



AGENDA

Greenwood City Council Meeting

Wednesday, January 3, 2018
20225 Cottagewood Road, Deephaven, MN 55331

Hearing devices are available from the recording technician.

The public is invited to speak when items come up on the agenda (comments are limited to 3 minutes).

The public may speak regarding other items during Matters from the Floor (see below).

- 7:00pm 1. CALL TO ORDER | ROLL CALL | APPROVE MEETING AGENDA
- 7:00pm 2. CONSENT AGENDA
Consent Agenda items are considered to be routine and are approved through one motion with no discussion by the city council. Council members may remove any Consent Agenda item for discussion and separate consideration under Other Business.
- A. Approve: 12-06-17 City Council Meeting Minutes
 - B. Approve: November Cash Summary Report
 - C. Approve: November Certificates of Deposit Report
 - D. Approve: December Verifieds, Check Register, Electronic Fund Transfers
 - E. Approve: January Payroll Register
- 7:05pm 3. MATTERS FROM THE FLOOR
This is an opportunity for the public to address the council regarding matters not on the agenda. Comments are limited to 3 minutes. Typically, the council will not take action on items presented at this time, but will refer items to staff for review, action, and / or recommendation for future council action.
- 7:10pm 4. PRESENTATIONS, REPORTS, GUESTS, AND ANNOUNCEMENTS
- A. Announcement: Greenwood Night at the Old Log Theatre, 7:30pm, Friday 01-26-18
 - B. Announcement: Mayors' Forum at the Southshore Center, 7pm, Tuesday 01-30-18
- 7:10pm 5. PUBLIC HEARING
- A. None
- 7:10pm 6. ACTION RELATED TO PUBLIC HEARING
- A. None
- 7:10pm 7. PLANNING, ZONING & SUBDIVISION ITEMS
- A. Consider: Res 03-18, Findings for Conditional Use Permit Request, Rick & Kim Polk, 4660 Linwood Cir
 - B. Consider: Planning Review Concept
- 7:40pm 8. UNFINISHED BUSINESS
- A. None
- 7:40pm 9. NEW BUSINESS
- A. Consider: Res 01-18 Setting City Dates for 2018
 - B. Consider: Res 02-18 City Appointments & Assignments for 2018
 - C. 1st Reading: Ord 274 Amending Nuisance Ordinance Section 910 Regarding Stormwater Runoff
- 8:00pm 10. OTHER BUSINESS
- A. None
- 8:00pm 11. COUNCIL REPORTS
- A. Conrad: Planning Commission
 - B. Cook: Lake Minnetonka Conservation District, Public Works Committee, St. Alban's Lake Improvement District
 - C. Fletcher: Lake Minnetonka Communications Commission, Fire, Administrative Committee
 - D. Kind: Police, Administrative Committee, Mayors' Meetings, Website
 - E. Quam: Minnetonka Community Education, Public Works Committee
- 8:20pm 12. ADJOURNMENT



Agenda Item: Consent Agenda

Summary: The consent agenda items are considered to be routine and are approved through one motion with no discussion by the city council. Council members may remove consent agenda items for further discussion. Removed items will be placed under Other Business on the agenda.

The consent agenda items are included in the hard copy of the full council packet and in the electronic version of the packet available at www.greenwoodmn.com.

Council Action: Required. Possible motion ...

1. I move the council approves the consent agenda items as presented.

MINUTES

Greenwood City Council Meeting

Wednesday, December 6, 2017

20225 Cottagewood Road, Deephaven, MN 55331



1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA

Mayor Kind called the meeting to order at 7:00pm.

Members Present: Mayor Kind; Councilmembers Bill Cook, Kristi Conrad, Tom Fletcher

Members Absent: Councilman Bob Quam

Staff Members Present: City Zoning Administrator Dale Cooney

Motion by Kind to approve the agenda. Second by Cook. Motion passed 4-0.

2. CONSENT AGENDA

A. Approve: 11-01-17 City Council Worksession & Regular Meeting Minutes

B. Approve: 11-02-17 Assessor Worksession Minutes

C. Approve: October Cash Summary Report

D. Approve: October Certificates of Deposit Report

E. Approve: November Verifies, Check Register, Electronic Fund Transfers

F. Approve: December Payroll Register

G. Approve: 2018 Licenses

Motion by Kind to approve the consent agenda items. Second by Cook. Motion passed 4-0.

3. MATTERS FROM THE FLOOR

A. None

4. PRESENTATIONS, REPORTS, GUESTS, AND ANNOUNCEMENTS

A. None

5. PUBLIC HEARINGS

A. Truth in Taxation Hearing: Opportunity to Speak Regarding 2018 City Levy & Budget

Motion by Fletcher that the city council opens the Truth in Taxation public hearing. Second by Cook. Motion passed 4-0.

Even though he arrived after the public hearing was closed, the council heard comments from Ron Weseman 5165 Queens Circle who had questions about what he could do regarding his 16% tax increase. The council advised him that his only option at this point in the process is to contact the city assessor to evaluate his property value in hope that new assessor information would help him appeal to MN Tax Court. The council reminded Mr. Weseman that the time to appeal property values is in April of each year for taxes payable the following year. The date for 2018 property value appeals for taxes payable in 2019 will be 04-12-18 at 6pm.

Motion by Cook that the city council closes the Truth in Taxation public hearing. Second by Fletcher. Motion passed 4-0.

6. ACTION RELATED TO PUBLIC HEARINGS

A. Consider: Res 27-17 Final 2018 Tax Levy and Res 28-17 Final 2018 Budget

Motion by Fletcher that the city council (1) adopts resolution 27-17 approving the 2018 tax levy in the amount of \$637,879 to be collected in 2018 and directs the city clerk to send the information to Hennepin County; and (2) adopts resolution 28-17 approving the 2018 general fund budget in the amount of \$766,184. Second by Cook. Motion passed 4-0.

7. PLANNING & ZONING ITEMS

A. Consider: Res 25-17 & Res 29-17 Findings for Variance Application, Laura & Lloyd Ness, 5500 Maple Heights Rd

Motion by Cook that the city council adopts resolution 25-17 laying out the findings of fact APPROVING the variance requests for a deck that encroaches into the north and south side yard setbacks and exceeds

the maximum permitted impervious area for the property. I further move that the council directs the city clerk to mail a copy of the findings to the applicant and the DNR, and place an Affidavit of Mailing for each of the mailings in the property file. Second by Kind. Motion passed 4-0.

Motion by Cook that the city council adopts resolution 29-17 laying out the findings of fact APPROVING the variance request for an enclosed porch that encroaches into the south side yard setback. I further move that the council directs the city clerk to mail a copy of the findings to the applicant and the DNR, and place an Affidavit of Mailing for each of the mailings in the property file. Second by Kind. Motion passed 3-1 with Conrad voting nay. Note: Fletcher voted nay for the verbal findings at the 11-01-17 meeting, but voting aye to formally adopt the written findings in order to not be an obstructionist to approving the findings in Quam's absence.

- B. Consider Res 30-17, Findings for Variance Application, David & Kimberly Barry, 21550 Excelsior Blvd.

Motion by Fletcher that the city council adopts resolution 30-17 laying out the findings of fact APPROVING the variance requests of David and Kimberly Barry to encroach 13 feet, 4 inches from the minimum required lake yard setback for the proposed garage addition, encroach 30 inches into the minimum required front and lake yard setback for the garage eaves, to increase the total impervious area on the property by 138 square feet for the property at 21550 Excelsior Boulevard, with amendments as discussed. I further move that the council directs the city clerk to mail a copy of the findings to the applicant and the DNR, and place an Affidavit of Mailing for each of the mailings in the property file. Second by Conrad. Motion passed 4-0.

- C. 2nd Reading: Ord 272, Amending Code Section 630 Regarding Right-of-Ways and Small Wireless Facilities & Res 26-17, Summary of Ord 272 for Publication

Motion by Fletcher that the city council (1) approves the 2nd reading of ordinance 272 amending the city's right-of-way ordinance section 630 to regulate public rights-of-way and to provide for the issuance and regulation of right-of-way permits as written; (2) approves resolution 26-17 a summary of ordinance 272 for publication; and (3) directs that resolution 26-17 be submitted to the Sun-Sailor for publication. Second by Cook. Motion passed 4-0.

- D. Consider: Sending Potential Lot-Size Ordinance to Planning Commission for Public Hearing and Recommendation
The consensus of the council was to continue this item to the February council agenda.

8. UNFINISHED BUSINESS

- A. Consider: Amendments to St. Alban's Bay Lake Improvement District Joint Cooperation Agreement

The consensus of the council was to continue this item to the April council agenda.

9. NEW BUSINESS

- A. Consider: Potential Replacement of Sewage Pump Station

Councilman Cook clarified that the request was regarding a sewage pump, not a much more costly station. The consensus of the council was to have the public works department take care of replacing essential sewer pumps and parts as appropriate and that no prior council approval is needed.

- B. Consider: 2017 Budget Line Item Adjustments and Fund Transfers

Motion by Fletcher that the city council approves the following budgeted 2017 fund transfers:

- a. **\$3,730** from 605-49300-721 Marina Fund Transfer Out to 101-39200 General Fund for Administrative Expense Reimbursement
- b. **\$12,500** from 605-49300-720 Marina Fund Transfer to 101-39201 General Fund
- c. **\$10,090** from 602-43200-720 Sewer Fund Transfer Out to 101-39202 General Fund for Administrative Expense Reimbursement
- d. **\$2,573** from 502-43200-720 Stormwater Fund Transfer Out to 101-39203 General Fund for Administrative Expense Reimbursement
- e. **\$20,000** from 101-49000-500 General Fund Bridge Transfer to 403-39200 Bridge Fund

and further move that the council approves the following 2017 fund transfer to “repay” the Sewer Fund:

- f. \$20,000** from 502-43200-720 Stormwater Interfund Transfer Out to 602-34405 (new number) Sewer Fund Interfund Transfer In

Second by Cook. Motion passed 4-0.

- C. Discuss: Planning Review Concept

The consensus of the council was to continue this item to the January council agenda.

- D. Discuss: Aquatic Invasive Species Prevention

The consensus of the council was for Mayor Kind to send a letter on behalf of the city council to the Lake Minnetonka Conservation District Board to express Greenwood's support for the LMCD to be more aggressive in monitoring and responding to new aquatic invasive species threats in Lake Minnetonka.

10. OTHER BUSINESS

- A. None

11. COUNCIL REPORTS

- A. Conrad: Planning Commission

No report, since planning commission items were discussed during the meeting.

- B. Cook: Lake Minnetonka Conservation District, Public Works Committee

The consensus of the council was to consider an amendment to the nuisance ordinance to address property owner changes that affect stormwater runoff onto adjacent properties.

- C. Fletcher: Lake Minnetonka Communications Commission, Fire, Administrative Committee

No council action taken. View discussion at LMCC-TV.org.

- D. Kind: Police, Administrative Committee, Mayors' Meetings, Website

Motion by Fletcher to authorize Mayor Kind to write a letter on behalf of the city council to the Hennepin County Commissioners opposing the proposed budget amendment that affects Crime Lab services. Second by Conrad. Motion passed 4-0.

Motion by Kind to set 04-12-18 at 6pm in the Deephaven City Council Chambers as the date, time, and place for the Local Board of Appeal & Equalization meeting. Second by Cook. Motion passed 4-0.

- E. Quam: Minnetonka Community Education, Public Works Committee

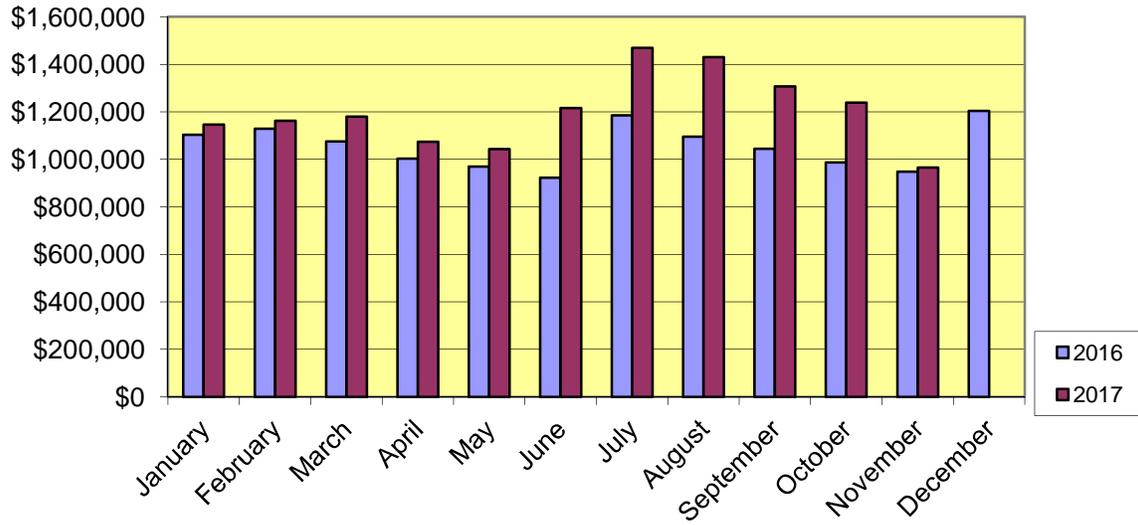
No report since Quam was not at the meeting.

12. ADJOURNMENT

Motion by Kind to adjourn the meeting at 9:20pm. Second by Conrad. Motion passed 4-0.

This document is intended to meet statutory requirements for city council meeting minutes. A video recording was made of the meeting, which provides a verbatim account of what transpired. The video recording is available for viewing on LMCC TV channel 8 for 1 month, at www.lmcc-tv.org for 1 year, and on DVD at the city office (permanent archive).

City of Greenwood Monthly Cash Summary



| Month | 2016 | 2017 | Variance with Prior Month | Variance with Prior Year |
|-----------|-------------|-------------|---------------------------|--------------------------|
| January | \$1,103,197 | \$1,146,895 | -\$56,730 | \$43,698 |
| February | \$1,128,257 | \$1,162,355 | \$15,460 | \$34,098 |
| March | \$1,074,726 | \$1,180,149 | \$17,794 | \$105,423 |
| April | \$1,003,064 | \$1,073,772 | -\$106,377 | \$70,708 |
| May | \$968,814 | \$1,042,937 | -\$30,835 | \$74,123 |
| June | \$922,082 | \$1,216,488 | \$173,551 | \$294,406 |
| July | \$1,184,900 | \$1,469,592 | \$253,104 | \$284,692 |
| August | \$1,095,742 | \$1,430,595 | -\$38,997 | \$334,853 |
| September | \$1,044,116 | \$1,306,495 | -\$124,100 | \$262,379 |
| October | \$986,451 | \$1,238,961 | -\$67,534 | \$252,510 |
| November | \$948,462 | \$965,784 | -\$273,177 | \$17,322 |
| December | \$1,203,625 | -\$965,784 | -\$965,784 | -\$1,203,625 |

| | |
|-------------------------------|------------------|
| Alerus Bank Checking | \$19,672 |
| Bridgewater Bank Checking | \$47,749 |
| Alerus Bank Money Market | \$295,179 |
| Bridgewater Bank Money Market | \$12,176 |
| Bridgewater Bank CD's | \$591,008 |
| Total | \$965,784 |

| <u>ALLOCATION BY FUND</u> | |
|-----------------------------------|------------------|
| General Fund | \$298,761 |
| Special Project Fund | \$67,489 |
| General Fund Designated for Parks | \$16,756 |
| Bridge Capital Project Fund | \$164,255 |
| Road Improvement Fund | (\$18,099) |
| Stormwater Fund | \$21,680 |
| Sewer Enterprise Fund | \$330,309 |
| Marina Enterprise Fund | \$84,633 |
| Total | \$965,784 |

GREENWOOD CERTIFICATES OF DEPOSIT

Report Date: 11/30/17

| Acct # | Bank | Date | Term | Maturity | Rate | Amount |
|--------------|------------------|----------|----------|----------|-------|----------------------|
| 101-10409 | Bridgewater Bank | 12/01/16 | 15 month | 03/01/18 | 1.00% | \$ 81,950.13 |
| 101-10412 | Bridgewater Bank | 01/06/17 | 15 month | 04/06/18 | 1.00% | \$ 80,599.84 |
| 10110410 | Bridgewater Bank | 03/06/17 | 15 month | 06/06/18 | 1.00% | \$ 80,403.79 |
| 10110407 | Bridgewater Bank | 04/06/17 | 15 month | 07/06/18 | 1.00% | \$ 80,401.60 |
| 10110408 | Bridgewater Bank | 08/11/17 | 13 month | 09/11/18 | 1.00% | \$ 60,755.08 |
| 101-10413 | Bridgewater Bank | 06/12/17 | 15 month | 09/12/18 | 1.00% | \$ 62,541.23 |
| 101-10414 | Bridgewater Bank | 08/25/17 | 15 month | 11/25/18 | 1.00% | \$ 81,920.06 |
| 10110411 | Bridgewater Bank | 10/08/17 | 15 month | 01/09/19 | 1.00% | \$ 62,435.81 |
| TOTAL | | | | | | \$ 591,007.54 |

CITY COUNCIL POLICY: 09-03-14 Motion by Roy to authorize the administrative committee to open CDs with a maximum initial maturity of 25 months with a combined maximum total CD balance of \$500,000 at Alerus Bank or Bridgewater Bank. Second by Cook. Motion passed 5-0.

11-02-16 Motion by Fletcher that the city council authorizes an increase from \$500,000 to \$600,000 for the city's maximum balance of certificate of deposit. Second by Roy. Motion passed 5-0.

