

**GREENWOOD PLANNING COMMISSION
WEDNESDAY, JULY 11, 2018
7:00 P.M.**

1. CALL TO ORDER/ROLL CALL

Chairman Lucking called the meeting to order at 7:02 p.m.

Members Present: Chairman Pat Lucking, Commissioners Jennifer Gallagher, and David Steingas

Others Present: Council Liaison Kristi Conrad (arrived at 7:15), Councilmember Bill Cook, and Zoning Administrator Dale Cooney

Absent: Commissioner Dean Barta

2. MINUTES –May 9, 2018 & June 13, 2018

Motion by Steingas to approve the minutes as written. Motion was seconded by Gallagher. Motion carried 3-0.

3. PUBLIC HEARINGS

Lucking said that, if there is no objection, he would like to reorder the agenda in order to allow time for Council Liaison Conrad to arrive for quorum purposes. The planning commission had no objection to the reorganizing of the agenda.

3b. Consider variance requests of David and Kimberly Barry, property owners, to encroach into the lake yard setback and convert landscape-related impervious to structural-related impervious in order to expand an enclosed porch at 21550 Excelsior Boulevard.

Lucking introduced the agenda item and opened the public hearing.

Mike Sharratt, architect for the applicants, stated that the proposal is very similar to what was approved last year and that the changes to the screened porch were to make it slightly bigger and more functional. He said that the proposal goes over an existing deck area. He said that the proposal is .1% less hardcover than what was approved previously. Sharratt said that the proposal did increase the volume of the house by increasing the roof pitch, but that it is still approximately 12,000 cubic feet below building volume requirements. He said that the proposal faces the non-navigable Christmas Lake drainage channel and that the previous variance approved a 36.7 foot setback and the request is for a 32.2 feet. Sharratt said that the existing house burned down, and they would like to replace that house, but make it a tiny bit better. He said that the inside of the porch is 9.5 feet which is not big enough for furniture.

Steingas said that this is similar to a corner lot situation and the applicants are meeting three of the 4 required setbacks.

Lucking said that he has no issue with the request, but the code does not allow nonconforming hardcover properties to exchange landscape-related impervious for structural-related impervious.

Cooney said that the city found a way around that requirement when the issue came up for this property last year to join the house to the garage. He said that expansion was built over pavers, and that a significant amount of landscaping plastic was removed as a condition.

Steingas said that perhaps the best way to do this is not an exchange, but to show the hardcover on the property increasing by the proposed footprint of the porch expansion. He said that, in this way, nothing is being exchanged.

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Motion by Steingas to approve the request as proposed with the condition that the survey be modified to show a .3% increase in impervious area for the property. Motion was seconded by Lucking. Motion carried 3-0.

3a. Consider variance request of Julie and Gregg Getchell encroach into the east and front setbacks in order to build an upper level addition to their nonconforming house at 5185 Greenwood Circle

Lucking introduced the agenda item and opened the public hearing. Steingas recused himself for this agenda item and Council Liaison Conrad served as a voting alternate in order to achieve quorum.

Lucking said that this was a very inconspicuous house addition.

Julie Getchell said that the proposed addition was for an additional upstairs bedroom on the upper level and that it is within the existing flat roof area of the property.

Lucking asked if Councilmember Cook wished to make any comments. Cook said that he did not and that he was here to support his neighbors.

Lucking said that the improvements are under the massing requirements and within the existing nonconforming footprint and that the city usually tries to grant variances for these types of requests.

Conrad asked about the massing. Cooney said that the 2012 resolution references a cubic footage limitation of 5 times the lot size, but that the ordinance today allows for massing of 6 times the lot size. Cooney said that was how the proposal could be bigger than previously approved, but still under the massing limitation.

Motion by Gallagher to approve the request as proposed. Motion was seconded by Conrad. Motion carried 3-0.

4. OLD BUSINESS

4a. Review grading ordinances from peer cities and discuss parameters for possible revised grading ordinance.

Lucking introduced the agenda item. He said that there seems to be a theme among the reviewed jurisdictions of a review at 50 cubic yards.

Steingas said that one dump truck holds 10 cubic yards and that the 50 cubic yard standard is very reasonable and very normal.

Steingas asked about Deephaven's ordinance. Cooney said that city administrative/engineering review is triggered at 50 cubic yards, but a variance is required for a grade alteration of more than 3 feet at any point.

Steingas said that he would prefer an ordinance comparable to the Deephaven ordinance.

Conrad said that she liked the limitation of the grade change at any one point rather than an average over a larger area.

Steingas said that his Linwood Circle project would have been able to comply with an average grade calculation similar to Wayzata's ordinance.

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Cooney said that the issue he has with the current ordinance is that the issues related to house height and drainage are often impacted by the height of the grade change which the current ordinance doesn't address. He said that the current regulations would catch someone spreading 6 inches of topsoil over an area, which is not the intent of the regulation.

Conrad asked if it could be better administered with a height limitation. Cooney said that it was a helpful limitation, whereas total soil volume depends on the area of the project.

Cooney said that he does understand that the city might have some concerns about staff-level only reviews since it is inevitable that councilmembers will get calls regarding projects that have not come before the city.

Steingas said that one other restriction that he sees from other cities is height based on existing grade. Conrad said that she liked that. Lucking said that Greenwood addresses the issue by doing an average perimeter grade calculation.

Cooney said that with a maximum grade elevation change, the applicant can usually lessen the grade alteration to avoid the city process, but if they are committed to a certain grade change, such as prioritizing a walkout, then they can come through the city. He said that this helps separate the nice-to-have features from the must-have features.

Steingas said that his preference would be to use Deephaven as a template with the 50 cubic yards, staff/engineering review, and the three foot limitation.

Steingas asked if Deephaven had a limitation on the fill brought onto a site, since that is more concerning to him. Cooney said it was only the 50 cubic yards limitation. Lucking said that, for a small lot, the three foot limitation would be reached well before the 50 cubic yards limitation.

Cooney asked if the planning commission wanted to see a draft ordinance, or if they would prefer to submit these suggestions to the city council. Lucking said he would recommend a memo to the council.

5. LIAISON REPORT

Conrad presented the liaison report.

Conrad said that the city council looked at the residential lot rezoning. She said that in the current iteration, the zoning districts would be renamed to R-1 and R-2. She said that there was a definition for an average lot width to address pie shaped lots. Conrad said that the council agreed to the 20% of the lot width for side yard setbacks, but that the reduced setbacks would only apply for 70 linear feet of building length along the setback. Steingas said that would not be too challenging to stay within.

Conrad said that the hardcover would be at a sliding scale. Conrad said that she doubted any of the smaller properties actually were under the 30% impervious and that she would look into that.

Steingas said that he still preferred the 30% limitation, that it would give the city oversight for those properties that go over. He said that he had a hard time giving a small lot property an advantage for hardcover. Conrad said that the city council's objective was to make the ordinance more fair for smaller lots since the 30% limitation is more difficult for those lots.

6. ADJOURN

Motion by Conrad to adjourn the meeting. Gallagher seconded the motion. Motion carried 3-0. The meeting was adjourned at 8:20 p.m.

Respectively Submitted,
Dale Cooney - Zoning Administrator