

AGENDA

Greenwood City Council Meeting

Wednesday, December 5, 2018

20225 Cottagewood Road, Deephaven, MN 55331

*The public is invited to speak when items come up on the agenda (3-minute limit).
The public may speak regarding other items during Matters from the Floor (see below).
Hearing devices available from recording technician.*



6:30pm RECEPTION FOR RETIRING COUNCILMAN BOB QUAM

All are welcome. There will be cake! Note: A quorum of the city council may be in attendance. No council action will be taken.

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: 11-07-18 City Council Meeting Minutes
- B. Approve: 11-13-18 Election Canvassing Meeting Minutes
- C. Approve: Oct Cash Summary Report
- D. Approve: Oct Certificates of Deposit Report
- E. Approve: Nov Verifieds, Check Register, Electronic Fund Transfers
- F. Approve: Nov Payroll Register
- G. Approve: Ord 285 & Summary Res 33-18, Re-establishing Section 925, Predatory Offenders
- H. Approve: 2019 License Applications

7:02pm 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.

7:05pm 4. PRESENTATIONS, REPORTS, GUESTS, AND ANNOUNCEMENTS

- A. Presentation: Res 34-18, Resolution of Appreciation & Commendation for Councilman Bob Quam
- B. Announcement: Planning Commission Term Expirations

7:10pm 5. PUBLIC HEARINGS

- A. Truth in Taxation Hearing: 2019 Budget & Tax Levy
Note: April 2018 was the opportunity to speak regarding property valuations for taxes payable in 2019.

7:15pm 6. ACTION RELATED TO PUBLIC HEARINGS

- A. Consider: Res 35-18, Final 2019 Tax Levy; Res 36-18, Final 2019 Budget

7:20pm 7. PLANNING, ZONING & SUBDIVISION ITEMS

- A. Consider: Res 37-18, Variance Findings, Marcia & Jeffrey Fetters, 21200 Minnetonka Blvd
- B. Consider: Res 38-18, Conditional Use Permit Findings, Diane Wold, 4980 Meadville St
- C. Consider: Res 39-18, Simple Subdivision Findings, Kyle Hunt & Partners, 5135 and 5125 Weeks Rd
- D. Consider: Res 40-18, Conditional Use Permit Findings, Cisco & Kim Skanson, 5175 Queens Cir
- E. Consider: Res 41-18 & 42-18, CUP & Variance Findings, Michael & Colleen Kroening, 5260 Meadville St
- F. 1st Reading: Ord 282 & Summary Res 43-18, Amending Section 1140.19, Grading
- G. Consider: Final Draft of 2040 Comprehensive Plan for Submission to Met Council

NONE 8. UNFINISHED BUSINESS

8:00pm 9. NEW BUSINESS

- A. Consider: Year-End Fund Transfers

NONE 10. OTHER BUSINESS

8:05pm 11. COUNCIL REPORTS

- A. Conrad: Planning Commission
- B. Cook: LMCD, SABLID, Public Works Committee
- C. Fletcher: LMCC, Fire, Administrative Committee
- D. Kind: Police, Administrative Committee, Mayors' Meetings, Website
- E. Quam: Minnetonka Community Education, Public Works Committee

8:20pm 12. ADJOURNMENT

POST-MEETING GATHERING IN HONOR OF RETIRING COUNCILMAN BOB QUAM

*Old Log's Cast & Cru Restaurant, 5175 Meadville Street, Greenwood
Note: A quorum of the city council may be in attendance. No council action will be taken.*



Agenda Item: Consent Agenda

Summary: The consent agenda typically includes the most recent council minutes, cash summary report, verified report, electronic fund transfers, and check registers. The consent agenda also may include the 2nd reading of ordinances that were approved unanimously by the council at the 1st reading. Council members may remove consent agenda items for further discussion. Removed items will be placed under Other Business on the agenda.

Council Action: Required. Possible motion ...

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

MINUTES

Greenwood City Council Meeting

Wednesday, November 7, 2018

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 Kristi Conrad, Bill Cook, Tom Fletcher, Bob Quam

Staff Members Present: City Zoning Administrator Dale Cooney

Motion by Kind to approve the agenda. Second by Quam. Motion passed 5-0.

2. CONSENT AGENDA

A. Approve: 10-03-18 City Council Meeting Minutes

B. Approve: Sep Cash Summary Report

C. Approve: Sep Certificates of Deposit Report

D. Approve: Oct Verifieds, Check Register, Electronic Fund Transfers

E. Approve: Oct Payroll Register

F. Approve: Res 26-18, Hazard Mitigation

G. Approve: Res 27-18, St. Alban's Bay Lake Improvement District Assessment

H. Approve: Res 30-18, Designating Polling Place

Motion by Kind to move agenda items 7A and 7B to the consent agenda and to approve the consent agenda items. Second by Cook. Motion passed 5-0.

3. MATTERS FROM THE FLOOR

David Steingas, 21500 Fairview Street, stated that he dropped off a 3-ring notebook at city hall with ideas for how pervious pavers could be used to help with water management on properties that are currently greater than 30% hardcover.

4. PRESENTATIONS, REPORTS, GUESTS, AND ANNOUNCEMENTS

A. Chief Meehan: Quarterly Police Update

No council action taken. View the report at LMCC-TV.org.

B. Ken Potts: Annual Prosecution Update

No council action taken. View the report at LMCC-TV.org.

C. Planning Commission Applicant: Kelsey Nelson, Res 31-18 Appointments & Assignments

Motion by Fletcher that the city council approves resolution 31-18 appointing Kelsey Nelson to planning commission seat A-3 for a term ending 03-01-20. Second by Quam. Motion passed 5-0.

D. Announcement: Election Canvassing Meeting, 5pm on 11-13-18, Deephaven Council Chambers

No council action taken. View the announcement at LMCC-TV.org.

5. PUBLIC HEARINGS

A. None

6. ACTION RELATED TO PUBLIC HEARINGS

A. None

7. PLANNING & ZONING ITEMS

A. Consider: Res 28-18, Variance Findings, Mark & Sandy Setterholm, 5250 Meadville Street

Approved as part of the consent agenda.

B. Consider: Res 29-18, CUP Findings, Kyle Hunt & Partners, 5135 & 5115 Weeks Road

Approved as part of the consent agenda.

C. 1st Reading: Ord 282, Amending Section 1140.19, Grading

Motion by Fletcher that the city council continues the 1st reading of ordinance 282 to the 12-05-18 council meeting. Second by Conrad. Motion passed 5-0.

D. Review: Revisions to the 2040 Comprehensive Plan

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

8. UNFINISHED BUSINESS

A. None

9. NEW BUSINESS

A. None

10. OTHER BUSINESS

A. None

11. COUNCIL REPORTS

A. Conrad: Planning Commission

No report since planning commission items were approved during the meeting.

B. Cook: Lake Minnetonka Conservation District, Public Works Committee, St. Alban's Lake Improvement District

Motion by Fletcher that the city council authorizes \$4500 for the installation of “fines” to be added to the trail at Greenwood Park to be paid from the Special Project Fund. Second by Quam. Motion passed 5-0.

The consensus of the council was for Kind and Cook to consult with the city engineer regarding the design of plan to address Inflow / Infiltration issues in the city and to bring the plan to the city council for approval.

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

The consensus of the council was to include the 1st & 2nd reading of the predatory offender ordinance on the 12-05-18 consent agenda.

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

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

E. Quam: Minnetonka Community Education, Public Works Committee

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

12. ADJOURNMENT

Motion by Kind to adjourn the meeting at 8:32pm. Second by Fletcher. Motion passed 5-0.

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).

MINUTES

Greenwood City Council

Election Canvassing Meeting

Tuesday, November 13, 2018
20225 Cottagewood Road, Deephaven, MN 55331



1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA

Mayor Kind called the meeting to order at 5pm.
Members Present: Mayor Kind; Councilmembers Bill Cook, Tom Fletcher
Members Absent: Councilmembers Kristi Conrad, Bob Quam
Staff Members Present: None

Motion by Cook to approve the agenda. Second by Fletcher. Motion passed 3-0.

2. CANVASS GENERAL ELECTION RESULTS

Consider: Res 32-18 Certifying Results of 2018 Election

Motion by Cook to adopt resolution 32-18 certifying results of the general election held on November 6, 2018. Second by Kind. Motion passed 3-0.

5. ADJOURNMENT

Motion by Kind to adjourn the meeting at 5:02pm. Second by Cook. Motion passed 3-0.

This document is intended to meet statutory requirements for city council meeting minutes.

GREENWOOD CERTIFICATES OF DEPOSIT

Report Date: 10/31/18

Acct #	Bank	Date	Term	Maturity	Rate	Amount
x237	Bridgewater Bank	05/08/18	6 Month	11/08/18	1.24%	\$ 130,406.31
x238	Bridgewater Bank	05/08/18	10 Month	03/08/19	1.49%	\$ 130,488.23
x239	Bridgewater Bank	05/08/18	12 Month	05/08/19	1.74%	\$ 130,570.15
x240	Bridgewater Bank	05/08/18	16 Month	09/08/19	1.74%	\$ 130,570.15
x241	Bridgewater Bank	05/08/18	18 Month	11/08/19	2.08%	\$ 130,681.56
x242	Bridgewater Bank	05/08/18	22 Month	03/08/20	2.08%	\$ 130,681.56
TOTAL						\$ 783,397.96

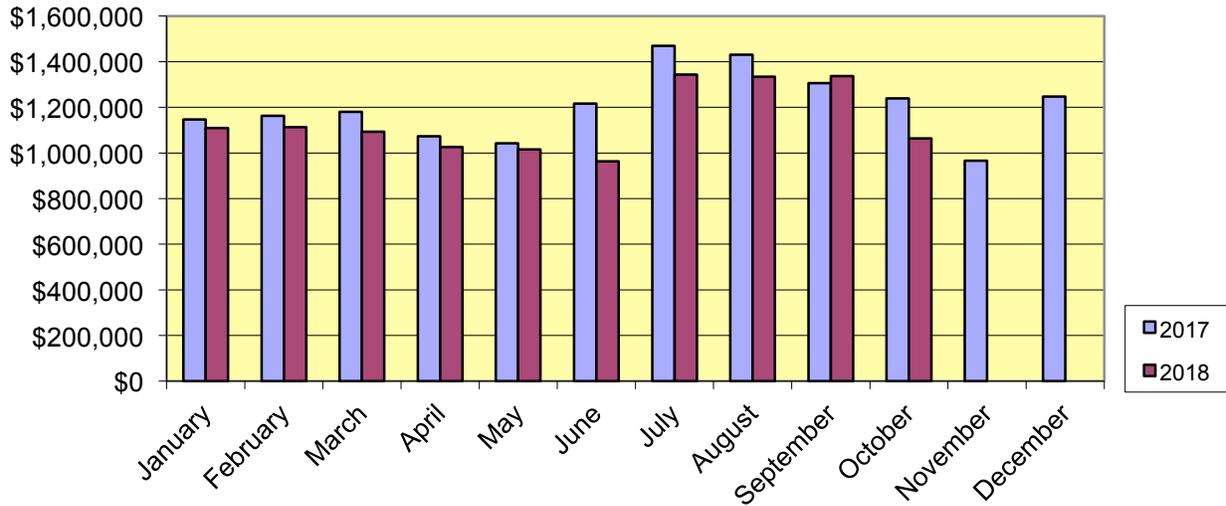
CITY COUNCIL POLICY: 09-03-14 Motion by Roy to authorize the administrative committee to open CDs with a maximum initial maturity of 25 months with a combined maximum total CD balance of \$500,000 at Alerus Bank or Bridgewater Bank. Second by Cook. Motion passed 5-0.

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.

10-04-17 Motion by Fletcher that the city council approves the August Certificates of Deposit Report and increases the maximum combined balance for Certificates of Deposit from \$600,000 to \$700,000. Second by Kind. Motion passed 4-0.

05-02-18 Motion by Conrad that the Greenwood city council (1) authorizes the administrative committee to move forward with the Bridgewater Bank CD staging concept; and (2) authorizes a maximum of \$800,000 to be invested in CDs. Second by Quam. Motion passed 5-0.

City of Greenwood Monthly Cash Summary



Month	2017	2018	Variance with Prior Month	Variance with Prior Year
January	\$1,146,895	\$1,109,319	-\$137,944	-\$37,576
February	\$1,162,355	\$1,112,677	\$3,358	-\$49,678
March	\$1,180,149	\$1,093,832	-\$18,845	-\$86,317
April	\$1,073,772	\$1,026,926	-\$66,906	-\$46,846
May	\$1,042,937	\$1,015,367	-\$11,559	-\$27,570
June	\$1,216,488	\$963,832	-\$51,535	-\$252,656
July	\$1,469,592	\$1,343,594	\$379,762	-\$125,998
August	\$1,430,595	\$1,334,231	-\$9,363	-\$96,364
September	\$1,306,495	\$1,336,282	\$2,051	\$29,787
October	\$1,238,961	\$1,063,710	-\$272,572	-\$175,251
November	\$965,784	\$1,063,710	-\$1,063,710	-\$965,784
December	\$1,247,263	\$1,247,263	\$0	-\$1,247,263

Alerus Bank Checking	\$4,581
Bridgewater Bank Checking	(\$85,612)
Bridgewater Bank Money Market	\$361,342
Bridgewater Bank CD's	\$783,398
	<u>\$1,063,710</u>

ALLOCATION BY FUND

General Fund	\$375,955
Special Project Fund	\$27,800
General Fund Designated for Parks	\$14,580
Bridge Capital Project Fund	\$171,304
Road Improvement Fund	(\$8,205)
Stormwater Fund	\$27,770
Sewer Enterprise Fund	\$359,149
Marina Enterprise Fund	\$95,407
	<u>\$1,063,710</u>

Check Issue Date(s): 10/31/2018 - 10/31/2018

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
10/18	10/31/2018	11140	808	ADVANTAGE SIGNS & GRAPHICS INC	101-20100	84.10
10/18	10/31/2018	11141	51	BOLTON & MENK, INC.	502-20100	9,392.00
10/18	10/31/2018	11142	9	CITY OF DEEPHAVEN	101-20100	17,242.30
10/18	10/31/2018	11143	315	DOCK & LIFT INC.	605-20100	1,600.00
10/18	10/31/2018	11144	822	ECM PUBLISHERS INC	101-20100	779.45
10/18	10/31/2018	11145	581	EMERY'S TREE SERVICE, INC.	101-20100	240.00
10/18	10/31/2018	11146	790	GMH ASPHALT CORPORATION	404-20100	55,076.95
10/18	10/31/2018	11147	753	J.P. Cooke Co	101-20100	91.80
10/18	10/31/2018	11148	893	REPUBLIC SERVICES #894	101-20100	1,926.55
10/18	10/31/2018	11149	38	SO LAKE MINNETONKA POLICE DEPT	101-20100	16,131.04
10/18	10/31/2018	11150	145	XCEL ENERGY	101-20100	670.57
Totals:						<u>103,234.76</u>

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
ADVANTAGE SIGNS & GRAPHICS INC					
808	ADVANTAGE SIGNS & GRAPHIC	00035841	SIGNS	10/12/2018	84.10
Total ADVANTAGE SIGNS & GRAPHICS INC					84.10
BOLTON & MENK, INC.					
51	BOLTON & MENK, INC.	0223638	2018 MISC ENGINEERING	09/30/2018	488.00
			2018 MISC ENGINEERING		728.00
			2018 MISC ENGINEERING		90.00
		0223640	2018 SEWER IMPROVEMENTS	09/30/2018	916.00
		0223641	2018 STREET IMPROVEMENTS	09/30/2018	7,170.00
Total BOLTON & MENK, INC.					9,392.00
CITY OF DEEPAHVEN					
9	CITY OF DEEPAHVEN	10 2018	RENT & EQUIPMENT	10/01/2018	487.45
			Postage		177.66
			COPIES		237.20
			SEWER		1,217.70
			STREETS		589.20
			WEED/TREE/MOWING		903.40
			STORM SEWERS		392.80
			ZONING		468.72
			3RD QTR BLDG PERMITS		9,713.93
		NOV 1 2018	Clerk Services	10/31/2018	3,054.24
Total CITY OF DEEPAHVEN					17,242.30
DOCK & LIFT INC.					
315	DOCK & LIFT INC.	33188	REMOVE FLOATING DOCK	10/24/2018	1,600.00
Total DOCK & LIFT INC.					1,600.00
ECM PUBLISHERS INC					
822	ECM PUBLISHERS INC	639360	LEGAL NOTICE	10/11/2018	89.25
		639361	LEGAL NOTICE	10/11/2018	107.10
		639362	LEGAL NOTICE	10/11/2018	208.25
		641276	PUBLIC ACCURACY TEST	10/18/2018	29.75
		643283	ELECTION BALLOT	10/25/2018	190.40
		643284	ELECTION LOCATION	10/25/2018	154.70
Total ECM PUBLISHERS INC					779.45
EMERY'S TREE SERVICE, INC.					
581	EMERY'S TREE SERVICE, INC.	22190	TREE MAINTENANCE	10/01/2018	240.00
Total EMERY'S TREE SERVICE, INC.					240.00
GMH ASPHALT CORPORATION					
790	GMH ASPHALT CORPORATION	10 29 18	PAY REQ #2 - ST IMPROVE PROJECT	10/29/2018	55,076.95
Total GMH ASPHALT CORPORATION					55,076.95
J.P. Cooke Co					
753	J.P. Cooke Co	534843	City Dog Tags	10/25/2018	91.80
Total J.P. Cooke Co					91.80

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
893	REPUBLIC SERVICES #894	0894-004736355	RECYCLING SVCS	10/15/2018	1,926.55
Total REPUBLIC SERVICES #894					1,926.55
SO LAKE MINNETONKA POLICE DEPT					
38	SO LAKE MINNETONKA POLICE	10 25 18	COURT OVERTIME	10/25/2018	197.63
		NOV 2018	OPERATING BUDGET	10/31/2018	15,933.41
Total SO LAKE MINNETONKA POLICE DEPT					16,131.04
XCEL ENERGY					
145	XCEL ENERGY	10 03 18	Street Lights *	10/03/2018	396.11
			LIFT STATION #1		44.07
			LIFT STATION #2		55.41
			LIFT STATION #3		38.90
			LIFT STATION #4		45.69
			LIFT STATION #6		90.39
Total XCEL ENERGY					670.57

Total Paid: 103,234.76

Total Unpaid: -

Grand Total: 103,234.76

Pay Per Date	Jrnl	Check Date	Check Number	Payee	Emp No	Description	GL Account	Amount
12/01/18	PC	12/01/18	12011801	CONRAD, KRISTI	39		001-10100	279.54
12/01/18	PC	12/01/18	12011802	COOK, WILLIAM B.	37		001-10100	279.54
12/01/18	PC	12/01/18	12011803	Fletcher, Thomas M	33		001-10100	179.54
12/01/18	PC	12/01/18	12011804	Kind, Debra J.	34		001-10100	419.32
12/01/18	PC	12/01/18	12011805	Quam, Robert	32		001-10100	279.54
Grand Totals:								<u>1,437.48</u>



Agenda Number: **2G**

Agenda Date: 12-05-18

Prepared by Deb Kind

Agenda Item: Ord 285, Res 33-18, Re-establishing Section 925, Predatory Offenders

Summary: At the 11-07-18 council meeting, the city council decided to move forward with re-establishing section 925, regarding predatory offenders and place the ordinance on the 12-05-18 consent agenda for a 1st and 2nd reading.

Timeline:

12-05-18 The city council considers a motion that approves the first reading and waives the second reading.

12-06-18 If approved, the ordinance is submitted to the Sun-Sailor for publication.

12-13-18 The ordinance is published in the Sun-Sailor (goes into effect on this date).

Council Action: No action required. Consent agenda motion ...

I move the city council (1) approves the 1st reading of ordinance 285 re-establishing city code section 925 Predatory Offenders; (2) waives the 2nd reading; (3) approves summary resolution 33-18 for publication; and (3) directs that the summary resolution be submitted to the city's official newspaper.

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 CHAPTER 9 TO RE-ESTABLISH SECTION 925
REGARDING PREDATORY OFFENDERS**

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

SECTION 1.

Greenwood ordinance code chapter 9 is amended to revise the chapter headline to read as follows:

“CHAPTER 9: PUBLIC SAFETY & NUISANCES”

SECTION 2.

Greenwood ordinance code chapter 9 is amended to add the following section:

“SECTION 925. PREDATORY OFFENDERS.

Section 925.00. Findings & Intent.

Subd. 1. Repeat predatory offenders who use physical violence and who prey on children present an extreme threat to the public safety. Predatory offenders are extremely likely to use physical violence and to repeat their offenses, and most predatory offenders commit many offenses, have many more victims than are ever reported, and are prosecuted for only a fraction of their crimes. This makes the cost of predatory offender victimization to society at large, while incalculable, clearly exorbitant.

Subd. 2. It is the intent of this ordinance to serve the city's compelling interest to promote, protect, and improve the health, safety and welfare of the citizens of the city by creating areas around locations where children regularly congregate in concentrated numbers wherein certain predatory offenders are prohibited from establishing temporary or permanent residence.

Section 925.10. Definitions.

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Designated Offender: Any person who has been convicted of a designated offense, regardless of whether adjudication has been withheld or has been categorized as a level III sex offender under Minnesota statutes section 244.052 or successor statute.

Designated Offense: A conviction, adjudication of delinquency, commitment under Minnesota statutes chapter 253B, or admission of guilt under oath without adjudication involving any of the following offenses: Minnesota statutes sections: 609.342; 609.343; 609.344; 609.345; 609.352; 609.365; 617.23; 617.246; 617.247; 617.293; successor statutes; or a similar offense from another state. Committed the crime of failing to register as a predatory offender pursuant to Minnesota statute 243.166, subd. 1.

Permanent Residence: A place where the person abides, lodges, or resides for 14 or more consecutive days.

Temporary Residence: A place where the person abides, lodges, or resides for a period of 14 or more days in the aggregate during any calendar year and which is not the person's permanent address, or a place where the person routinely abides, lodges, or resides for a period of 4 or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence.

Section 925.20. Residence Prohibition, Activity Prohibition, Penalties, Exceptions.