Check Issue Date(s): 12/01/2017 - 12/31/2017

| Per | Date | Check No | Vendor No | Payee | Check GL Acct | Amount |
|---------|------------|----------|-----------|--------------------------------|---------------|-------------------|
| 12/17 | 12/05/2017 | 12908 | 868 | ST ALBANS BAY LAKE IMPROVEMENT | 101-20100 | 9,924.67 |
| 12/17 | 12/13/2017 | 12909 | 738 | AVENET WEB SOLUTIONS | 101-20100 | 425.00 |
| 12/17 | 12/13/2017 | 12910 | 51 | BOLTON & MENK, INC. | 101-20100 | 13,430.04 |
| 12/17 | 12/13/2017 | 12911 | 9 | CITY OF DEEPHAVEN | 101-20100 | 8,423.64 |
| 12/17 | 12/13/2017 | 12912 | 822 | ECM PUBLISHERS INC | 101-20100 | 64.63 |
| 12/17 | 12/13/2017 | 12913 | 68 | GOPHER STATE ONE CALL | 602-20100 | 18.90 |
| 12/17 | 12/13/2017 | 12914 | 75 | HENNEPIN COUNTY TREASURER | 101-20100 | 70.19 |
| 12/17 | 12/13/2017 | 12915 | 3 | KELLY LAW OFFICES | 101-20100 | 375.00 |
| 12/17 | 12/13/2017 | 12916 | 850 | KENNEDY, GRAVEN, CHARTERED | 101-20100 | 165.00 |
| 12/17 | 12/13/2017 | 12917 | 886 | KENNETH N. POTTS, P.A. | 101-20100 | 400.00 |
| 12/17 | 12/13/2017 | 12918 | 99 | LAKE MTKA CONSERVATION DISTRIC | 101-20100 | 1,574.50 |
| 12/17 | 12/13/2017 | 12919 | 105 | METRO COUNCIL ENVIRO SERVICES | 602-20100 | 2,256.07 |
| 12/17 | 12/13/2017 | 12920 | 867 | RANDY'S ENVIRONMENTAL SERVICES | 101-20100 | 1,628.25 |
| 12/17 | 12/13/2017 | 12921 | 38 | SO LAKE MINNETONKA POLICE DEPT | 101-20100 | 15,196.00 |
| 12/17 | 12/13/2017 | 12922 | 145 | XCEL ENERGY | 602-20100 | 673.37 |
| 12/17 | 12/15/2017 | 12923 | 848 | BRIDGEWATER BANK | 101-20100 | 60,000.00 |
| Totals: | | | | | | <u>114,625.26</u> |

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

| Vendor | Vendor Name | Invoice No | Description | Inv Date | Net Inv Amt |
|-----------------------------------|----------------------------|------------|---|------------|-------------|
| AVENET WEB SOLUTIONS | | | | | |
| 738 | AVENET WEB SOLUTIONS | 41688 | Annual web hosting, Mtce, Cust. Support | 11/30/2017 | 425.00 |
| Total AVENET WEB SOLUTIONS | | | | | 425.00 |
| BOLTON & MENK, INC. | | | | | |
| 51 | BOLTON & MENK, INC. | 0211236 | 2017 DEVELOPMENT REVIEW | 11/30/2017 | 60.00 |
| | | 0211237 | 2017 MISC DRAINAGE | 11/30/2017 | 156.00 |
| | | 0211238 | 2017 MISC ENGINEERING | 11/30/2017 | 576.00 |
| | | 0211239 | 2017 SEWER IMPROVEMENTS | 11/30/2017 | 78.00 |
| | | 0211240 | 2017 STREET IMPROVEMENTS | 11/30/2017 | 1,681.00 |
| | | 0211241 | GRWD/ST ALBANS BRIDGE PLANNING | 11/30/2017 | 10,879.04 |
| Total BOLTON & MENK, INC. | | | | | 13,430.04 |
| BRIDGEWATER BANK | | | | | |
| 848 | BRIDGEWATER BANK | 12 15 17 | NEW 15 MONTH CD | 12/15/2017 | 60,000.00 |
| Total BRIDGEWATER BANK | | | | | 60,000.00 |
| CITY OF DEEPHAVEN | | | | | |
| 9 | CITY OF DEEPHAVEN | DEC 2017 | RENT & EQUIPMENT | 12/01/2017 | 487.45 |
| | | | Postage | | 18.06 |
| | | | COPIES | | 137.20 |
| | | | WEED/TREE/MOWING | | 1,142.40 |
| | | | PARK MAINTENANCE | | 2,094.40 |
| | | | Clerk Services | | 4,083.30 |
| | | | ZONING | | 460.83 |
| Total CITY OF DEEPHAVEN | | | | | 8,423.64 |
| ECM PUBLISHERS INC | | | | | |
| 822 | ECM PUBLISHERS INC | 555119 | LEGAL NOTICE | 12/07/2017 | 64.63 |
| Total ECM PUBLISHERS INC | | | | | 64.63 |
| GOPHER STATE ONE CALL | | | | | |
| 68 | GOPHER STATE ONE CALL | 7110418 | Gopher State calls | 11/30/2017 | 18.90 |
| Total GOPHER STATE ONE CALL | | | | | 18.90 |
| HENNEPIN COUNTY TREASURER | | | | | |
| 75 | HENNEPIN COUNTY TREASURE | 11 30 17 | TRUTH IN TAX NOTICES | 11/30/2017 | 70.19 |
| Total HENNEPIN COUNTY TREASURER | | | | | 70.19 |
| KELLY LAW OFFICES | | | | | |
| 3 | KELLY LAW OFFICES | X579 | GENERAL LEGAL | 11/21/2017 | 375.00 |
| Total KELLY LAW OFFICES | | | | | 375.00 |
| KENNEDY, GRAVEN, CHARTERED | | | | | |
| 850 | KENNEDY, GRAVEN, CHARTERED | OCT 2017 | LEGAL SERVICES | 10/31/2017 | 165.00 |
| Total KENNEDY, GRAVEN, CHARTERED | | | | | 165.00 |
| KENNETH N. POTTS, P.A. | | | | | |
| 886 | KENNETH N. POTTS, P.A. | 12 01 17 | PROSECUTION SVCS | 12/01/2017 | 400.00 |

| Vendor | Vendor Name | Invoice No | Description | Inv Date | Net Inv Amt |
|---------------------------------------|--------------------------------------|------------|---------------------------|------------|-------------|
| | Total KENNETH N. POTTS, P.A. | | | | 400.00 |
| LAKE MTKA CONSERVATION DISTRIC | | | | | |
| 99 | LAKE MTKA CONSERVATION DI | 4TH QTR | 4th Qtr. LMCD Levy | 09/19/2017 | 1,574.50 |
| | Total LAKE MTKA CONSERVATION DISTRIC | | | | 1,574.50 |
| METRO COUNCIL ENVIRO SERVICES | | | | | |
| 105 | METRO COUNCIL ENVIRO SERV | 0001075638 | Monthly wastewater Charge | 12/06/2017 | 2,256.07 |
| | Total METRO COUNCIL ENVIRO SERVICES | | | | 2,256.07 |
| RANDY'S ENVIRONMENTAL SERVICES | | | | | |
| 867 | RANDY'S ENVIRONMENTAL SEF | NOV 2017 | RECYCLING SERVICES | 11/17/2017 | 1,628.25 |
| | Total RANDY'S ENVIRONMENTAL SERVICES | | | | 1,628.25 |
| SO LAKE MINNETONKA POLICE DEPT | | | | | |
| 38 | SO LAKE MINNETONKA POLICE | DEC 2017 | OPERATING BUDGET | 12/01/2017 | 15,196.00 |
| | Total SO LAKE MINNETONKA POLICE DEPT | | | | 15,196.00 |
| ST ALBANS BAY LAKE IMPROVEMENT | | | | | |
| 868 | ST ALBANS BAY LAKE IMPROVE | 11 28 17 | SPECIAL ASSMT REV | 11/28/2017 | 9,924.67 |
| | Total ST ALBANS BAY LAKE IMPROVEMENT | | | | 9,924.67 |
| XCEL ENERGY | | | | | |
| 145 | XCEL ENERGY | 11 27 17 | 4925 MEADVILLE STREET * | 11/27/2017 | 8.33 |
| | | | SIREN | | 3.71 |
| | | | Sleepy Hollow Road * | | 8.33 |
| | | | Street Lights * | | 404.18 |
| | | | LIFT STATION #1 | | 40.37 |
| | | | LIFT STATION #2 | | 46.01 |
| | | | LIFT STATION #3 | | 38.19 |
| | | | LIFT STATION #4 | | 45.41 |
| | | | LIFT STATION #6 | | 78.84 |
| | Total XCEL ENERGY | | | | 673.37 |

Total Paid: 114,625.26

Total Unpaid: -

Grand Total: 114,625.26

| Pay Per Date | Jrnl | Check Date | Check Number | Payee | Emp No | Description | GL Account | Amount |
|-----------------|------|---------------|-----------------|--------------------|--------|-------------|---------------|-----------------|
| 01/01/18 | PC | 01/01/18 | 1011801 | CONRAD, KRISTI | 39 | | 001-10100 | 279.54 |
| 01/01/18 | PC | 01/01/18 | 1011802 | COOK, WILLIAM B. | 37 | | 001-10100 | 279.54 |
| 01/01/18 | PC | 01/01/18 | 1011803 | Fletcher, Thomas M | 33 | | 001-10100 | 179.54 |
| 01/01/18 | PC | 01/01/18 | 1011804 | Kind, Debra J. | 34 | | 001-10100 | 419.32 |
| 01/01/18 | PC | 01/01/18 | 1011805 | Quam, Robert | 32 | | 001-10100 | 279.54 |
| Grand Totals: | | | | | | | | <u>1,437.48</u> |



Agenda Number: **7A**

Agenda Date: **01-03-18**

Prepared by Dale Cooney

Agenda Item: Consider: Res 03-18, Findings for Conditional Use Permit Request, Rick and Kim Polk, 4660 Linwood Circle.

Summary: Copies of the application materials and staff report are attached reference. Notice of the public hearing was published in the Sun-Sailor newspaper on 12-07-17. The planning commission held a public hearing at their 12-20-17, meeting. The planning commission considered public comment, applicant's comments, application materials, and staff reports when making their recommendation (see planning commission action below). The city council **must** address the practical difficulty standards outlined in city code section 1155.10.

Planning Commission Action: Motion by Reeder to recommend approval of the request as proposed based on the recommendation and findings of staff, and subject to the following conditions:

1. The proposed north patio area be removed or replaced with a deck or balcony.
2. For the north side of the lot, gutters and downspouts should be incorporated as necessary and connected to the proposed draitile from the French drain to direct runoff away from the adjacent property.
3. Perimeter erosion control measures (siltfence, rock entrance, etc.) should be installed by the Contractor and inspected by the City prior to any other work. Contractor must provide minimum 24-hour notice prior to inspection.
4. Retaining walls 4' or greater in height must be designed by a licensed Professional Engineer, and plans must be submitted for approval prior to construction. Multiple walls spaced apart less than double the height of the lower wall will be considered one wall.
5. The applicant will be required to obtain a Minnehaha Creek Watershed District permit for the proposed improvements. A copy of the permit should be provided to the City conditional to final approval.
6. The project must be completed according to the specifications and design requirements in the submitted plans.
7. A certified copy of this resolution shall be filed by the applicants with the Hennepin County Register of Titles and proof of filing provided to the city of Greenwood before any permits may issue or the project commence.

Motion was seconded by Bechtell. Motion carried 4-0.

Key Dates:

| | |
|-------------------------------------|-------------------|
| Application complete: | December 5, 2017 |
| Notice of Public Hearing published: | December 7, 2017 |
| Planning Commission Public Hearing: | December 20, 2017 |
| City Council Consideration: | January 3, 2018 |
| 60-Day Deadline: | February 3, 2018 |
| 120-Day Deadline: | March 4, 2018 |

Council Action: The city council must take action by 02-03-18 unless the council decides to exercise the city's option to take another 60 days to consider the request. Suggested motions ...

1. I move the city council adopts resolution 03-18 laying out the findings of fact **APPROVING** the conditional use permit requests of Rick and Kim Polk to impact 13,000 square feet of surface area and 830 cubic yards of volume, and to install a permanent in-ground swimming pool for the property at 4660 Linwood Circle, as proposed. I further move that the council directs the city clerk to mail a copy of the findings to the applicant and the DNR, and place an Affidavit of Mailing for each of the mailings in the property file.
2. I move the city council directs staff to draft **FINDINGS FOR DENIAL** of the variance requests of Rick and Kim Polk, 4660 Linwood Circle, to be considered at the February 7 city council meeting. I further move the city council directs city staff to exercise the city's option to take 60 additional days to process the conditional use permit application by mailing written notice and placing an Affidavit of Mailing in the property file.
3. I move the city council directs city staff to exercise the city's option to take 60 additional days to process the variance application of Rick and Kim Polk, 4660 Linwood Circle, by mailing written notice and placing an Affidavit of Mailing in the property file. The written notice shall state the reason for the extension is: _____.

Note: MN statue 15.99 requires a council decision within 60 days. The council may approve or modify a request based on verbal findings of fact and the applicant may proceed with their project. However, if the council denies the request, the council must state in writing the reasons for denial at the time that it denies the request. The council may extend the 60-day time limit by providing written notice to the applicant including the reason for the extension and its anticipated length (may not exceed 60 additional days unless approved by the applicant in writing).



Agenda Number: **7A**

Agenda Date: 01-03-18

STAFF REPORT

Prepared by Dale Cooney

Agenda Item: Public hearing to consider conditional use permit request of Rick and Kim Polk for 4660 Linwood Circle to regrade the property in conjunction with the construction of a new house and to build an in-ground swimming pool.

Summary: Rick and Kim Polk, property owners at 4660 Linwood Circle, are working with Steiner & Koppelman to build a new house at 4660 Linwood Circle. The applicants are requesting a conditional use permit in order to regrade portions of the property and to install a lap pool for the new home.

Grading Conditional Use Permit:

The proposed grading changes exceed the City's Conditional Use Permit threshold. Section 1140.19(2) of the City Zoning Code requires a conditional use permit for any the grading or site/lot topography alteration request involving more than 200 square feet of surface area, or involving more than 7 cubic yards of material. The applicant is proposing to impact 13,000 square feet of surface area and 830 cubic yards of volume.

The main body of the house will sit at a comparable elevation to the existing home. The main areas that staff has identified for significant grade alterations include: the area that will now accommodate a tuck-under garage; an area along the north side yard that will accommodate a patio area; and an area along the south side yard setback that accommodates lower level windows.

Staff has no concerns with the area in the south side yard built for the lower level windows. Staff does question the regrading of the area along the north side yard to accommodate a main level patio. Staff struggles with the idea that an 8 foot retaining wall would be needed along the side yard setback line to accommodate a main floor barbeque patio. The grading in this area seems like a forced fit and runs counter to the overall grading for the property. In staff's opinion, a deck or a balcony would be a more appropriate solution in this area.

The tuck under garage area is the most significant area where grading will take place. The retaining wall for the tuck under garage will be as tall as 8 feet. The front yard has already been disturbed by numerous retaining walls. Based on the proposal, some of those areas will actually be restored to accommodate the main level garage, driveway, and front entry. While the overall grade change is significant, the proposal is consistent with similar configurations approved by the city in the past (5145 Weeks Road).

Based on the CUP review criteria found in city code section 1155.20, staff believes that the proposal meets the requirements for the granting of a conditional use permit.

Swimming Pool Conditional Use Permit:

Applicants are proposing to install a lap pool on the lake yard side of the property. Per Section 1120.05, Subd. 4 of the zoning code, "permanent in-ground swimming pools and spas" are regulated as conditional uses within the R-1A zoning district. A free standing hot tub is also proposed, which is a permitted use.

Due to the nature and location of the lap pool, staff does not propose any specific conditions for the pool. The pool is setback significantly from the property lines. Also, the lap pool is not type of pool that would generate substantial noise impacts with parties and other social gatherings. There is no pool decking on three sides of the pool, further limiting its use as an outdoor gathering space.

Other Items:

Trees: The applicant has submitted tree preservation information. City ordinance allows removal of 20% of the caliper inches on the property. The tree preservation plan included several noxious trees, and staff recalculated the removal percentage to be 15.6% of the total diameter inches for the property.

Impervious Surface: Applicant proposes a total impervious area of 29.32%. This amount does not include the addition of a "grass pave" driveway for the tuck under garage that would be used as boat storage. The builder states that this is a sand and grass-based system which does not use pavers. The city has not recognized any kind of pervious system that would be exempt from hardcover calculations. However, the city engineer has stated that the system would work as intended.

The builder for the project has stated that, since the driveway would be primarily used for boat storage, if the grass pave system was not excluded from hardcover, they would replace the system with grass. The city should make a recommendation on this point.

Staff does have concerns that the proposed configuration of a tuck under garage without a formal driveway is essentially an invitation to exceed the impervious surface limitations on the property in the future. Staff would fully expect this driveway area to eventually be paved. However, to staff's knowledge, there is not a code mechanism to prevent such a configuration and it will likely become an enforcement issue.

Stormwater Mitigation: Section 1140.17 requires stormwater mitigation for increased impervious surface coverage of 200 square feet or more over existing conditions. The project proposes to expand impervious areas by 799 square feet. Mitigation can be provided by demonstrating *"through topographic features that water will be conveyed towards naturally occurring water features such as lakes, wetlands, creeks, or channels without impacting neighboring properties."* While the city engineer has recommended mitigation for the excess impervious, it appears that impervious areas draining towards the street are less than existing conditions.

City Engineer Comments: The city engineer's comments are attached to this staff report. While he was comfortable with the overall grading, he raised concerns about runoff impacts to the north property and recommended gutters and downspouts be installed to direct drainage away from this property. He also requested to see documentation on the grass pave system to ensure that it would function as proposed.

