

GREENWOOD PLANNING COMMISSION
WEDNESDAY, June 20, 2012
7:00 P.M.

1. CALL TO ORDER/ROLL CALL

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

Members Present: Chairman Lucking and Commission members Bill Cook, David Paeper, Douglas Reeder (5:09) and Alternate members Lisa Christian and Kristi Conrad

Absent: Commissioner John Beal

Others Present: City Attorney Mark Kelly, Council Liaison Tom Fletcher and Zoning Administrator Gus Karpas.

Due to the absence of Commissioner Beal, Alternate Conrad will be a voting member of the Commission at tonight's meeting.

2. OATH OF OFFICE

City Attorney Mark Kelly administered the Oath of Office to incoming Commissioner Lisa Christian.

3. APPROVE AGENDA

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

4. MINUTES OF May 16, 2012.

Commissioner Cook moved to approve the minutes of May 16, 2012 as amended. Commissioner Paeper seconded the motion. Motion carried 5-0.

LIAISON REPORT

Council Liaison Fletcher informed the Commission on a number of issues including the Council's appointment of Lisa Christian to the Planning Commission, its discussion of and adoption of two resolutions regarding the proposed Xcel Energy project, the adoption of the first reading of a sump pump ordinance, the approval of the Carlson variance request with the condition the impervious surface not increase what was approved by the Planning Commission, the approval of the Carlson conditional use permit, the approval for the construction and placement of a canoe rack at the Meadville fire lane and the reappointment of Vintage Waste as the city's recycler for the next three years.

5. PUBLIC HEARINGS

Matt and Angela Lindberg, 5160 Greenwood Circle, variance request to alter the grade greater than one vertical foot in conjunction with a rear yard landscaping project. The maximum extent of the grade alteration would be a difference of the grade by thirteen vertical feet.

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Section 1140:19 of the Zoning Ordinance requires the issuance of a variance for any increase in grade greater than one vertical foot within any one hundred square foot of area on the lot.

Chairman Lucking summarized the request and opened the public hearing.

David Roth and Jason Robinson from Buildscape Design were present to answer any questions. Mr. Robinson said the property currently has a small retaining wall at the rear of the house and the property slopes up from there to Highview Place. The plan proposes to remove that wall and push the grade back and redirect the water that comes down the slope around the house.

Chairman Lucking clarified that Highview Place drains into the subject property. Mr. Roth said it does and that the portion that is not caught by the catch basin drains directly to the house. Commissioner Paeper asked, under the proposal, where would the overflow be directed. Mr. Roth said it would be directed around the left side of the wall into the rear yard. He said this design would allow them to slope the grade away from the home.

Commissioner Cook asked about the material to be used for the wall. Mr. Robinson said it would be a field stone wall.

Zoning Coordinator Karpas commented that the existing retaining wall is not shown on the plan so it's hard to get perspective on how large an area is actually being leveled. Mr. Robinson said it was included on the plan submitted to the engineer and he assumed that would be passed on to the Commission. He will submit a copy to the city.

City Attorney Kelly asked if the existing drainage from Highview Place would be altered. Mr. Robinson said it would not and that the wall will have points in it that will let the water "seep" through instead of building up behind it. Kelly asked what steps would be taken to prevent the wall from eroding. Mr. Roth said they would place an eight ounce filter fabric behind the wall. Mr. Robinson said everything would be directed to the catch basin and anything that goes through would be direct to the house.

Commissioner Paeper asked if there would be a swale behind the wall. Mr. Roth said there would be a swale. Paeper asked about plantings. Mr. Robinson said there would be some, but they haven't been determined yet.

Council Liaison Fletcher commented on the intent of the ordinance stating it was drafted in the context of massing, preventing someone from building up a lot and then placing a home on top of it. Zoning Coordinator Karpas said drainage was also a concern.

Commissioner Reeder commented that a thirteen foot change in grade is a big change. Chairman Lucking noted they were not raising the grade, rather cutting into the hill which would not impact the mass of the existing structure.

Zoning Coordinator Karpas said the comments submitted by the City Engineer were rather vague and he will ask for more specific comments for the Council meeting. City Attorney Kelly said he would like the engineer to weigh in on the drain tile profile. Commissioner Paeper would like him to look at the structure characteristics and hydrostatic pressure behind the wall.

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City Attorney Kelly said a possible practical difficulty could be the depth of the yard. He asked how much additional level yard this request would create. Mr. Robinson said it would create an additional twenty-five to thirty feet. He said there is also an issue with drainage between the existing wall and the house because the wall is too close to the house; there is not enough area to allow filtration of the water that settles there. He said this would be solved by extending this area.

Mr. Robinson asked if a catch basin could be put at the top of the wall to direct water to the other catch basin. Commissioner Paeper said this may cause the regular catch basin to overload.

Mr. Robinson said this proposal would also create a safe environment for the applicant's children to play. Mr. Roth added this request would not add any additional impervious surface.

Council Liaison Fletcher asked if there were any concerns about the longevity of the proposed walls or issues they may create on adjacent properties. Commissioner Cook said he was not sure of impacts on adjoining properties but the longevity of walls is based on their design and installation. If designed and installed correctly they become almost permanent. He said most walls are too steep and too tall and they start to fail. Fletcher said he agrees the engineer needs to be more specific in his review.

Commissioner Paeper said he has no issue with the project but is struggling with defining a practical difficulty. Zoning Coordinator Karpas discussed the criteria and suggested some ideas the Commission could use if they were inclined to recommend approval for the request.

Commissioner Paeper said he has no issue with the intent or execution but believes the plan is more for the convenience of the homeowner and even though it improves the drainage, it's more for convenience.

Chairman Lucking said it could be argued the property is not well drained. Commissioner Cook said the plight could be the existing grade increases the velocity of the runoff. Commissioner Conrad asked about plantings. Cook said he could support the request if it was intended to correct a drainage issue. Conrad agrees, but stated the application doesn't state that as the main reason for the request in the application. She feels the application should have stated the intent differently. She would also like to see planting between the walls. It was noted that plantings could actually damage the barriers and cause the walls to erode.

City Attorney Kelly said if the Commission is inclined to recommend the Council approve the request, it should be based on the City Engineer providing a greater review of the overall design. Commissioner Reeder agreed the engineer report is very important.

Motion by Chairman Lucking to recommend the City Council approves the variance request to alter the grade greater than one vertical foot in conjunction with a rear yard landscaping project. The maximum extent of the grade alteration would be a difference of the grade by thirteen vertical feet, as presented for 5160 Greenwood Circle. A practical difficulty exists in the existing grade of the property which allows drainage from Highview Place to settle between the existing retaining wall and house rendering the

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rear yard of the property unusable. The motion is conditioned that the City Engineer provide a greater review of the proposal and provide a report to the Council which includes an analysis of the proposed drain tile profile, structural characteristics and a review of the hydrostatic pressure behind the wall. The applicant must also include some type of safety fencing at the top of the wall in their design. Paeper seconded the motion. Motion carried 5-0.

6. ADJOURN

Motion by Commissioner Cook to adjourn the meeting. Commissioner Paeper seconded the motion. The meeting was adjourned at 8:02 p.m.

Respectively Submitted
Gus Karpas - Zoning Administrator