Subd. 1. Prohibited Location of Residence: It is unlawful for any designated offender to establish a permanent residence or temporary residence 1) within 1000 feet of any school, licensed daycare center, park, or playground; or 2) within 1000 feet of any place of worship which provides regular educational programs (e.g. Sunday school), or any other place where children are known to regularly congregate.

Subd. 2. Prohibited Activity: It is unlawful for any designated offender to participate in a holiday event involving children under 18 years of age, such as distributing candy or other items to children on or preceding Halloween, wearing a Santa Claus costume on or preceding Christmas, or wearing an Easter bunny costume on or preceding Easter. Holiday events

in which the offender is the parent or guardian of the children involved, and no non-familial children are present, are exempt from this subsection.

Subd. 3. Measurement of Distance: For purposes of determining the minimum distance separation, the requirement shall be measured by following a straight line from the outer property line of the permanent residence or temporary residence to the nearest outer property line of a school, daycare center, park, playground, place of worship, or other place where children regularly congregate.

Subd. 4. Penalties: Any person violating any provision of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in chapter 12 this code book. Each day a person maintains a residence in violation of this chapter constitutes a separate violation.

Subd. 5. Exceptions: A designated offender residing within a prohibited area as described in subd. 1 of this section does not commit a violation of this section if any of the following applies:

1. The designated offender established the permanent residence or temporary residence and reported and registered the residence pursuant to Minnesota statutes sections 243.166, 243.167, or successor statute, prior to November 10, 2016.
2. The designated offender was a minor when they committed the offense and was not convicted as an adult.
3. The designated offender is a minor.
4. The school or daycare center within 1000 of the designated offender's permanent residence was opened after the person established the permanent residence and reported and registered the residence pursuant to Minnesota statutes section 243.166 or 243.167.
5. The residence is also the primary residence of the designated offender's parents, grandparents, siblings, spouse, partner, or children.
6. The residence is a property owned or leased by the Minnesota department of corrections.

Section 925.30. Renting Real Property, Penalties.

Subd. 1. It is unlawful to let or rent any place, structure, or part thereof, trailer or other conveyance, with the knowledge that it will be used as a permanent residence or temporary residence by any designated offender prohibited from establishing such permanent residence or temporary residence pursuant to section 925 of this ordinance, if such place, structure, or part thereof, trailer or other conveyance, is located within a prohibited location zone described in section 925.20 subd. 1.

Subd. 2. A property owner's failure to comply with provisions of this section shall constitute a violation of this section.

Section 925.40. Severability.

Should any section, subdivision, clause or other provision of this chapter be held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of this chapter as a whole, or of any part thereof, other than the part held to be invalid."

SECTION 3.

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

Enacted by the city council of Greenwood, Minnesota this 5th day of December, 2018.

AYES NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana H. Young, City Clerk

First reading: _____, 2018

Second reading: _____, 2018

Publication by Summary Resolution 33-18: _____, 2018

RESOLUTION 33-18

**A RESOLUTION APPROVING PUBLICATION
OF ORDINANCE NUMBER 285 BY TITLE AND SUMMARY**

WHEREAS, on December 5, 2018 the city council of the city of Greenwood adopted "Ordinance 285 Amending Greenwood Ordinance Code Chapter 9 to Re-Establish Section 925 Regarding Predatory Offenders."

WHEREAS, the city council has prepared a summary of ordinance 285 as follows:

1. The city council finds that repeat predatory offenders who use physical violence and who prey on children present an extreme threat to the public safety. Predatory offenders are extremely likely to use physical violence and to repeat their offenses, and most predatory offenders commit many offenses, have many more victims than are ever reported, and are prosecuted for only a fraction of their crimes. This makes the cost of predatory offender victimization to society at large, while incalculable, clearly exorbitant.
2. It is the intent of this ordinance to serve the city's compelling interest to promote, protect, and improve the health, safety and welfare of the citizens of the city by creating areas around locations where children regularly congregate in concentrated numbers wherein certain predatory offenders are prohibited from establishing temporary or permanent residence.
3. The ordinance establishes residence prohibition, activity prohibition, penalties, and exceptions. The ordinance also regulates renting real property.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENWOOD:

1. The city council finds that the above title and summary of ordinance 285 clearly informs the public of intent and effect of the ordinance.
2. The city clerk is directed to publish ordinance 285 by title and summary, pursuant to Minnesota statutes, section 412.191, subdivision 4.
3. A full copy of the ordinance is available at the Greenwood city office, 20225 Cottagewood Road, Deephaven, MN 55331.

ADOPTED by the city council of the city of Greenwood, Minnesota this 5th day of December, 2018.

___ AYES ___ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana H. Young, City Clerk

CITY OF GREENWOOD

Debra J. Kind, Mayor

Attest: Dana H. Young, City Clerk

First reading: _____, 2018

Second reading: _____, 2018

Publication by Summary Resolution 33-18: _____, 2018



Agenda Number: 2H

Agenda Date: 12-05-18

Prepared by Dana Young

Agenda Item: 2019 Licenses

Summary: 12-31-18 is the deadline for applications and fees for 2019 licenses that require council approval. While the city has already received the vast majority of all of the applications and fees at this time, it is recommended that the council approve the licenses listed in the motion below contingent upon the city receiving applications and fees by the deadline. This is the same procedure that has been followed in the past.

Consent Agenda Motion: I move the council approves 2019 licenses for the entities listed below contingent upon the city receiving applications and fees by 12-31-18:

Commercial Marinas	Bean's Greenwood Marina Excelsior Bay Harbor Kreslins' Marina
Gas Station	Greenwood Market
Rental Permits	David Colwell, 21830 Byron Circle Terry & Jill Nagel, 21885 Byron Circle Lake Bechtell, 5100 Curve Street Sunny Kim, 21380 Excelsior Blvd Mark & Jean Lewry, 21690 Fairview Street David Rubenstein, 21885 Fairview Street Andrew Althsuser, 5200 Greenwood Circle John Klinkner, 5205 Greenwood Circle Jim Norman, 5370 Manor Road Patty Loftus, 5165 Meadville Street Keith Wilcock, 21260 Minnetonka Blvd Thomas Smith, 5135 West Street
Tobacco	Greenwood Market
Trash Haulers	Aspen Waste Blackowiak Disposal Randy's Environmental Services Republic Services Waste Management



Agenda Number: 4A

Agenda Date: 15-05-18

Prepared by Deb Kind

Agenda Item: Presentation: Res 34-18, Resolution of Appreciation & Commendation for Councilman Bob Quam

Summary: The proposed resolution is attached.

Council Action: No council action required. Potential motions ...

1. I move the city council approves resolution 34-18, a resolution of appreciation and commendation for Councilman Bob Quam as written.
2. Do nothing or other motion ???



RESOLUTION 34-18

A Resolution of Appreciation & Commendation

WHEREAS, Bob Quam served on the Greenwood city council from January 2007 to December 2018 as a valued and respected councilmember; and

WHEREAS, Bob has made significant contributions to the city, including service on the Greenwood Planning Commission; and

WHEREAS, by consistently emulating high standards of professionalism, integrity, and commitment, Bob has proven to be an effective leader in delivering quality governance.

NOW, THEREFORE, BE IT RESOLVED that the city council of Greenwood, Minnesota, on behalf of the residents of Greenwood, offers deep appreciation to

COUNCILMAN BOB QUAM

and commends him for his extraordinary contributions to the city of Greenwood.

Adopted by the city council of the city of Greenwood, Minnesota this 5th day of December, 2018.

There were 5 AYES and 0 NAYS

Debra J. Kind, Mayor

ATTEST: Dana H. Young, City Clerk



Agenda Number: 4B

Agenda Date: 12-05-18

Prepared by Deb Kind

Agenda Item: Planning Commission Term Expirations

Summary: The planning commission holds public hearings and makes recommendations to the city council regarding zoning issues including variances and conditional use permits. The planning commission is comprised of 5 voting members and 3 alternate members. This March, the terms of 3 planning commissioner seats expire:

B-1	Pat Lucking
B-2	Jennifer Gallagher
Alt-2	Vacant

Alternate seat 2 with a term expiration of 3/20 also is vacant.

Terms are for 2 years, and the city does not limit the number of terms a planning commissioner may serve. Anyone who is interested in serving on the planning commission can stop by city hall to get an application or download the form from the city website at greenwoodmn.com. Planning commission applicants will be invited to the March council meeting where the council will have the opportunity to ask the applicants questions and make the final appointments.

The city zoning administrator will contact the incumbent planning commissioners to see if they are interested in reappointment.

Council Action: None required.



Agenda Number: **5A&6A**

Agenda Date: **12-05-18**

Prepared by *Deb Kind*

Agenda Item: Truth in Taxation Hearing, Res 35-18 Approving Final Levy for Taxes Payable in 2019, and Res 36-18 Approving Final 2019 Budget

Summary: Attached is a copy of the "final" draft of the 2019 budget, which includes the tax levy amount of \$637,825 (shaded gray at the top of page 1). This amount represents a -0.01% change from last year's levy and is the amount included on the attached resolution 35-18 for approving the final tax levy for taxes payable in 2019. Also attached is resolution 36-18 for approving the 2019 general fund budget amount of \$777,463. This amount represents a 1.47% increase from last year's budget.

The tax levy and budget are the result of council discussions at worksessions and council meetings in August and September. The preliminary tax levy was approved at the September council meeting. Other than changing the title from "preliminary" to "final," no changes have been made to the budget since the preliminary tax levy was approved. In accordance with state law, the council may make changes to the budget at the December council meeting, but the levy amount cannot increase from the preliminary levy amount.

The council is NOT required to take action on the below fund budgets. However, since the 2011 budget process, the below fund budgets have been included on the budget spreadsheet for the council's reference and for the public to view.

- A. Sewer Enterprise Fund
- B. Stormwater Special Revenue Fund
- C. Park Special Revenue Fund
- D. Marina Enterprise Fund
- E. Bridge Capital Project Fund
- F. Special Project Fund
- G. Road Improvement Fund

5A – Truth in Taxation Hearing: This is an opportunity for the public to speak regarding the 2019 city levy and budget.

Note: April 2018 was the opportunity for the public to speak regarding property valuations for taxes payable in 2019.

Council action is required to open and close the public hearing ...

1. I move the city council opens the Truth in Taxation public hearing.
2. I move the city council closes the Truth in Taxation public hearing.

6A – Council Action: Required. Suggested motions ...

1. I move the council (1) adopts resolution 35-18 approving the 2019 tax levy in the amount of \$637,825 to be collected in 2019 and directs the city clerk to send the information to Hennepin County; and (2) adopts resolution 36-18 approving the 2019 general fund budget in the amount of \$777,463.
2. Other motion ???

2019 Greenwood FINAL Budget

		2016 Actual	2017 Actual	2017 Budget	2018 June YTD	2018 Budget	2019 Budget	% Change	% Total Budget
GENERAL FUND REVENUE									
1	TAXES								
2	101-31010 General Property Tax	627,636	632,875	638,999	10,431	637,879	637,825	-0.01%	
3	101-31020 General Property Tax - Delinquent	7,235	9,853	0	0	0	0	#DIV/0!	
4	101-31040 Fiscal Disparities	3,262	3,430	3,500	0	3,200	3,200	0.00%	
5	101-31800 Surcharge Revenue	70	34	0	98	0	0	#DIV/0!	
6	101-31910 Penalties	39	481	0	14	0	0	#DIV/0!	
7		638,241	646,674	642,499	10,542	641,079	641,025	-0.01%	82.45%
8	LICENSES & PERMITS								
9	101-32110 Liquor & Cigarette Licenses	10,550	10,700	10,050	0	10,550	10,700	1.42%	
10	101-32180 Other Business Licenses / Permits (Rental, Commercial Marina, Garbage Hauler, Tree Contractor, Etc)	4,375	4,394	4,500	825	4,500	4,500	0.00%	
11	101-32210 Building Permits	45,241	29,876	46,000	27,413	30,000	30,000	0.00%	
12	101-32211 Electric Permits	2,907	4,016	4,000	793	4,000	4,000	0.00%	
13	101-32240 Animal Licenses	410	500	500	15	500	500	0.00%	
14		63,483	49,486	65,050	29,046	49,550	49,700	0.30%	6.39%
15	INTERGOVERNMENT REVENUE								
16	101-33402 Homestead Credit (Market Value Credit)	0	0	0	0	0	0	#DIV/0!	
17	101-33423 Other Grants / Aids (Recycle Grant, Small Cities Assistance, Etc.)	4,215	4,848	3,000	0	0	0	#DIV/0!	
18	101-33610 County Aid to Municipalities (CAM Road Aid)	1,750	1,769	1,500	0	1,700	1,700	0.00%	
19		5,965	6,617	4,500	0	1,700	1,700	0.00%	0.22%
20	PUBLIC CHARGES FOR SERVICES								
21	101-34103 Zoning & Subdivisions (Variances, Conditional Use Permits, Etc.)	6,300	4,900	6,000	3,750	6,000	6,000	0.00%	
22	101-34207 False Alarm Fee	0	0	0	0	0	0	#DIV/0!	
23	101-34304 Load Limit Fees	4,959	3,867	6,000	3,297	5,000	5,000	0.00%	
24	101-34409 Recycling Fees (2019: Raise quarterly recycling fee from \$16 to \$20 to cover cost of service)	17,286	16,857	17,825	9,069	20,332	25,415	25.00%	
25		28,545	25,624	29,825	16,117	31,332	36,415	16.22%	4.68%
26	FINES, FORFEITURES & PENALTIES								
27	101-35101 Court Fines	8,569	7,327	6,000	3,457	6,000	7,000	16.67%	0.90%
28									
29	INVESTMENT & MISCELLANEOUS INCOME								
30	101-36102 Investment Income	5,076	6,873	6,000	3,944	7,000	12,000	71.43%	
31	101-36230 Misc. Income: Parking Permits, Civil Citations, Etc. (2017 includes Southshore Center Payout)	397	34,856	500	750	500	500	0.00%	
32		5,472	41,728	6,500	4,694	7,500	12,500	66.67%	1.61%
33	OTHER FINANCING SOURCES								
34	101-39200 Interfund Operating Transfer: From Marina Fund	12,500	12,500	12,500	0	12,500	12,500	0.00%	
35	101-39201 Administration Expense Reimbursement: 10% of Marina Revenue	3,600	3,730	3,730	0	3,860	3,960	2.59%	
36	101-39202 Administrative Expense Reimbursement: 10% of Sewer Revenue	10,090	10,090	10,090	0	10,090	10,090	0.00%	
37	101-39203 Administrative Expense Reimbursement: 10% of Stormwater Revenue	2,573	2,573	2,573	0	2,573	2,573	0.00%	
38		28,763	28,893	28,893	0	29,023	29,123	0.34%	3.75%
39									
40	Total Revenue	779,038	806,350	783,268	63,856	766,184	777,463	1.47%	

2019 Greenwood FINAL Budget

		2016 Actual	2017 Actual	2017 Budget	2018 June YTD	2018 Budget	2019 Budget	% Change	% Total Budget
GENERAL FUND EXPENSES									
41	COUNCIL & PLANNING COMMISSION								
42	101-41100-103	Council Salaries	13,200	19,800	19,800	9,989	19,978	20,477	2.50%
43	101-41100-122	FICA Contributions (6.2%)	818	1,228	1,228	619	1,239	1,270	2.50%
44	101-41100-123	Medicare Contributions (1.45%)	191	287	287	145	290	297	2.50%
45	101-41100-371	Training / Conference Registration	0	0	1,000	0	1,000	1,000	0.00%
46	101-41100-372	Meals / Lodging	165	252	175	145	175	175	0.00%
47	101-41100-433	Misc. (Dues, Subscriptions, Supplies, Etc.)	129	30	100	0	100	100	0.00%
48			14,503	21,597	22,590	10,898	22,781	23,319	2.36%
49	ELECTIONS								
50	101-41200-103	Election Salaries (Part-Time Election Judge Salaries \$9 per hour)	1,670	0	0	0	1,670	0	-100.00%
51	101-41200-214	Operational Support - Forms (Ballots, Voter Reg. Rosters)	265	0	0	0	265	0	-100.00%
52	101-41200-319	Equipment Maintenance (County Agreement, \$187.50 x 2 Voting Machines, \$160 for Automark)	1,069	0	0	534	1,069	0	-100.00%
53	101-41200-372	Meals / Lodging (Election Judge Meals & Snacks)	300	0	0	0	300	0	-100.00%
54	101-41200-439	Misc. (Supplies, Postage, Public Notices, Etc.)	332	0	0	50	332	0	-100.00%
55			3,635	0	0	584	3,635	0	-100.00%
56	ADMINISTRATION								
57	101-41400-201	Office Supplies	109	0	150	0	150	150	0.00%
58	101-41400-202	Duplicating (Council Packets, Etc.)	2,186	1,355	1,800	844	1,800	1,800	0.00%
59	101-41400-204	Stationary, Forms, Printing	1,661	251	1,000	623	1,000	1,000	0.00%
60	101-41400-309	Professional Services - Other (ISP, Website, Email)	800	425	600	194	600	600	0.00%
61	101-41400-310	Clerk's Contract with Deephaven	37,492	39,200	40,464	19,301	41,678	42,720	2.50%
62	101-41400-311	Office Rent & Equipment (2017-2020 \$487.45 per month)	5,849	5,362	5,849	2,925	5,849	5,849	0.00%
63	101-41400-313	Professional Services (Civic Accounting)	2,120	2,168	2,163	1,106	2,163	2,175	0.55%
64	101-41400-322	Postage	1,180	837	800	513	800	1,000	25.00%
65	101-41400-351	Newspaper Legal Notices	1,438	922	900	453	900	1,000	11.11%
67	101-41400-439	Misc. (Equipment, Dog Tags, Meadville Launch Stickers \$425, Etc.)	756	809	725	690	725	800	10.34%
68			53,591	51,328	54,451	26,648	55,665	57,094	2.57%
69	ASSESSOR								
70	101-41500-309	Assessor - Hennepin County (\$19,000 for 2018-2020)	23,740	8,667	13,000	9,500	19,000	19,000	0.00%
71	101-41500-439	Assessor - Other (Public Notices, Processing, Tax Rolls)	903	382	600	106	600	600	0.00%
72			24,644	9,049	13,600	9,606	19,600	19,600	0.00%
73	LEGAL SERVICES								
74	101-41600-304	Legal Services - General	11,814	5,482	10,000	4,609	10,000	10,000	0.00%
75	101-41600-308	Legal Services - Prosecution	2,427	5,964	4,000	2,400	4,000	4,800	20.00%
76	101-41600-309	Legal Services - Litigation	7,877	422	2,000	422	2,000	2,000	0.00%
77			22,118	11,868	16,000	7,431	16,000	16,800	5.00%

2019 Greenwood FINAL Budget

		2016 Actual	2017 Actual	2017 Budget	2018 June YTD	2018 Budget	2019 Budget	% Change	% Total Budget
78	AUDITING								
79	101-41700-301 Auditing (\$1000 for state auditor filing requirements)	9,600	9,700	9,700	1,000	2,000	1,500	-25.00%	
80		9,600	9,700	9,700	1,000	2,000	1,500	-25.00%	0.19%
81	GENERAL GOVERNMENT TOTAL	128,091	103,542	116,341	56,168	119,682	118,313	-1.14%	15.22%
82									
83	LAW ENFORCEMENT								
84	101-42100-310 Law Enforcement - Contract	192,895	182,352	182,361	95,600	191,201	196,011	2.52%	
85	101-42100-311 Police Side Building Facility (Based on Total Tax Capacity on County Website in July)	43,920	43,658	43,658	23,015	46,030	46,016	-0.03%	
86	101-42100-439 Police Safety - Other (Jail, Court Overtime, Etc.)	1,139	1,307	2,500	531	2,500	1,500	-40.00%	
87		237,954	227,317	228,519	119,147	239,731	243,527	1.58%	31.32%
88	FIRE								
89	101-42200-309 Fire Protection - Operations	73,859	74,689	74,689	39,965	79,930	85,268	6.68%	
90	101-42200-311 Fire Side Building Facility	57,983	55,087	55,087	30,703	61,405	61,166	-0.39%	
91		131,842	129,776	129,776	70,668	141,335	146,434	3.61%	18.83%
92	PUBLIC SAFETY TOTAL	369,795	357,093	358,295	189,815	381,066	389,961	2.33%	50.16%
93									
94	ZONING								
95	101-42400-308 Zoning Administration	6,524	4,330	7,000	2,353	7,000	7,000	0.00%	
96	101-42400-309 Public Notices	2,902	530	2,000	314	2,000	2,000	0.00%	
97	101-42400-310 Building Inspections (69% of Building & Electrical Permits)	32,012	18,369	34,500	18,119	23,460	23,460	0.00%	
98	101-42400-438 Misc. (County Recording Fees, State Bldg. Surcharge, etc.)	0	0	0	0	0	0	#DIV/0!	
99	ZONING TOTAL	41,438	23,229	43,500	20,786	32,460	32,460	0.00%	4.18%
100									
101	ENGINEERING								
102	101-42600-303 Engineering Fees - Misc.	1,333	2,223	3,000	7,105	2,000	3,000	50.00%	
103		1,333	2,223	3,000	7,105	2,000	3,000	50.00%	0.39%
104	UTILITIES & ROADS								
105	101-43100-381 S&R - Utility Services - Elec (Includes Siren Electric)	5,150	4,532	5,000	2,536	5,000	5,000	0.00%	
106	101-43100-409 Other - Road Repair & Maintenance (Public Works Repairs)	2,209	952	5,000	982	4,000	3,000	-25.00%	
107		7,359	5,484	10,000	3,518	9,000	8,000	-11.11%	1.03%
108	MAJOR ROAD IMPROVEMENTS								
109	101-43200-229 Major Road Improvements - Construction	0	0	0	0	0	0	#DIV/0!	
109	101-43200-303 Major Road Improvements - Engineering	0	0	0	0	0	0	#DIV/0!	
110	101-43200-500 Transfer to Road Improvement Fund	134,000	134,000	134,000	124,000	124,000	124,000	0.00%	
111	Note: Deephaven's 2017 road costs were 9% of their budget	134,000	134,000	134,000	124,000	124,000	124,000	0.00%	15.95%

