

**GREENWOOD PLANNING COMMISSION  
WEDNESDAY, OCTOBER 10, 2018  
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 Jennifer Gallagher and David Steingas

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

Absent: Commissioner Dean Barta

**2. MINUTES –September 12, 2018**

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

**3. PUBLIC HEARINGS**

**3a. Consider the conditional use permit request of Kyle Hunt & Partners for 5135 and 5115 Weeks Road to regrade the property in a portion of the front yard.**

Lucking introduced the agenda item and opened the public hearing.

Kyle Hunt of Kyle Hunt & Partners, applicant representing the property owners and potential buyers, said that the property has just gone through the platting process, but that the buyers intend to instead combine the properties into one. He said that the house and garage at 5115 Weeks Road came down and they would like to even out this area to build a flat yard space on the property.

Hunt said that there is private stormwater infrastructure that was installed in 1987 after a large rain storm in order to serve the 5115 Weeks Road property to help prevent flooding of the house. He said that the stormwater infrastructure would stay in place but reconfigured a little bit to drain the driveway.

Patrick Murphy, potential buyer of the property, said that the grading is primarily to be used as a yard area for his children to play outdoors.

Conrad asked about next steps for the property. Hunt said that they would be coming back to the city to split off a part of the property for 5125 Weeks. Conrad asked if there would be new lines for the properties. Hunt said yes, but that there will only be properties at 5135 and 5125 Weeks Road and that the 5115 Weeks property would be combined into the 5135 Weeks Road property.

Lucking closed the public hearing.

Motion by Steingas to approve the request based on the recommendation and findings of staff. Motion was seconded by Gallagher. Motion carried 3-0.

**3b. Consider variance request of Mark and Sandy Setterholm to encroach into the front yard setback in order to build an upper level addition to their nonconforming house at 5250 Meadville Street.**

Lucking introduced the agenda item and opened the public hearing.

Steve Haugdahl, applicant and builder for the property owners, said that the second level was being built to enlarge the master bathroom and bedroom. He said that the addition would not encroach further than the existing house.

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Lucking noted that the massing was under the requirements.

Mark Setterholm, property owner, said that they are now using the house year-round and would like to enlarge the bathroom and the upstairs to be more functional.

Lucking closed the public hearing. He said that this is very similar to a request that came through last month.

Motion by Gallagher to approve the request based on the recommendation and findings of staff. Motion was seconded by Steingas. Motion carried 3-0.

#### **4. NEW BUSINESS**

Steingas said that he had some new business. He said that the resident at 4660 Linwood Circle is building a new house. He said that the property was approved for permeable pavers for the tuck-under garage and that the property owner would like a bigger driveway and is asking if he could get credit for the permeable pavers in order to expand the courtyard.

Steingas said that this would likely not be a practical difficulty for the property owner. He said that the proposal would be to grant a percentage of credit for pervious pavers.

Conrad said that the conversation should start with Bill Cook.

Cooney said that one of the main issues he has heard with pervious pavers is the required maintenance. Bob Swanson of Meadowood Incorporated, 1125 Nathan Lane North, Plymouth, said that silt ends up at the low end of the project, but that the rest of the system remains effective. He said that organic mass decomposes in the same way as it would in a septic system. He said that all stormwater management practices require maintenance.

Gallagher said that her concern is the next owner. She said that the system would be removed or paved over.

Swanson said that 2,254 square feet of impervious surface has been approved and are asking for 491 square feet of additional drive area. He said that the proposed driveway would have 838 cubic feet of water storage capacity.

Lucking asked if the pavers themselves were permeable. Swanson said that the gaps between the pavers are permeable, but the pavers themselves are not.

Cooney said that exceeding the 30% impervious surface area on a property should require a variance and that the proposed mitigation system would be part of the request. Cooney said that allowing permeable paver areas without a variance request would be problematic since expanded driveways and stormwater maintenance agreements for pavers would become the norm within the city.

Lucking said that the code would need to be changed to address this kind of change.

Steingas asked if an ordinance could permit the structure to be 25% hardcover and the rest of the property could be a maximum of 5% hardcover. Conrad said that in her opinion she would say no since some properties are required to have long entry driveways.

Steingas said that he wanted to change the discussion to 21200 Minnetonka Boulevard. He said that he apologizes for missing the last meeting. Steingas said that that an acre of property can handle 9 percent hardcover.

Conrad said that she felt that Greenwood is at capacity and cannot take any more stormwater. She said that the city is trying to apply the rule to the entire city, not just this one property owner.

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Steingas said that every property around this person is 25 to 30 percent hardcover and this one with 10 percent hardcover is the one that is required to mitigate. Conrad said that is what happens when you have to grandfather existing situations when the law gets more restrictive.

Cooney said that he is sympathetic to their request since their property is not the cause of stormwater issues and that there are few, if any, properties that have this low hardcover and that don't drain to the lake.

Steingas suggested that the pervious pavers could be a solution for the property at 21200 Minnetonka Boulevard. Gallagher said that is not what they proposed originally and then requested a variance from providing any kind of system.

Steingas said that this kind of system could help people. Conrad said that she does not want to find ways to keep adding hardcover.

Cooney said that there is so much development pressure on the lake, that finding ways to add more paving, even if it is pervious, seems problematic. Steingas said that he thinks something like a 10% credit for expanded hardcover if a driveway is impervious might be a reasonable approach.

Conrad said that the Linwood Circle property is already over 30%. Steingas agreed and said that he doesn't necessarily agree with the client's request, but that he is bringing it forward anyways.

Conrad said that the city needs to think ahead on these things. Gallagher agreed that they need to think about future homeowners might act.

Steingas said that he also has a property owner on Meadville that wants to attach a detached garage and increase hardcover from 42% to 45%. He asked about the submission deadline. Cooney said that he could still submit the application if it is submitted next week.

## **5. LIAISON REPORT**

Conrad presented the liaison report.

She said that they talked about short term rentals at the city council meeting. She asked if there has been more than 1 citation. Cooney said that usually he gets compliance with a warning letter regarding the property listings, but that the number of renters in a 4 month period is difficult to track or enforce. Lucking said that the property owner can say it is friend and relatives, particularly if the property isn't listed.

Conrad said that the city is considering more No Parking signs on Meadville. She said that there is difficulty when there are events at the Old Log Theatre.

Cooney noted that the variance request at 21200 Minnetonka Boulevard asked for an extension on their proposal, so the city council did not make a decision on the application.

## **6. ADJOURN**

Motion by Steingas to adjourn the meeting. Lucking seconded the motion. Motion carried 3-0. The meeting was adjourned at 8:25 p.m.

Respectively Submitted,  
Dale Cooney - Zoning Administrator