Staff Recommendation for Conditional Use Permit Request:

Staff recommends approval of the conditional use permit request of Rick and Kim Polk for 4660 Linwood Circle to impact 13,000 square feet of surface area and 830 cubic yards of volume, and to install an in-ground swimming pool, as proposed. Staff findings based on the CUP review criteria found in city code section 1155.20:

- a) The proposed use will comply with the regulations specified for the R1-A zoning district.
- b) The use is one of the conditional uses permitted for the R1-A zoning district.
- c) The use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or city.
- d) The proposed use will be harmonious with the objective(s) of the comp plan, particularly the objective of: Maintaining the overall pattern of drainage from the property and not increasing stormwater runoff.
- e) The use will not be hazardous or disturbing to existing or future neighboring uses.
- f) The use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, sewer, schools, or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use.
- g) The use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- h) The use will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors.
 - a. The use will have vehicular approaches to the property that do not create traffic congestion or interfere with traffic on surrounding public thoroughfares.
 - b. The use will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.
 - c. The use will not depreciate surrounding property values.

And subject to the following conditions:

- A. Gutters and downspouts should be incorporated as necessary and connected to the proposed drain tile to direct runoff away from the adjacent property to the north.
- B. The project must be completed according to the specifications and design requirements in the submitted plans.
- C. A certified copy of this resolution shall be filed by the applicants with the Hennepin County Register of Titles and proof of filing provided to the city of Greenwood before any permits may issue or the project commence.

Conditional Use Permit Application



Person completing form: Property Owner Builder / Architect

If you prefer to complete this form electronically, it is available at www.greenwoodmn.com.

| | |
|--|---|
| Date application submitted | 12-4-17 |
| Date application complete (office use only) | |
| Property address | 4660 LINWOOD CIRCLE EXCISION 14N |
| Property identification number (PID) | 1398307 |
| Property owner's current mailing address | 4740 LODGE LN GREENWOOD MN 55331 |
| Names of all property owners | Rick + Kim Poir |
| Cell phone and email of property owner(s) | 612-751-1338 612-723-3313 |
| Name of builder / architect (if any) | STEINER KOPPELMAN |
| Company name of builder / architect | DAVID STEINER |
| Cell phone and email of builder / architect | 612-414-5124 DAVID@STEINERKOPPELMAN.COM |
| Company address | 18340 MINNETONKA BLVD WAYzata MN |
| Present use of property | RESIDENTIAL |
| Property acreage | .625 ACRES 27,364 sq ft |
| Existing variances or conditional use permits | <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - please attach a copy |
| Request is for | <input checked="" type="checkbox"/> New Construction <input type="checkbox"/> Addition <input type="checkbox"/> Remodel <input type="checkbox"/> Replace <input type="checkbox"/> Other: |
| The CUP is being requested to (e.g. install a swimming pool) | SWIMMING POOL / REMOVAL OF MORE THAN 7 YARDS |

Making your case for the grant of a conditional use permit: The planning commission shall make findings and recommendations to the city council. The council may then authorize a conditional use by resolution provided the evidence presented complies with the city conditional use permits ordinance section 1150 (view at city hall or at www.greenwoodmn.com). The council may impose such conditions and safeguards upon the premises benefited by a conditional use permit as may be necessary to maintain compatibility with other properties in the neighborhood. Examples of conditions include, but are not limited to: controlling size and location of use, regulating ingress and egress, controlling traffic flow, regulating off-street parking and loading areas, location of utilities, berming, fencing, screening, landscaping, restricting hours of operation, controlling noise, controlling lighting, controlling odors, and compatibility of appearance. Violation of such conditions and safeguards, when made part of the terms under which the conditional use permit is granted, shall be deemed a violation of this ordinance and punishable under section 1180 et seq.

Please answer each of the below questions:

| | |
|---|---|
| Will the proposed use comply with the regulations specified in the ordinance for the district in which the proposed use is to be located? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: WE ARE ASKING FOR A POOL STRUCTURE TO BE ATTACHED TO THE HOME NOT A SEPARATE STRUCTURE |
| Is the proposed use one of the conditional uses permitted for the district in which it is to be located? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: |
| Will the proposed use be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or city? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: |
| Will the proposed use be harmonious with the objectives of the comp plan? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: WE CURRENTLY LIVE IN GREENWOOD WITH A POOL BETWEEN THE LAKE & THE HOUSE |
| Will the proposed use be hazardous or disturbing to existing or future neighboring uses? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: |

| | |
|--|--|
| Will the proposed use be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, sewer, schools? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: |
| Will the proposed use create excessive additional requirements at public cost for public facilities and services or be detrimental to the economic welfare of the community? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: |
| Will the proposed use involve activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: |
| Will the proposed use have vehicular approaches to the property that do not create traffic congestion or interfere with traffic on surrounding public thoroughfares? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: |
| Will the proposed use result in the destruction, loss or damage of a natural, scenic or historic feature of major importance? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: |
| Will the proposed use unreasonably depreciate surrounding property values? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: |

The applicant(s) contacted the following regulatory bodies and will seek approvals if required:

(1) Lake Minnetonka Conservation District 952.745.0789 (2) Minnehaha Creek Watershed District 952.471.0590

Applicant's acknowledgement and signature(s): The undersigned hereby submits this application for the described action by the city and is responsible for complying with all city requirements with regard to this request. This application should be processed in my name, and I am the party whom the city should contact about this application. The applicant certifies that the information supplied is true and correct to the best of their knowledge. The undersigned also acknowledges that before this request can be considered and / or approved, all required information and fees must be paid to the city, and if additional fees are required to cover costs incurred by the city, the city has the right to require additional payment from one or more of the undersigned, who shall be jointly liable for such fees. An incomplete application will delay processing and may necessitate rescheduling the review timeframe. The application timeline commences once an application is considered complete when all required information and fees are submitted to the city. The applicant recognizes that they are solely responsible for submitting a complete application and that upon failure to do so, recognizes city staff has no alternative but to reject the application until it is complete or to recommend denial regardless of its potential merit. A determination of completeness of the application shall be made within 10 business days of the application submittal. A written notice of application deficiencies shall be mailed to the applicant within 10 business days of application. I am the authorized person to make this application and the fee owner has also signed this application.

| | |
|--|---------------|
| Signature:  | Date: 12-4-17 |
|--|---------------|

Property owner's acknowledgement and signature: The undersigned is the fee title owner of the page 1 described property. I acknowledge and agree to this application and further authorize reasonable entry onto the property by city staff, consultants, agents, planning commission members, and city council members for purposes of investigation and verification of this request.

| | |
|--|---------------|
| Signature:  | Date: 12-4-17 |
|--|---------------|

Note: If the property owner is different than the applicant, signatures from both the applicant and the property owner are required.

| | |
|---|--------------|
| Variance Fee (nonrefundable) | \$400 |
| Shoreland Management Review Fee (nonrefundable) | \$200 |
| Total Amount Due (make check payable to the City of Greenwood) | \$600 |

| | | |
|----------------------------|---|-----------|
| For Office Use Only | Fee Paid: <input type="checkbox"/> Cash <input type="checkbox"/> Check #: | Amount \$ |
|----------------------------|---|-----------|

| | |
|-----------|--|
| Permit # | FORM #5 Return this document to City Hall |
| Receipt # | |



Building Volume Compliance Form

If you prefer to complete this form electronically, it is available at www.greenwoodmn.com.

| | |
|-------------------|---------------------|
| Property Owner(s) | Rick & Kim Polk |
| Property Address | 4660 Linwood Circle |

Person completing this form: Property Owner Builder / Architect

Per code section 1140.18 (view at www.greenwoodmn.com or at city hall), no lot in the residential zones of the city may be host to principal and accessory buildings and structures whose above grade building volume (expressed in cubic feet) is greater than the following maximums:

- (1) Lots of 7500 square feet or less in area may be host to buildings, structures, and accessory structures whose above grade building volume is not greater than a volume equal to 6 times the lot area.
- (2) Lots between 7500 square feet and 15,000 square feet in area may be host to buildings, structures, and accessory structures whose above grade building volume is not greater than a volume equal to 42,000 cubic feet plus a volume of cubic feet equal to a figure 4 times (lot area minus 7500 square feet).
- (3) Lots greater than 15,000 square feet in area may be host to buildings, structures, and accessory structures whose above grade building volume is not greater than a volume equal to 75,000 cubic feet plus a volume of cubic feet equal to a figure 2 times (lot area minus 15,000 square feet).

- **Exclusions.** All space above unroofed structures such as decks, patios, and wholly in-ground, at grade, pools with no exposed sides shall be excluded from the calculation of building volume.
- **Inclusions.** Enclosed or unenclosed porches or porticos shall be included in the total volume of the building.
- **Building Perimeter Grade** means the average of all elevation measurements taken off the finished grade or surface of the ground, sidewalk or paving around the perimeter of a building or structure at (a) points 5 feet distant and perpendicular to the building perimeter commencing at the most northerly corner thereof and thence clockwise at similarly situated points every 10 feet around the building perimeter, (b) the point of highest grade within 5 feet of the building perimeter and (c) the point of lowest grade within 5 feet of the building perimeter.

Exemption for small projects: The proposed improvements involve an area equal to 20% or less of the first floor of the principal structure, therefore I request the city zoning administrator waive the requirement to submit the additional survey requirements and the "above grade building volume" calculation.

| | |
|--|------------------------|
| The "above grade building volume" calculation for the property is: | 94,582 ft ³ |
|--|------------------------|

Sworn Statement: The undersigned hereby submits this "sworn statement" that the "above grade building volume" calculation is prepared in conformance with the provisions of code section 1140.18. In the event of inaccuracies, misstatements, incomplete information, or errors in the application and/or supporting materials, the city may issue stop work orders, or delay action on applications pending receipt of corrected or additional information. The undersigned assumes all risk of loss or expenses caused by any such deficiency, delay, or structural changes required to cause the structure to come into code compliance.

| | | |
|------------|--|----------------|
| Signature | | Date: 11-17-17 |
| Print Name | | |

As-Built Construction Statement (to be signed prior to a certificate of occupancy being issued): The undersigned hereby submits this "sworn statement" and the attached as-built plans verifying the "above grade building volume" of the structure conforms to code section 1140.18.

| | | |
|------------|--|-------|
| Signature | | Date: |
| Print Name | | |

Form Updated 10-27-14

| | |
|-----------|---|
| Permit # | FORM #12 Return this document to City Hall |
| Receipt # | |



Shoreland Management Worksheet

If you prefer to complete this form electronically, it is available at www.greenwoodmn.com.

| | |
|-------------------|---------------------|
| Property Owner(s) | Rick & Kim Polk |
| Property Address | 4660 Linwood Circle |

Person completing this form: Property Owner Builder / Architect

Per the Construction Site Management ordinance (section 305.00 subd 2b) a Shoreland Management Worksheet is required for building projects \$10,000+. Per section 1176.03, subd. 3 & 10, a Shoreland Compliance Review is required for all properties within 1,000 feet of the Ordinary High Water Level of Lake Minnetonka (all properties in the city). **Fee: \$200. Collected on Form #1.**

The proposed project includes the following (check all that apply):

- Repair
- Improve
- Change or alter use of land
- Change size or shape of lot
- Erect a structure
- Expand impervious surface
- Install or maintain water line
- Install or maintain sewer line
- Grade or fill
- Remove vegetation
- Trim vegetation

| | |
|---|------------------------|
| Current lot size (square feet) | 27,364 sf |
| Proposed lot size (square feet) | same |
| Dimensions of proposed structure(s) | 89'-0" x 76'-0" |
| Total square footage of proposed structure(s) | 9114 sf |
| Percent of existing hardcover | 26.4 % |
| Total hardcover including proposed hardcover | 29.32 % |
| Amount of fill to be added (cubic yards) | 330 CY |
| Amount of soil to be removed (cubic yards) | 500 CY |
| Type and area of vegetation to be removed | sod & shrubs - 8850 sf |

The undersigned hereby certifies that the above information is true and correct to the best of his / her knowledge.

| | | |
|------------|----------------|---------------|
| Signature | | Date: 1-17-17 |
| Print Name | David Steinjas | |

Form Updated 10-27-14

| | |
|-----------|--|
| Permit # | FORM #8 Return this document to City Hall |
| Receipt # | |



Grading Permit Application

This form becomes a "permit" when city staff issues a permit number. If you prefer to complete this form electronically, it is available at www.greenwoodmn.com.

| | |
|-------------------|---------------------|
| Property Owner(s) | Rick & Kim Polk |
| Property Address | 4660 Linwood Circle |

Person completing this form: Grading Contractor Property Owner Builder / Architect
 This sheet is accompanied by a **Building Permit Application (Form #1)**: Yes (skip to section 2) No (complete section 1)

SECTION 1

| | |
|---|--|
| Date Application Submitted | |
| Property Owner's Mailing Address | |
| Property Owner's Phone Number | |
| Property Owner's Email | |
| Contractor or Builder / Architect Name | |
| Contractor or Builder / Architect Address | |
| Contractor or Builder / Architect Phone | |
| Contractor or Builder / Architect Email | |

SECTION 2

| | |
|---|-----------|
| Total surface area to be moved, disturbed, cut, or filled (square feet) | 13,000 sf |
| Total volume of soil or earth to be moved, disturbed, cut, or filled (cubic feet) | 830 cy |
| Estimated start date | 12.1.17 |

Work is required for: Remodeling of an existing structure Construction of a new structure Other:

Work is due to circumstances not related to the land or existing drainage issues, but due to an election by the property owner to make an addition to a principal or accessory structure: Yes No

The average elevation of the land will increase / decrease by: Less than 1ft
 1ft or more in a 100+ sq ft area (city engineer approval required) 2ft or more in a 300+ sq ft area (variance required)

Per code section 1140.19 subd 3, the following items must submitted with this application:

- (1) Survey (2) Stormwater Management Plan prepared by a civil engineer

The undersigned hereby submits this application (including a survey and Stormwater Management Plan) for a grading permit and certifies the information provided on this permit application is true and correct to the best of my knowledge. The property owner(s) listed above are the sole fee title owner(s) of the described property; information provided on this application and submitted documents is true, complete and accurate; if the application is approved, the work will be in accordance with the application and city code section 1140.19 (view at www.greenwoodmn.com or at city hall).

| | | |
|------------|----------------|----------------|
| Signature | | Date: 11-17-17 |
| Print Name | David Stejskal | |

This section completed if grading is NOT in conjunction with a building permit:

| | | | |
|---------------------|---------------|--|--------------------|
| For Office Use Only | Fee Amount \$ | Fee Paid: <input type="checkbox"/> Cash <input type="checkbox"/> Check # | Date Pmt Received: |
|---------------------|---------------|--|--------------------|

Form Updated 10-27-14

| | |
|-----------|---|
| Permit # | FORM #13 Return this document to City Hall |
| Receipt # | |



Tree Permit Application

This form becomes a "permit" when city staff issues a permit number. If you prefer to complete this form electronically, it is available at www.greenwoodmn.com.

| | |
|-------------------|---------------------|
| Property Owner(s) | Rick & Kim Polk |
| Property Address | 4660 Linwood Circle |

This sheet is accompanied by a **Building Permit Application (Form #1)**: Yes No

Person completing this form: Tree Contractor* Property Owner Builder / Architect

* Note: Tree contractors must have a Greenwood Tree Contractor License. The application is available at www.greenwoodmn.com or at city hall.

| | |
|---|---------------------------------------|
| Date application submitted | |
| Name of tree contractor (if any) | Randy |
| Company name of tree contractor | Shawwood Tree Service |
| Tree contractor address | 14015 County Road 122 - Waterford, MN |
| Tree contractor license number | |
| Cell phone and email of tree contractor | 952-292-1734 |

The undersigned hereby make this application for (check all that apply):

- Conditional Use Permit to Remove Trees in Shore Impact Zone or Bluff Impact Zone (significant* trees within 25 feet of shore or within 20 feet of the top of a bluff). This permit must be reviewed by the planning commission and approved by the city council. The process can take up to 60 days. **Fee: \$100**
- Construction-Related Tree Removal Permit. Home addition: remove up to 10% of trees. New construction: remove up to 20% of trees. Tree preservation plan required for both. **Fee: \$250**
- Permit to Exceed the Permitted Tree Harvest to remove more than 2 significant* trees per year, or maximum of 5 significant* trees over a 5-year period. **Fee: \$100**

* Significant trees are trees with the following minimum circumferences (inches): hardwoods 31, softwoods 44, conifers 38

Attached is (check all that apply):

- Tree Preservation Plan. Required for construction-related tree removal permits. Must include the specifications outlined in section 1140.80, subd. 6 (view at city hall or at www.greenwoodmn.com).
- Tree Replacement Plan. Required for a variance application to exceed 20% tree removal for new construction or subdivision, or exceed 10% tree removal for a home addition. Tree replacement plans must comply with the table listed in section 1140.80, subd. 8 (view at city hall or at www.greenwoodmn.com).