2019 Greenwood FINAL Budget

		2016 Actual	2017 Actual	2017 Budget	2018 June YTD	2018 Budget	2019 Budget	% Change	% Total Budget
112	PUBLIC WORKS								
113	101-43900-226 Signs	5,069	594	1,500	0	1,500	1,000	-33.33%	
114	101-43900-312 Snow Plowing	9,674	6,673	20,000	20,199	15,000	18,000	20.00%	
115	101-43900-313 Trees, Weeds, Mowing	15,748	19,135	13,000	1,882	16,000	20,000	25.00%	
116	101-43900-314 Park & Tennis Court Maintenance	7,186	3,387	2,000	295	3,500	4,000	14.29%	
117	101-43900-315 Trail Snow Plowing (LRT and Tar Paths)	1,219	71	2,100	1,172	2,000	1,500	-25.00%	
118		38,896	29,860	38,600	23,547	38,000	44,500	17.11%	5.72%
119	ROADS & PUBLIC WORKS TOTAL	181,588	171,567	185,600	158,169	173,000	179,500	3.76%	23.09%
120									
121	MISC. EXPENSES								
122	101-49000-310 Recycling Contract (2019 19.8% increase, 2020 2.8% increase, 2021 2.94% increase)	19,539	17,911	20,650	9,770	20,650	24,739	19.80%	
123	101-49000-311 Spring Clean-Up Day	4,429	4,671	4,500	0	4,500	4,500	0.00%	
124	101-49000-369 League of Minnesota Cities Insurance Trust / Liability & Property	2,069	3,984	3,300	0	3,300	4,000	21.21%	
125	101-49000-370 League of Minnesota Cities Insurance Trust / Workers Comp	193	200	160	319	160	325	103.13%	
126	101-49000-433 Misc. Expenses	0	0	100	0	100	100	0.00%	
127	101-49000-434 Southshore Community Center	0	0	0	0	0	0	#DIV/0!	
128	101-49000-435 League of Minnesota Cities	872	873	824	0	850	875	2.94%	
129	101-49000-436 Lake Minnetonka Conservation District	6,009	6,298	6,298	3,408	6,816	7,090	4.02%	
129	101-49000-437 July 4th Fireworks & Parade (\$1500 Chamber of Commerce, \$100 parade)	1,583	1,636	1,700	1,500	1,600	1,600	0.00%	
130	MISC. TOTAL	34,694	35,573	37,532	14,997	37,976	43,229	13.83%	5.56%
131									
132	Subtotal	755,607	691,004	741,268	439,934	744,184	763,463	2.59%	
133									
134	CONTINGENCY & FUND TRANSFERS								
135	101-49000-439 Contingency	11,025	0	22,000	0	12,000	4,000	-66.67%	
135	101-49000-500 Transfer to Bridge Fund	20,000	20,000	20,000	0	10,000	10,000	0.00%	
136	101-49000-720 General Fund Transfer Out	0	0	0	0	0	0	#DIV/0!	
137	CONTINGENCY & FUND TRANSFER TOTAL	31,025	20,000	42,000	0	22,000	14,000	-36.36%	1.80%
138									
139	Total Expenses	786,632	711,004	783,268	439,934	766,184	777,463	1.47%	
140									
141	GENERAL FUND CASH BALANCE (Goal: 35%-50% of Operating Expenditures)	544,365	599,432						
	<i>Percent of Operating Expenditures</i>	78.40%	84.31%						

2019 Greenwood FINAL Budget

		2016 Actual	2017 Actual	2017 Budget	2018 June YTD	2018 Budget	2019 Budget	% Change	% Total Budget	
142	SEWER ENTERPRISE FUND <i>This fund may be used for any city purpose. Goal: \$400,000.</i>									
143	602-34401	REVENUE: Sewer Use Charges (\$65 per quarter)	96,163	97,056	100,899	48,697	100,899	100,899	0.00%	
144	602-34402	REVENUE: Late Charges & Penalties	330	390	0	99	0	0	#DIV/0!	
145	602-34403	REVENUE: Delinquent Sewer Payments Received	855	205	0	0	0	0	#DIV/0!	
146	602-34404	REVENUE: Delinquent Sewer Late Fees Received	0	0	0	0	0	0	#DIV/0!	
147	602-34408	REVENUE: Permit Fees	375	300	0	400	0	0	#DIV/0!	
148	602-36220	REVENUE: Other Income (SAC charges)	2,485	6,787	0	0	2,500			
149	602-38100	REVENUE: Grant Revenue	25,097	0	0	0	0	0	#DIV/0!	
150	602-37100	REVENUE: Excelsior Blvd. Watermain Project (Contributions for Study, Assessment Pre-Payments)	0	0	0	0	0	0	#DIV/0!	
151	602-36100	REVENUE: Special Assessments (Excelsior Blvd Watermain Assessment Payments)	11,865	12,469	0	0	12,000	#DIV/0!		
152	602-43200-303	EXPENSE: Engineering Sewer	19,406	4,683	10,000	164	10,000	10,000	0.00%	
153	602-43200-309	EXPENSE: Met Council	51,011	48,543	45,000	13,536	45,000	52,000	15.56%	
154	602-43200-310	EXPENSE: Public Works Sewer	9,969	6,759	6,000	3,075	6,000	7,000	16.67%	
155	602-43200-381	EXPENSE: Utility Services - Electric	1,907	2,489	2,500	1,649	2,500	3,000	20.00%	
156	602-43200-404	EXPENSE: Repair & Maintenance	10,542	16,565	12,000	6,760	12,000	14,000	16.67%	
157	602-43200-410	EXPENSE: Excelsior Blvd. Watermain Project (Hennepin County Special Assessment Annual Fee)	390	388	0	0	0	400	#DIV/0!	
158	602-43200-439	EXPENSE: Misc. (Gopher State One Call, Forms, Printing, Insurance, etc.)	750	594	900	196	900	900	0.00%	
159	602-43200-530	EXPENSE: Capital Outlay (I&I Projects)	57,600	0	14,000	0	14,000	14,000	0.00%	
160	602-43200-720	INTERFUND TRANSFER OUT: To General Fund (10% of budgeted sewer revenue for adm. costs)	30,090	23,190	10,090	0	10,090	10,090	0.00%	
161		Net Total	-44,495	13,996	409	23,815	409	4,009	879.98%	
162		SEWER ENTERPRISE FUND CASH BALANCE	303,767	317,750						
162	STORMWATER SPECIAL REVENUE FUND <i>This fund may be used for any city purpose.</i>									
163	502-34401	REVENUE: Stormwater Use Charges (2018 & 2019: \$19 per quarter)	24,542	25,434	25,729	12,767	25,729	25,729	0.00%	
164	502-34403	REVENUE: Delinquent Stormwater Payments Received	0	0	0	0	0	0	#DIV/0!	
164	502-34404	REVENUE: Delinquent Stormwater Late Fees Received	0	0	0	0	0	0	#DIV/0!	
165	502-34405	INTERFUND TRANSFER IN	20,000	13,100	0	0	0	0	#DIV/0!	
166	502-43200-303	EXPENSE: Engineering Stormwater	9,458	1,724	6,700	6,169	3,500	3,500	0.00%	
167	502-43200-310	EXPENSE: Public Works Stormwater	3,120	476	0	196	0	0	#DIV/0!	
168	502-43200-319	EXPENSE: Equipment and Maintenance	0	0	0	0	0	0	#DIV/0!	
169	502-43200-409	EXPENSE: Street Sweeping	2,371	2,362	2,700	2,453	2,700	2,700	0.00%	
170	502-43200-439	EXPENSE: Misc. (EPA Fee, Etc.)	211	172	250	606	250	250	0.00%	
171	502-43200-530	EXPENSE: Capital Outlay	0	33,732	0	3,536	0	0	#DIV/0!	
173	502-43200-720	ADMINISTRATIVE EXPENSE: To General Fund (10% of budgeted stormwater rev. for adm. costs)	2,573	2,573	2,573	0	2,573	2,573	0.00%	
174		Net Total	26,809	-2,505	13,506	-193	16,706	16,706	0.00%	
175		STORMWATER SPECIAL REVENUE FUND CASH BALANCE	27,975	18,989						

2019 Greenwood FINAL Budget

		2016 Actual	2017 Actual	2017 Budget	2018 June YTD	2018 Budget	2019 Budget	% Change	% Total Budget	
180	PARK SPECIAL REVENUE FUND <i>This is a dedicated fund for park "acquisitions" only. Cannot be used for maintenance.</i>									
181	401-36230	REVENUE: Park Dedication Fees	0	0	0	0	0	#DIV/0!		
182	401-45000-000	EXPENSE: Park Improvements	5,000	10,299	0	0	0	#DIV/0!		
183		Net Total	-5,000	-10,299	0	0	0	#DIV/0!		
184		PARK FUND CASH BALANCE	27,055	16,756						
185	MARINA ENTERPRISE FUND <i>This fund may be used for any city purpose. Goal: \$55,000 Tonka Dock; \$65,000 Permanent Dock; \$120,000 Floating Dock.</i>									
186	605-36201	REVENUE: Slip Fees (2019: \$1500 x 26 boats, \$300 x 1 sailboats, \$50 x 6 canoes)	35,400	36,800	37,300	38,000	38,600	39,600	2.59%	
187	605-45100-309	EXPENSE: Professional Services (Dock In and Out, Weed Removal)	6,590	6,800	3,500	1,600	7,000	7,000	0.00%	
188	605-45100-310	EXPENSE: Public Works	878	0	500	0	500	500	0.00%	
189	605-45100-439	EXPENSE: Misc. (LMCD Multi-Dock License \$350, SABLID / AIS \$2500 in 2017, Insurance \$873)	5,677	2,843	3,723	2,500	3,723	3,723	0.00%	
190	605-45100-590	EXPENSE: Capital Outlay	0	0	0	0	0	0	#DIV/0!	
191	605-49300-720	OPERATING TRANSFER: To General Fund	12,500	12,500	12,500	0	12,500	12,500	0.00%	
192	605-49300-721	ADMINISTRATIVE EXPENSE: To General Fund (10% of budgeted marina revenue for adm. costs)	3,600	3,730	3,730	0	3,860	3,960	2.59%	
193		Net Total	6,155	10,928	13,347	33,900	11,017	11,917	8.17%	
194		MARINA ENTERPRISE FUND CASH BALANCE	57,475	68,403						
195	BRIDGE CAPITAL PROJECT FUND <i>This fund was created in 2010. The funds may be used for any city purpose. Goal: \$200,000</i>									
196	403-39200	REVENUE: Transfer from General Fund	20,000	20,000	20,000	0	10,000	10,000	0.00%	
197	403-45100-303	EXPENSE: Engineering	75	13,722	4,000	2,072	4,000	4,000	0.00%	
198	403-45100-304	EXPENSE: Legal Services	0	0	2,000	0	0	0	#DIV/0!	
199	403-45100-530	EXPENSE: Capital Outlay	0	0	0	0	0	0	#DIV/0!	
200		Net Total	19,925	6,278	14,000	-2,072	6,000	6,000	0.00%	
201		BRIDGE CAPITAL PROJECT FUND CASH BALANCE	167,098	173,376						
202	SPECIAL PROJECT FUND <i>This fund was created in 2013.</i>									
203	301-36103	REVENUE: Greenwood Park Stormwater Project	0	207,755	0	0	0	0	#DIV/0!	
204	301-47000-603	EXPENSE: Greenwood Park Stormwater Project (Engineering, Etc)	1,173	133,536	0	39,443	0	0	#DIV/0!	
205		Net Total	-1,173	74,219	0	-39,443	0	0	#DIV/0!	
206		SPECIAL PROJECT FUND CASH BALANCE	0	67,489						
207	ROAD IMPROVEMENT FUND <i>This fund was created in 2014. The funds may be used for any city purpose. Goal: \$_____.</i>									
208	404-36230	REVENUE: Transfers from General Fund and other revenue sources	144,000	138,848	134,000	124,000	124,000	124,000	0.00%	
209	404-36231	REVENUE: Misc. Revenue (CAMA, Conduit Financing Revenue, Etc.)	0	3,974	0	0	0	0	#DIV/0!	
210	404-45100-100	EXPENSE: Capital Outlay	107,073	196,960	75,000	36,381	75,000	75,000	0.00%	
211	404-45100-303	EXPENSE: Engineering Expenses, Public Notices, Etc.	39,452	70,220	20,000	10,590	20,000	20,000	0.00%	
212		Net Total	-2,525	-128,332	39,000	77,029	29,000	29,000	0.00%	
213		ROAD IMPROVEMENT FUND CASH BALANCE	109,425	109,425						
214		Total Cash Balance	1,203,625	1,247,263						



**City of Greenwood
Resolution 35-18**

A RESOLUTION APPROVING THE 2018 TAX LEVY, COLLECTIBLE IN 2019

BE IT RESOLVED by the city council of the city of Greenwood that the following sum of money be levied for the current year, collectible in 2019, upon taxable property in the city of Greenwood, Minnesota for general fund activities:

TOTAL LEVY: \$637,825

The city clerk is hereby instructed to transmit a certified copy of this resolution to the county auditor of Hennepin County Minnesota.

ADOPTED by the city council of Greenwood, Minnesota this 5th day of December, 2018.

___ AYES ___ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana H. Young, City Clerk



**City of Greenwood
Resolution 36-18**

A RESOLUTION APPROVING THE 2019 CITY BUDGET

WHEREAS, the city council of the city of Greenwood has reviewed the 2019 city budget and determined that the proposed expenditures and revenues adequately address the needs of the city and the residents it serves,

WHEREAS, the public had the opportunity to comment on the 2019 city budget at the December 5, 2018 city council meeting.

NOW, THEREFORE BE IT RESOLVED by the city council of the city of Greenwood, that the 2019 general fund budget in the amount of **\$777,463** is hereby approved.

ADOPTED by the city council of Greenwood, Minnesota this 5th day of December, 2018.

___ AYES ___ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana H. Young, City Clerk



Agenda Number: **7A**

Agenda Date: **12-05-18**

Prepared by Dale Cooney & Deb Kind

Agenda Item: Consider: Res 37-18, Findings for Variance Request, Marcia and Jeffrey Fetters, 21200 Minnetonka Blvd.

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 08-30-18. The planning commission held a public hearing at their 09-12-18, 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** incorporate city code section 1155.10 variance criteria as well as any conditions in the motion.

Planning Commission Action: Motion by Barta to recommend denial of the request as proposed based on the recommendation and findings of staff. Motion was seconded by Gallagher. Motion carried 3-0.

City Council Action on 10-03-18:

Motion by Fletcher that the city council directs city staff to exercise the city's option to take 60 additional days to process the variance application of Marcia and Jeffrey Fetters, 21200 Minnetonka Boulevard, 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 because the applicants request that we hold off and give them a bit more time to look at engineering and review their plans. Second by Conrad. Motion passed 3-0.

Update: Since the 10-03-18 council meeting, the Fetters have installed a stormwater management system and have submitted plans to the city for review by the city engineer. As of the council packet deadline, the Fetters have not withdrawn their variance application. The city zoning administrator will update the city council at the 12-05-18 meeting.

Key Dates:

Application complete:	August 20, 2018
Notice of Public Hearing published:	August 30, 2018
Planning Commission Public Hearing:	September 12, 2018
City Council Consideration:	October 3, 2018
60-Day Deadline:	October 19, 2018
120-Day Deadline:	December 18, 2018

Council Action: The city council must take action by 12-18-18 unless the applicant withdraws their application or requests an extension in writing. Suggested motions ...

1. I move the city council adopts resolution 37-18 laying out the findings of fact **DENYING** the variance request of Marcia and Jeffrey Fetters for a variance from the stormwater management requirements of Section 1140.17 at 21200 Minnetonka Boulevard, 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. Other motion ???

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).

RESOLUTION NO 37-18

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

DENYING

In Re: Application of Marcia and Jeffrey Fetters for the property at 21200 Minnetonka Boulevard for a variance from Greenwood ordinance code section 1140.17 requiring stormwater mitigation.

Marcia and Jeffrey Fetters, applicants, are the owners of property commonly known as 21200 Minnetonka Boulevard, Greenwood, Minnesota 55331 (PID No. 26-117-23-13-0017) being real property in Hennepin County Minnesota and legally described as follows:

Lots 1, 2, and 3, Lot 30 except the Southerly 15 feet thereof, Lot 31, Block 13, Minnetonka Manor

WHEREAS, application was made for variance to zoning code section 1140.17 in conjunction with the construction of a new house on the property where the impervious surface expansion triggered stormwater mitigation requirements; 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 September 12, 2018; 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 applicants, 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 21200 Minnetonka Boulevard, Greenwood, Minnesota 55331 (PID No. 26-117-23-42-0040) is a single-family lot of record located within the R-1A district.
2. The applicants seek a variance for the required stormwater mitigation on the property. Section 1140.17 of the city code requires stormwater mitigation for any impervious surface expansion of 200 square feet or more. In conjunction with the construction of a new house and driveway on the property, the impervious surface area of the property expanded from 2,026 square feet to 4,346 square feet for an expansion in impervious surface area of 2,320 square feet. The applicants are requesting not to provide mitigation for the property.
3. Performance criteria for stormwater mitigation includes the option of providing volume control to handle a 2 inch rain event for the expanded impervious surface area. Stormwater mitigation would need to accommodate a volume equivalent to 387 cubic feet. The applicants had originally proposed a raingarden in the front yard to accommodate 452 cubic feet of volume. The additional runoff from the impervious areas on the property would drain primarily towards the Woods Court cul-de-sac.

4. Greenwood ordinance section 1155.10, subd 4, 5 & 6 states:

“Subd. 4. Practical Difficulties Standard. “Practical difficulties,” as used in connection with the granting of a variance, means:

- (a) that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
- (b) the plight of the landowner is due to circumstances unique to the property and not created by the landowner;
- (c) and the variance, if granted, will not alter the essential character of the locality

Economic considerations alone shall not constitute practical difficulties.

Subd. 5. Findings. The board, in considering all requests for a variance, shall adopt findings addressing the following questions:

- (a) Is the variance in harmony with the purposes and intent of the ordinance?
- (b) Is the variance consistent with the comprehensive plan?
- (c) Does the proposal put property to use in a reasonable manner?
- (d) Are there unique circumstances to the property not created by the landowner?
- (e) Will the variance, if granted, alter the essential character of the locality?

Subd. 6. Practical Difficulties Considerations. When determining reasonable manner or essential character, the board will consider, but will not be limited to, the following:

- (a) Impair an adequate supply of light and air to adjacent property.
- (b) Unreasonably increase the congestion in the public street.
- (c) Increase the danger of fire or endanger the public safety.
- (d) Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this ordinance.”

- 5. The applicants assert that the proposed variance request complies with the practical difficulties standards in Greenwood ordinance section 1155.10, subd 4, 5, & 6.
- 6. The planning commission, on a 3-0 vote, recommended the council deny the request of Marcia and Jeffrey Fetters to vary from city code section 1140.17 stormwater management requirements, as proposed, for the property at 21200 Minnetonka Boulevard, Greenwood, Minnesota 55331. The motion was based on the following findings:
 - a) The variance, if granted, will **NOT** be in harmony and keeping with the spirit and intent of the zoning ordinance. The purpose of the ordinance is to protect and safeguard the health, safety, and welfare of the public by regulating stormwater runoff rates and volumes that can lead to flooding, flood damage, and erosion. Granting the variance would lead to increased runoff volumes from the expanded impervious areas on the property which is not in harmony with the ordinance.
 - b) The variance, if granted, will **NOT** be consistent with the comprehensive plan which states that the city will protect natural drainage ways and water courses from accelerated storm water run-off or constriction in conjunction with the development, redevelopment or expansion of housing.
 - c) Though the property owner's proposed *manner of use* of the property is not permitted by the zoning ordinance without a variance, the proposed *manner of use* is reasonable because: the proposed hardcover expansion is relatively small compared to what could be built per zoning code requirements and the overall stormwater volume increase is equally modest based on the overall size of the property.
 - d) The plight of the landowner-applicant is **NOT** due to circumstances unique to the property and not created by the landowner because: there is adequate space on the property to accommodate the required runoff volumes via a mitigation system. The applicants make the claim that the location of the outlet in the rear yard would disperse stormwater runoff “harmlessly over a large portion of our woods”, however to meet the ordinance requirements the applicants would need to demonstrate that the rate of runoff for the equivalent of at least a 2-inch per hour rainfall event for the proposed impervious surface expansion so that the rate does not increase as a result of the project. That information has not been provided. Also, the ordinance does not make exceptions for low impervious surface area properties, and the Fetters request is based on circumstances created by the new construction expansion of impervious areas on their property.
 - e) The variance, if granted, will not alter the essential character of the locality, because: the proposed expansion would remain consistent with the scope and scale of the surrounding properties. While the water volumes off of the property will be more than existing, it is not expected to be of an amount that would change the essential character of the locality.
 - f) The variance, if granted, will not:
 - i. Impair an adequate supply of light and air to adjacent property;
 - ii. Unreasonably increase the congestion in the public street;
 - iii. Increase the danger of fire or endanger the public safety; or
 - iv. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this ordinance.

7. Based on the foregoing, the city council determined that the variance request DOES NOT comply with the practical difficulties standards in Greenwood ordinance section 1155.10, subd 4, 5, & 6.

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:

The applicant has NOT made an adequate demonstration of facts meeting the standards of section 1155.10 necessary for the granting of variances from section 1140.17 and therefore variances from the stormwater management requirements of the section 1140.17 of city ordinance be **DENIED**.

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments:

That the application of Marcia and Jeffrey Fetters for the property at 21200 Minnetonka Boulevard, Greenwood, Minnesota 55331 for variances from the stormwater management requirements of section 1140.17 is **DENIED**.

PASSED this 3rd day of October, 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 Young, City Clerk



Agenda Number: **7B**

Agenda Date: **12-05-18**

Prepared by Dale Cooney

Agenda Item: Consider: Res 38-18, Findings for Conditional Use Permit Request, Diane Wold for 4980 Meadville Street

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 11-01-18. The planning commission held a public hearing at their 11-14-18, 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** incorporate city code section 1150.20 conditional use permit criteria as well as any conditions in the motion.

Planning Commission Action: Motion by Steingas to approve the request based on the recommendation and findings of staff. Motion was seconded by Gallagher. Motion carried 5-0.

