

GREENWOOD PLANNING COMMISSION
WEDNESDAY, MAY 21, 2008
7:00 P.M.

1. CALL TO ORDER/ROLL CALL

Chairman Page called the meeting to order at 7:00 p.m.

Members Present: Commission members John Beal, Tom Fletcher, H. Kelsey Page, Todd Palmberg and Mark Spiers

Absent: Chairman Pat Lucking and Commissioner David Paeper

Others Present: Council Liaison Jeff Sagal, City Attorney Mark Kelly and Zoning Coordinator Gus Karpas.

Due to the absences of Commissioners Lucking and Paeper, Commissioners Fletcher and Palmberg are voting members at tonight's meeting.

2. APPROVE AGENDA

Commissioner Beal moved to accept the agenda for tonight's meeting. Commissioner Spiers seconded the motion. Motion carried 5-0.

3. MINUTES OF April 16th.

Commissioner Beal moved to approve the minutes of April 16th. Commissioner Fletcher seconded the motion. Motion carried 4-0-1. Commissioner Spiers abstained.

4. LIAISON REPORT

Council Liaison Sagal said the Council reviewed and approved the first reading of the proposed sign ordinance, with minor revisions, and the first reading of the proposed ordinance to allow access to Excelsior Boulevard by commercial properties with a conditional use permit.

The request by Robert Schmitt for a variance to exceed the maximum permitted impervious surface area was continued to allow the applicant to submit all the required applications for the project as a whole.

The variance request from Tim and Bonnie Lane to allow them to alter the roofline on a non-conforming structure was approved.

Commissioner Page noted the Council also agreed not to raise the dock fees for the upcoming season.

Council Liaison Sagal said the Council has a number of issues it will be dealing with including the repair of city streets and the continued inspections of manholes to limit the amount of inflow into the sewer system.

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Commissioner Spiers asked if it was still the assumption of the Council that much of the inflow was caused by illegal connections to the sewer system by residents. Sagal said it appeared much of the inflow is caused by damage to the areas around the manholes and root intrusion into the lines themselves. He said this is a continuing process and a clearer picture will be obtained once the manholes have been inspected and repaired.

5. PUBLIC HEARINGS

None

6. OTHER BUSINESS

Ordinance Amendment – Discuss the amendment of Section 1100 of the city Zoning Code to add provisions regulating the mass of a structure including the creation of a Volume Measurement standard and re-defining structure height.

Chairman Page presented an overview of the agenda item.

Commissioner Beal discussed two graphs he designed for the meeting. He said one deals with properties with a lot area of up to 15,000 square feet, the other with all lots. He said a number of calculations were done on homes from the Council's list. The process included separate volume calculations by two individuals, then a comparison of the calculated volumes. He said the separate calculated volumes were consistently within five percent of each other.

Beal discussed the concept of setting above grade building volume limits as a function of lot area. He said the measurements showed what was to be expected that the highest volume to area ratio tended to occur on homes with small lots.

Commissioner Spiers asked how specific properties, such as those on Highview Place and Lodge Lane compared and asked if any seemed egregious. Commissioner Beal said the structures themselves were comparative in the amount of volume, but the lot size lessened the ratio for the Lodge Lane property.

Commissioner Beal discussed the graph addressing the smaller lots in the city. He said he was trying to provide a suggestion for the ordinance on what an acceptable volume to area ratio could be. He felt for lots less than 10,000 square feet a ratio of 5 to 1 might be acceptable with a decreasing ratio as lots increased in size. Commissioner Spiers questioned the selection of 10,000 square feet as the break point for the graph line. Beal said it is used only as a suggestion for the Council.

Commissioner Spiers questioned how the ratio would address the concerns of those like Keith Stuessi. Commissioner Beal discussed the handout he distributed on lot sizes. He said about one third of the lots in the city are below 15,000 square feet. He said it is to be expected that lots with a smaller area would have higher volume to area ratios.

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Council Liaison Sagal asked about the methodology used for measuring the Wirth home on the island. Commissioner Beal said the construction plans were used for all the measurements. Commissioner Fletcher noted he thought the measurement might be a little "light." Beal stated he thought that a 4 to 1 ratio would be acceptable on larger lots and using the Wirth property, the home could be almost double the size it is now. Fletcher said that's the advantage of having a larger lot, and those with large lots shouldn't be unduly penalized because of it through an unreasonable limitation on their house size. Beal said the ratio could be abandoned for larger lots and a specific house limit could be set across the board, but he doesn't think that's a good idea.