The undersigned hereby acknowledge the following: The property owner(s) listed above are the sole fee title owner(s) of the described property; information provided on this application and submitted documents is true, complete and accurate; if the application is approved, the work will be in accordance with the application and tree preservation ordinance (code section 1140.80, view at www.greenwoodmn.com or at city hall); the undersigned authorize photographs of the property and reasonable entry onto the property by city staff, consultants, agents, and city council members; the undersigned further agree to hold the city of Greenwood harmless from all liabilities that may arise directly or indirectly from the work performed.

| | | |
|--|--|----------------|
| Signature of property owner (required) | | Date: |
| Signature of tree contractor or builder / architect (if any) | | Date: 11-17-17 |

This section completed if tree permit is NOT in conjunction with a building permit:

| | | | |
|---------------------|---------------|--|--------------------|
| For Office Use Only | Fee Amount \$ | Fee Paid: <input type="checkbox"/> Cash <input type="checkbox"/> Check # | Date Pmt Received: |
|---------------------|---------------|--|--------------------|

Form Updated 09-01-15

4660 Linwood Circle Tree Inventory - 11/16/2017

| # | Diameter in " | Species |
|-----|---------------|------------|
| 1 | 60 | Cottonwood |
| 2 | 13 | Elm |
| 3 | 22 | Oak |
| 4 | 28 | Maple |
| 5 | 6 | Maple |
| 6 | 32 | Oak |
| *7 | 36 | Oak |
| *8 | 30 | Elm |
| 9 | 32 | Oak |
| *10 | 20 | Oak |
| 11 | 30 | Oak |
| 12 | 10 | Maple |
| 13 | 22 | Maple |
| 14 | 18 | Maple |
| 15 | 18 | Maple |
| 16 | 12+18+18 | Basswood |
| 17 | 22 | Cottonwood |
| 18 | 20 | Cottonwood |
| *19 | 10 | Birch |
| *20 | 8 | Poplar |
| 21 | 20 | Cottonwood |
| 22 | 22 | Cottonwood |
| 23 | 18 | Poplar |
| 24 | 24 | Cottonwood |
| 25 | 18 | Cottonwood |
| 26 | 12 | Ash |
| *27 | 12+20 | Basswood |
| 28 | 12+24 | Cottonwood |
| 29 | 26 | Tree |
| 30 | 18 | Ash |
| 31 | 38 | Oak |
| | 749" total | |

676

*Indicates trees to be removed - 136" or 18.2%

106 15.6%

Dale Cooney

From: Robert Bean <bobbe@bolton-menk.com>
Sent: Tuesday, December 12, 2017 8:47 AM
To: 'Dale Cooney'
Subject: RE: 4660 Linwood Circle

Dale,

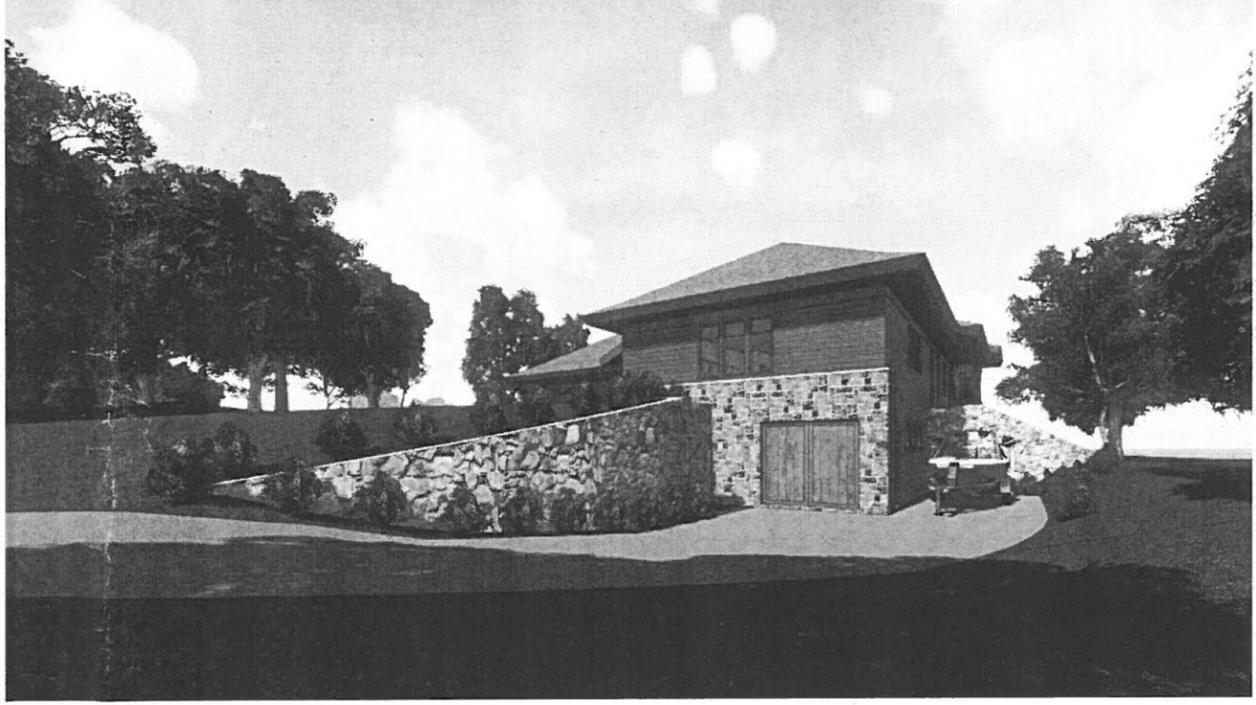
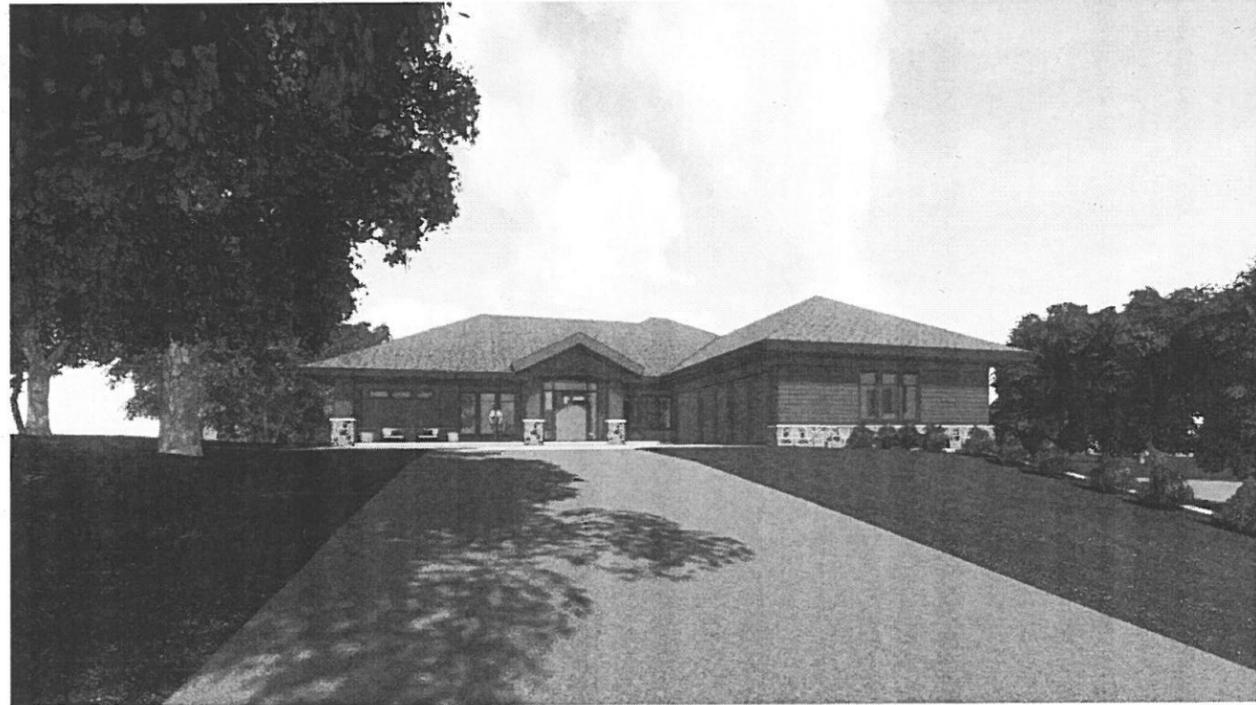
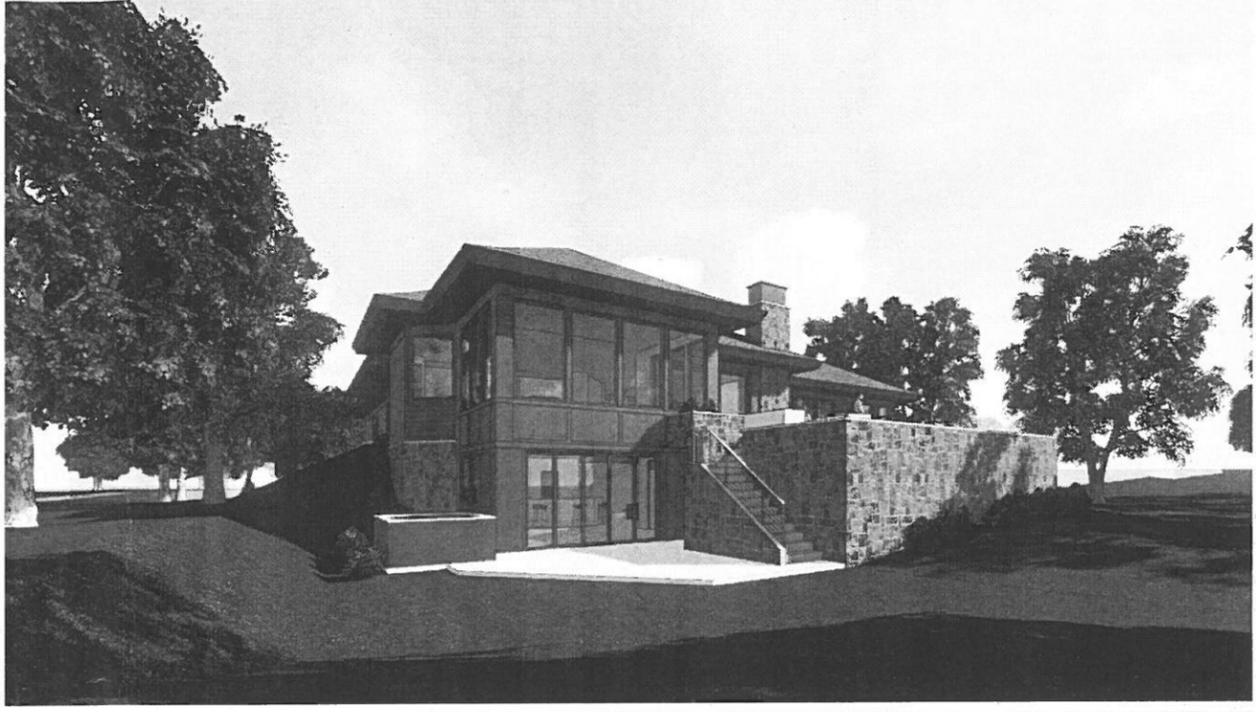
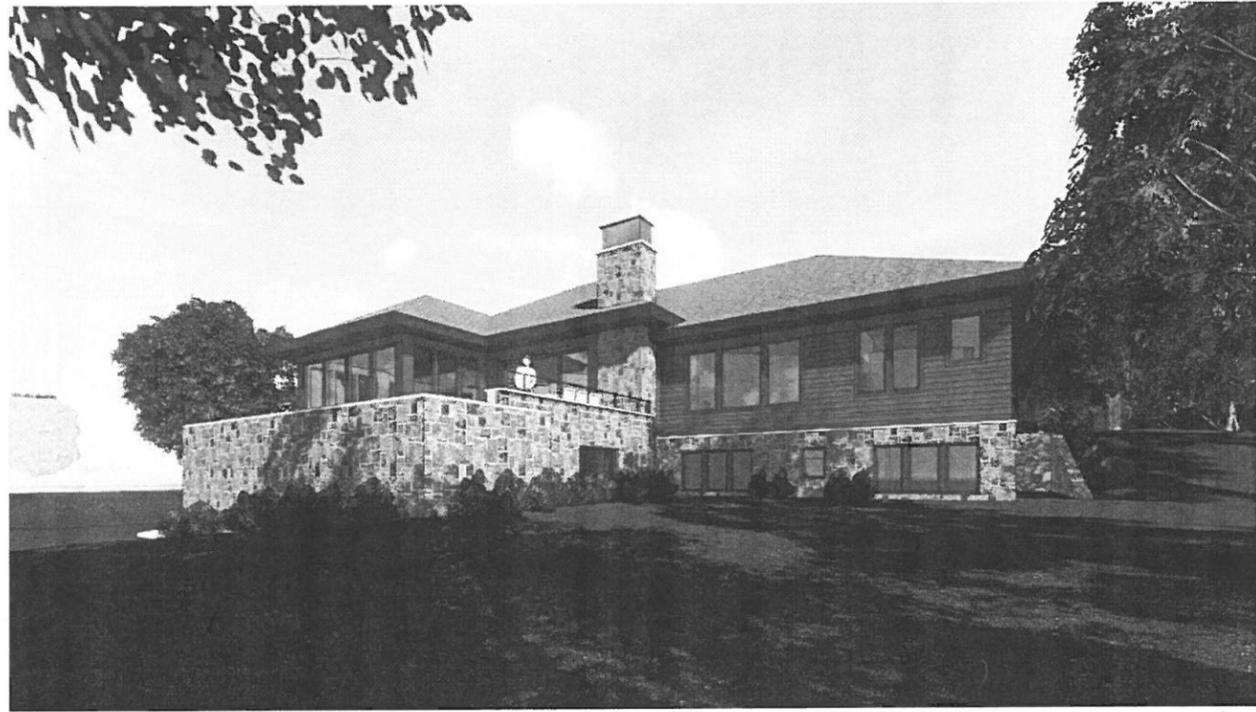
I have completed review of the information submitted. Following are my comments for City consideration:

1. Existing drainage patterns will be maintained with the proposed improvements. Runoff will continue to drain from a high point in the middle of the lot toward the front and back. A swale is proposed along the south lot line to direct runoff away from the adjacent lot and toward the lake. However, since no swale is provided along the north lot line and the amount of impervious surface draining northwest appears to have increased, gutters and downspouts should be incorporated as necessary and connected to the proposed draitile from the French drain to direct runoff away from the adjacent property.
2. Perimeter erosion control measures (siltfence, rock entrance, etc.) should be installed by the Contractor and inspected by the City prior to any other work. Contractor must provide minimum 24 hour notice prior to inspection
3. Retaining walls 4' or greater in height must be designed by a licensed Professional Engineer, and plans must be submitted for approval prior to construction. Multiple walls spaced apart less than double the height of the lower wall will be considered one wall.
4. If the Grasspave driveway is intended to be a pervious surface for the purpose of hardcover calculations, a detail/typical section should be submitted for review to ensure adequate permeability is provided. In addition, the City should observe the installation to ensure correct construction.
5. Due to the effect of increased impervious on the amount of runoff generated, mitigation measures should be provided to limit the amount of runoff from proposed conditions to that of existing.
6. Work within public right-of-way must be coordinated with the City. Contractor must provide a minimum 48 hour notice prior to work.
7. Contractor must exercise care during construction to not block traffic on Linwood Circle. Clear drive lanes must be maintained at all times.
8. The applicant will be required to obtain a Minnehaha Creek Watershed District permit for the proposed improvements. A copy of the permit should be provided to the City conditional to final approval.

If you have any questions or comments, please contact me to discuss.

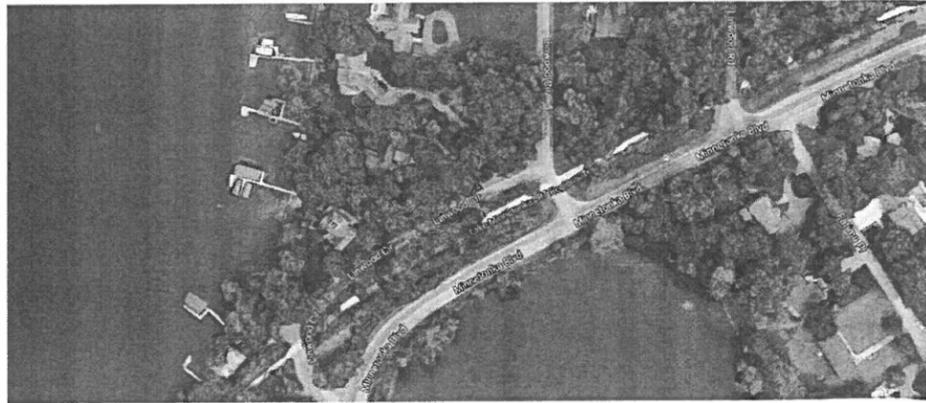
Thanks,

Robert E Bean Jr. P.E.
Water Resources Project Engineer
Bolton & Menk, Inc.
2638 Shadow Lane
Suite 200
Chaska, MN 55318-1172
Phone: 952-448-8838 ext. 2892
Mobile: 612-756-3184
Bolton-Menk.com



POLK RESIDENCE
4660 L █ WOOD C █, Greenwood, MN

OCTOBER, 12 2017
BID SET



SINGLE FAMILY RESIDENCE
4660 L █ WOOD C █, GREENWOOD, MN

| SHEET INDEX | |
|-------------|------------------------------------|
| A0.0 | TITLE SHEET |
| A0.1 | ARCHITECTURAL SITE PLAN |
| A1.0 | EXTERIOR ELEVATIONS |
| A1.0 | EXTERIOR ELEVATIONS COLOR |
| A1.1 | EXTERIOR ELEVATIONS |
| A1.1 | EXTERIOR ELEVATIONS COLOR |
| A2.0 | LOWER LEVEL FLOORPLAN |
| A2.0 | LOWER LEVEL FLOOR PLAN w/furniture |
| A2.1 | MAIN LEVEL FLOOR PLAN |
| A2.1 | MAIN LEVEL FLOOR PLAN w/furniture |
| A2.3 | ROOF PLAN |
| A3.1 | BUILDING & WALL SECTIONS |
| A3.2 | BUILDING SECTIONS & DETAILS |
| A3.3 | DETAILS |
| A4.0 | 3D VIEWS |