Key Dates:

Application complete:	October 23, 2018
Notice of Public Hearing published:	November 1, 2018
Planning Commission Public Hearing:	November 14, 2018
City Council Consideration:	December 5, 2018
60-Day Deadline:	December 22, 2018
120-Day Deadline:	February 20, 2019

Council Action: The city council must take action by 12-22-18 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 38-18 laying out the findings of fact **APPROVING** the conditional use permit request of Diane Wold to impact 10,368 square feet of surface area and 12,280 cubic yards of volume at 4980 Meadville Street, 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 conditional use permit request of Diane Wold, 4980 Meadville Street, to be considered at the January 2, 2019 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 conditional use permit application of Diane Wold, 4980 Meadville Street, 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 statute 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: **7B**

Agenda Date: 12-05-18

STAFF REPORT

Agenda Item: Consider the conditional use permit request of Diane Wold for 4980 Meadville Street to regrade the property in conjunction with the construction of a new house.

Summary: Diane Wold, property owner at 4980 Meadville Street, is working with Sharratt Design to build a new house at 4980 Meadville Street. The applicants are requesting a conditional use permit in order to regrade most of the property.

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 10,368 square feet of surface area and 12,280 cubic yards of volume.

The existing house sits as close as 2.1 feet from the south property line. The proposed house would be recentered within the lot to meet city setback requirements. Essentially, beyond the lake yard, the property will be entirely regraded. The existing house sits at an elevation of 943 while the proposed garage floor elevation will be at 946 and the main level will be at 947.35. However, since the existing house was recessed into the existing grades of the property, the proposed grades surrounding the new house will be comparable to (or lower) than existing conditions. The primary exception to this is the front yard where contouring of the property will add approximately 1.5 feet of fill and drain the front half of the property to the street.

Other areas of grading include evening out the back yard to fill in the "walkout" portion of the property. The grade will be cut for window wells and a stairwell to the lower level. Side yard berms and swales will be added to direct water away from adjacent properties towards the lake or the street.

While the grading on the property is significant, it fixes several problems on the property and creates a better overall drainage pattern that also benefits the neighbors. 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.

Other Items:

Trees: The applicant is proposing to remove 22 caliper inches of trees for the project. City code permits the removal of up to 20% of the existing caliper inches of trees on a property for a new house construction projects. The property currently has 152 caliper tree inches on site, limiting the total removal to 30 inches.

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 748 square feet. Staff estimates that 518 square feet of the new impervious areas drain to the street, and the applicant would be required to mitigate this excess impervious per the city's performance criteria.

Staff Recommendation for Conditional Use Permit Request:

Staff recommends approval of the conditional use permit request of Diane Wold for 4980 Meadville Street to impact 10,368 square feet of surface area and 12,280 cubic yards of volume in conjunction with the construction of a new house, 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 R-1 zoning district.
- b) The use is one of the conditional uses permitted for the R-1 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.

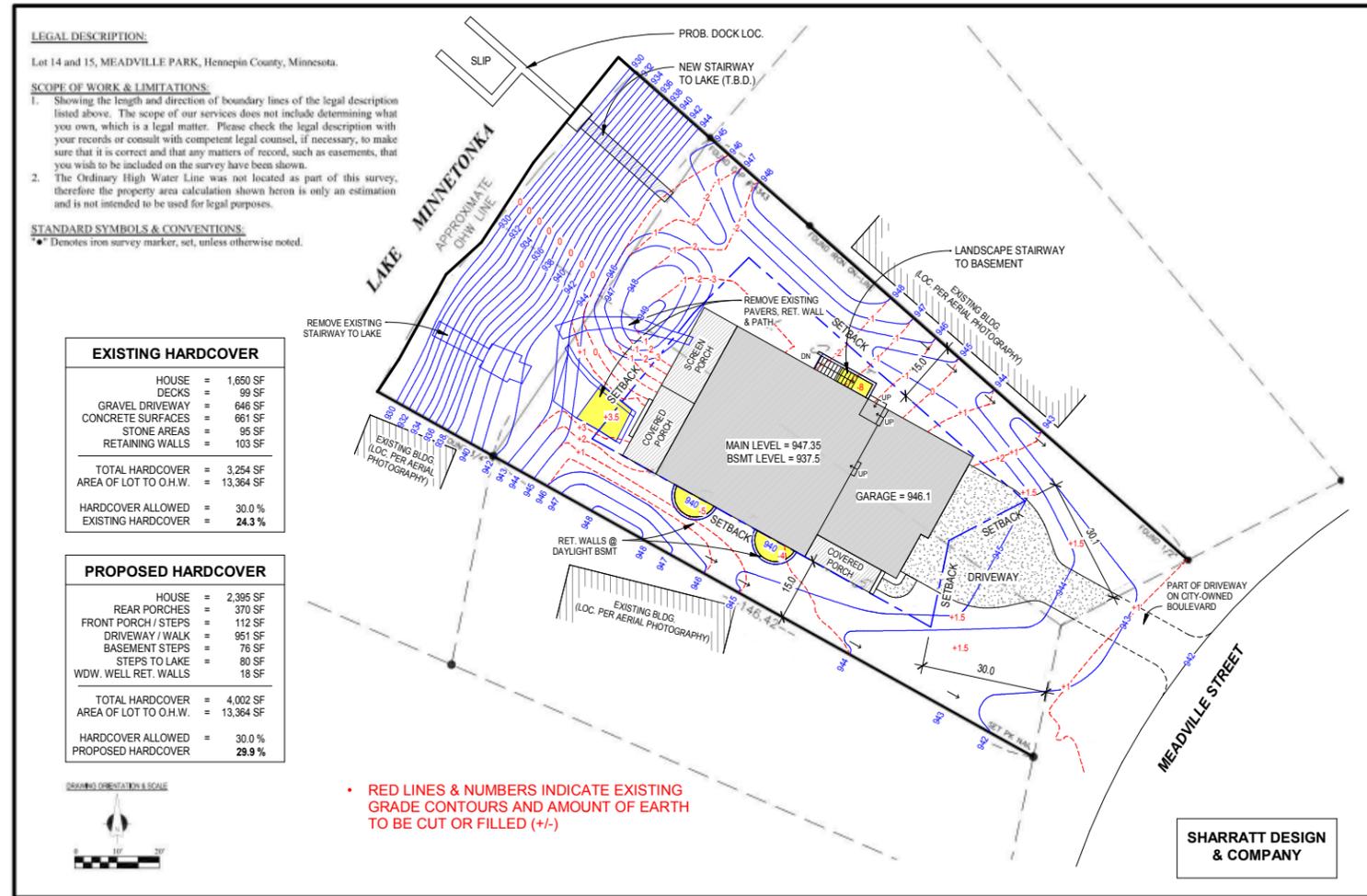
And subject to the following conditions:

- a) The applicants complete the stormwater management improvements to meet the requirements and specifications of Section 1140.17 of the city code and the city engineer.
- b) The applicants enter into a maintenance agreement with the city to ensure the long-term operation and maintenance of the stormwater management improvements. The maintenance agreement shall be executed and recorded against the parcel.

Note: MN statute 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).

GENERAL NOTES

- THESE DRAWINGS MAKE UP THE ARCHITECTURAL SET OF THE CONTRACT DOCUMENTS. GENERAL CONTRACTOR IS RESPONSIBLE FOR PROVIDING ANY ADDITIONAL DETAILS REQUIRED FOR CONSTRUCTION.
- WARRANTIES SHALL BE IN ACCORDANCE WITH STATE MINIMUM STANDARDS. REGISTERED BUILDER PROGRAMS AND/OR PRODUCT WARRANTIES TO BE PROVIDED BY PRODUCT MANUFACTURERS. LIABILITY AND WORKERS COMPENSATION CERTIFICATE OF INSURANCE WILL BE REQUIRED FROM ALL SUBCONTRACTORS.
- GENERAL CONTRACTOR AND ALL SUBCONTRACTORS SHALL VERIFY AND COORDINATE ALL CONDITIONS AND DIMENSIONS PRIOR TO WORK. GENERAL CONTRACTOR TO CONTACT Gopher One TO VERIFY LOCATIONS OF ALL UNDERGROUND ELECTRICAL, UTILITIES, SEWER, CABLE, GAS, ETC. PRIOR TO COMMENCING WORK. IMMEDIATELY REPORT AND/OR REVIEW ALL QUESTIONS, DISCREPANCIES, AND CONDITIONS WITH THE OWNER/ARCHITECT PRIOR TO PROCEEDING WITH WORK.
- ALL CONSTRUCTION AND/OR MATERIALS AS INDICATED SHALL BE AT OR ABOVE INDUSTRY STANDARDS FOR SIMILAR CUSTOM RESIDENTIAL CONSTRUCTION.
- ALL CONSTRUCTION WORK SHALL CONFORM TO ALL APPLICABLE CODES.
- ALL SURVEY DATA, SOIL DATA, MECHANICAL, ELECTRICAL, AND STRUCTURAL ENGINEERING OF SYSTEMS, SIZES, AND LAYOUTS (INCLUDING TRUSS FRAMING AND GIRDER DESIGN) SHALL BE BY THE RESPECTIVE SUBCONTRACTOR AND/OR SUPPLIER OF THOSE SYSTEMS OR BY OTHER NECESSARY CONSULTANTS AND SHALL BE COORDINATED BY THE GENERAL CONTRACTOR. INFORMATION SHOWN IN REGARD TO THESE CONCERNS IS ONLY DIAGRAMMATIC AND IS INTENDED TO PROVIDE AN INDICATION OF THE DESIGN INTENT ONLY. USE OF CONSULTANT DATA BY SDC DOES NOT INFER NOR ENDORSE THE ACCURACY OF THE DATA. EACH CONSULTANT AND CONTRACTOR SHALL BE RESPONSIBLE FOR CORRECTNESS AND ACCURACY OF DATA SUPPLIED BY THE RESPECTIVE CONSULTANT AND/OR CONTRACTOR.
- GENERAL CONTRACTOR SHALL COORDINATE AND SITE THE BUILDING PER THE RECENT LEGAL SURVEY. GENERAL CONTRACTOR SHALL NOTIFY OWNER/ARCHITECT/ENGINEER OF ANY DISCOVERED DISCREPANCIES PRIOR TO ANY SITE WORK. DESIGN OF TOPOGRAPHY SHOWN DEPICTS DESIGN INTENT ONLY. FINAL GRADING AND SITE DRAINAGE IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR AND LANDSCAPER. G.C./LANDSCAPER TO COORDINATE GARDING AND DRAINAGE WITH NEIGHBORING PROPERTIES, LEGAL SURVEY, AND APPLICABLE CODES.
- GENERAL CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR SHORING AND BRACING AND FOR ALL TEMPORARY FACILITIES AND SERVICES, INCLUDING BUT NOT LIMITED TO POWER, WATER, TELEPHONE, FAX, SANITATION FACILITIES, SITE SAFETY, AND FIRE FIGHTING EQUIPMENT.
- GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR ALL REQUIRED EROSION CONTROL MEASURES AND ANY SPECIFIC ENVIRONMENTAL IMPACT ISSUES ARISING FROM CONSTRUCTION ON THE SITE.
- GENERAL CONTRACTOR SHALL MAINTAIN THE SITE IN FIRST-CLASS CONDITION DURING THE PROJECT. ALL WASTE AND DEBRIS SHALL PROMPTLY BE REMOVED. CONSIDERATION SHALL BE GIVEN TO MATERIAL STORAGE ON THE SITE AND ITS IMPACT ON ADJOINING NEIGHBORS.
- GENERAL CONTRACTOR SHALL PROVIDE FINAL CLEANING OF ALL INTERIOR AND EXTERIOR SURFACES. ALL TRANSPARENT MATERIALS AND GLOSSY SURFACES ARE TO BE LEFT IN A POLISHED CONDITION. REMOVE ALL LABELS THAT ARE NOT INTENDED TO REMAIN AS PERMANENT INSTRUCTION INFORMATION.
- GENERAL CONTRACTOR SHALL PROVIDE INSTRUCTIONS TO THE OWNER PERTAINING TO OPERATION AND MAINTENANCE OF MECHANICAL AND ELECTRICAL EQUIPMENT. AT COMPLETION OF CONSTRUCTION, COMPILE AND FORWARD TO THE OWNER ALL MAINTENANCE AND OPERATIONS DATA AND WARRANTIES IN THE FORM OF A WELL-ORGANIZED OWNER'S NOTEBOOK.
- ROOF TRUSS SYSTEM DESIGN TO BE PROVIDED BY TRUSS SUPPLIER. TRUSS SUPPLIER TO COORDINATE FINAL TRUSS SOLUTION WITH PROJECT STRUCTURAL ENGINEER. TRUSS SUPPLIER TO COORDINATE TRUSS DESIGN WITH ENERGY CODE REQUIREMENTS.
- ALL WINDOW DESIGNATIONS ARE FOR MARVIN WINDOWS. CONTRACTOR MAY PROVIDE BID ALTERNATE FOR OTHER WINDOW MANUFACTURERS INCLUDING LOEWEN. SUPPLIER TO SUBMIT WINDOW SCHEDULE TO GENERAL CONTRACTOR AND OWNER FOR REVIEW AND APPROVAL PRIOR TO PLACING WINDOW ORDER. GENERAL CONTRACTOR TO CONFIRM TEMPERED GLASS LOCATIONS, EGRESS AND VENT WINDOW REQUIREMENTS, LITE PATTERNS, WINDOW OPERATIONS, JAMB SIZES, EXTENSION JAMBS, ETC. W/ OWNER PRIOR TO WINDOW ORDER. WINDOWS ARE TO BE PREFINISHED METAL CLAD WINDOWS WITH DOUBLE-PANE, "LOW-E" INSULATED GLASS, AND SIMULATED DIVIDED LITES WITH SPACER BARS (SEE EXTERIOR ELEVATIONS FOR MUNTIN LOCATIONS). PREFINISHED COLOR AND HARDWARE FINISH AS SELECTED BY OWNER. ALTERNATE MANUFACTURERS WINDOWS SHALL BE SIMILAR IN SIZE AND SPECIFICATION TO THOSE INDICATED ON THE PLAN. WINDOW MANUFACTURER SHALL SUBMIT SHOP DRAWINGS OF WINDOWS AND DOORS FOR REVIEW BY GENERAL CONTRACTOR AND OWNER PRIOR TO FABRICATION.
- CABINET DRAWINGS SHOWN HERE ARE NOT CABINET SHOP DRAWINGS, BUT DEPICT DESIGN INTENT ONLY. CABINET MANUFACTURER TO COORDINATE FINAL CABINET DESIGN WITH OWNER PREFERENCES, AS-BUILT DIMENSIONS (WITH FIELD CHANGES MADE DURING CONSTRUCTION), FINAL MILLWORK PROFILES, FINAL COUNTERTOP THICKNESSES AND DESIGNS, AND FINAL APPLIANCE AND FIXTURE SELECTIONS. CABINET MAKER TO VERIFY END PANEL DESIGNS AND CABINET CLEARANCES WITH OWNER PRIOR TO CABINET FABRICATION. CABINET MAKER TO MEET WITH OWNER TO DISCUSS AND VERIFY ALL DRAWER AND CABINET DIVISIONS AND USES, INCLUDING PULL-OUT LOCATIONS, LAZY SUSAN LOCATIONS, COST RAMIFICATIONS, HARDWARE TYPES AND QUALITY, AND ANY OTHER SUGGESTIONS THE CABINET MAKER OR OWNER MAY HAVE FOR MAXIMIZING CABINETRY EFFICIENCY AND EASE OF USE.
- SUBCONTRACTORS TO REFER TO OWNER-APPROVED CABINET SHOP DRAWINGS PRIOR TO ROUGH FRAMING FOR CABINETS/ BUILT-INS. REPORT ANY DISCREPANCIES TO G.C./CABINET MAKER PRIOR TO PROCEEDING WITH WORK.
- GENERAL CONTRACTOR TO COORDINATE OWNER'S REVIEW AND APPROVAL OF SAMPLES OF ALL INTERIOR AND EXTERIOR FINISH MATERIALS, INCLUDING PROFILES, SIZES, SPECIES, MORTAR AND GROUT COLORS, JOINT SIZES, FINISHES, AND COLORS PRIOR TO ORDERING OF SAME. SAMPLES TO BE PROVIDED ON-SITE WHEN OWNER DEEMS NECESSARY, AND IN SIZES LARGE ENOUGH TO SEE IN THE FINAL SPACES (E.G. 4x4 WALL PAINT SAMPLES, AND STAINED AND FINISHED 3-BOARD WOOD FLOOR SAMPLES). G.C. TO COORDINATE OWNER'S REVIEW AND APPROVAL OF FULL-SIZE MOCK-UPS OF ALL INTERIOR AND EXTERIOR CASINGS, TRIM, NEWELLS, AND RAILINGS PRIOR TO CONTRACTOR ORDERING OF SAME (ON-SITE WHEN OWNER DEEMS NECESSARY). OWNER TO REVIEW AND APPROVE FULL-SIZE MOCK-UPS OF ALL STONE ON SITE, INCLUDING STONE SIZE & SPECIES, MORTAR JOINT SIZE, MORTAR COLOR, STONE STACKING, CAP SPECIES, AND SIZE. STONE SAMPLES TO BE DISPLAYED ALONGSIDE RELEVANT INTERIOR AND EXTERIOR FINISH MATERIALS, AS REQUIRED FOR FINAL COLOR PALLET COORDINATION. G.C. TO COORDINATE OWNER'S COUNTERTOP SELECTIONS, AND TO VERIFY THAT NATURAL STONE SLABS THAT OWNER SELECTS ARE PROPERLY STORED AND USED IN THE FINAL PROJECT.
- DIMENSIONS LOCATING EXTERIOR WALLS ARE TO THE EXTERIOR FACE OF STUD AND/OR FACE OF FOUNDATION WALLS, U.N.O. DIMENSIONS LOCATING INTERIOR WALLS ARE TO CENTERLINE OF STUD, U.N.O. DIMENSIONS LOCATING DOORS AND WINDOWS ARE TO CENTERLINE OF OPENING, U.N.O. SEE DIMENSION KEYS ON ARCHITECTURAL DRAWINGS FOR ADDITIONAL INFORMATION.
- ALL EXTERIOR WALLS SHALL BE 2x6 AS PER BUILDING SECTIONS, U.N.O. ALL BEARING WALLS, PLUMBING WALLS, AND WALLS WITH POCKET DOORS TO BE 2x6 CONSTRUCTION, U.N.O. ALL OTHER WALLS TO BE 2x4 OR 2x6 CONSTRUCTION TO THICKNESSES SHOWN ON ARCHITECTURAL AND STRUCTURAL DRAWINGS, U.N.O. HEADERS SHALL BE SIZED PER STRUCTURAL PLANS, OR COORDINATED WITH STRUCTURAL ENGINEER. BLOCKING AS REQUIRED FOR CABINETS, BATH AND KITCHEN HARDWARE AND ACCESSORIES, HANDRAILS, ETC. VERIFY WITH G.C. PRIOR TO FRAMING.
- PROVIDE ACOUSTIC INSULATION AND PARTITIONS PER ARCHITECTURAL DRAWINGS. CONTRACTOR TO VERIFY ADDITIONAL ACOUSTIC INSULATION, CEILING ACOUSTIC INSULATION, AND ACOUSTIC PARTITION LOCATIONS WITH OWNER PRIOR TO VAPOR BARRIER & DRYWALL INSTALLATION. ACOUSTIC CONSIDERATION TO BE GIVEN TO HVAC DUCT LAYOUTS AND PLUMBING LOCATIONS, AND ACOUSTIC DAMPENING TO BE PROVIDED TO HVAC SYSTEM AND PLUMBING WASTE STACKS (VERIFY CAST IRON LOCATIONS WITH OWNER) AS REQUIRED TO MINIMIZE SOUND TRANSMISSION.
- PLUMBING ROUGH-IN DIMENSIONS ARE PROVIDED FOR REFERENCE ONLY. ALL PLUMBING DIMENSIONS ARE TO BE COORDINATED BY THE GENERAL CONTRACTOR WITH SPECIFIC FIXTURE SELECTIONS AND FINAL CABINET DESIGN. ALL FLOOR DRAINS CONNECTED TO SANITARY SEWER TO HAVE BACK-FLOW PREVENTERS INSTALLED.
- MECHANICAL EQUIPMENT & CONTROL LOCATIONS TO BE VERIFIED WITH OWNER PRIOR TO INSTALLATION - SEE DRAWINGS FOR PROPOSED LOCATIONS. MAKEUP AIR TO BE PROVIDED AS PER I.B.C. AND ANY OTHER APPLICABLE CODES. SUPPLY AND RETURN REGISTER COVERS TO BE APPROVED BY OWNER - ASSUME FLUSH WOOD VENTS TO MATCH WOOD FLOOR SPECIES & FINISH FOR BID. WHERE AFFECTED BY MECHANICAL DUCTS AND EQUIPMENT, CEILING HEIGHTS AND SOFFIT SIZES AND LOCATIONS TO BE APPROVED BY OWNER PRIOR TO INSTALLATION OF HVAC DUCTS AND EQUIPMENT.



PRELIMINARY ARCHITECTURAL SITE PLAN BASED ON EXISTING CONDITIONS SURVEY PREPARED BY ADVANCE SURVEY
1" = 20'-0"



464 SECOND STREET SUITE 100 EXCELSIOR, MN 55331 PH: 952-470-9750 FAX: 952-767-5859 info@sharrattdesign.com

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A7	EXTERIOR ELEVATIONS
A8	BUILDING SECTIONS & SCHEDULES
A9	BUILDING SECTIONS
A10	BUILDING SECTIONS

PROJECT TEAM

ARCHITECT

SHARRATT DESIGN & COMPANY
464 SECOND STREET SUITE 100
EXCELSIOR MN 55331
CONTACT: MIKE SHARRATT (952-470-9750)

STRUCTURAL ENGINEER

T.B.D.

GENERAL CONTRACTOR

T.B.D.

