

**GREENWOOD PLANNING COMMISSION
WEDNESDAY, MARCH 16, 2016
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 Pat Lucking, Commissioners Lake Bechtell, Kristi Conrad, and Fiona Sayer.

Absent: Commissioner Douglas Reeder and Council Liaison Bill Cook

Others Present: City Attorney Mark Kelly, and Zoning Administrator Dale Cooney.

2. ADMINISTER OATH OF OFFICE

City Attorney Mark Kelly administered the oath of office to Lake Bechtell and Fiona Sayer.

3. MINUTES – February 17, 2016

Commissioner Conrad moved to approve the minutes of February 17, 2016 as presented. Commissioner Bechtell seconded the motion. Motion carried 4-0.

4. PUBLIC HEARINGS

4a. Consider the conditional use permit request of Landscapes Unlimited for a grading project at 6 Maclynn Road

Chairman Lucking introduced the agenda item. He said the applicant is proposing a grading project to regrade the area near the front entry to the property. Lucking said the project will impact 490 square feet of surface area, and the total soil volume to be impacted will be 125 cubic yards. He said that Section 1140:19(2) of the Zoning Ordinance requires a Conditional Use Permit for grading impacting more than 200 square feet of surface area, and more than 20 cubic yards of soil volume.

Chairman Lucking opened the public hearing.

Carol McMullin of 8 Maclynn Road said that they were the neighbors and that they had received the mailing and wanted to know what was being proposed. Lucking showed them the survey and the plans and summarized the project. McMullin said that the previous owners had gotten water in the basement at 6 Maclynn Road and she was wondering if they were addressing that. Bechtell said that those issues were not addressed in this request. McMullin said that she and her husband were not opposed to the request and that they just wanted to see what was being proposed.

Chairman Lucking closed the public hearing.

Motion by Bechtell to recommend approval the request of Landscapes Unlimited for a conditional use permit for a grading project at 6 Maclynn Road. Motion was seconded by Conrad. Motion carried 4-0.

4b. Consider the conditional use permit request of Kyle Hunt & Partners for a grading project at 21020 Oak Lane South

Chairman Lucking introduced the agenda item. He said the project will impact 1600 square feet of surface area, and the total soil volume to be impacted will be 58.9 cubic yards. Lucking said that Section 1140:19(2) of the Zoning Ordinance requires a Conditional Use Permit for grading

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impacting more than 200 square feet of surface area, and more than 20 cubic yards of soil volume.

Chairman Lucking opened the public hearing.

Al Musech of Kyle Hunt & Partners, the applicant, said that the owners originally wanted to avoid the conditional use permit request, but that they decided to pursue it since it would make the garage addition more functional for future buyers. He said the size of the addition is relatively small. Musech said the grading request is required to dig into the hillside a bit so that the driveway approach to the new garage stall is adequate.

Commissioner Conrad asked if there was a retaining wall previously and where the new retaining wall would be. Musech said that there was a previous retaining wall, and that the new retaining wall would be about 10 feet off of the property line.

Commissioner Conrad asked about the drainage. Musech said that the drainage would not drain differently than it did before. Conrad said that the applicant is well under on hardcover.

Chairman Lucking closed the public hearing.

Commissioner Sayer made a motion to recommend approval the conditional use permit request of Kyle Hunt & Partners for a grading project at 21020 Oak Lane South as presented. Motion seconded by Bechtell. Motion carried 4-0.

4c. Conditional Use Permit Request, Michael Dvoracek of Signs Unlimited of Plymouth on behalf of Joel Buttenhoff, 21000 State Highway 7

Chairman Lucking introduced the agenda item. Lucking said that Michael Dvoracek of Signs Unlimited of Plymouth is requesting a CUP to install new signage to identify a commercial tenant at 21000 State Highway. He said that Section 1140.40(3)(2) of the Zoning Ordinance requires a Conditional Use Permit to erect, alter, reconstruct, maintain or move signage.

Chairman Lucking opened the public hearing. Hearing no public comments, Lucking closed the public hearing.

Commissioner Conrad asked how many square feet of signage the Allstate portion of the building had. Zoning administrator Cooney said that the Allstate tenant currently has 30.17 square feet of signage. Conrad said that the building would be under the 75 square feet requirement. Cooney said that with the new signage, the building would have 58.09 square feet of signage. Conrad asked if there was space for another business at the building. Cooney said that there were only two units at the property.

Conrad asked about the brightness of the sign. Bechtell said that he was in the sign business and that there is no way to tell how bright a sign will be. Cooney said that he talked with the applicant about brightness. He said the applicant said that there are a lot of factors that go into how bright the perception of the sign will be, including existing ambient light. Cooney said that the applicant told him the sign was not aggressively lit, and it would not be as bright as the Allstate sign. Cooney said that the city has a lighting restriction that would restrict the brightness at the property line, but that he did not expect brightness to be an issue.

Attorney Kelly said that, for future signs that might face a residential area, we should request something more specific from the sign company.

Commissioner Bechtell made a motion to recommend approval the conditional use permit request of Michael Dvoracek of Signs Unlimited of Plymouth for commercial signage at 21000 State Highway 7, as presented. Motion seconded by Sayer. Motion carried 4-0.

5. NEW BUSINESS

5a. Review Draft Ordinance Regarding Construction-Related Tree Cutting and Tree Preservation Plan Requirements

Chairman Lucking introduced the agenda item. He said that he had requested that the zoning administrator revise the tree ordinance so that an applicant could not get credit for noxious trees, but also be able to cut them down as well.

Conrad asked about penalties for illegally removing a tree. Cooney said that the penalty was \$1000 per tree. Conrad asked if it could be more. Attorney Kelly said that the offense is a misdemeanor and that \$1000 is the maximum fine for a misdemeanor.

Conrad asked about the tree removal limit and said that someone could remove two significant trees per year, and that in a few years they could have removed nearly all of the trees on their property. Cooney said that that was a change that was outside of the scope of this draft ordinance amendment.

Motion by Bechtell to approve the draft ordinance as written for city council review. Motion was seconded by Sayer. Motion carried 4-0.

6. LIAISON REPORT

Council Liaison Cook was not in attendance at the meeting. Lucking asked Cooney if a report was left by Cook. Cooney said that Cook did not leave a report. Conrad asked Cooney to give an update on the planning items that were heard at the City Council meeting.

Cooney said that the subdivision proposal at 21200 Minnetonka Boulevard was denied since it was not allowed under the current simple subdivision ordinance. Cooney said that the city council voted to refund the applicant's fee.

Cooney said that the city council requested some changes to the stormwater ordinance. He said that he could not remember specifically what those changes were.

7. ADJOURN

Motion by Commissioner Bechtell to adjourn the meeting. Commissioner Sayer seconded the motion. Motion carried 4-0. The meeting was adjourned at 7:43 p.m.

Respectively Submitted,
Dale Cooney - Zoning Administrator