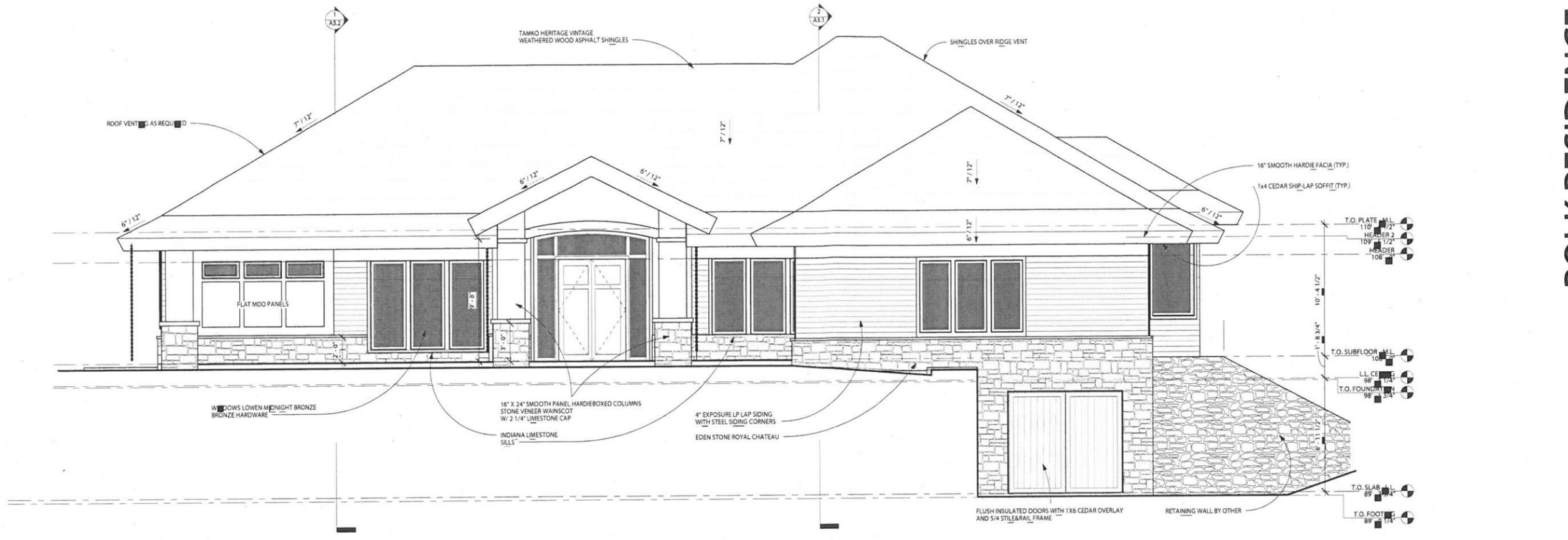
SHEET █ TITLE SHEET

A0.0

POLK RESIDENCE
4660 L...wood C...Greenwood, MN

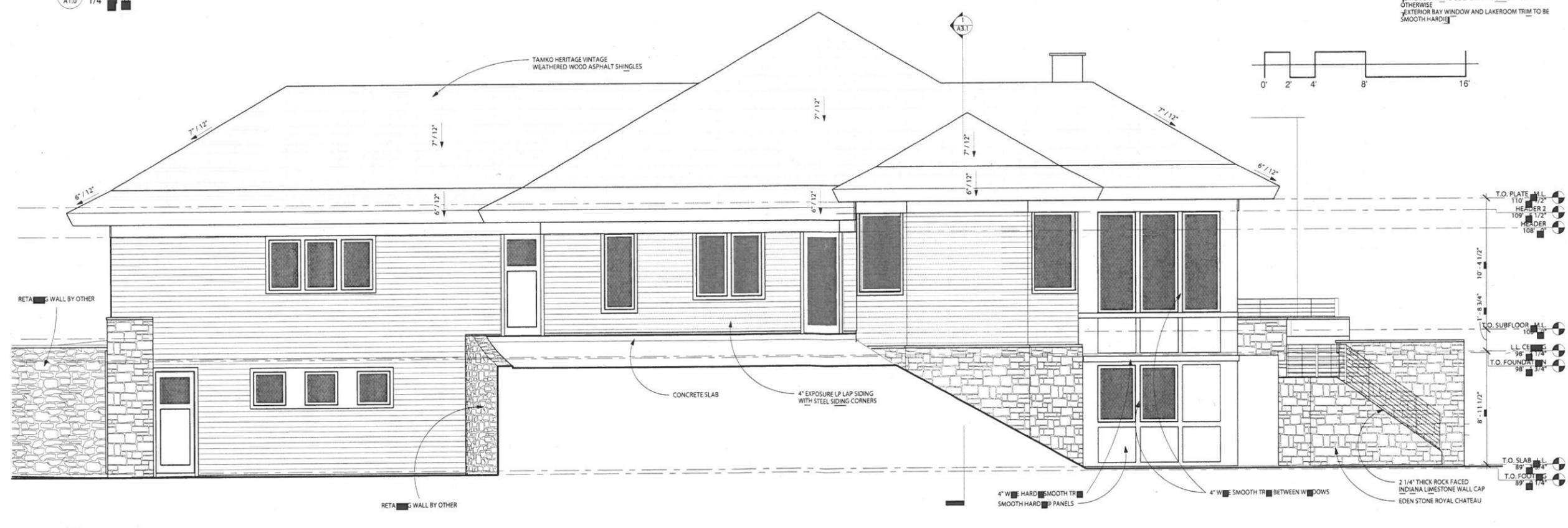
OCTOBER, 12 2017
BID SET

SHEET
EXTERIOR
ELEVATIONS
A1.0

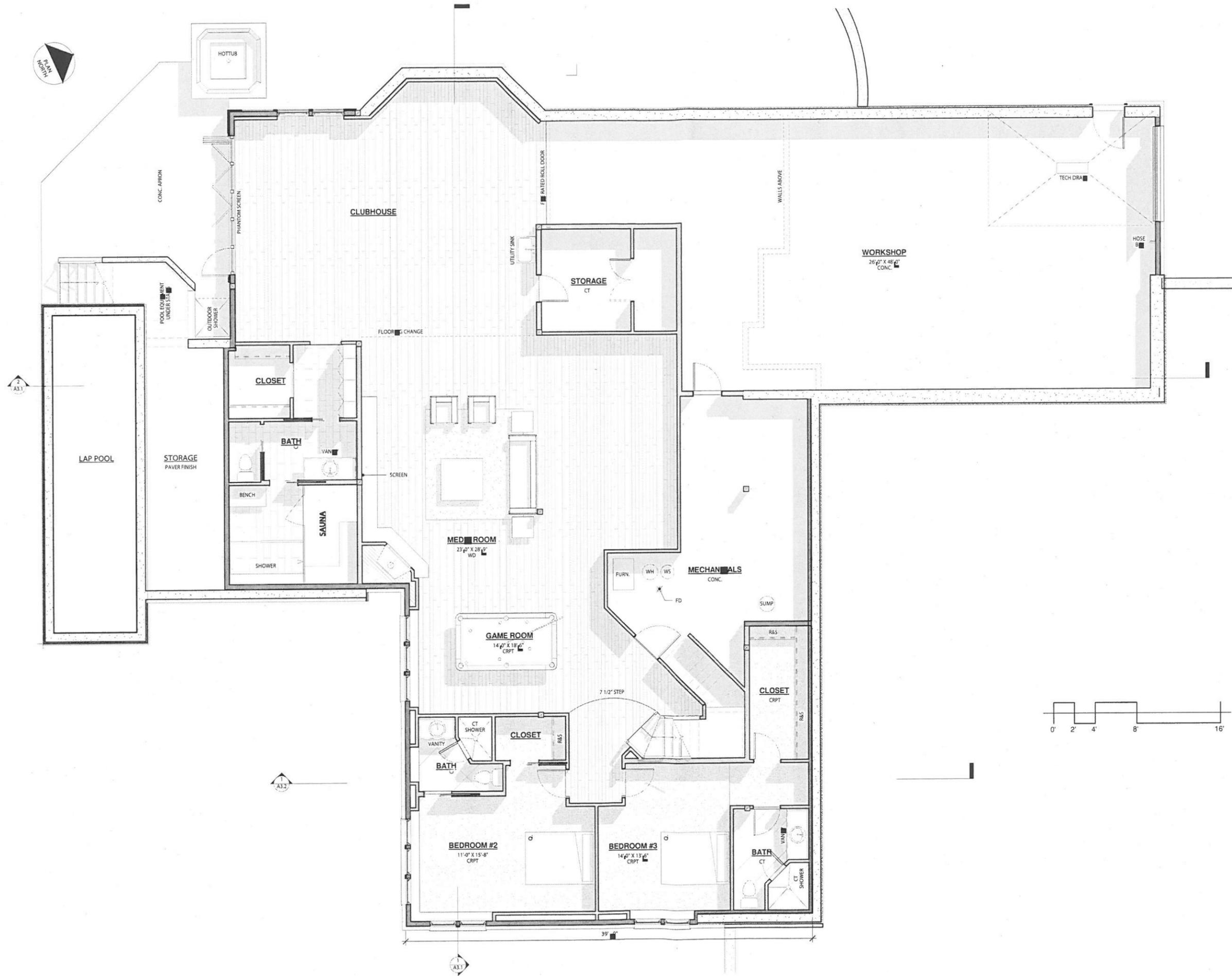


1 SE ELEVATION
A1.0 1/4"

EXTERIOR TRIM NOTES:
- EXTERIOR TRIM TO BE LP SMART SIDING UNLESS NOTED OTHERWISE
- EXTERIOR BAY WINDOW AND LAKEROOM TRIM TO BE SMOOTH HARDIE



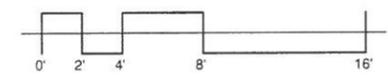
2 NE ELEVATION
A1.0 1/4"



POLK RESIDENCE
 4660 L...wood C...Greenwood, MN

OCTOBER, 12 2017
 BID SET

SHEET LOWER LEVEL
 FLOOR PLAN
A2.0-CL w/furniture





POLK RESIDENCE
 4660 L...wood Ct Greenwood, MN

OCTOBER, 12 2017
 BID SET

SHEET MA...LEVEL
 FLOOR PLAN
A2.1-CL w/furniture

CERTIFICATE OF SURVEY FOR
RICK POLK
 IN GOV'T LOT 1, SEC. 26-117-23
 HENNEPIN COUNTY, MINNESOTA

LEGAL DESCRIPTION OF PREMISES : (per Certificate of Title No. 1398307)

That part of Government Lot 1, Section 26, Township 117, Range 23, described as commencing at the meander corner of the North line of said Government Lot 1; thence on an assumed bearing of South, at a right angle to said North line, a distance of 191 feet to a point hereinafter referred to as point "A"; thence South 7 degrees 14 minutes 30 seconds West a distance of 201.1 feet to a point hereinafter referred to as point "B"; thence North 7 degrees 14 minutes 30 seconds East a distance of 101.1 feet to the actual point of beginning; thence South 69 degrees 07 minutes 10 seconds East a distance of 165.4 feet; thence South 46 degrees 20 minutes 10 seconds East a distance of 120.5 feet to the Northwesterly right-of-way line of the Chicago and Northwestern Transportation Company; thence Southwesterly along said Northwesterly right-of-way line a distance of 118.83 feet, more or less, to a line bearing South 56 degrees 33 minutes 10 seconds East from said point "B"; thence North 56 degrees 33 minutes 10 seconds West to said point "B"; thence North 51 degrees 48 minutes 52 seconds West to the shore line of Lake Minnetonka; thence Northerly along said shore line to a line bearing North 72 degrees 07 minutes 10 seconds East to the actual point of beginning; except that part of the above described tract of land lying Southerly of a line bearing South 52 degrees 00 minutes 00 seconds East and North 52 degrees 00 minutes 00 seconds West from a point distant 200 feet from said point "A" and in a line bearing South 4 degrees 00 minutes 00 seconds West from said point "A".

Subject to Sight Easement restricting the construction of improvements, fences, or other obstructions to view to less than three feet above the existing ground level over that part of the above premises described as lying Northwesterly of a line drawn from a point on the Northerly line of the above described tract distant 90 feet Southeasterly from the actual point of beginning of said tract, to the most Westerly corner of Lot 4, Block 2, Linwood Park now vacated, as described in CR Doc. No. 3831510.

o : denotes iron marker found

⊙ : denotes Judicial Landmark found

(908.3) : denotes existing spot elevation, mean sea level datum

—917— : denotes existing contour line, mean sea level datum

Bearings shown are based upon an assumed datum.

This survey intends to show the boundaries of the above described property, and the location of an existing house, spot elevations, topography, major trees and visible improvements, and the location of all visible "hardcover" thereon. It does not purport to show any other improvements or encroachments.

HARDCOVER CALCULATIONS :

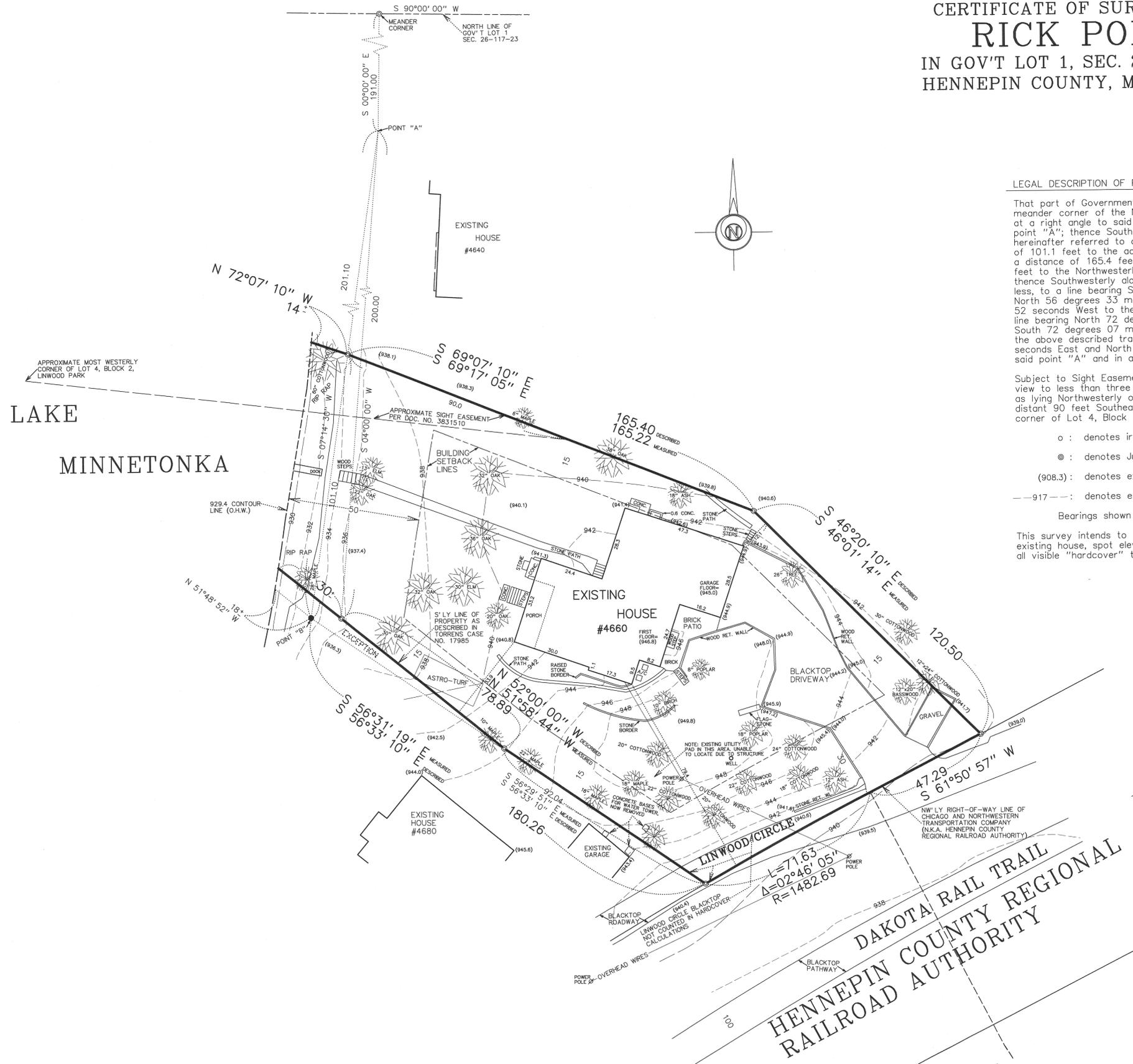
Lot area = 27,364 Sq. ft.

Existing house = 3136 sf
 Blacktop & gravel driveway = 2749 sf
 Brick patio/wood step/steps = 270 sf
 Stone paths and flagstone = 428 sf
 Concrete and steps behind house = 116 sf
 Concrete and steps on North side of house = 39 sf
 Steps to shore = 32 sf
 Dock = 28 sf
 A/C pads = 8 sf
 Retaining walls & borders = 180 sf
 Astro-turf = 239 sf

Total = 7225 Sq. ft.

7225 / 27,364 x 100 = 26.40%

NOTE: (Lindwood Circle blacktop)=475sf,
 not counted in hardcover totals.



GRONBERG & ASSOCIATES, INC.
 CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS
 4445 NORTH WILLOW DRIVE LONG LAKE, MN 55356
 952-473-4141



DATE: 11-17-17
 SCALE: 1"=20'
 SHEET NO: 17-154

PROJECT

I hereby certify that this plan, specification, or report was prepared by me, or under my direct supervision, and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
 Mark S. Gronberg, Minnesota License Number 12755

| DATE | REMARKS |
|----------|----------------------|
| 11-17-17 | HARDCOVER CALCULATED |

CERTIFICATE OF SURVEY FOR RICK POLK IN GOV'T LOT 1, SEC. 26-117-23 HENNEPIN COUNTY, MINNESOTA

GRONBERG & ASSOCIATES, INC.
 CIVIL ENGINEERS, LAND SURVEYORS, LAND PLANNERS
 445 NORTH WILLOW DRIVE, LONG LAKE, MN 55356
 952-473-4141

DATE: 4-17-17
 SCALE: 1"=20'
 SHEET: 17-154A

PROJECT:

I hereby certify that this plan, specification, or report was prepared by me, or under my direct supervision, and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
 Mark S. Gronberg, Minnesota License Number 12755

PROPOSED ELEVATIONS : (per architect, verify)

- 1) Garage = 950.46
- 2) Top of foundation = 948.8
- 3) Main floor = 950.7
- 4) Basement = 940.0
- 5) Lookout = 943.2

LEGAL DESCRIPTION OF PREMISES : (per Certificate of Title No. 1398307)

That part of Government Lot 1, Section 26, Township 117, Range 23, described as commencing at the meander corner of the North line of said Government Lot 1; thence on an assumed bearing of South, at a right angle to said North line, a distance of 191 feet to a point hereinafter referred to as point "A"; thence South 7 degrees 14 minutes 30 seconds West a distance of 201.1 feet to a point hereinafter referred to as point "B"; thence North 7 degrees 14 minutes 30 seconds East a distance of 101.1 feet to the actual point of beginning; thence South 69 degrees 07 minutes 10 seconds East a distance of 165.4 feet; thence South 46 degrees 20 minutes 10 seconds East a distance of 120.5 feet to the Northwesterly right-of-way line of the Chicago and Northwestern Transportation Company; thence Southwesterly along said Northwesterly right-of-way line a distance of 118.83 feet, more or less, to a line bearing South 56 degrees 33 minutes 10 seconds East from said point "B"; thence North 56 degrees 33 minutes 10 seconds West to said point "B"; thence North 51 degrees 48 minutes 52 seconds West to the shore line of Lake Minnetonka; thence Northerly along said shore line to a line bearing North 72 degrees 07 minutes 10 seconds West from the actual point of beginning; thence South 72 degrees 07 minutes 10 seconds East to the actual point of beginning; except that part of the above described tract of land lying Southerly of a line bearing South 52 degrees 00 minutes 00 seconds East and North 52 degrees 00 minutes 00 seconds West from a point distant 200 feet from said point "A" and in a line bearing South 4 degrees 00 minutes 00 seconds West from said point "A".