ISSUED FOR

ISSUE DATE	CHECK	MEETING SET	PROGRESS SET	STRUCTURAL COORD.	BID SET	PERMIT SET	REVISION	CLIP SET	ADDENDUM	CONSTRUCTION SET
10 / 08 / 18	X									
10 / 11 / 18	X									
10 / 16 / 18	X									
10 / 19 / 18		X								
10 / 22 / 18							X			
10 / 26 / 18		X								
11 / 07 / 18									X	

PROPOSED CONSTRUCTION OF THE:

WOLD HOME

4980 MEADVILLE ST
GREENWOOD, MN

SHEET **A1** NUMBER

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PRELIMINARY - NOT FOR CONSTRUCTION

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A7	EXTERIOR ELEVATIONS
A8	BUILDING SECTIONS

PROJECT TEAM

ARCHITECT

SHARRATT DESIGN & COMPANY
464 SECOND STREET SUITE 100
EXCELSIOR MN 55331
CONTACT: MIKE SHARRATT (952-470-9750)

STRUCTURAL ENGINEER

T.B.D.

GENERAL CONTRACTOR

T.B.D.

ISSUED FOR

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10 / 08 / 18	X									
10 / 11 / 18	X									
10 / 16 / 18	X									
10 / 19 / 18		X								
10 / 22 / 18									X	

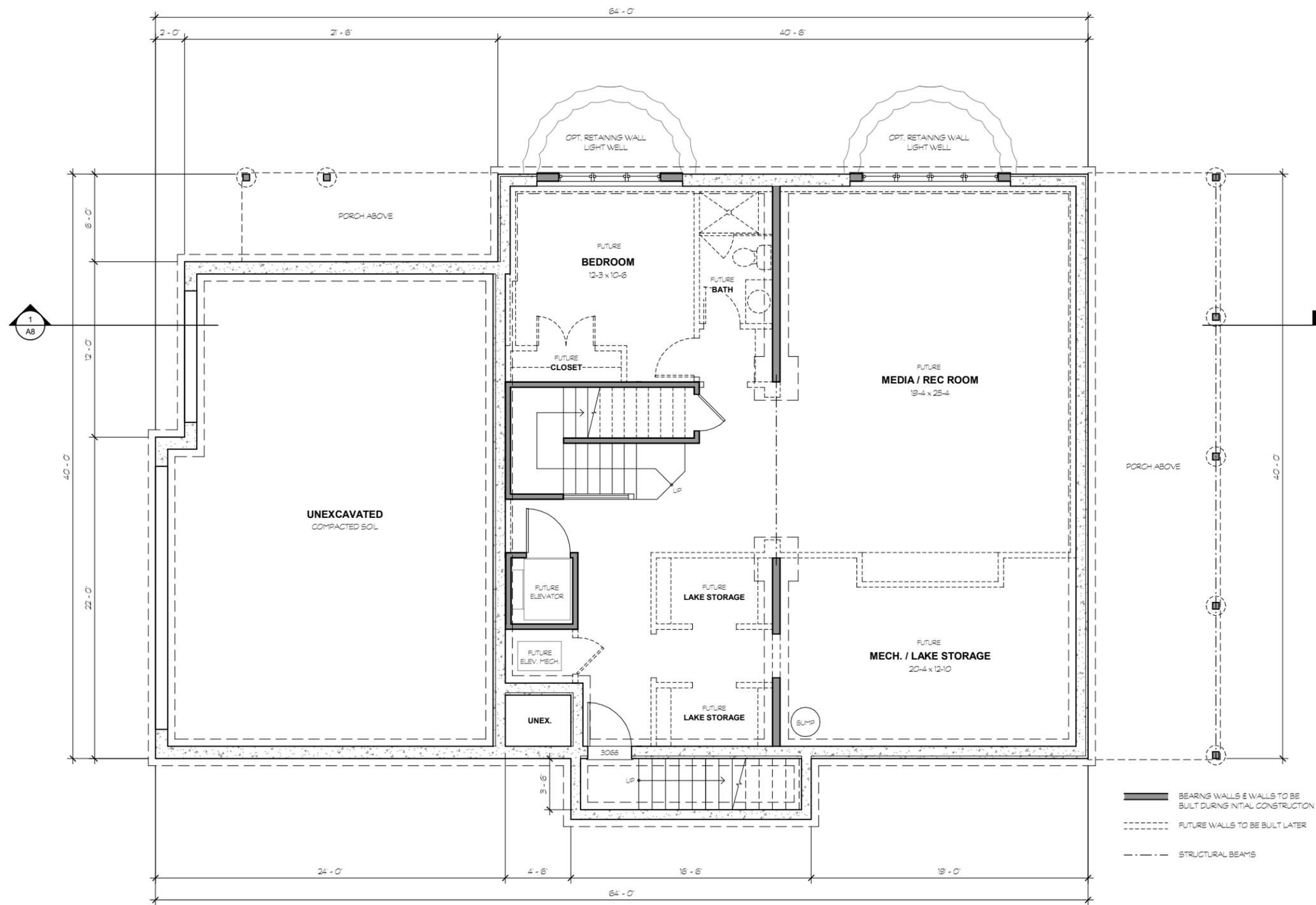
PROPOSED CONSTRUCTION OF THE:

WOLD HOME

4980 MEADVILLE ST
GREENWOOD, MN

SHEET **A2** NUMBER

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LIVING SPACE

MAIN LEVEL	1598 SF
UPPER LEVEL	1302 SF
Grand total	2900 SF

FUTURE LIVING SPACE

LOWER LEVEL	1266 SF
UPPER BONUS	237 SF
Grand total	1502 SF

UNCONDITIONED SPACE

GARAGE	777 SF
MECH. / LAKE STORAGE	242 SF
FRONT PORCH	105 SF
REAR PORCH	170 SF
SCREEN PORCH	191 SF
Grand total	1484 SF

- BEARING WALLS & WALLS TO BE BUILT DURING INITIAL CONSTRUCTION
- - - FUTURE WALLS TO BE BUILT LATER
- - - STRUCTURAL BEAMS

LOWER LEVEL FLOOR PLAN

1/4" = 1'-0"



PRELIMINARY - NOT FOR CONSTRUCTION

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- A7 EXTERIOR ELEVATIONS
- A8 BUILDING SECTIONS

PROJECT TEAM

ARCHITECT

SHARRATT DESIGN & COMPANY
464 SECOND STREET SUITE 100
EXCELSIOR MN 55331
CONTACT: MIKE SHARRATT (952-470-9750)

STRUCTURAL ENGINEER

T.B.D.

GENERAL CONTRACTOR

T.B.D.

ISSUED FOR

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10 / 08 / 18	X									
10 / 11 / 18	X									
10 / 16 / 18	X									
10 / 19 / 18		X								
10 / 22 / 18									X	

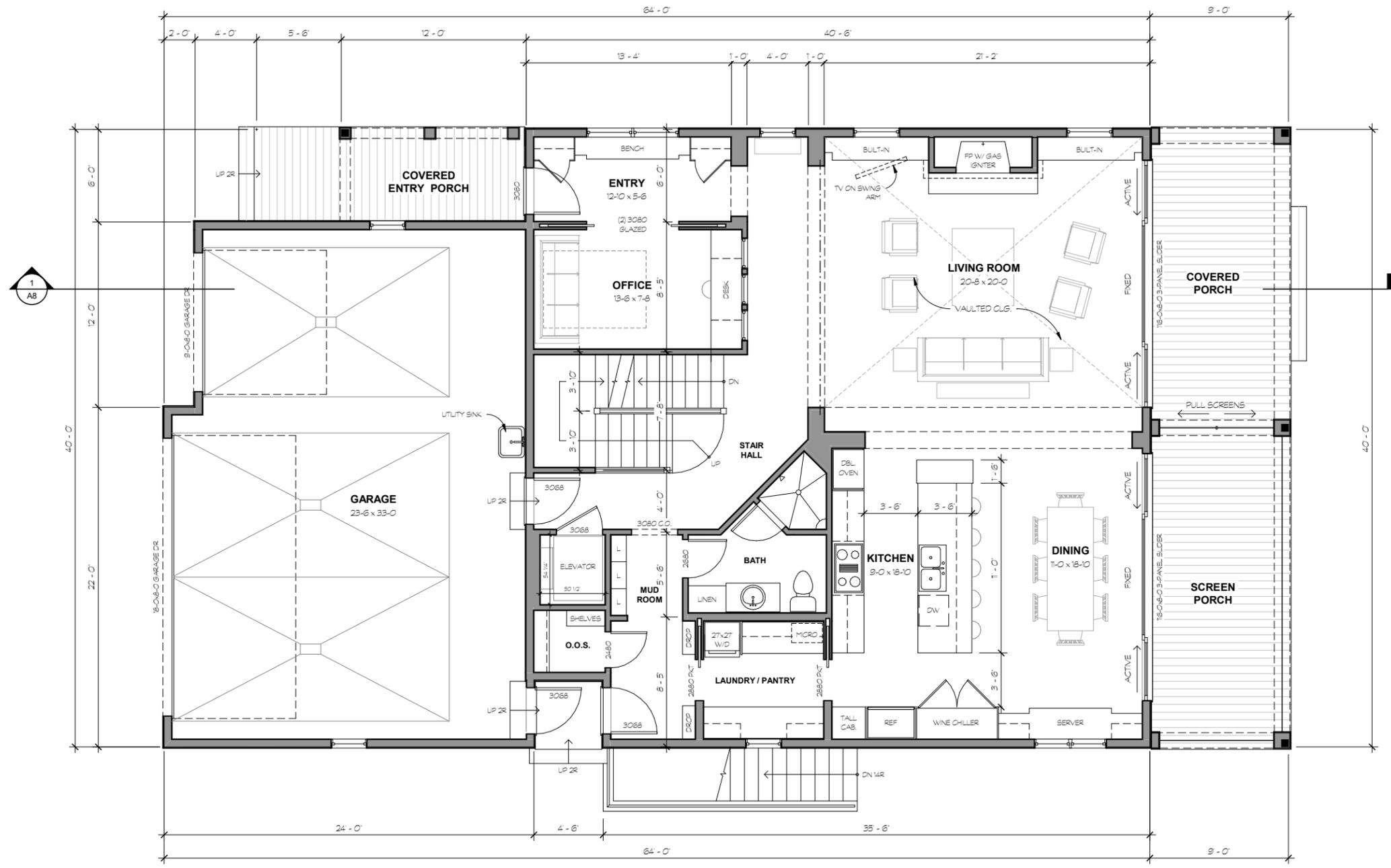
PROPOSED CONSTRUCTION OF THE:

WOLD HOME

4980 MEADVILLE ST
GREENWOOD, MN

SHEET **A3** NUMBER

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LIVING SPACE

MAIN LEVEL	1598 SF
UPPER LEVEL	1302 SF
Grand total	2900 SF

FUTURE LIVING SPACE

LOWER LEVEL	1266 SF
UPPER BONUS	237 SF
Grand total	1502 SF

UNCONDITIONED SPACE

GARAGE	777 SF
MECH. / LAKE STORAGE	242 SF
FRONT PORCH	105 SF
REAR PORCH	170 SF
SCREEN PORCH	191 SF
Grand total	1484 SF

MAIN LEVEL FLOOR PLAN

1/4" = 1'-0"



PRELIMINARY - NOT FOR CONSTRUCTION

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PROJECT TEAM

ARCHITECT

SHARRATT DESIGN & COMPANY
464 SECOND STREET SUITE 100
EXCELSIOR MN 55331
CONTACT: MIKE SHARRATT (952-470-9750)

STRUCTURAL ENGINEER

T.B.D.

GENERAL CONTRACTOR

T.B.D.

ISSUED FOR

ISSUE DATE	CHECK	MEETING SET	PROGRESS SET	STRUCTURAL COORD.	BID SET	PERMIT SET	REVISION	ADDENDUM	CLIP. SET	CONSTRUCTION SET
10 / 08 / 18		X								
10 / 11 / 18		X								
10 / 16 / 18		X								
10 / 19 / 18			X							
10 / 22 / 18									X	

PROPOSED CONSTRUCTION OF THE:

WOLD HOME

4980 MEADVILLE ST
GREENWOOD, MN

SHEET **A6** NUMBER

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STREET ELEVATION

1/4" = 1'-0"



NORTH ELEVATION

1/4" = 1'-0"



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A8	BUILDING SECTIONS

PROJECT TEAM

ARCHITECT

SHARRATT DESIGN & COMPANY
464 SECOND STREET SUITE 100
EXCELSIOR MN 55331
CONTACT: MIKE SHARRATT (952-470-9750)

STRUCTURAL ENGINEER

T.B.D.

GENERAL CONTRACTOR

T.B.D.

ISSUED FOR

ISSUE DATE	CHECK	MEETING SET	PROGRESS SET	STRUCTURAL COORD.	BID SET	PERMIT SET	REVISION	ADDENDUM	CLIP. SET	CONSTRUCTION SET
10 / 08 / 18		X								
10 / 11 / 18		X								
10 / 16 / 18		X								
10 / 19 / 18			X							
10 / 22 / 18									X	

PROPOSED CONSTRUCTION OF THE:

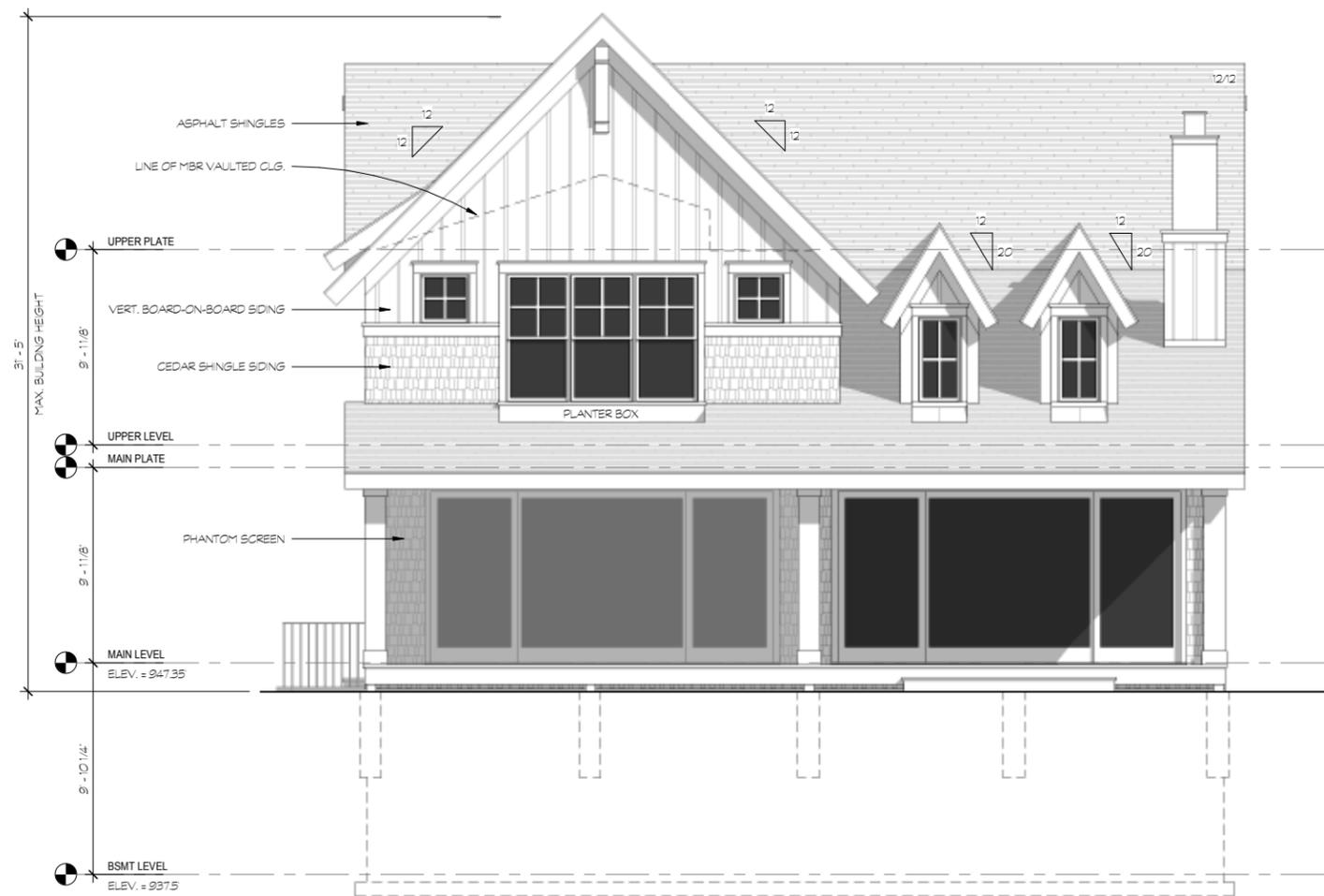
WOLD HOME

4980 MEADVILLE ST
GREENWOOD, MN

SHEET **A7** NUMBER

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LAKESIDE ELEVATION

1/4" = 1'-0"



SOUTH ELEVATION

1/4" = 1'-0"

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A7	EXTERIOR ELEVATIONS
A8	BUILDING SECTIONS

PROJECT TEAM

ARCHITECT

SHARRATT DESIGN & COMPANY
464 SECOND STREET SUITE 100
EXCELSIOR MN 55331
CONTACT: MIKE SHARRATT (952-470-9750)

STRUCTURAL ENGINEER

T.B.D.

GENERAL CONTRACTOR

T.B.D.

ISSUED FOR

ISSUE DATE	CHECK	MEETING SET	PROGRESS SET	STRUCTURAL COORD.	BID SET	PERMIT SET	REVISION	ADDENDUM	CLIP SET	CONSTRUCTION SET
10 / 08 / 18		X								
10 / 11 / 18		X								
10 / 16 / 18		X								
10 / 19 / 18			X							
10 / 22 / 18									X	

PROPOSED CONSTRUCTION OF THE:

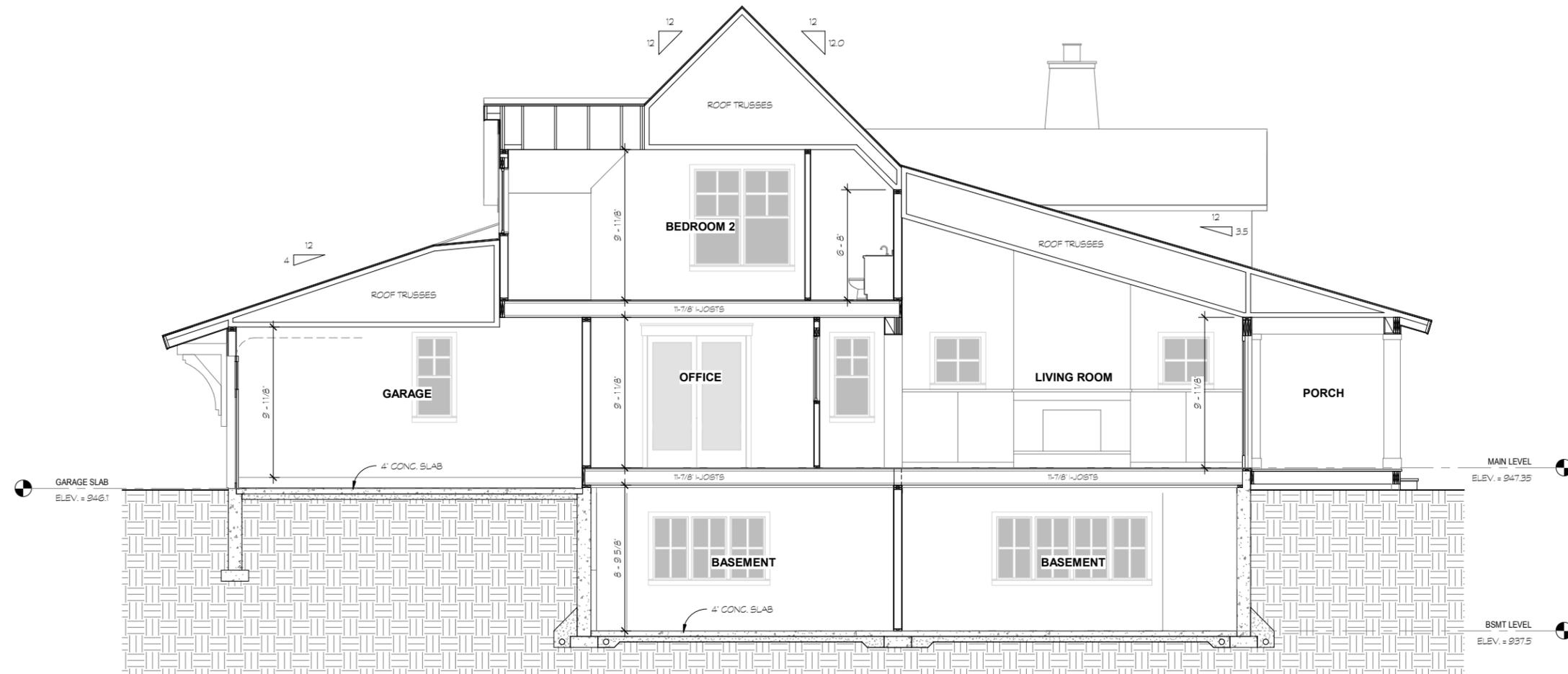
WOLD HOME

4980 MEADVILLE ST
GREENWOOD, MN

SHEET **A8** NUMBER

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PRELIMINARY - NOT FOR CONSTRUCTION



1 BUILDING SECTION 1
A8 1/4" = 1'-0"



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	10 / 22 / 18
Date application complete (office use only)	
Property address	4980 Meadville Street, Greenwood, MN 55331
Property identification number (PID)	2611723240020
Property owner's current mailing address	5935 Sweetwater Circle, Shorewood, MN 55331
Names of all property owners	Diane Wold
Cell phone and email of property owner(s)	612-889-6238 / diane.wold@gmail.com
Name of builder / architect (if any)	Mike Sharratt
Company name of builder / architect	Sharratt Design & Company
Cell phone and email of builder / architect	612-518-9008 / msharratt@sharrattdesign.com
Company address	464 Second Street, Suite 100, Excelsior, MN 55331
Present use of property	Private residence
Property acreage	13,364 SF
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 checked="" type="checkbox"/> Replace <input type="checkbox"/> Other:
The CUP is being requested to (e.g. install a swimming pool)	The CUP request to exceed 3' of cut or fill in 3 areas. (1) Cut at 2 basement egress window areas. (2) Cut at a basement exterior stair access for primarily lake storage and safety. (3) Fill toward the lake yard "divot" existing for direct access to the basement. This depression was cut through the existing higher grades on both sides, making it appear obviously foreign to what was the original & natural grades.