Commissioner Beal said one way to establish the line is to permit a 4 to 1 ratio for lots up to 25,000 square feet and reducing to 2 to 1 for all lots above that. He said the establishment of a continuous line is one way to avoid complicating the ordinance. Commissioner Fletcher said he could live with a 5 to 1 ratio for lots under 10,000 square feet and a 4 to 1 or 5 to 1 ratio for all lots over that size.

Commissioner Beal said there will be a number of non-conforming homes that could claim their existing footprints and the city, under State Statutes, will be forced to permit them. He noted the ordinance would really only affect those on small lots with small footprints. Commissioner Spiers said that is the concern, since most citizens are going to view the ordinance in terms of how it's going to affect them personally. Spiers discussed the market trends in the Twin Cities, which appear to show a trend of downsizing, but there will still be issues with the ability to develop on small lots.

Commissioner Spiers asked about the proposed changes in the graph lines. Commissioner Beal said he wants the ordinance to reflect a series of straight lines rather than a curve.

Commissioner Fletcher suggested that the Commission determine a starting point at tonight's meeting to allow the process to continue. Commissioner Spiers said he still would like some clarification on why the line would change at 10,000 square feet. Zoning Coordinator Karpas noted that 10,000 square feet is the smallest allowable lot area under the city's Zoning Ordinance.

Council Liaison Sagal understood some Commissioner's apprehension at establishing a number that could be somewhat controversial, but noted, when drafting regulations, you're not going to please everyone. He said there were about a dozen or so residents, out of a population of 830, in attendance at the Council meetings voicing their opposition to the original draft of the ordinance. He said it is not known what the "silent" majority thinks about the ordinance. Commissioner Spiers said he supports the proposed ordinance amendment, but is trying to anticipate the concerns of residents.

Commissioner Beal would like to hold a joint work session with the Council once a draft of the ordinance is available. This would allow the Commission to discuss the data used

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in creating the draft, giving them a better grasp on the subject prior to presentation to the public. The Commission agreed that was a good idea.

City Attorney Kelly stated that lots less than 8,300 square feet would be governed by the ordinances currently in place. He asked what type of house could be on these smaller lots while still being within the existing setback and hardcover regulations. Commissioner Fletcher said roughly 41,000 cubic feet, or about a 5 to 1 ratio. Kelly said he did not want to create a situation where there would be conflict between the existing ordinances and the new massing ordinance, allowing some type of loophole. He said the ordinance could be drafted setting the stipulations that all provisions must be followed and that it is not an “either/or” type of deal. He said he could draft an ordinance and have it available for review prior to a work session.

The Commission discussed some grammatical changes to the draft ordinance amending Sections 1110(2), Section 1140(2) and creating Section 1140:18.

Commissioner Beal asked about some of the proposed definitions and whether they were used elsewhere within the Zoning Ordinance. City Attorney Kelly said some were and that he would highlight the linkages.

The Commission discussed the idea of relaxing the restriction on the use of porous pavers. It was felt that up to this point, impervious surface standards were used as a surrogate to control mass and with the adoption of a massing ordinance, the city could allow the use of some approved products.

The Commission discussed the measurement of structure height and the idea of adding a maximum overall structure height to the ordinance to discourage high peaked roofs. The Commission agreed to continue measuring height to the average of the height peak, but to include a maximum overall height.

Action:

Motion by Commissioner Spiers to direct the City Attorney to draft a clean copy of the proposed ordinance and that a joint work session be set with the City Council to discuss the proposed ordinance and the methodology used to create it. Commissioner Beal seconded the motion. The motion carried 5-0.

7. PLANNING COMMISSION LIAISON

Commissioner Beal will serve as the Planning Commission Liaison at the June 3rd City Council meeting.

8. ADJOURN

Motion by Commissioner Spiers to adjourn the meeting. Commissioner Beal seconded the motion. The meeting was adjourned at 8:20 p.m.

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Respectively Submitted
Gus Karpas - Zoning Coordinator