Subject to Sight Easement restricting the construction of improvements, fences, or other obstructions to view to less than three feet above the existing ground level over that part of the above premises described as lying Northwesterly of a line drawn from a point on the Northerly line of the above described tract distant 90 feet Southeastly from the actual point of beginning of said tract, to the most Westerly corner of Lot 4, Block 2, Linwood Park now vacated, as described in CR Doc. No. 3831510.

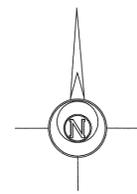
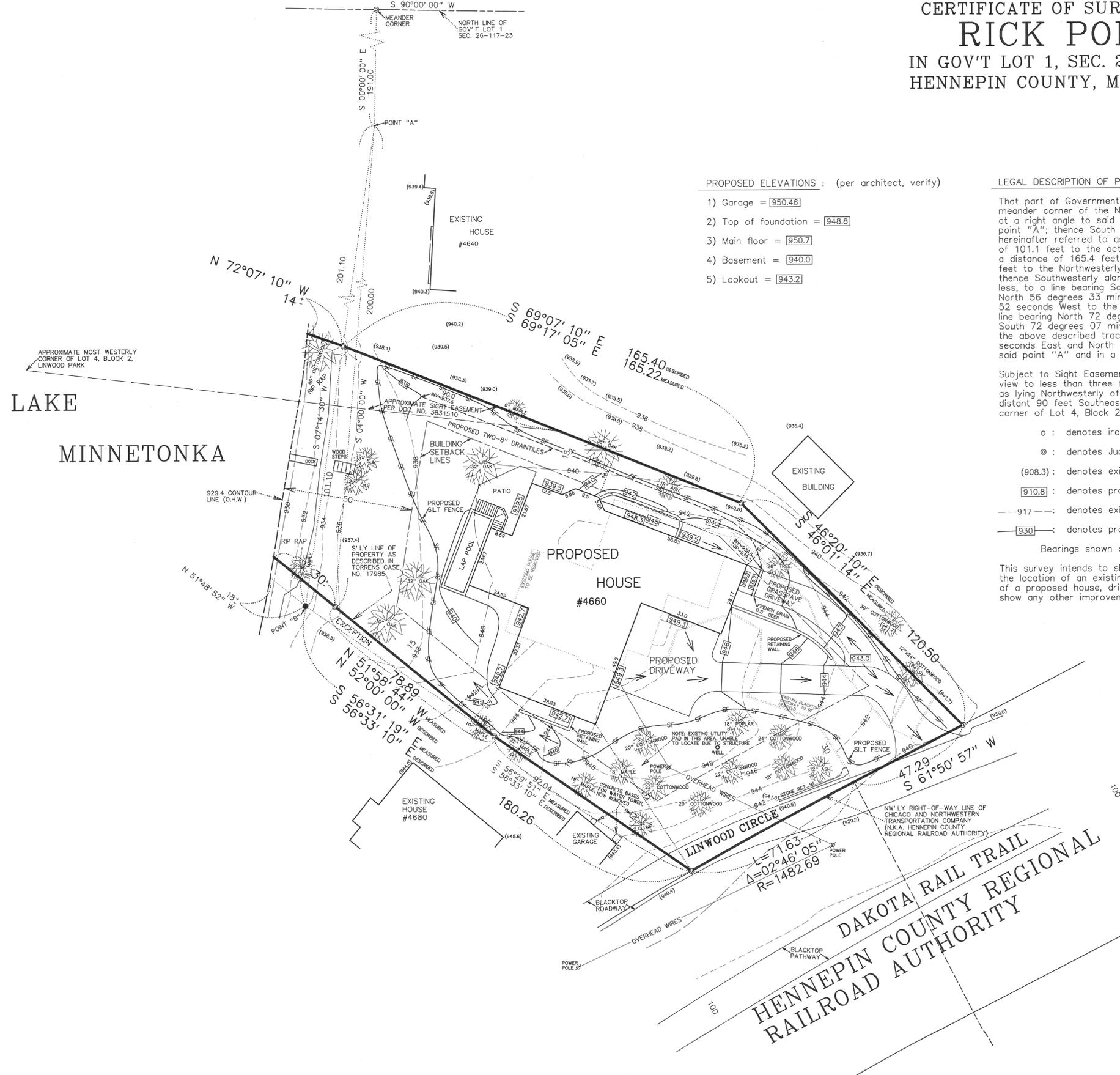
- o : denotes iron marker found
- ⊙ : denotes Judicial Landmark found
- (908.3) : denotes existing spot elevation, mean sea level datum
- 910.8 : denotes proposed spot elevation, mean sea level datum
- 917— : denotes existing contour line, mean sea level datum
- 930— : denotes proposed contour line, mean sea level datum

Bearings shown are based upon an assumed datum.

This survey intends to show the boundaries of the above described property, the location of an existing house, to be removed, and the proposed location of a proposed house, driveway and grades thereon. It does not purport to show any other improvements or encroachments.

PROPOSED HARDCOVER CALCULATIONS :

- Lot area = 27,364 Sq. ft.
- Proposed house = 5008 sf
- Patio = 299 sf
- Driveway = 2260 sf
- Lap pool & steps = 397 sf
- Existing steps & dock at shore = 60 sf
- Total = 8024 Sq. ft. = 29.32%



RESOLUTION NO 03-18

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA
ACTING AS THE BOARD OF APPEALS & ADJUSTMENTS**

APPROVING

In Re: Application of Rick and Kim Polk for the property at 4660 Linwood Circle for a conditional use permit under Greenwood ordinance code section 1140.19(2), 1120.05 Subd. 4, and 1150.20 to permit grading or site / lot topography alterations involving 13,000 square feet of surface area and 830 cubic yards of volume and to install a permanent in-ground swimming pool.

WHEREAS, Rick and Kim Polk, are the owners of property commonly known as 4660 Linwood Circle, Greenwood, Minnesota 55331 (PID No. 26-117-23-12-0003) being real property in Hennepin County Minnesota and legally described as follows:

That part of Government Lot 1, Section 26, Township 117, Range 23, described as commencing at the meander corner of the North line of said Government Lot 1; thence on an assumed bearing of South, at a right angle to said North line, a distance of 191 feet to a point hereinafter referred to as point "A"; thence South 7 degrees 14 minutes 30 seconds West a distance of 201.1 feet to a point hereinafter referred to as point "B"; thence North 7 degrees 14 minutes 30 seconds East a distance of 101.1 feet to the actual point of beginning; thence South 69 degrees 07 minutes 10 seconds East a distance of 165.4 feet; thence South 46 degrees 20 minutes 10 seconds East a distance of 120.5 feet to the Northwesterly right-of-way line of the Chicago and Northwestern Transportation Company; thence Southwesterly along said Northwesterly right-of-way line a distance of 118.83 feet, more or less, to a line bearing South 56 degrees 33 minutes 10 seconds East from said point "B"; thence North 56 degrees 33 minutes 10 seconds West to said point "B"; thence North 51 degrees 48 minutes 52 seconds West to the shore line of Lake Minnetonka; thence Northerly along said shore line to a line bearing North 72 degrees 07 minutes 10 seconds West from the actual point of beginning; thence South 72 degrees 07 minutes 10 seconds East to the actual point of beginning; except that part of the above described tract of land lying Southerly of a line bearing South 52 degrees 00 minutes 00 seconds East and North 52 degrees 00 minutes 00 seconds West from a point distant 200 feet from said point "A" and in a line bearing South 4 degrees 00 minutes 00 seconds West from said point "A".

Subject to Sight Easement restricting the construction of improvements, fences, or other obstructions to view to less than three feet above the existing ground level over that part of the above premises described as lying Northwesterly of a line drawn from a point on the Northerly line of the above described tract distant 90 feet Southeasterly from the actual point of beginning of said tract, to the most Westerly corner of Lot 4, Block 2, Linwood Park now vacated, as described in CR Doc. No. 3831510.

WHEREAS, the applicant proposes to regrade the lot and add an in-ground swimming pool in conjunction with the construction of a new house; and

WHEREAS, notice of a public hearing was published, notice given to neighboring property owners, and a public hearing was held before the planning commission to consider the application; and

WHEREAS, public comment was taken at the public hearing before the planning commission on December 20, 2017; and

WHEREAS, the city council of the city of Greenwood has received the staff report, the recommendation of the planning commission, and considered the application, the comments of the applicant, and the comments of the public.

NOW, THEREFORE, the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments does hereby make the following:

FINDINGS OF FACT

1. That the real property located at 4660 Linwood Circle, Greenwood, Minnesota 55331 (PID No. 26-117-23-12-0003) is a single-family lot of record located within the R1A district.
2. The applicant is proposing to alter site / lot topography impacting 13,000 square feet of surface area and 830 cubic yards of soil volume in conjunction with the construction of a new house on the property. Pursuant to Greenwood ordinance code 1140.19(2), grading or site/lot topography alteration involving more than 200 square feet of surface area, and involving more than 7 cubic yards of material, requires the property owner to apply for a CUP.
3. The applicant is proposing to install an in-ground swimming pool on the property. Pursuant to Greenwood ordinance

code 1120.05, Subd. 4, permanent in-ground swimming pools are regulated as a conditional use and require the property owner to apply for a CUP.

4. Pursuant to Greenwood ordinance code section 1150.20, Subd. 3, Conditional Use Permits (general regulations), the city council may impose such conditions and safeguards upon the property benefitted by a CUP as may be necessary to maintain compatibility with other properties in the neighborhood.

5. Greenwood ordinance section 1150.20, Subd 1 states:

“Subd. 1. The planning commission shall make findings and recommendations to the city council. The council may then authorize a conditional use by resolution provided the evidence presented is such as to establish:

- (a) That the proposed use will comply with the regulations specified in this ordinance for the district in which the proposed use is to be located.
- (b) That the use is one of the conditional uses permitted for the district in which it is to be located.
- (c) The use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or city.
- (d) The use will be harmonious with the objectives of the comp plan.
- (e) The use will not be hazardous or disturbing to existing or future neighboring uses.
- (f) The use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, sewer, schools, or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use.
- (g) The use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- (h) The use will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors.
- (i) The use will have vehicular approaches to the property that do not create traffic congestion or interfere with traffic on surrounding public thoroughfares.
- (j) The use will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.
- (k) The use will not depreciate surrounding property values.”

6. The applicant asserts that the proposed CUP request complies with CUP standards in Greenwood ordinance section 1150.20, Subd 1.

7. The planning commission discussed the CUP request and on a 4-0 vote recommended approval because the proposed CUP request complies with the CUP standards in Greenwood ordinance section 1150.20, Subd 1, if the following reasonable and necessary conditions relating to the present request are made a condition of approval:

- (a) The proposed north patio area be removed or replaced with a deck or balcony.
- (b) For the north side of the lot, gutters and downspouts should be incorporated as necessary and connected to the proposed drantile from the French drain to direct runoff away from the adjacent property.
- (c) Perimeter erosion control measures (siltfence, rock entrance, etc.) should be installed by the Contractor and inspected by the City prior to any other work. Contractor must provide minimum 24 hour notice prior to inspection.
- (d) Retaining walls 4' or greater in height must be designed by a licensed Professional Engineer, and plans must be submitted for approval prior to construction. Multiple walls spaced apart less than double the height of the lower wall will be considered one wall.
- (e) The applicant will be required to obtain a Minnehaha Creek Watershed District permit for the proposed improvements. A copy of the permit should be provided to the City conditional to final approval.
- (f) The project must be completed according to the specifications and design requirements in the submitted plans.
- (g) A certified copy of this resolution shall be filed by the applicants with the Hennepin County Register of Titles and proof of filing provided to the city of Greenwood before any permits may issue or the project commence.

8. Based on the foregoing, the city council determined that the proposed CUP request complies with the CUP standards in Greenwood ordinance section 1150.20 subd 1, if the following reasonable and necessary conditions relating to the present request are made a condition of approval:

- (a) The proposed north patio area be removed or replaced with a deck or balcony.
- (b) For the north side of the lot, gutters and downspouts should be incorporated as necessary and connected to the proposed drantile from the French drain to direct runoff away from the adjacent property.
- (c) Perimeter erosion control measures (siltfence, rock entrance, etc.) should be installed by the Contractor and inspected by the City prior to any other work. Contractor must provide minimum 24 hour notice prior to inspection.

- (d) Retaining walls 4' or greater in height must be designed by a licensed Professional Engineer, and plans must be submitted for approval prior to construction. Multiple walls spaced apart less than double the height of the lower wall will be considered one wall.
- (e) The applicant will be required to obtain a Minnehaha Creek Watershed District permit for the proposed improvements. A copy of the permit should be provided to the City conditional to final approval.
- (f) The project must be completed according to the specifications and design requirements in the submitted plans.
- (g) A certified copy of this resolution shall be filed by the applicants with the Hennepin County Register of Titles and proof of filing provided to the city of Greenwood before any permits may issue or the project commence.

CONCLUSIONS OF LAW

Based upon the foregoing findings of fact, the city council acting as the Board of Appeals & Adjustments makes the following conclusions of law:

1. The applicant has made an adequate demonstration of facts meeting the standards of sections 1140.19(2), 1120.05, Subd. 4, and 1150.20 necessary for the granting of a CUP.
2. The CUP requested is reasonable and should be granted on the following conditions:
 - (a) The proposed north patio area be removed or replaced with a deck or balcony.
 - (b) For the north side of the lot, gutters and downspouts should be incorporated as necessary and connected to the proposed draitile from the French drain to direct runoff away from the adjacent property.
 - (c) Perimeter erosion control measures (siltfence, rock entrance, etc.) should be installed by the Contractor and inspected by the City prior to any other work. Contractor must provide minimum 24-hour notice prior to inspection.
 - (d) Retaining walls 4' or greater in height must be designed by a licensed Professional Engineer, and plans must be submitted for approval prior to construction. Multiple walls spaced apart less than double the height of the lower wall will be considered one wall.
 - (e) The applicant will be required to obtain a Minnehaha Creek Watershed District permit for the proposed improvements. A copy of the permit should be provided to the City conditional to final approval.
 - (f) The project must be completed according to the specifications and design requirements in the submitted plans.
 - (g) A certified copy of this resolution shall be filed by the applicants with the Hennepin County Register of Titles and proof of filing provided to the city of Greenwood before any permits may issue or the project commence.

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments that the city of Greenwood does hereby grant and issue a Conditional Use Permit to alter site / lot topography impacting 13,000 square feet of surface area and 830 cubic yards of soil volume, and to install a permanent in-ground swimming pool in conjunction with the construction of a new house at 4660 Linwood Circle, with the following conditions:

- (a) The proposed north patio area be removed or replaced with a deck or balcony.
- (b) For the north side of the lot, gutters and downspouts should be incorporated as necessary and connected to the proposed draitile from the French drain to direct runoff away from the adjacent property.
- (c) Perimeter erosion control measures (siltfence, rock entrance, etc.) should be installed by the Contractor and inspected by the City prior to any other work. Contractor must provide minimum 24 hour notice prior to inspection.
- (d) Retaining walls 4' or greater in height must be designed by a licensed Professional Engineer, and plans must be submitted for approval prior to construction. Multiple walls spaced apart less than double the height of the lower wall will be considered one wall.
- (e) The applicant will be required to obtain a Minnehaha Creek Watershed District permit for the proposed improvements. A copy of the permit should be provided to the City conditional to final approval.
- (f) The project must be completed according to the specifications and design requirements in the submitted plans.
- (g) A certified copy of this resolution shall be filed by the applicants with the Hennepin County Register of Titles and proof of filing provided to the city of Greenwood before any permits may issue or the project commence.

PASSED this ____ day of _____, 2018 by the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments for the city of Greenwood, Minnesota.

____ AYES ____ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana H. Young, City Clerk



Agenda Number: **7B**

Agenda Date: **01-03-18**

Prepared by *Deb Kind*

Agenda Item: Planning Review Concept

Summary: The city council is considering revising the planning review process to streamline turnaround of ordinances and variance / conditional use permit applications to comply with the new state law for posting ordinances 10 days prior to council meetings and to address concerns regarding the ability to recruit planning commission members. The council discussed a planning review concept at the 12-06-17 meeting. Below is the revised concept based on that discussion. The city attorney has reviewed the new concept and will attend the 01-03-18 council meeting to address council questions.