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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: The proposed use is identical to the previous use as a single-family dwelling.
Is the proposed use one of the conditional uses permitted for the district in which it is to be located?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: A single-family dwelling is not a conditional use in the current R-1 zoning.
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: The proposed use as a single-family dwelling is totally typical to the neighborhood, and thus, to the city.
Will the proposed use be harmonious with the objectives of the comp plan?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: The proposed use is completely harmonious with comp plan.
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: A single-family dwelling will not be hazardous or disturbing.

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: The home will require adequate public facilities and services as listed.
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: The requirements of the proposed use will not be excessive, detrimental, or out of the ordinary.
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: The use will not involve these issues or the consequences listed. Noise during construction will be customary to what is necessary for new construction.
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: The single-family dwelling will not change any issues related to pre-existing conditions.
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: This project proposes to repair to a natural state (long ago) lakeside grading that today, would not be allowed.
Will the proposed use unreasonably depreciate surrounding property values?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: If any outcome is likely, it is one of increased value to the housing stock improvement to the neighborhood's aesthetics, and contributory to the tax base.

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 with in 10 business days of application. I am the authorized person to make this application and the fee owner has also signed this application.

Signature: MICHAEL SHARRATS Date: 10/22/2018

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: Diane Wald Date: 10/22/18

Note: If the property owner is different than the applicant, signatures from the 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 \$
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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)	Diane Wold
Property Address	4980 Meadville Street, Greenwood, MN 55331

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	10 / 22 / 18
Property Owner's Mailing Address	5935 Sweetwater Circle, Shorewood, MN 55331
Property Owner's Phone Number	612-889-6238
Property Owner's Email	diane.wold@gmail.com
Contractor or Builder / Architect Name	Mike Sharratt
Contractor or Builder / Architect Address	646 Second Street, Suite 100, Exclesior, MN 55331
Contractor or Builder / Architect Phone	612-518-9008
Contractor or Builder / Architect Email	msharratt@sharrattdesign.com

SECTION 2

Total surface area to be moved, disturbed, cut, or filled (square feet)	10,368 SF
Total volume of soil or earth to be moved, disturbed, cut, or filled (cubic feet)	Cut: 6204 CF / Fill: 6076 CF Net difference: 128 CF
Estimated start date	After C.U.P. approval (mid-December 2018)

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)

The proposal will involve grading involving a 200+ sq ft area, and 7 cubic yards of material (conditional use permit 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: 10/23/2018
Print Name	MICHAEL SHARRATT	

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 07-03-17

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)	Diane Wold
Property Address	4980 Meadville Street, Greenwood, MN 55331

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.

(CALC OF VOLUME ALLOWED = 65,456 C.F.)

The "above grade building volume" calculation for the property is:	62,700 CF
---	------------------

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	<i>Diane Wold</i> <i>Michael Sharratt</i>	Date:	<i>10/22/2018</i>
Print Name	DIANE WOLD MICHAEL SHARRATT		

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

Dale Cooney

From: Bob Bean <Robert.Bean@bolton-menk.com>
Sent: Tuesday, November 06, 2018 2:14 PM
To: Dale Cooney
Subject: RE: 4980 Meadville

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 from the west half of the lot will continue to drain directly to Lake Minnetonka. Runoff from the east half will continue to drain to Meadville Street. Swales are proposed along the side property lines to ensure runoff is not directed toward adjacent structures.
2. The swales along side property lines should be reviewed in the field by the City prior to restoration to ensure runoff is adequately routed away from adjacent structures.
3. Work in public right-of-way should be coordinated with the City. Contractor must provide City with 48 hour notice prior to any work in right-of-way.
4. The existing gravel driveway should be completely removed within public right-of-way. Any green area disturbed in the right-of-way should be restored with sod.
5. Perimeter erosion control measures should be installed by the Contractor and inspected by the City prior to any other work, including demolition. Contractor must provide minimum 24 hour notice prior to inspection.
6. Proposed improvements will result in an increase of 200 square feet or more of new impervious surface, and Meadville Street and the adjacent neighborhood experiences drainage issues during rainfall and snowmelt events. Therefore, permanent stormwater management practices should be installed for the new impervious draining to Meadville Street to meet City requirements. Practices must have capacity to retain a minimum volume equivalent to 2" times the net increase in impervious surface or restrict the proposed peak runoff rate for the 2" – 60 minute event to existing conditions.
7. Construction of any stormwater management facilities should be observed by a City representative to ensure system is installed as proposed.
8. A record drawing of any stormwater management improvements installed should be submitted upon completion to confirm facility was constructed per plan.
9. The applicant should be required to submit a Maintenance Agreement for any stormwater management facilities installed. The agreement should define maintenance responsibilities following completion of project, specify types and frequencies of inspection and maintenance activities, designate who will conduct inspection and maintenance activities, and outline reporting requirements.
10. Contractor must exercise care during construction to not block traffic on Meadville Street. Clear drive lanes must be maintained at all times.
11. 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

LEGAL DESCRIPTION:

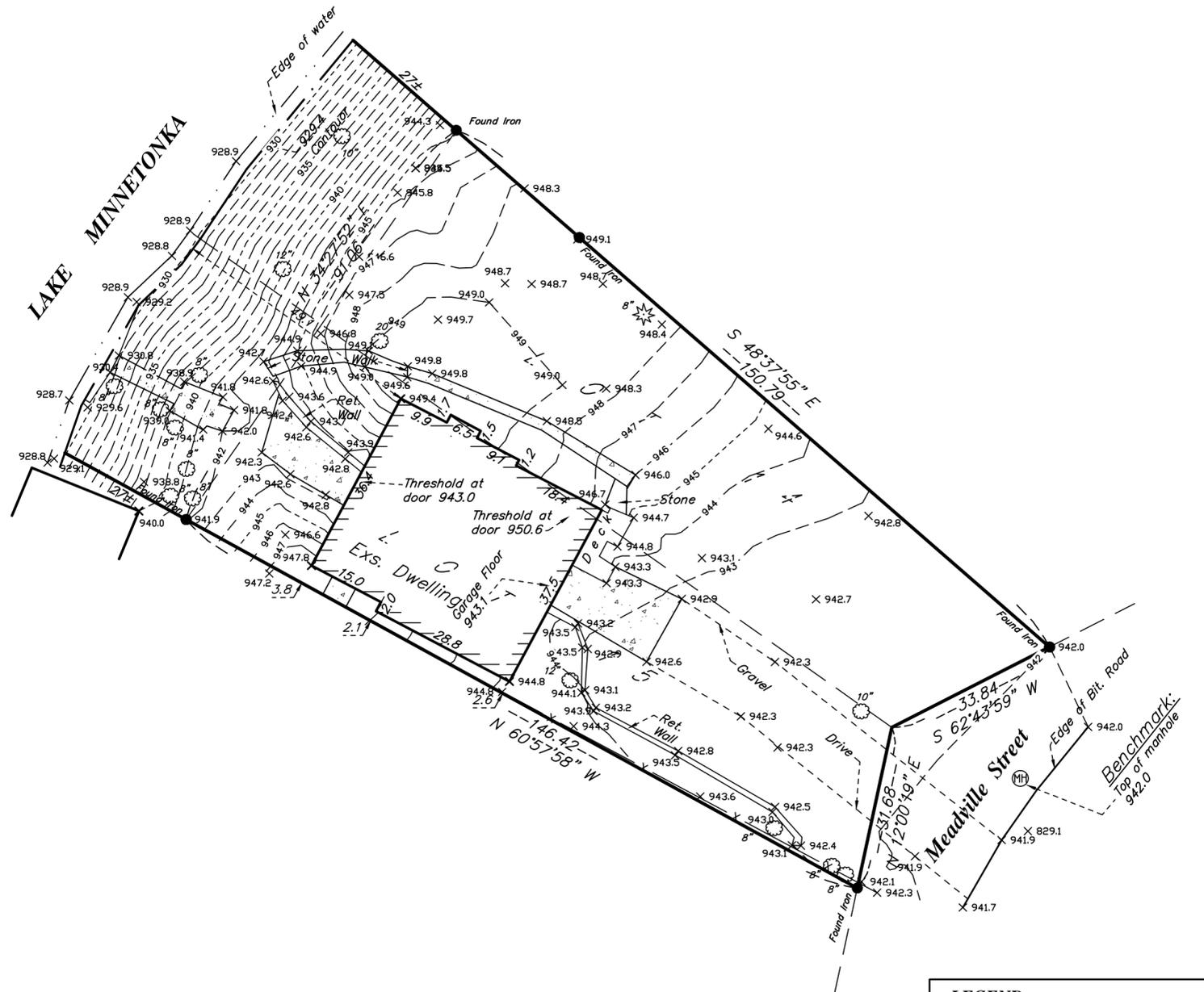
Lots 14 and 15, MEADVILLE PARK, Hennepin County, Minnesota.

SCOPE OF WORK & LIMITATIONS:

1. Showing the length and direction of boundary lines of the legal description listed above. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct and that any matters of record, such as easements, that you wish to be included on the survey have been shown.
2. Showing the location of observed existing improvements we deem necessary for the survey.
3. Setting survey markers or verifying existing survey markers to establish the corners of the property.
4. Showing and tabulating impervious surface coverage of the lot for your review and for the review of such governmental agencies that may have jurisdiction over these requirements to verify they are correctly shown before proceeding with construction.
5. Showing elevations on the site at selected locations to give some indication of the topography of the site. We have also provided a benchmark for your use in determining elevations for construction on this site. The elevations shown relate only to the benchmark provided on this survey. Use that benchmark and check at least one other feature shown on the survey when determining other elevations for use on this site or before beginning construction.
6. This survey has been completed without the benefit of a current title commitment. There may be existing easements or other encumbrances that would be revealed by a current title commitment. Therefore, this survey does not purport to show any easements or encumbrances other than the ones shown hereon.
7. Note that all building dimensions and building tie dimensions to the property lines, are taken from the siding and or stucco of the building.

STANDARD SYMBOLS & CONVENTIONS:

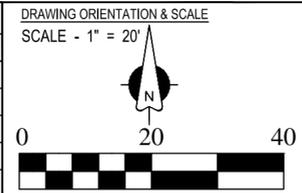
"●" Denotes iron survey marker, set, unless otherwise noted.



EXISTING HARDCOVER	
House	1,650 Sq. Ft.
Existing Decks	99 Sq. Ft.
Gravel Driveway	646 Sq. Ft.
Concrete Surfaces	661 Sq. Ft.
Stone Areas	95 Sq. Ft.
Ret. Walls	103 Sq. Ft.
TOTAL EXISTING HARDCOVER	3,254 Sq. Ft.
AREA OF LOT TO OHW	13,364 Sq. Ft.
PERCENTAGE OF HARDCOVER TO LOT	24.3%

LEGEND	
	= CATCH BASIN
	= FIRE HYDRANT
	= POWER POLE
	= MANHOLE
	= TELEPHONE PED.
	= ELEC. TRANSFORMER
	= WELL
	= GATE VALVE
	= LIGHT POLE
	= TREE
	= FENCE LINE
	= SANITARY SEWER LINE
	= WATER LINE
	= GAS LINE
	= STORM DRAIN LINE
	= OVERHEAD UTILITY LINE
	= CONCRETE SURFACE

DATE	REVISION DESCRIPTION



CLIENT NAME / JOB ADDRESS

DIANE WOLD

4980 MEADVILLE STREET
GREENWOOD, MN

Advance
Surveying & Engineering, Co.

17917 Highway 7
Minnetonka, Minnesota 55345
Phone (952) 474-7964
Web: www.advsur.com

I HEREBY CERTIFY THAT THIS PLAN, SURVEY OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Thomas M. Bloom
42379
LICENSE NO.
SEPTEMBER 6, 2018
DATE

DATE SURVEYED: SEPTEMBER 5, 2018

DATE DRAFTED: SEPTEMBER 6, 2018

SHEET TITLE
EXISTING CONDITIONS SURVEY

DRAWING NUMBER
181028 TB

SHEET SIZE 17 X 22

SHEET NO.
S1

SHEET 1 OF 1

LEGAL DESCRIPTION:

Lots 14 and 15, MEADVILLE PARK, Hennepin County, Minnesota.

SCOPE OF WORK & LIMITATIONS:

- Showing the length and direction of boundary lines of the legal description listed above. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct and that any matters of record, such as easements, that you wish to be included on the survey have been shown.
- Showing the location of observed existing improvements we deem necessary for the survey.
- Setting survey markers or verifying existing survey markers to establish the corners of the property.
- Showing and tabulating impervious surface coverage of the lot for your review and for the review of such governmental agencies that may have jurisdiction over these requirements to verify they are correctly shown before proceeding with construction.
- Showing elevations on the site at selected locations to give some indication of the topography of the site. We have also provided a benchmark for your use in determining elevations for construction on this site. The elevations shown relate only to the benchmark provided on this survey. Use that benchmark and check at least one other feature shown on the survey when determining other elevations for use on this site or before beginning construction.
- This survey has been completed without the benefit of a current title commitment. There may be existing easements or other encumbrances that would be revealed by a current title commitment. Therefore, this survey does not purport to show any easements or encumbrances other than the ones shown hereon.
- Note that all building dimensions and building tie dimensions to the property lines, are taken from the siding and or stucco of the building.
- While we show a proposed location for this home or addition, we are not as familiar with your proposed plans as you, your architect, or the builder are. Review our proposed location of the improvements and proposed yard grades carefully to verify that they match your plans before construction begins. Also, we are not as familiar with local codes and minimum requirements as the local building and zoning officials in this community are. Be sure to show this survey to said officials, or any other officials that may have jurisdiction over the proposed improvements and obtain their approvals before beginning construction or planning improvements to the property.
- While we show the building setback lines per the City of Greenwood web site, we suggest you show this survey to the appropriate city officials to be sure that the setback lines are shown correctly. Do this BEFORE you use this survey to design anything for this site.

STANDARD SYMBOLS & CONVENTIONS:

"●" Denotes iron survey marker, set, unless otherwise noted.

GRADING & EROSION CONTROL NOTES:

BEFORE DEMOLITION AND GRADING BEGIN

- Install silt fence/bio roll around the perimeter of the construction area.
- Sediment control measures must remain in place until final stabilization has been established and then shall be removed. Sediment controls may be removed to accommodate short term construction activity but must be replaced before the next rain.
- A temporary rock construction entrance shall be established at each access point to the site and a 6 inch layer of 1 to 2 inch rock extending at least 50 feet from the street into the site and shall be underlain with permeable geotextile fabric. The entrance shall be maintained during construction by top dressing or washing to prevent tracking or flow of sediments onto public streets, walks or alleys. Potential entrances that are not so protected shall be closed by fencing to prevent unprotected exit from the site.
- Contractor shall install inlet protection on all existing storm sewer inlets in accordance with the city standard details. Inlet protection shall also be provided on all proposed storm sewer inlets immediately following construction of the inlet. Inlet protection must be installed in a manner that will not impound water for extended periods of time or in a manner that presents a hazard to vehicular or pedestrian traffic.

DURING CONSTRUCTION:

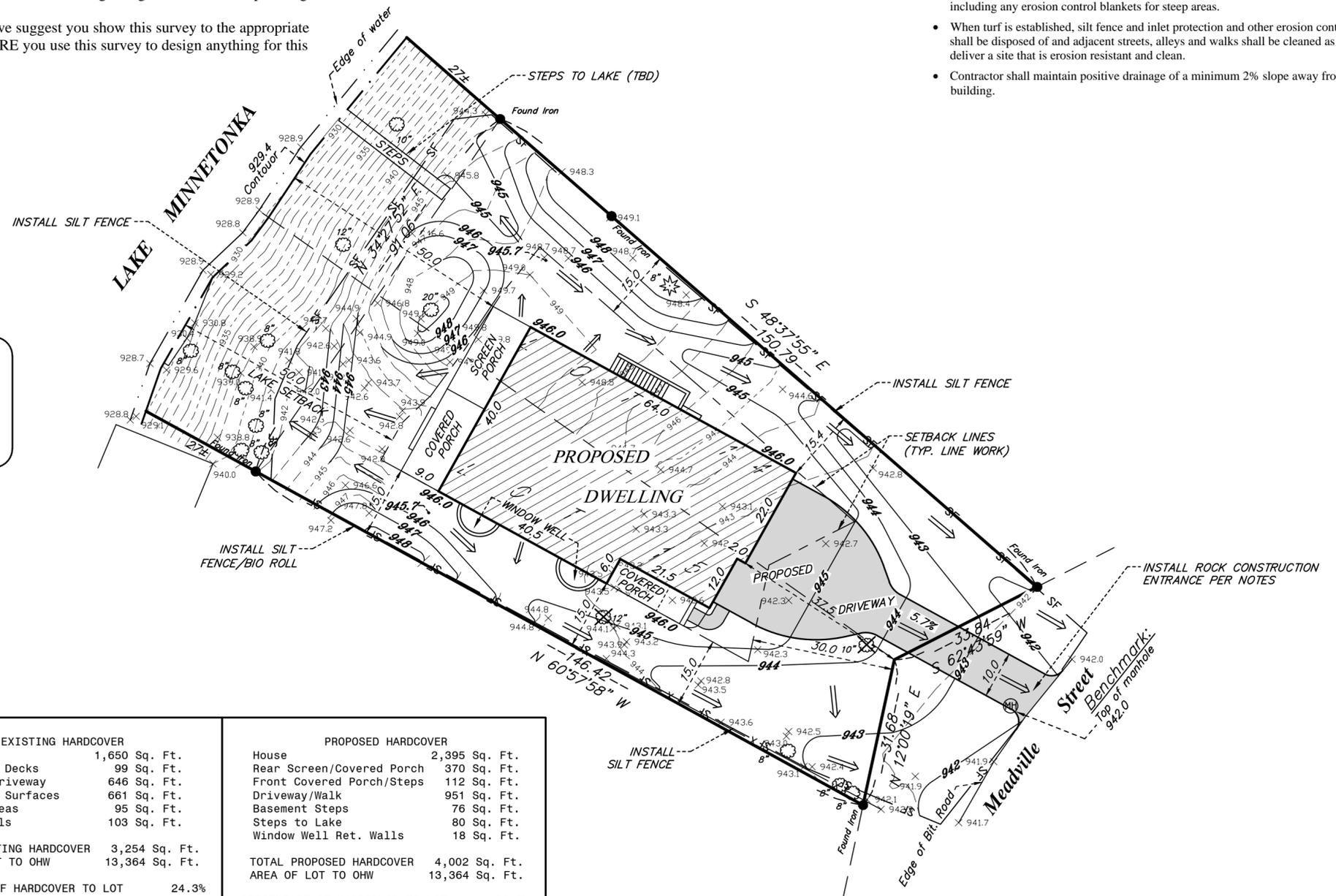
- When dirt stockpiles have been created, a double row of silt fence shall be placed to prevent escape of sediment laden runoff and if the piles or other disturbed areas are to remain in place for more than 14 days, they shall be seeded with Minnesota Department of Transportation Seed Mixture 22-111 at 100 lb/acre followed by covering with spray mulch.
- A dumpster shall be placed on the site for prompt disposal of construction debris. These dumpsters shall be serviced regularly to prevent overflowing and blowing onto adjacent properties. Disposal of solid wastes from the site shall in accordance with Minnesota Pollution Control Agency requirements.
- A separate container shall be placed for disposal of hazardous waste. Hazardous wastes shall be disposed of in accordance with MPCA requirements.

- Concrete truck washout shall be in the plastic lined ditch and dispose of washings as solid waste.
- Sediment control devices shall be regularly inspected and after major rainfall events and shall be cleaned and repaired as necessary to provide downstream protection.
- Streets and other public ways shall be inspected daily and if litter or soils has been deposited it shall promptly be removed.
- If necessary, vehicles, that have mud on their wheels, shall be cleaned before exiting the site in the rock entrance areas.
- Moisture shall be applied to disturbed areas to control dust as needed.
- Portable toilet facilities shall be placed on site for use by workers and shall be properly maintained.
- If it becomes necessary to pump the excavation during construction, pump discharge shall be into the stockpile areas so that the double silt fence around these areas can filter the water before it leaves the site.
- Temporary erosion control shall be installed no later than 14 days after the site is first disturbed and shall consist of broadcast seeding with Minnesota Department of Transportation Seed Mixture 22-111 at 100 lb/acre followed by covering with spray mulch.
- Erosion control measures shown on the erosion control plan are the absolute minimum. The contractor shall install temporary earth dikes, sediment traps or basins and additional silt fencing as deemed necessary to control erosion.

SITE WORK COMPLETION:

- When final grading has been completed but before placement of seed or sod an "as built" survey shall be done per City of Greenwood requirements to insure that grading was properly done.
- When any remedial grading has been completed, sod or seeding shall be completed including any erosion control blankets for steep areas.
- When turf is established, silt fence and inlet protection and other erosion control devices shall be disposed of and adjacent streets, alleys and walks shall be cleaned as needed to deliver a site that is erosion resistant and clean.
- Contractor shall maintain positive drainage of a minimum 2% slope away from proposed building.

