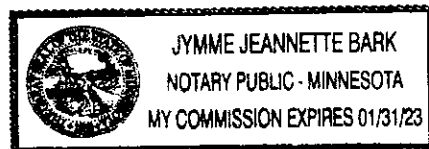
abcdefghijklmnopqrstuvwxy

By: Laurie A. Hartmann
Laurie A. Hartmann

Subscribed and sworn before me on

this 24th day of December, 2020

Jymme Jeannette Bark
Notary Public



RATE INFORMATION

Lowest classified rate paid by commercial users for comparable space.... \$31.20 per column inch
Maximum rate allowed by law for the above matter..... \$31.20 per column inch
Rate actually charged for the above matter..... \$14.03 per column inch