PLANNING REVIEW CONCEPT

1. Dissolve the planning commission.
2. Appoint an 8-member Board of Adjustments & Appeals (BAA) that is made up of the 5 city council members plus 3 appointed citizen representatives. All 8 BAA members vote. A quorum is 5 BAA members.
3. The BAA will hold meetings at 6pm immediately preceding regular city council meetings.
4. The mayor will serve as the chair of the BAA.
5. Applicants for the citizen representative seats will be placed on a ballot and each city council member will vote for 3 people. The top 3 vote getters will be appointed to the citizen representative seats. To stagger the terms, seat 1 will begin with a 3-year term, seat 2 will begin with a 2-year term, and seat 3 will begin with a 1-year term. Thereafter, terms will be for 3 years. There will be no limit to the number of terms served.
6. The citizen representatives will be a subcommittee of the BAA and will work with the zoning administrator to make recommendations regarding BAA agenda items. Findings would be included in the meeting packet based on the recommendation.
7. Planning and zoning public hearings will be held during BAA meetings.
8. BAA meetings will NOT be on camera.
9. A recap of the BAA discussion and official votes will be made during the regular city council meeting that is on camera. Council action may be to approve the drafted findings, to direct the applicant to make revisions to their plan for review at the following month's BAA meeting, to direct staff to draft different findings for the following month's regular council meeting, etc.
10. The zoning administrator will prepare minutes of BAA meetings.

PROS

- A. Streamlines the turnaround of ordinances and variance / conditional use application processes to comply with the new state law for posting ordinances 10 days prior to council meetings. **Compare the two date resolutions in 9A of the council packet.**
- B. If the BAA wants the applicant to make tweaks to their plan, the BAA can review the tweaks the following month and still comply with the 60-day deadline for action.
- C. Reduces the number of citizen representatives from 7 to 3 to improve the ability to recruit.
- D. Improves transparency and access to application documents. BAA packet items (including the subcommittee recommendation) would be included in the council packet that is posted online 10 days in advance. Currently the public needs to stop by city hall to meet with the zoning administrator one-on-one to review documents or wait to see the documents at the planning commission meeting.
- E. Saves money in zoning administrator time by reducing the number of packets prepared / delivered, number of meetings, and number of one-on-one meetings with the public.

STATUS QUO

- F. Keeps the casual off-camera setting to encourage conversation and public hearing participation.
- G. Keeps the "pipeline" for training potential future council members.

CON

- H. If there are several complex items on the same BAA agenda, the BAA meeting could delay the start of the regular council meeting.

Council Action: If the city council desires to move forward with dissolving the planning commission, a **4/5ths approval** is required. Potential motions ...

1. I move the city council directs that an ordinance implementing the Board of Adjustments & Appeals planning review concept be included on the 02-07-18 agenda for a first reading.
2. Do nothing or other motion ???



Agenda Number: 9A

Agenda Date: 01-03-18

Prepared by Deb Kind

Agenda Item: Resolution 01-18, Setting Dates for 2018

Summary: This is a routine resolution that the council approves in January each year. There are TWO versions of this resolution ...

1. Includes the schedule if the city council proceeds with dissolving the Planning Commission and establishes the Board of Adjustments & Appeals.
2. Includes the schedule if the council decides to keep the Planning Commission.

Council Action: Required. Potential motions ...

- A. I move the council approves resolution 01-18 version **with the BAA concept** for setting 2018 dates.
- B. I move the council approves resolution 01-18 version **with no change to the Planning Commission** for setting 2018 dates.
- C. I move the council approves resolution 01-18 version with _____ for setting 2018 dates, with the following revisions: _____.

Resolution 01-18

City of Greenwood Dates for 2018 - with BAA concept

Be it resolved that the city council of the city of Greenwood, Minnesota approves the following dates for variance / conditional use permit / subdivision applications, publication of notices, board of adjustments and appeals / city council meetings:

| Application Date | Sun Sailor Submission Date | Sun Sailor Publish Date | Council Packet Submission Deadline | Council Packet Posted Online | BAA & City Council Meeting |
|--|---|--|--|---|---|
| Wed (15 days before publish date) | Thu (1 week before publish date) | Thu (13 days before BAA & CC meeting) | Fri (12 days before BAA & CC meeting) | Mon (10th day before BAA & CC meeting) | 1st Wed 6pm BAA Meeting 7pm CC Meeting |
| December 6, 2017 | December 14, 2017 | December 21, 2017 | December 22, 2017 | December 25, 2017 | January 3, 2018 |
| January 10, 2018 | January 18, 2018 | January 25, 2018 | January 26, 2018 | January 29, 2018 | February 7, 2018 |
| February 7, 2018 | February 15, 2018 | February 22, 2018 | February 23, 2018 | February 26, 2018 | March 7, 2018 |
| March 7, 2018 | March 15, 2018 | March 22, 2018 | March 23, 2018 | March 26, 2018 | April 4, 2018 |
| April 4, 2018 | April 12, 2018 | April 19, 2018 | April 20, 2018 | April 23, 2018 | May 2, 2018 |
| May 9, 2018 | May 17, 2018 | May 24, 2018 | May 25, 2018 | May 28, 2018 | June 6, 2018 |
| June 6, 2018 | June 14, 2018 | June 21, 2018 | June 22, 2018 | June 25, 2018 | July 4, 2018 |
| July 4, 2018 | July 12, 2018 | July 19, 2018 | July 20, 2018 | July 23, 2018 | August 1, 2018 |
| August 8, 2018 | August 16, 2018 | August 23, 2018 | August 24, 2018 | August 27, 2018 | September 5, 2018 |
| September 5, 2018 | September 13, 2018 | September 20, 2018 | September 21, 2018 | September 24, 2018 | October 3, 2018 |
| October 10, 2018 | October 18, 2018 | October 25, 2018 | October 26, 2018 | October 29, 2018 | November 7, 2018 |
| November 7, 2018 | November 15, 2018 | November 22, 2018 | November 23, 2018 | November 26, 2018 | December 5, 2018 |
| December 5, 2018 | December 13, 2018 | December 20, 2018 | December 21, 2018 | December 24, 2018 | January 2, 2019 |

All meetings are held in the Deephaven council chambers, 20225 Cottagewood Road, Deephaven, MN 55331. Dates may change due to lack of quorums.

Be it resolved that the city council of the city of Greenwood, Minnesota approves the following additional dates:

| | Date | Time | Notes |
|--|-------------------|------|--|
| Pre-Board Worksession with Assessors | April 4, 2018 | 6pm | Before April council meeting |
| Local Board of Appeal & Equalization Meeting | April 12, 2018 | 6pm | 2nd Thursday in April |
| Subsequent LBAE Meeting | April 26, 2018 | 6pm | 4th Thursday in April |
| Joint Worksession | May 16, 2018 | 8pm | 3rd Wednesday in May, following PC meeting |
| Spring Clean-Up Day | May 19, 2018 | 8am | 3rd Saturday in May |
| Worksession: Budget & Fees | August 1, 2018 | 6pm | Before August council meeting |
| Worksession: Budget & Fees | September 5, 2018 | 6pm | Before September council meeting |
| Fall Sales Ratio Meeting with Assessors | November 1, 2018 | 4pm | Last Thur in Oct or 1st Thur in Nov |
| Budget Public Comment Opportunity | December 5, 2018 | 7pm | During December council meeting |

ADOPTED by the city council of the city of Greenwood, Minnesota, this ____ day of January, 2018.

There were __ AYES and __ NAYS.

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana H. Young, City Clerk

Resolution 01-18

City of Greenwood Dates for 2018 - with no change to planning commission

Be it resolved that the city council of the city of Greenwood, Minnesota approves the following dates for variance / conditional use permit / subdivision applications, publication of notices, planning commission meetings, and city council meetings:

| Application Date | Sun Sailor Publish Date | Planning Commission Public Hearing | Council Packet Submission Deadline | Council Packet Posted Online | City Council Meeting |
|--|--|------------------------------------|--|---|---------------------------|
| Wed (15 days before publish date) | Thu (13 days before PC meeting) | 7pm, 3rd Wednesday | Fri (12 days before CC meeting) | Mon (10th day before CC meeting) | 7pm, 1st Wednesday |
| October 18, 2017 | November 2, 2017 | November 15, 2017 | December 22, 2017 | December 25, 2017 | January 3, 2018 |
| November 22, 2017 | December 7, 2017 | December 20, 2017 | January 26, 2018 | January 29, 2018 | February 7, 2018 |
| December 20, 2017 | January 4, 2018 | January 17, 2018 | February 23, 2018 | February 26, 2018 | March 7, 2018 |
| January 24, 2018 | February 8, 2018 | February 21, 2018 | March 23, 2018 | March 26, 2018 | April 4, 2018 |
| February 21, 2018 | March 8, 2018 | March 21, 2018 | April 20, 2018 | April 23, 2018 | May 2, 2018 |
| March 21, 2018 | April 5, 2018 | April 18, 2018 | May 25, 2018 | May 28, 2018 | June 6, 2018 |
| April 18, 2018 | May 3, 2018 | May 16, 2018 | June 22, 2018 | June 25, 2018 | July 4, 2018 |
| May 23, 2018 | June 7, 2018 | June 20, 2018 | July 20, 2018 | July 23, 2018 | August 1, 2018 |
| June 20, 2018 | July 5, 2018 | July 18, 2018 | August 24, 2018 | August 27, 2018 | September 5, 2018 |
| July 18, 2018 | August 2, 2018 | August 15, 2018 | September 21, 2018 | September 24, 2018 | October 3, 2018 |
| August 22, 2018 | September 6, 2018 | September 19, 2018 | October 26, 2018 | October 29, 2018 | November 7, 2018 |
| September 19, 2018 | October 4, 2018 | October 17, 2018 | November 23, 2018 | November 26, 2018 | December 5, 2018 |
| October 24, 2018 | November 8, 2018 | November 21, 2018 | December 21, 2018 | December 24, 2018 | January 2, 2019 |

All meetings are held in the Deephaven council chambers, 20225 Cottagewood Road, Deephaven, MN 55331. Dates may change due to lack of quorums.

Be it resolved that the city council of the city of Greenwood, Minnesota approves the following additional dates:

| | Date | Time | Notes |
|--|------------------|------|--|
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| Joint Worksession | May 16, 2018 | 8pm | 3rd Wednesday in May, following PC meeting |
| Spring Clean-Up Day | May 19, 2018 | 8am | 3rd Saturday in May |
| Worksession: Budget & Fees | July 23, 2018 | 6pm | Before August council meeting |
| Worksession: Budget & Fees | August 27, 2018 | 6pm | Before September council meeting |
| Fall Sales Ratio Meeting with Assessors | November 1, 2018 | 4pm | Last Thur in Oct or 1st Thur in Nov |
| Budget Public Comment Opportunity | December 5, 2018 | 7pm | During December council meeting |

ADOPTED by the city council of the city of Greenwood, Minnesota, this ____ day of January, 2018.

There were __ AYES and __ NAYS.

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana H. Young, City Clerk



Agenda Number: 9B

Agenda Date: 01-03-18

Prepared by Deb Kind

Agenda Item: Resolution 02-18 Appointments and Assignments for 2018

Summary: This is a routine resolution that the council approves in January each year. No changes have been made to the assignments. The planning commission term dates on the resolution will be updated if new appointments are made in March. If the city council decides to dissolve the planning commission and form a Board of Adjustments & Appeals, the resolution will be updated accordingly at that time.

Council Action: Required. Potential motions ...

1. I move the council approves resolution 02-18 designating appointments and assignments for 2018.
2. I move the council approves resolution 02-18 designating appointments and assignments for 2018, with the following revision(s): _____.
3. Other motion ???

Resolution 02-18 – City of Greenwood Appointments & Assignments for 2018

Be it resolved that the city council of Greenwood, Minnesota approves the following appointments for 01-03-18 through 01-02-19.

| OFFICE & DESIGNATIONS | 2017 HOLDER | 2018 HOLDER |
|---|--|--|
| Mayor Pro-Tem | Bob Quam | Bob Quam |
| Administrative Committee | Deb Kind, Tom Fletcher | Deb Kind, Tom Fletcher |
| Animal Enforcement Officer | South Lake Police Department | South Lake Police Department |
| Assessor | Hennepin County | Hennepin County |
| Attorney | Mark Kelly, Bob Vose (alternate) | Mark Kelly, Bob Vose (alternate) |
| Attorney - Conduit Financing Projects | Jennifer Hanson | Jennifer Hanson |
| Attorney - Prosecutor | Ken Potts | Ken Potts |
| Auditor | CliftonLarsonAllen | CliftonLarsonAllen |
| Bank Signatures | Kind, Quam, Courtney | Kind, Quam, Courtney |
| Building Official | Bob Manor | Bob Manor |
| Clerk | Dana Young | Dana Young |
| Depositories | Bridgewater Bank, Beacon Bank | Bridgewater Bank, Beacon Bank |
| Engineer | Bolton & Menk (Dave Martini) | Bolton & Menk (Dave Martini) |
| Fire Board Representative – 4th Wed (Jan, Mar, May, Jul, Sep, Nov) | Tom Fletcher, Bob Quam (alt.) Bill Cook (2nd alt.) | Tom Fletcher, Bob Quam (alt.) Bill Cook (2nd alt.) |
| Forester / Certified Tree Inspector | Manuel Jordan | Manuel Jordan |
| Lake Minnetonka Communications Commission (LMCC) Representative 2 reps (1 elected official), meets 2nd Thurs (Feb, Apr, May, Jul, Aug, Oct, Dec) | Tom Fletcher, Deb Kind | Tom Fletcher, Deb Kind |
| Lake Minnetonka Conservation District (LMCD) Rep – 2nd and 4th Wed | Bill Cook (3yr term expires 1/31/20) | Bill Cook (3yr term expires 1/31/20) |
| Marina Clerk | Dana Young | Dana Young |
| Minnetonka Community Education (MCE) Representative – 4th Mon | Bob Quam | Bob Quam |
| Newspapers | Sun-Sailor Finance & Commerce (alternate) Star Tribune (alternate) | Sun-Sailor Finance & Commerce (alternate) Star Tribune (alternate) |
| Planning Commissioners and City Council Liaison – 3rd Wed | A-1 Douglas Reeder (8/11-3/18) | A-1 Douglas Reeder (8/11-3/18) |
| | A-2 Lake Bechtell (5/14-3/18) | A-2 Lake Bechtell (5/14-3/18) |
| | A-3 Fiona Sayer (8/14-3/18) | A-3 Fiona Sayer (8/14-3/18) |
| | B-1 Pat Lucking (2/01-3/19) | B-1 Pat Lucking (2/01-3/19) |
| | B-2 Jennifer Gallagher (9/16-3/19) | B-2 Jennifer Gallagher (9/16-3/19) |
| | Alt-1 David Steingas (10/16-3/18) | Alt-1 David Steingas (10/16-3/18) |
| | Alt-2 Vacant (___-3/19) | Alt-2 Vacant (___-3/19) |
| Alt-3 Kristi Conrad (council liaison) | Alt-3 Kristi Conrad (council liaison) | |
| Public Safety City Administrator Representative (police and fire) | Dana Young | Dana Young |
| Public Works Committee (roads, sewer, stormwater, etc.) | Bob Quam, Bill Cook | Bob Quam, Bill Cook |
| Responsible Authority (Govt. Data Practices Act) | Dana Young | Dana Young |
| St. Alban's Bay Lake Improvement District Ex-Officio Director | Bill Cook | Bill Cook |
| South Lake Minnetonka Police Department (SLMPD) Coordinating Committee Representative (must be mayor, meets quarterly) | Deb Kind, Bob Quam (alternate) | Deb Kind, Bob Quam (alternate) |
| Treasurer | Mary Courtney | Mary Courtney |
| Utility Billing Clerk | Deborah Hicks | Deborah Hicks |
| Weed Inspector (must be mayor), Assistant Weed Inspector | Deb Kind, Assistant John Menzel | Deb Kind, Assistant John Menzel |
| Zoning Administrator | Dale Cooney | Dale Cooney |

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GREENWOOD, MINNESOTA that any and all commissioners, appointees, representatives, delegates, or other non-elected officials of the city shall hold their official status or membership on a basis subject to resolution, subject to reconsideration, and / or removal at the insistence of the city council. This resolution is enacted pursuant to the codes of the city.

ADOPTED by the city council of the city of Greenwood, Minnesota this 3rd day of January, 2018.

There were ___ AYES and ___ NAYS

By: _____
Debra J. Kind, Mayor, City of Greenwood

Attest: _____
Dana H. Young, City Clerk, City of Greenwood



Agenda Number: **9C**

Agenda Date: 01-03-17

Prepared by Deb Kind

Agenda Item: Ord 274 Amending Nuisance Ordinance Regarding Stormwater Runoff

Summary: At the 12-06-17 council meeting, Councilman Cook suggested the council consider adding language to the nuisance ordinance to address stormwater runoff issues for improvement projects that do not require a building permit. Attached is an ordinance that includes Councilman Cook's suggested language.

Timeline:

01-03-18 City council considers 1st reading of the ordinance (may make revisions / may waive 2nd reading).

01-04-18 If the 2nd reading is waived, the ordinance is submitted to the Sun-Sailor for publication.

01-11-18 If the 2nd reading is waived, the ordinance is published in the Sun-Sailor (goes into effect on this date).

02-07-18 City council considers 2nd reading of the ordinance (may make revisions).

02-08-18 The ordinance is submitted to the Sun-Sailor for publication.

02-15-18 The ordinance is published in the Sun-Sailor (goes into effect on this date).

Council Action: None required. Potential motions ...

1. I move the city council (1) approves the 1st reading of ordinance 274 amending the nuisance ordinance code section 910.60 as written / as amended; (2) **waives the 2nd reading**; and (3) directs staff to publish the ordinance in the city's official newspaper.
2. I move the city council (1) approves the 1st reading of ordinance 274 amending the grading ordinance code section 910.60 as written / as amended; and (2) directs the ordinance be placed on the next city council agenda for a 2nd reading.
3. Do nothing (maintain current ordinance) or other motion ???