PROPOSED ELEVATIONS	
FIRST FLOOR (SUB-FLOOR)	= 947.35
TOP OF FOUNDATION (GARAGE)	= 946.14
TOP OF FOUNDATION (REAR)	= 947.12
BASEMENT FLOOR	= 937.50
GARAGE FLOOR	= 946.10



LEGEND	
EXISTING CONTOUR	--- 935 ---
EXISTING SPOT ELEVATION	X 935.5
PROPOSED CONTOUR	— 935 —
PROPOSED SPOT ELEVATION	935.5 ↗
DRAINAGE ARROW - FLOW	⇒
SILT FENCE	— SF —
TREE REMOVAL	⊗

EXISTING HARDCOVER		PROPOSED HARDCOVER	
House	1,650 Sq. Ft.	House	2,395 Sq. Ft.
Existing Decks	99 Sq. Ft.	Rear Screen/Covered Porch	370 Sq. Ft.
Gravel Driveway	646 Sq. Ft.	Front Covered Porch/Steps	112 Sq. Ft.
Concrete Surfaces	661 Sq. Ft.	Driveway/Walk	951 Sq. Ft.
Stone Areas	95 Sq. Ft.	Basement Steps	76 Sq. Ft.
Ret. Walls	103 Sq. Ft.	Steps to Lake	80 Sq. Ft.
		Window Well Ret. Walls	18 Sq. Ft.
TOTAL EXISTING HARDCOVER	3,254 Sq. Ft.	TOTAL PROPOSED HARDCOVER	4,002 Sq. Ft.
AREA OF LOT TO OHW	13,364 Sq. Ft.	AREA OF LOT TO OHW	13,364 Sq. Ft.
PERCENTAGE OF HARDCOVER TO LOT	24.3%	PERCENTAGE OF HARDCOVER TO LOT	29.9%

DATE	REVISION DESCRIPTION	DRAWING ORIENTATION & SCALE	CLIENT NAME / JOB ADDRESS	<p>17917 Highway 7 Minnetonka, Minnesota 55345 Phone (952) 474-7964 Web: www.advsur.com</p>	<p>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 PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.</p> <p>Joseph S. Rinke # 52716 LICENSE NO. OCTOBER 22, 2018 DATE</p>	DATE SURVEYED:	SHEET TITLE	SHEET SIZE 17 X 22
10-23-18	PROPOSED GRADES PER CLIENT	SCALE - 1" = 20'	DIANE WOLD 4980 MEADVILLE STREET GREENWOOD, MN			SEPTEMBER 5, 2018	PROPOSED SURVEY	
11-7-18	UPDATED TREE REMOVAL & PROP. GRADING					DATE DRAFTED:	DRAWING NUMBER	S1
					OCTOBER 22, 2018	181305 JR		

November 5, 2018

**Dale Cooney – Zoning Administrator
City of Greenwood
20225 Cottagewood Road
Deephaven, MN 55331**

cc: Diane Wold

Subject: Request for grading variance 4980 Meadville Street

Hello Dale.

Val and I have reviewed Diane Wold's plans for her new house and the proposed topography alterations.

These changes seem logical given the lakeside "hole" she plans to fill. And there doesn't appear to be any drainage issues toward the lake or the adjacent neighbors that could result.

Thank you.

A handwritten signature in cursive script, appearing to read "Keith & Val Stuessi".

**Keith and Val Stuessi
5000 Meadville Street
612-386-5597**

RESOLUTION NO 38-18

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

APPROVING

In Re: Application of Diane Wold for the property at 4980 Meadville Street for a conditional use permit under Greenwood ordinance code section 1140.19(2) and 1150.20 to permit grading or site / lot topography alterations involving 10,368 square feet of surface area and 12,280 cubic yards of volume.

WHEREAS, Applicants Diane Wold (hereinafter 'Applicant') is the owner of property commonly known as 4980 Meadville Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-24-0020) being real property located in Hennepin County, Minnesota and legally described as follows:

Lots 14 and 15, MEADVILLE PARK, Hennepin County, Minnesota

; and

WHEREAS, the applicant proposes to regrade the property in conjunction with the construction of a new house on the property; 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 November 14, 2018; 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 4980 Meadville Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-24-0020) is a single-family lot of record located within the R-1 district.
2. The applicant is proposing to alter site/lot topography impacting 10,368 square feet of surface area and 12,280 cubic yards of 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. 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.
4. 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 5-0 vote recommended approval because the proposed CUP request complies with the CUP standards in Greenwood ordinance section 1150.20, Subd 1.

The approval is subject to the following conditions:

- (a) The applicants complete the stormwater management improvements to meet the requirements and specifications of Section 1140.17 of the city code and the city engineer.
- (b) The applicants enter into a maintenance agreement with the city to ensure the long-term operation and maintenance of the stormwater management improvements. The maintenance agreement shall be executed and recorded against the parcel.

- 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, subject to the conditions noted in the above findings of fact.

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), and 1150.20 necessary for the granting of a CUP.
- 2. The granting of the CUP is subject to the following conditions:
 - (a) The applicants complete the stormwater management improvements to meet the requirements and specifications of Section 1140.17 of the city code and the city engineer.
 - (b) The applicants enter into a maintenance agreement with the city to ensure the long-term operation and maintenance of the stormwater management improvements. The maintenance agreement shall be executed and recorded against the parcel.

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 10,368 square feet of surface area and 12,280 cubic yards of volume for the property at 4980 Meadville Street , subject to the following conditions:

- (a) The applicants complete the stormwater management improvements to meet the requirements and specifications of Section 1140.17 of the city code and the city engineer.
- (b) The applicants enter into a maintenance agreement with the city to ensure the long-term operation and maintenance of the stormwater management improvements. The maintenance agreement shall be executed and recorded against the parcel.

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 Young, City Clerk



Agenda Number: **7C**

Agenda Date: **12-05-18**

Prepared by Dale Cooney

Agenda Item: Consider: Res 39-18, Findings for simple subdivision request, Kyle Hunt & Partners, 5135 and 5125 Weeks Road.

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 11-01-18. The planning commission held a public hearing at their 11-14-18, 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** incorporate city code section 600.07 simple subdivision criteria as well as any conditions in the motion.

Planning Commission Action: Motion by Steingas to recommend approval of the request based on the recommendation and findings of staff. Motion was seconded by Barta. The motion was not subject to any conditions. Motion carried 5-0.

Key Dates:

Application complete:	October 22, 2018
Notice of Public Hearing published:	November 1, 2018
Planning Commission Public Hearing:	November 14, 2018
City Council Decision:	December 5, 2018
60-Day Deadline:	December 21, 2018
120-Day Deadline:	February 19, 2019

Council Action: The city council must take action by 12-21-18 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 39-18 laying out the findings of fact **APPROVING** the simple subdivision request of Kyle Hunt & Partners for the properties at 5135 and 5125 Weeks Road, 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 simple subdivision request of Kyle Hunt & Partners for the properties at 5135 and 5125 Weeks Road, to be considered at the January 2, 2018 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 variance 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 Kyle Hunt & Partners, 5135 and 5125 Weeks Road, 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 statute 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 Item: Public Hearing to consider the simple subdivision request of Kyle Hunt & Partners, consultant for the property owners, to reconfigure the property lines for the properties at 5135 and 5125 Weeks Road.

Summary: Kyle Hunt & Partners is working with the property owners to reconfigure the property lines for the properties at 5135 and 5125 Weeks Road. The city previously reviewed these properties with a subdivision request intended to redraw the property lines between 5135, 5125, and 5115 Weeks Road. That request was never finalized by the property owners and the time limit on that request has expired.

Under the revised proposal, instead of three lots, only two lots would remain. The Packards, property owners at 5125 Weeks Road, have purchased 5115 Weeks Road (formerly the Reeder property) and have submitted a lot combination application to Hennepin County. The property owners at 5135 and 5125 would like to redraw the lot lines of the remaining two properties.

Subdivisions are regulated by Chapter 6 of the city code and, under certain circumstances, lot lines may be reconfigured under the Simple Subdivision process of Section 600.07.

Simple Subdivision:

To utilize the simple subdivision process, the properties must meet the following requirements:

- The size of the newly-created lots conform to the minimum requirements of the zoning ordinance;
- Each lot abuts upon a public street open for travel or upon an existing easement or a private street access that is determined by the city council as providing satisfactory ingress and egress;
- The subdivision will not lend itself to future subdivision for the creation of additional properties within the applicable zone;
- If a smaller piece has been severed for accretion onto a neighboring parcel, the severed portion shall not cause the hardcover to exceed the maximum allowed on the property to which it is accreted;
- The remainder lot (after a smaller piece is accreted onto a neighboring parcel) shall be zoning code and shoreland management district code compliant in matters of location of accessory structures, hard cover maximums, and sideyard setbacks relative to both principal and accessory structures; and
- The city may impose such additional conditions as it deems necessary and appropriate for public safety, health, and welfare, including requiring the applicant to enter into an encroachment agreement, easement agreement, or developer's agreement with the city, in form meeting the approval of the city attorney.

Once the lot lines are reconfigured, the properties will have the following characteristics:

	Lot Area (sf)	Lake Frontage	Lot Depth	Impervious Surface Area	Front Setback	Side Setbacks	Lake Setback
Required	15,000	75	150	30%	30	15'	50'
5135	52,554	210	340	23.6%	>30	9.9'(W)* / 94.8'(E)	75.8'
5125	47,092	153	523	18.8%	>30	51'(W) / 10.2* (E)	52.4'

**Existing legal nonconformity not impacted by subdivision.*

As proposed, the lot line reconfiguration benefits the city in a couple of ways:

- Nonconformities along the west property line at 5125 Weeks Road would be eliminated. Other existing nonconformities for the property would not be impacted by the lot line reconfiguration.
- The overall impervious areas for the properties are reduced from previously existing conditions.

Based on the updated zoning code that requires a minimum of 75 linear feet of lakeshore frontage (rather than a lot width requirement), the current configuration at 5135 Weeks Road could potentially be subdivided into three lots, while 5125 Weeks Road could not be subdivided. As proposed, 5135 Weeks Road would be limited to two potential lots, and 5125 Weeks could also potentially be two lots. It is counter to the simple subdivision requirements to reconfigure a property in

order to create a newly subdividable property. In the case of 5125 Weeks, a property that was not previously subdividable could now potentially be two lots. Staff understands that this was not the intent of the application and the request was submitted based on the previous iteration of the code requiring 75 feet at the building setback line. To meet the requirements of the updated code, the 5125 Weeks Road would need to be slightly modified to have less than 150 feet of lake frontage.

Review Process:

The standard zoning review process would apply in the case of a Simple Subdivision which includes a public hearing in front of the planning commission. The definition of “subdivision” in the state land planning act excludes common boundary lot line adjustments. For that reason, staff would recommend adherence to the 60-day rule in considering a Simple Subdivision application.

Staff Recommendation: Staff recommends **conditional approval** of the Simple Subdivision for 5135 and 5125 Weeks Road since the proposal conforms with the standards of Section 600.70 and the lot requirements of Sections 1120.10. Additionally, no nonconformities will be created or expanded as a result of the lot line reconfiguration, and the city stands to benefit from the elimination of existing nonconformities for the properties.

The recommendation is conditioned that 5125 Weeks Road shoreline is reduced to 149 linear feet or less.

Current Lot Configuration at 5135, 5125, 5115 Weeks Road



Generic Application Form

(this form is not a permit or license)



Person completing form: Property Owner Business Manager Builder Other:

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

Use this form if a specific form does not exist for the permit or license desired.

Date form completed	10/19/18
Applicant (first name, full middle name, last name)	Kyle Howard Hunt
Property address	5135, 5115 & 5125 Weeks Road
Mailing address (if different than property address)	18324 Minnetonka Boulevard, Deephaven, 55391
Cell phone	612-369-2836
Email address	Kyle.hunt@kylehuntpartners.com
MN license number (if applicable)	BC-001967, RA-20381002

Type of permit / license desired: Subdivision of property

Please attach a narrative description or drawing to this application cover sheet.

The undersigned hereby makes this application for a the above listed permit / license and acknowledges the following:

- I certify information submitted on this form is true and correct to the best of my knowledge. I understand that giving false information on this application constitutes cause for the immediate revocation of any permit / license issued hereunder.
- I am familiar with the provisions of the applicable Greenwood ordinance(s) for this application agree to operate in accordance with the code book of ordinances of the city of Greenwood (available for viewing at city hall and at www.greenwoodmn.com), and with the laws of the state of Minnesota.

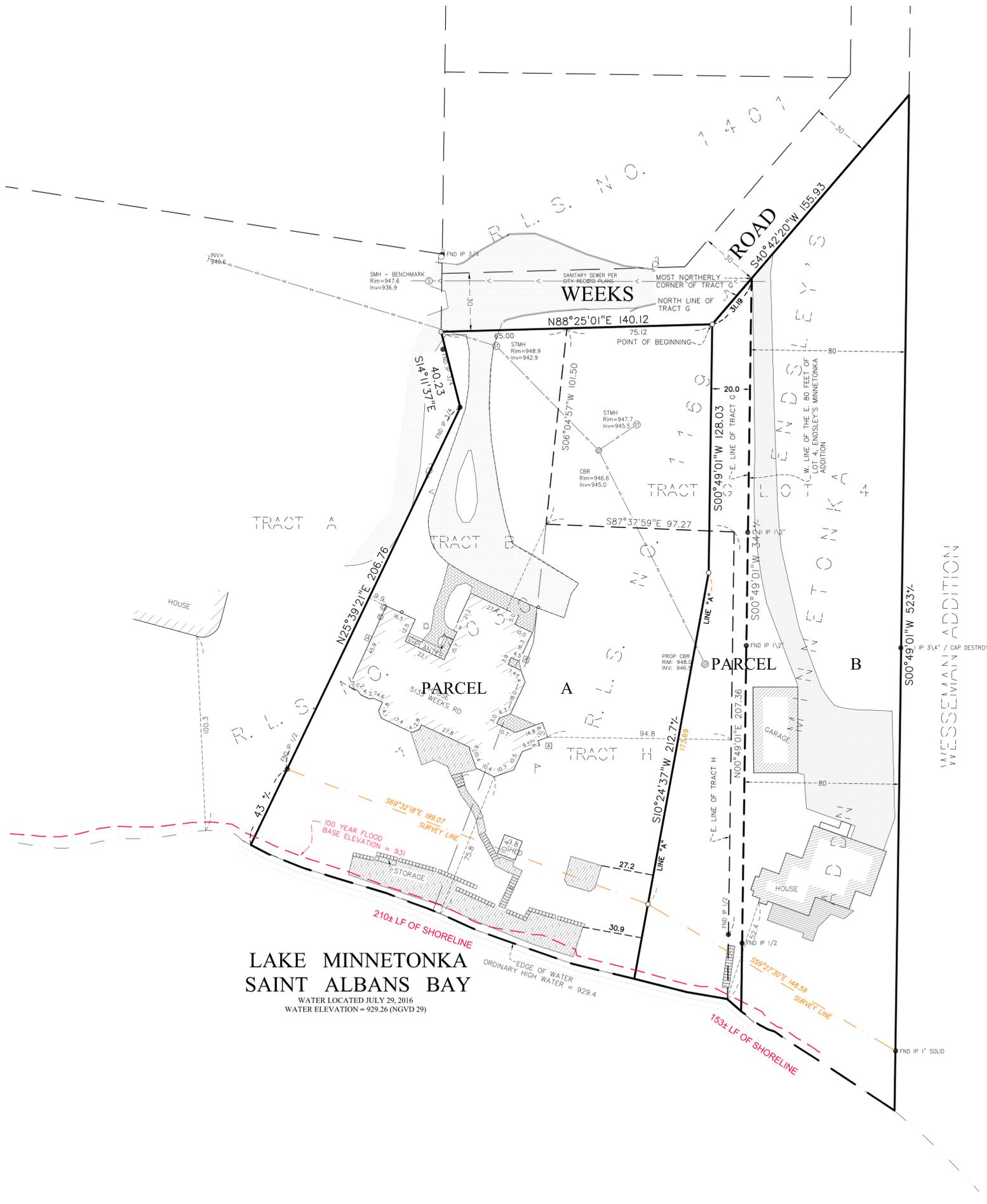
The permit / license fee is non-refundable and must be submitted at the time of application. Fees are listed in chapter 5, section 510 of the city code book available for viewing at city hall or at www.greenwoodmn.com.

Signature of applicant

Date: 10/22/18

For Office Use Only	Approved By:	Fee Paid: <input type="checkbox"/> Cash <input type="checkbox"/> Check	Amount \$	Approval Date:
----------------------------	--------------	--	-----------	----------------

Form Updated 06.02.15



**LAKE MINNETONKA
SAINT ALBANS BAY**
WATER LOCATED JULY 29, 2016
WATER ELEVATION = 929.26 (NGVD 29)

DESCRIPTION OF PROPERTY SURVEYED
5135 Weeks Road - Tract B, Registered Land Survey No. 1030, Hennepin County, Minnesota, and Tract H, Registered Land Survey No. 1169, Hennepin County, Minnesota.
5115 Weeks Road - Tract G, Registered Land Survey No. 1169, Hennepin County, Minnesota.
5125 Weeks Road - East 80 feet of Lot 4, ENDSLEY'S MINNETONKA ADDITION, according to the recorded plat thereof on file or of record in Hennepin County, Minnesota.

GENERAL NOTES

- Site Address:** 5135, 5115, and 5125 Weeks Road, Greenwood, MN 55331
- Flood Zone Information:** This property appears to lie in Zone X (area determined to be outside the 0.2% annual chance floodplain) and Zone AE (Special flood hazard area subject to inundation by the 1% annual chance flood, base flood elevation determined to be 931) per Flood Insurance Rate Map, Community Plan No. 270164 0316 E, effective date of September 2, 2004.
- Parcel Area Information:**

Gross Area 5135 Weeks:	51,234 s.f.	~ 1.176 acres	area above OHWL
Gross Area 5115 Weeks:	12,385 s.f.	~ 0.284 acres	area above OHWL
Gross Area 5125 Weeks:	36,027 s.f.	~ 0.827 acres	area above OHWL
- Benchmark:** Elevations are based on the sanitary manhole north of the northwest corner of subject property which has an elevation of 947.65 feet (NGVD29).
- Zoning Information:** The current Zoning for the subject property is R-1A (Single Family) per the City of Greenwood's zoning map dated January 2014. The setback, height, and floor space area restrictions for said zoning designation were obtained from the City of Greenwood found on their web site on the date of August 4, 2016 and are as follows:
Principal Structure Setbacks - Front: 30 feet; Side: 15 feet; Lake: 50 feet (From Ordinary High Water Line)
 Building Height: 28 feet; Structure Height: 42 feet; Hardcover: 30%
Primary Accessory Structure Setbacks - Front: 100 feet; Side: 10 feet; Rear: 50 feet (Lake Side- From Ordinary High Water Line)
 Building Height: 15 feet

Please note that the general restrictions for the subject property may have been amended through a city process. We could be unaware of such amendments if they are not in a recorded document provided to us. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site.

We have not received the current zoning classification and building setback requirements from the insurer.

- Utilities:** We have shown the location of utilities on the surveyed property by observed evidence only. There may be underground utilities encumbering the subject property we are unaware. Please note that we have not placed a Gopher State One Call for this survey. There may or may not be underground utilities in the mapped area, therefore extreme caution must be exercised before any excavation takes place on or near this site. Before digging, you are required by law to notify Gopher State One Call at least 48 hours in advance at 651/454-0002.

Proposed Legal Descriptions

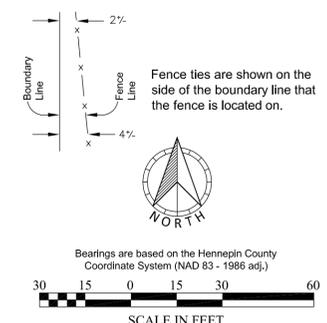
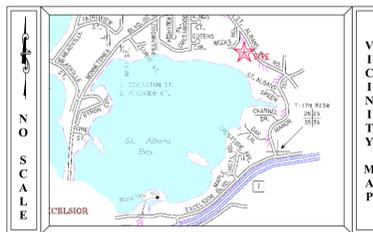
Parcel A: Tract B, Registered Land Survey No. 1030, Hennepin County, Minnesota, and that part of Tract G and Tract H, Registered Land Survey No. 1169, Hennepin County, Minnesota, lying west of a line described as commencing at the most northerly corner of said Tract G; thence on an assumed bearing South 40 degrees 42 minutes 20 seconds West along the north line of said Tract G distance of 31.19 feet to an angle point in said line and being the point of beginning of the line to be described; thence South 00 degrees 49 minutes 01 seconds West a distance of 128.03 feet; thence South 10 degrees 24 minutes 37 seconds West a distance of 212.7 feet, more or less, to the shoreline of Lake Minnetonka and there terminating.
 Area: 52,554 S.F. ~ 1.206 acres

Parcel B: That part of Tract G and Tract H, Registered Land Survey No. 1169, Hennepin County, Minnesota, lying east of a line described as commencing at the most northerly corner of said Tract G; thence on an assumed bearing South 40 degrees 42 minutes 20 seconds West along the north line of said Tract G distance of 31.19 feet to an angle point in said line and being the point of beginning of the line to be described; thence South 00 degrees 49 minutes 01 seconds West a distance of 128.03 feet; thence South 10 degrees 24 minutes 37 seconds West a distance of 212.7 feet, more or less, to the shoreline of Lake Minnetonka and there terminating.
 Together with the East 80 feet of Lot 4, ENDSLEY'S MINNETONKA ADDITION, according to the recorded plat thereof on file or of record in Hennepin County, Minnesota.
 Area: 47,092 S.F. ~ 1.081 acres

Existing Hardcover - 5135 Weeks Road	Existing Hardcover - 5125 Weeks Road	*Hardcover for 5125 Weeks Road are based on high resolution aerial image and is deemed approximate.
Lot Area = 51,234 S.F.	Lot Area = 36,027 S.F.	
House = 5,026 S.F.	House = 1,814 S.F.	
Shed = 102 S.F.	Stoop = 67 S.F.	
Deck/Wood Surface = 2,635 S.F.	Deck = 410 S.F.	
Paver Surface = 985 S.F.	Garage = 1,017 S.F.	
Bituminous Surface = 3,628 S.F.	Driveway = 5,552 S.F.	
Total Area = 12,376 S.F.	Total Area = 8,860 S.F.	
Coverage = 24.16%	Coverage = 24.59%	
Proposed Hardcover - 5135 Weeks Road	Proposed Hardcover - 5125 Weeks Road	
Lot Area = 52,554 S.F.	Lot Area = 47,092 S.F.	
House = 5,026 S.F.	House = 1,814 S.F.	
Shed = 102 S.F.	Stoop = 67 S.F.	
Deck/Wood Surface = 2,635 S.F.	Deck = 410 S.F.	
Paver Surface = 985 S.F.	Garage = 1,017 S.F.	
Bituminous Surface = 3,628 S.F.	Driveway = 5,552 S.F.	
Total Area = 12,376 S.F.	Total Area = 8,860 S.F.	
Coverage = 23.55%	Coverage = 18.81%	

I hereby certify that this survey, plan 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.
 Dated this 18th day of October, 2018.