Greenwood code section 1215 requires 2 readings of all ordinances prior to adoption. The 2nd reading shall be within 3 months of the 1st reading. There may be changes between the 1st and 2nd readings. The 2nd reading may be waived by a unanimous vote of city council members present at the meeting. In order to publish an ordinance by title and summary the ordinance must be approved by a 4/5ths vote. Ordinances go into effect once they are published in the city's official newspaper. The planning commission must review and make a recommendation to the city council regarding any changes to the zoning code chapter 11. A public hearing, typically held by the planning commission, also is required for changes to chapter 11.

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING GREENWOOD ORDINANCE CODE SECTION 910.60 SUBD 1 REGARDING STORMWATER RUNOFF**

THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA DOES ORDAIN:

SECTION 1.

Greenwood ordinance code section 910.60 subd 1 is amended to add the following paragraph and re-letter the subsequent paragraphs sequentially:

“(h) Property owners engaging in landscaping projects or small construction projects that are not regulated by the construction site management ordinance (section 305) must not change the pre-project conditions regarding the location, amount, and quality of stormwater runoff on to adjoining properties. Mud and other debris shall be controlled and shall not be discharged or moved to adjoining properties.”

SECTION 2.

Effective Date. This ordinance shall be effective upon publication according to law.

Enacted by the city council of Greenwood, Minnesota this ___ day of _____, 2018.

___ AYES ___ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana H. Young, City Clerk

First reading: _____, 2018
Second reading: _____, 2018
Publication: _____, 2018



Agenda Number: **11A-E**

Agenda Item: Council Reports

Summary: This is an opportunity for each council member to present updates and get input regarding various council assignments and projects.

Related documents are included in the hard copy of the full council packet and in the electronic version of the packet available at www.greenwoodmn.com.

Council Action: None required.

Site Statistics

Use this reporting tool to see your site statistics for your public site for this month or the previous month. Statistics for the Administration (or "admin") side of your site are not included in this report. Additionally, visits you make to your own site while administering it are not included in these statistics. All data collected before the previous month has been purged from our system and is not available for use; therefore, we recommend printing this report each month for your records.

The first report - Page Views by Section - shows total page views for each section. The second report - Unique Visitors by Section - shows the total page views for each section without the return visitors (showing only views from unique IP addresses). For example, if you browse to a page today, and then browse to that same page tomorrow, your viewing of that page would only be counted once in the unique (second) report.

Each report lists sections in page view order (highest number of page views first) and only lists sections that have had traffic within the reporting period. It does not list those sections without traffic.

| | |
|---|----------------------|
| Begin Date | 11/16/2017 |
| End Date | 12/15/2017 |
| Report Name | Page Views (Default) |
| <input type="button" value="Get Report"/> | |

Page Views by Section

| Section | Page Views | Percent of Total |
|---|------------|------------------|
| Default Home Page | 6706 | 58.79% |
| Code Book of Ordinances | 785 | 6.88% |
| Agendas, Minutes, Meeting Packets | 657 | 5.76% |
| Welcome to Greenwood | 445 | 3.9% |
| RFPs & Bids | 390 | 3.42% |
| City Departments | 335 | 2.94% |
| Planning Commission | 181 | 1.59% |
| Assessments & Taxes | 153 | 1.34% |
| Forms, Permits, Licenses | 125 | 1.1% |
| Budget & Finances | 117 | 1.03% |
| Mayor & City Council | 98 | 0.86% |
| SABLID Email Sign-Up | 89 | 0.78% |
| Public Safety Alerts | 88 | 0.77% |
| Elections, Voting | 78 | 0.68% |
| St. Alban's Bay Lake Improvement District | 74 | 0.65% |
| Photo Gallery | 64 | 0.56% |
| Garbage & Recycling | 54 | 0.47% |
| Agendas, Minutes, Meetings | 53 | 0.46% |
| Spring Clean-Up Day | 52 | 0.46% |
| Toilet Drain Guide | 44 | 0.39% |
| Comp Plan & Maps | 40 | 0.35% |
| Old Log Events | 40 | 0.35% |
| Links | 38 | 0.33% |
| Email Sign-Up | 36 | 0.32% |
| | 35 | 0.31% |

Quick Tips

The reports offered in your Site Statistics tool only track activity on the public side of your site.

In each report, a section named "Default" and a section named "Home" may appear.

A page view gets attributed to "Default" when a visitor to your site types your URL into his or her Web browser. In most cases, the "Default" section is your Home Page.

A page view gets attributed to "Home" each time a visitor clicks the "Home" button on your Web site.

In the Page View (Default) report, only sections with Web traffic are reported and they are listed in page view order.

In the Page View by Section report, sections are listed in the order they appear in the navigation menu and are reported regardless of their traffic level.

In the Referrers report, it is important to remember that your own site acts like a referrer. So, don't be surprised if you see your own Web address(es) listed -- this tracks the number of times people went from one part of your site to another.

| | | |
|--|--------------|-------------|
| Meetings | | |
| City Newsletters | 35 | 0.31% |
| Coyotes & Animal Services | 35 | 0.31% |
| Well Water | 35 | 0.31% |
| Lake Minnetonka | 34 | 0.3% |
| Emergency Preparedness | 34 | 0.3% |
| Tour de Tonka | 32 | 0.28% |
| Parks, Trails & Watercraft Amenities | 32 | 0.28% |
| Watercraft Spaces | 32 | 0.28% |
| Meetings on TV | 32 | 0.28% |
| Finances, Taxes, Assessments | 30 | 0.26% |
| Sewer, Stormwater, Water, Garbage, Recycling | 30 | 0.26% |
| Luck O' the Lake | 29 | 0.25% |
| July 4th | 27 | 0.24% |
| Smoke Testing | 27 | 0.24% |
| Tree Contractors | 25 | 0.22% |
| Fire Department | 25 | 0.22% |
| News, Events | 24 | 0.21% |
| Community Surveys | 21 | 0.18% |
| Habitat 500 Bike Ride | 19 | 0.17% |
| Search Results | 19 | 0.17% |
| Library Events | 17 | 0.15% |
| Road Closures & Detours | 17 | 0.15% |
| Recreation, Amenities | 17 | 0.15% |
| Unsubscribe | 1 | 0.01% |
| TOTAL | 11406 | 100% |

Unique IPs by Section

| Section | Unique IPs | Percent of Total IPs |
|---|------------|----------------------|
| Default Home Page | 2026 | 47.47% |
| City Departments | 294 | 6.89% |
| Welcome to Greenwood | 230 | 5.39% |
| Agendas, Minutes, Meeting Packets | 206 | 4.83% |
| Assessments & Taxes | 88 | 2.06% |
| Planning Commission | 81 | 1.9% |
| Code Book of Ordinances | 77 | 1.8% |
| Mayor & City Council | 77 | 1.8% |
| Forms, Permits, Licenses | 72 | 1.69% |
| Budget & Finances | 64 | 1.5% |
| St. Alban's Bay Lake Improvement District | 59 | 1.38% |
| Elections, Voting | 56 | 1.31% |
| Public Safety Alerts | 54 | 1.27% |
| SABLID Email Sign-Up | 48 | 1.12% |
| Photo Gallery | 43 | 1.01% |
| Garbage & Recycling | 41 | 0.96% |
| Agendas, Minutes, Meetings | 34 | 0.8% |
| Comp Plan & Maps | 33 | 0.77% |
| Toilet Drain Guide | 33 | 0.77% |
| Lake Minnetonka | 32 | 0.75% |
| Spring Clean-Up Day | 32 | 0.75% |
| Old Log Events | 31 | 0.73% |
| Coyotes & Animal Services | 30 | 0.7% |
| Watercraft Spaces | 29 | 0.68% |
| Meetings | 28 | 0.66% |
| RFPs & Bids | 28 | 0.66% |
| Links | 28 | 0.66% |
| Meetings on TV | 24 | 0.56% |
| City Newsletters | 23 | 0.54% |
| Email Sign-Up | 23 | 0.54% |

| | | |
|--|-------------|-------------|
| July 4th | 23 | 0.54% |
| Tree Contractors | 22 | 0.52% |
| Emergency Preparedness | 22 | 0.52% |
| Parks, Trails & Watercraft Amenities | 22 | 0.52% |
| Well Water | 22 | 0.52% |
| Sewer, Stormwater, Water, Garbage, Recycling | 21 | 0.49% |
| Tour de Tonka | 21 | 0.49% |
| News, Events | 21 | 0.49% |
| Luck O' the Lake | 20 | 0.47% |
| Community Surveys | 20 | 0.47% |
| Smoke Testing | 19 | 0.45% |
| Habitat 500 Bike Ride | 18 | 0.42% |
| Finances, Taxes, Assessments | 18 | 0.42% |
| Fire Department | 18 | 0.42% |
| Road Closures & Detours | 16 | 0.37% |
| Recreation, Amenities | 15 | 0.35% |
| Library Events | 14 | 0.33% |
| Search Results | 11 | 0.26% |
| Unsubscribe | 1 | 0.02% |
| TOTAL | 4268 | 100% |

Generate Download File (.csv) for the current report:

Done



Agenda Number: **FYI**

Agenda Item: FYI Items in Council Packet

Summary: The attached items are included in the council packet for the council's information (FYI) only. FYI items typically include planning commission minutes and other items of interest to the council. When the agenda is approved at the beginning of the meeting, any council member may request to move an FYI item to the regular agenda for further discussion. Moved items will be placed under Other Business on the agenda.

Council Action: No council action is needed for FYI items.

December 9, 2017

Hennepin County Commission
A-2400 Government Center
Minneapolis MN 55487



SENT VIA EMAIL

Jan Callison jan.callison@hennepin.us
Debbie Goettel debbie.goettel@hennepin.us
Marion Greene marion.greene@hennepin.us
Linda Higgins linda.higgins@hennepin.us

Jeff Johnson jeff.johnson@hennepin.us
Peter McLaughlin peter.mclaughlin@hennepin.us
Mike Opat michael.opat@hennepin.us

Re: Hennepin County Forensic Services

Dear Hennepin County Commissioners,

South Lake Minnetonka Police Chief Mike Meehan and Greenwood Councilman Tom Fletcher attended the December 6, 2017 Hennepin County Commission (HCC) meeting to show our interest in the proposed changes to forensic services that affect our police department and city. At our meeting that same evening, the Greenwood City Council authorized me to send a letter opposing the proposed budget amendment and noting the following concerns:

(1) We are concerned about the process for making a policy decision regarding forensic services. In order for the HCC to make an informed decision regarding a major policy change, it is important to have an open process that encourages input from all stakeholders. The budget amendment appears to be a backdoor way to make a policy decision. While Commissioner Greene referred to the desire to follow forensic services "best practices," the manner in which this proposal is being presented does not follow the "best practices" of considering stakeholder input. In addition, the proposal does not appear to follow the "best practices" for the process of transitioning a department, considering that it takes two years for some forensic staff positions to obtain accreditation.

(2) We are concerned about the motivations for making a policy decision regarding forensic services. To the best of our knowledge the Hennepin County Sheriff's Office Crime Lab operates at a very high level of quality, efficiency, and cost-effectiveness. We question the need to fix something that is not broken. Commissioner Greene cited "best practices" in referring to a 2009 National Academy of Sciences Report, which included a recommendation on page 190 for congressional funding to remove crime labs from administrative control of law enforcement agencies or prosecutor's offices. This recommendation recognized the fact that additional funding would be required for forensic services units to expand their offerings to provide greater services for defense attorneys and public defenders. At the December 6 meeting, the speakers in favor of the proposed budget amendment were from the Public Defenders' Office and the Innocence Project, so it appears that increased services for defense attorneys is the goal of the budget amendment. If that is the case, absent any additional funding for the Forensic Services Unit, Greenwood would strongly oppose the reduction in services to our police department that would result from increased services to defense attorneys.

Greenwood is not necessarily opposed to changes regarding forensic services, but we would like to understand how the proposed changes impact the work of our police department. We also would like the HCC to consider the more current "best practices" from the National Institutes of Standards and Technology and Department of Justice 2013-2017 National Commission on Forensic Sciences. The HCC already has the Hennepin County Criminal Justice Coordinating Committee to provide a review of any appropriate options for enhancing the valuable work of the Forensic Services Unit. If changes to the Forensic Services Unit are such a great idea, the changes will prevail after following the "best practices" for making policy changes, not through a backdoor budget amendment.

Sincerely,

A handwritten signature in black ink that reads "Debra J. Kind". The signature is written in a cursive, flowing style.

Mayor Debra J. Kind
and the Greenwood City Council

CC: SLMPD Chief Mike Meehan, SLMPD Mayors and City Councilmembers, Sheriff Stanek



December 12, 2017

Lake Minnetonka Conservation District Board
Attn: Vickie Schleuning, Executive Director
5341 Maywood Road, Suite 200
Mound, MN 55364

SENT VIA EMAIL
vschleuning@lmcd.org

Re: New Aquatic Invasive Species Threats to Lake Minnetonka

Dear Lake Minnetonka Conservation District Board,

At our December 6, 2017 meeting, the Greenwood city council discussed new aquatic invasive species threats to Lake Minnetonka. The consensus of the council was for me to send a letter on behalf of the city council to the Lake Minnetonka Conservation District Board to express Greenwood's support for the LMCD to be more aggressive in monitoring and responding to new aquatic invasive species threats in Lake Minnetonka.

Sincerely,

A handwritten signature in black ink that reads "Debra J. Kind". The signature is written in a cursive style with a large, stylized initial 'D'.

Mayor Debra J. Kind
and the Greenwood City Council

**GREENWOOD PLANNING COMMISSION
WEDNESDAY, DECEMBER 20, 2017
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, Jennifer Gallagher, Doug Reeder, and David Steingas

Others Present: Council Liaison Kristi Conrad and Zoning Administrator Dale Cooney

Absent: Fiona Sayer

2. MINUTES – November 15, 2017

Commissioner Bechtell moved to approve the minutes of October 18, 2017 as written. Commissioner Gallagher seconded the motion. Motion carried 5-0.

Cooney pointed out that, since the five regular members were at this meeting, Steingas should have been considered an alternate, and that therefore his vote was removed from the vote count. Cooney said that when there is not an absence Steingas can participate in discussion but cannot vote on motions.

3. PUBLIC HEARINGS

3a. Public hearing to consider conditional use permit request of Rick and Kim Polk for 4660 Linwood Circle to regrade the property in conjunction with the construction of a new house and to build an in-ground swimming pool.

Chairman Lucking introduced the agenda item. Steingas recused himself and stepped away from the dais.

Lucking opened the public hearing. Steingas, builder for the applicant, said that his company, Steiner and Koppelman, is requesting a CUP for grading and a swimming pool.

Bechtell said that he liked the plan except for the secondary driveway which he said would eventually be paved.

Gallagher asked about the retaining wall for the pool. Steingas said that there would be a large retaining wall on the lake side for the pool.

Bechtell asked about the old retaining walls. Steingas said that there are a number of retaining walls by the house and driveway that will be removed. He said that they are reconfiguring the grading of the property so that the home is on the highest point and that there would be a walkout on the lake side.

Lucking said that the grading ordinance is in place to prevent cheating the house height restrictions by piling up the grade around a house after the fact. He said that was not the case in this instance. He said that the ordinance used to allow the zoning administrator to waive the CUP, but that there were some circumstances where staff became too cavalier. Lucking said that, for those reasons, that language was removed. Lucking said that he thinks the current situation is too restrictive and perhaps the code could again allow the zoning administrator and engineer to waive the requirements.

Steingas said that the city may want to consider a restriction on importing more than 7 cubic yards of fill. He said most builders try to have no net gain in fill. He said excavating for the house creates a lot of extra fill that can be used on site or hauled away. But, Steingas said, that importing fill to a site implies that there may be some excessive grade alteration happening.

GREENWOOD PLANNING COMMISSION
WEDNESDAY, DECEMBER 20, 2017
7:00 P.M.

Reeder said that he thinks that there is an issue with this property being over hardcover limits. Steingas said that he had proposed a grass pave system that is impervious, and was not included in the hardcover calculations. He said that he has removed that proposal and will now simply plant grass in this area. He said that there will not be a driveway here, and that the lower garage is just for boat storage.

Conrad asked about the patio on the north side that staff had mentioned in the staff report. Steingas said that they will not be building that patio by grading the area, but will instead have a 5 foot cantilevered deck.

Cooney said that the proposed driveway should have a 5 foot setback and that he forgot to mention that in the staff report. Steingas said that he would comply with that.

Lucking closed the public hearing.

Lucking said that approval conditions should include comments from the city engineer. Cooney said that he did not think that mitigation should be required based on how Greenwood code is written. Lucking agreed and said that engineer comments 5, 6, and 7 should not be part of the CUP.

Motion by Reeder to approve the request as proposed with the conditions that the north patio be removed in favor of a deck, and that city engineer comments (dated December 12, 2017) numbers 1 through 4 and 8 be adhered to. Motion was seconded by Bechtell. Motion carried 4-0.

4. OTHER BUSINESS

5. LIAISON REPORT

Conrad presented the liaison report. She said that the city is considering eliminating the planning commission and replacing it with an advisory board that would meet prior to the city council meeting. She said that some on the city council think it is a luxury for a city of the size of Greenwood to have a planning commission. Conrad said that there is also a new law in place that creates a short turnaround time for staff to prepare staff reports for the city council. She also said that, since staff is hourly, the proposed arrangement would reduce staff costs. Conrad said that it would also reduce the timeline for a decision.

Cooney said that he thought the timeline was a big upside for applicants since it would remove nearly a month from the process and that there is still time to revisit an item within the 60 day timeline.

Steingas recommended looking into the process at Prior Lake. He said that there is a planning committee made up of staff and elected officials that meet with the applicants prior to meeting with the city council. He said that he went through the process and that it helped him identify issues that he might need to work out prior to going in front of the city council.

Conrad said that the details of this are still being worked out, and that the city council will be discussing it further at the next meeting.

6. ADJOURN

Motion by Steingas to adjourn the meeting. Bechtell seconded the motion. Motion carried 5-0. The meeting was adjourned at 7:56 p.m.

Respectively Submitted,
Dale Cooney - Zoning Administrator