David B. Pemberton, PLS
 pemberton@sathre.com
 Minnesota License No. 40344



SURVEY LEGEND

● CAST IRON MONUMENT	WBE WALKOUT ELEVATION	BITUMINOUS
⊞ CATCH BASIN	FFE FIRST FLOOR ELEVATION	--- BUILDING SETBACK LINE
◁ FLARED END SECTION	GFE GARAGE FLOOR ELEVATION	--- CABLE TV
⊞ GATE VALVE	TOP TOP OF FOUNDATION ELEV.	--- CONCRETE CURB
< GUY WIRE	LOE LOWEST OPENING ELEV.	--- CONCRETE
○ HYDRANT	□ CABLE TV PEDESTAL	--- CONTOUR EXISTING
○ SURVEY MONUMENT SET	⊞ ELECTRIC TRANSFORMER	--- CONTOUR PROPOSED
● SURVEY MONUMENT FOUND	⊞ ELECTRIC MANHOLE	--- GUARD RAIL
▲ SURVEY CONTROL POINT	⊞ ELECTRIC METER	--- DRAIN TILE
⊞ LIGHT POLE	⊞ GAS METER	--- ELC ELECTRIC UNDERGROUND
⊞ POWER POLE	⊞ GAS VALVE	--- FENCE
⊞ SANITARY MANHOLE	⊞ HAND HOLE	--- FO FIBER OPTIC UNDERGROUND
⊞ SANITARY CLEANOUT	⊞ SOIL BORING	--- GAS UNDERGROUND
--- SIGN	⊞ TREE CONIFEROUS	--- OHU OVERHEAD UTILITY
972.5 EXISTING GROUND ELEVATION	⊞ TELEPHONE MANHOLE	++++ RAILROAD TRACKS
(972.5) PROPOSED GROUND ELEVATION	⊞ TELEPHONE PEDESTAL	--- SANITARY SEWER
⊞ STORM DRAIN	--- TRAFFIC SIGNAL	--- STORM SEWER
⊞ STORM MANHOLE	⊞ UTILITY MANHOLE	--- TEL TELEPHONE UNDERGROUND
⊞ A/C UNIT	⊞ UTILITY PEDESTAL	--- UTL UTILITY UNDERGROUND
⊞ WELL		--- W WATERMAIN

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NO.	BY	DATE	REVISION
1	DBP	10/18/18	Lot Line Rearrangement - Areas - Hardcover
2	EMW	11/05/18	5125 Weeks Road Added

FIELD CREW	CL. AT. DM	DRAWN	CHECKED	DATE
		JJA	DBP	08/04/2016

Lot Line Exhibit
 Prepared for:
Patrick and Meredith Murphy
 on Behalf of:
Kyle Hunt and Partners, Inc

SATHRE-BERGQUIST, INC.
 150 SOUTH BROADWAY WAYZATA, MN. 55391 (652) 476-6000
 WWW.SATHRE.COM

ENGINEERS SURVEYORS PLANNERS DESIGNERS

TWP.117 - RGE.23 - SEC.26
 Project City: Greenwood
 Hennepin County
 FILE NO.: 4930-023

Sheet 1 of 1

KYLE HUNT & PARTNERS

I N C O R P O R A T E D

October 19, 2018

Narrative: Request to Subdivide 5115, 5125, 5135 Weeks Road

Ownership of Properties:

Address: 5135 Weeks Road

Former Owners: Richard & Bethany Reut

New Owners (as of 10/18/18): Patrick & Meredith Murphy

Email, Phone: Patrick.e.murphy@gmail.com, 480-203-7484

Address: 5125 Weeks Road

Owners: John and Karen Packard

Email, Phone: john.p.packard@culliganwater.com, 952-912-7363

Address: 5115 Weeks Road

Former Owners: Richard & Bethany Reut

New Owners (as of 10/18/18): John and Karen Packard

Email, Phone: ric.reut@gmail.com, 612-298-0892

EXPLANATION OF PACKARD – MURPHY SUBDIVISION

In contrast to the previous approved, but not recorded subdivision of the properties known as 5135 Weeks Rd and 5115 Weeks Rd, and the accretion of a portion of that subdivision to the property at 5125 Weeks Rd., the current owners of these properties, John and Karen Packard and Patrick and Meredith Murphy, wish to divide the properties differently.

John and Karen Packard have purchased the property at 5115 Weeks Rd and combined that with their existing property at 5125 Weeks Rd. Patrick and Meredith Murphy have purchased the property at 5135 Weeks Rd.

The prior configuration of the lots included a flag lot (5115) that has created issues with the lake usage that impinges on the Packard's use and enjoyment of their property. In addition, there are portions of the Packard property (5125) that are non-conforming.

Both parties wish to eliminate the flag lot configuration and to create a new boundary that will eliminate the side yard setback non-conformities on the western property line of 5125 by expanding the property line to the west. The new proposed lot line adjustment will eliminate one of the driveways (5115) along Weeks Rd and provide the 5135 property with more frontage along Weeks Rd.

The proposed lot line adjustment will provide the Packard property (5125) with approximately 59 additional feet of lake frontage. After the subdivision, the lake frontage will be split as 153' +/- for the

Packard property (5125) and 210' +/- for the Murphy property (5135) and allow both owners the full use and enjoyment of their properties, including appropriate lake access.

A great deal of thought and care has been invested by all three parties – The Reuts, Murphys, and Packards, in developing this idea. In our opinion, this configuration best maintains the spirit of the neighborhood, keeping consistent with the spacing of residences along this area of Weeks Road. This subdivision does not create any hardships or non-conformities by moving the property line. The moving of the property line enhances the Owners' quiet enjoyment of their properties.

We appreciate the consideration of the City and we ask for your support of your Greenwood citizens in voting to approve the proposed subdivision of 5115, 5125, and 5135 as presented.

November 8, 2018

John and Karen Packard

5125 Weeks Road

Greenwood, MN 55331

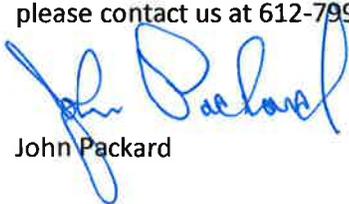
Greenwood City Council and Greenwood Planning Commission:

My wife and I will be out of town for the upcoming meetings of the Greenwood Planning Commission and City Council pertaining to the changes in the lot lines for the properties of 5135 Weeks Road (Murphys), 5125 Weeks Road (Packards) and 5115 Weeks Road (Packards).

First of all, we want to thank the Planning Commission and City Council for your previous support on the original subdivision plan that we had developed with the previous owners of 5135 Weeks Road (Ric and Beth Reut).

Patrick and Meredith Murphy are the new owners of 5135 Weeks Road, and we have jointly developed a new agreement that is more amenable to them and us. This new agreement is outlined in the current proposal being considered . The new proposal does not provide any hardships to any other neighbors.

We have been working with Kyle Hunt and Partners on this matter, and we have asked him to represent us at the upcoming meetings since he has been part of all the negotiations. If you need to reach us, please contact us at 612-799-2114 (John) and 612-790-3699 (Karen). Thank you.



John Packard



Karen Packard

HENNEPIN COUNTY PARCEL DIVISION OR COMBINATION OWNER REQUEST FORM

Parcel Identification and Platting Supervisor
Resident and Real Estate Services
A-500 Government Center
Minneapolis, MN 55487-0060

Email: RRES.PropertyIDandPlats@Hennepin.us
Telephone: 612-348-3271

DATE: October 18, 2018

I hereby make a request for a (separate/combined) assessment on the following described land:

I.D. No. 26-117-23-41-0010

I.D. No. 26-117-23-41-0036

I.D. No. _____

I.D. No. _____

I.D. No. _____

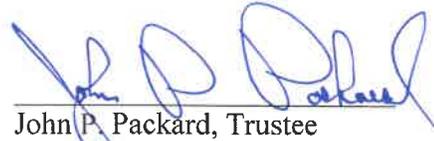
I.D. No. _____

(For additional I.D. No's add an attachment)

Remarks: Please combine the foregoing two tax parcels into a single tax parcel

City of; Greenwood
For 2018 Tax Year

Signature of Fee Owner:
The John P. Packard Revocable Trust dated 12/31/2009


John P. Packard, Trustee

The Karen N. Packard Revocable Trust dated 12/31/2009


Karen N. Packard, Trustee

Address 5125 Weeks Road, Greenwood, MN 55331

Telephone #612-799-2114

Mail Tax Statements to:

John Packard, Trustee
5125 Weeks Road
Greenwood, MN 55331

HENNEPIN COUNTY PARCEL DIVISION OR COMBINATION OWNER REQUEST FORM

NOTE: It is important to keep all lenders or mortgagees aware that you are dividing or combining real property. Consult your mortgage company as to whether or not they need to issue an amendment to, or a partial release of, any mortgage or other encumbrance of the affected real property as a foreclosure of the affected real property can undo any previously approved division or combination.

- All taxes for the current year and any delinquent taxes must be paid for the entirety of the existing tax parcel before the property can be divided or sold off (MN statute § 272.121).
- As a general policy, Hennepin County does not combine tax parcels that cross streets unless the street is vacated and assumed to be owned by the adjoining tax parcel owner
- Unique Taxing Areas (UTA) such as City, Water, Sewer, School, and Tax Increment Financing (TIF) districts must be considered when a request for a division or combination of tax parcels is submitted
- Hennepin will create tax parcels that contain Abstract, Torrens, Platted and unplatted lands
- A tax parcel can contain multiple plats and multiple sections in any township and range as long as each tax parcel are located in the same UTA(s)
- A tax parcel would normally represent parcels of land that would be expected to be sold to and held by the same or future owner
- Do not combine properties if there is a possibility an existing parcel may later be divided off and sold
- The City in which the land being divided is situated, may refuse a future divisions or could place other conditions on granting said division
- For a Torrens parcel division or combination, the Parcel Identification and Platting group (PIP) will review and issue a verbal or email approval on behalf of the Registrar of Titles (see § 508.47)

Division scenarios:

Current year taxes (and any delinquent taxes) must be paid before a portion of a tax parcel can be sold or transferred, and before a tax parcel division can be initiated (§ 272.121).

What else is required to initiate a tax parcel division?

- a) Transfer document signed by the owner(s) causing a tax parcel split
Required: City approval or notice that City approval is not required
- b) Division/combination request form submitted by property owner
Required: City approval or notice that City approval is not required
- c) City resolution (or other document given by the city) approving division or notice that City approval is not required

One of the following required before division or combination will be initiated:

- a. Transfer document signed by the owner(s) causing a tax parcel split
- b. Division/combination request form submitted by property owner

Combination scenarios:

Current year taxes (and any delinquent taxes) must be paid before a portion of a tax parcel can be sold or transferred, and before a tax parcel division can be initiated (§ 272.121).

What else is required to initiate a tax parcel combination?

- a) Transfer document signed by the owner(s) causing a tax parcel split - land being transferred is being deeded to the owner of a neighboring tax parcel
Required: Completed division/combination request form submitted by the neighboring property owner and City approval or notice that City approval is not required.
- b) Transfer document containing multiple tax parcels
Required: Completed division/combination request form submitted by the new property owner and City approval or notice that City approval is not required.
- c) Division/combination request form submitted by property owner
Required: City approval or notice that City approval is not required.
- d) City resolution (or other document given by the city) approving combination or notice that City approval is not required
Required: Completed property owner request form.

HENNEPIN COUNTY PARCEL DIVISION OR COMBINATION OWNER REQUEST FORM

Dale Cooney

From: Roxanne M Kuhl <Roxanne.Kuhl@hennepin.us>
Sent: Tuesday, November 06, 2018 4:20 PM
To: Dale Cooney; RRES.PropertyIDandplats
Cc: kyle.hunt@kylehuntpartners.com; sara.stearns@kylehuntpartners.com
Subject: RE: [External] 5115 and 5125 Weeks RoadRequest for City Approval-Div.Combo form.docx

Hi Dale,

Just a quick update on this. The deed was filed on October 25, 2018. The combination of this property has been started and the new PID No. is 26-117-23-41-0059.

Please let me know if you need anything else.

-Roxy



Roxy Kuhl

Property Description Technician, Senior

Direct Line: 612-348-3879

Unit Phone No. 612-348-3271

Roxanne.Kuhl@hennepin.us

RRES.PropertyIDandplats@hennepin.us

Property Identification and Platting

Hennepin County Recorder/Registrar of Titles

300 South 6th Street, Minneapolis, MN 55487

The Hennepin County Recorder/Registrar of Titles does NOT perform legal or abstracting services, nor do we certify to any search results. This data (1) is furnished "AS IS" with no representation as to completeness or accuracy; (2) is furnished with no warranty of any kind; and (3) is not suitable for legal, engineering or surveying purposes. Hennepin County shall not be liable for any damages, injury or loss resulting from this data.



Please consider the environment before printing this e-mail.

From: Dale Cooney
Sent: Tuesday, October 23, 2018 10:40 AM
To: RRES.PropertyIDandplats <RRES.PropertyIDandplats@hennepin.us>
Cc: kyle.hunt@kylehuntpartners.com; sara.stearns@kylehuntpartners.com
Subject: RE: [External] 5115 and 5125 Weeks RoadRequest for City Approval-Div.Combo form.docx

Thank you so much for the update, Roxy.

Dale Cooney

Zoning Coordinator

Deephaven • Greenwood • Woodland

20225 Cottagewood Road

Deephaven, MN 55331

Direct: 952.358.9938
Main: 952.474.4755
Fax: 952.474.1274

From: RRES.PropertyIDandplats [<mailto:RRES.PropertyIDandplats@hennepin.us>]
Sent: Tuesday, October 23, 2018 10:25 AM
To: Dale Cooney
Cc: kyle.hunt@kylehuntpartners.com; sara.stearns@kylehuntpartners.com
Subject: RE: [External] 5115 and 5125 Weeks RoadRequest for City Approval-Div.Combo form.docx

Hi Dale,

I have created a package for this combination; however, we won't be able to combine them until we receive a deed from the Reuts to the Packards, as Trustees of the trusts. If this deed is filed before the end of the year, we can combine these for the 2019 tax year.

I am assuming that the deed will be filed by a title company. I will continue to look for the deed periodically so we can begin the combination process. Hopefully, it will be filed soon.

If you have any questions, please feel free to contact me.

-Roxy



Roxy Kuhl

Property Description Technician, Senior

Direct Line: 612-348-3879

Unit Phone No. 612-348-3271

Roxanne.Kuhl@hennepin.us

RRES.PropertyIDandplats@hennepin.us

Property Identification and Platting

Hennepin County Recorder/Registrar of Titles

300 South 6th Street, Minneapolis, MN 55487

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Please consider the environment before printing this e-mail.

From: Dale Cooney
Sent: Monday, October 22, 2018 2:24 PM
To: RRES.PropertyIDandplats <RRES.PropertyIDandplats@hennepin.us>
Cc: kyle.hunt@kylehuntpartners.com; sara.stearns@kylehuntpartners.com
Subject: [External] 5115 and 5125 Weeks RoadRequest for City Approval-Div.Combo form.docx

Attached please find City of Greenwood approval of the requested lot combination. Feel free to contact me with any questions.

Sincerely,

RESOLUTION NO 39-18

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

APPROVING

IN RE: The application of Kyle Hunt & Partners for a Simple Subdivision pursuant to Greenwood ordinance code section 600.07 to reconfigure the property lines for the properties at 5135 and 5125 Weeks Road.

RECITALS

WHEREAS, Applicant Kyle Hunt & Partners (hereinafter 'Applicant') desires to reconfigure the property lines for the real property commonly known as 5135 Weeks Road, Greenwood, Minnesota 55331 (PID No. 26-117-23-41-0029), and 5125 Weeks Road, Greenwood, Minnesota 55331 (PID No. 26-117-23-41-0059) being real property located in Hennepin County, Minnesota; and

WHEREAS, 5135 Weeks Road is legally described as follows:

TRACT B REGISTERED LAND SURVEY NO. 1030 AND TRACT H REGISTERED LAND SURVEY NO 1169,
HENNEPIN COUNTY, MINNESOTA.

; and

WHEREAS, 5125 Weeks Road is legally described as follows:

(UPDATED LEGAL DESCRIPTION TO COME)

; and

WHEREAS, Applicant is a representative of the impacted property owners; and

WHEREAS, notice of a public hearing was published, and a public hearing was held before the city council to consider the application; and

WHEREAS, public comment was taken at the public hearing before the planning commission on November 14, 2018; and

WHEREAS, the city council of the city of Greenwood has received the staff report, 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 does hereby make the following:

FINDINGS OF FACT

1. The foregoing Recitals are adopted as if set out here at in full.
2. That the real property commonly known as 5135 Weeks Road, Greenwood, Minnesota 55331 (PID No. 26-117-23-41-0029), and 5125 Weeks Road, Greenwood, Minnesota 55331 (PID No. 26-117-23-41-0059), are lots of record located within the R-1 district; and
3. In conformance with the requirements of Greenwood ordinance code section 600.07, the applicant has submitted an application for a simple subdivision.
4. The survey submitted by the Applicant, (Exhibit A), illustrates the locations and dimensions of the redrawn property boundaries. This survey also illustrates the existing improvements, setbacks, topography and hardcover for the property.

5. The Planning Commission discussed the request and, on a 5-0 vote, recommended approval of the simple subdivision request with the findings that the request complies with the criteria in Greenwood ordinance code, to-wit:
- (a) The size of the newly-created lots conform to the minimum requirements of the zoning ordinance;
 - (b) Each lot abuts upon a public street open for travel or upon an existing easement or a private street access that is determined by the city council as providing satisfactory ingress and egress;
 - (c) The subdivision will not lend itself to future subdivision for the creation of additional properties within the applicable zone;
 - (d) If a smaller piece has been severed for accretion onto a neighboring parcel, the severed portion shall not cause the hardcover to exceed the maximum allowed on the property to which it is accreted;
 - (e) The remainder lot (after a smaller piece is accreted onto a neighboring parcel) shall be zoning code and shoreland management district code compliant in matters of location of accessory structures, hard cover maximums, and side yard setbacks relative to both principal and accessory structures; and
 - (f) The city may impose such additional conditions as it deems necessary and appropriate for public safety, health, and welfare, including requiring the applicant to enter into an encroachment agreement, easement agreement, or developer's agreement with the city, in form meeting the approval of the city attorney.

CONCLUSIONS OF LAW

Based upon the foregoing findings of fact, the city council makes the following conclusions of law:

The applicant has made an adequate demonstration of facts meeting the standards of section 600.07 necessary for granting approval of a Simple Subdivision and therefore:

1. The Simple Subdivision application to reconfigure the property lines for the properties at 5135, and 5125 Weeks Road should be approved.

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Greenwood, Minnesota:

That the application of Kyle Hunt & Partners for:

1. Simple Subdivision pursuant to Greenwood ordinance code section 600.07 to reconfigure the property lines for the properties at 5135 and 5125 Weeks Road as shown in the survey Exhibit A attached hereto, is APPROVED.

PASSED this 5th day of December, 2018 by the city council of the city of Greenwood, Minnesota.

___ AYES ___ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana Young, City Clerk



Agenda Number: **7D**

Agenda Date: **12-05-18**

Prepared by Dale Cooney

Agenda Item: Consider: Res 40-18, Findings for CUP Request, Cisco and Kim Skanson, 5175 Queens 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 11-01-18. The planning commission held a public hearing at their 11-14-18, 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** incorporate city code section 1155.10 variance criteria as well as any conditions in the motion.

Planning Commission Action: Motion by Lucking to approve the request based on the recommendation, findings, and conditions of staff. Motion was seconded by Steingas. Motion carried 5-0.

Key Dates:

Application complete:	October 15, 2018
Notice of Public Hearing published:	November 1, 2018
Planning Commission Public Hearing:	November 14, 2018
City Council Consideration:	December 5, 2018
60-Day Deadline:	December 14, 2018
120-Day Deadline:	February 12, 2019

Council Action: The city council must take action by 12-14-18 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 40-18 laying out the findings of fact **APPROVING** the conditional use permit requests of Cisco and Kim Skanson to impact 5,481 square feet of surface area and 130 cubic yards of soil volume, and to install an in-ground pool for the property at 5175 Queens 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** for the conditional use permit requests of Cisco and Kim Skanson, 5175 Queens Circle, to be considered at the January 2, 2018 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 variance 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 conditional use permit application of Cisco and Kim Skanson, 5175 Queens 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 statute 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: 7D

Agenda Date: 12-05-18

Prepared by Dale Cooney

STAFF REPORT

Agenda Item: Consider the conditional use permit request of Cisco and Kim Skanson for 5175 Queens Circle to regrade portions of the property and install in-ground swimming pool.

Summary: Cisco and Kim Skanson, property owners at 5175 Queens Circle are requesting a conditional use permit in order to regrade portions of the property and to install an in-ground swimming pool.

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 5,481 square feet of surface area and 130 cubic yards of volume.

Most of the regrading would involve creating a flat area for the pool and surrounding decking. The pool area is surrounded by retaining walls, the tallest of which would be 3 feet tall in the southeast corner of the pool. Other grading would be for a small retaining wall by the rear entry to the house and grading within the west side yard to create the appropriate drainage swales.

The overall drainage pattern of the property would remain the same with water being directed towards a wetland area to the east. 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 an in-ground swimming pool on the lake yard side of the property. Per Section 1120.05 of the zoning code, "permanent in-ground swimming pools and spas" are regulated as conditional uses within the R-1 zoning district. The pool itself meets the required lake yard (50 feet) and side yard (10 feet) setbacks, and the patio around the pool meets the required 5 foot side yard setback.

Other Items:

Trees: The applicant is proposing to remove two significant trees. Based on the property size, three significant trees may be removed in any calendar year.

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 858 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.*" The survey submitted with the proposal demonstrates that the additional hardcover on the property will be directed towards the adjacent wetland to the east and Lake Minnetonka, but it would be required to travel into the adjacent property to the east to do so. The neighbors that own the wetland property have expressed concern that additional water would be directed to this area and would like to avoid that outcome.

In order to prevent additional stormwater from impacting the neighboring property, city staff and the city engineer recommend providing stormwater mitigation for the property or directing the water towards the lake. It would be up to the applicants how they choose to mitigate the additional stormwater as long as it met the requirements of Section 1140.17

Staff Recommendation for Conditional Use Permit Request:

Staff recommends **approval with conditions** of the conditional use permit request of Cisco and Kim Skanson for 5175 Queens Circle to impact 5,481 square feet of surface area and 130 cubic yards of soil volume, and to install an in-ground 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 R-1 zoning district.
- b) The use is one of the conditional uses permitted for the R-1 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 condition:

- A. Stormwater management improvements to prevent the additional runoff from draining to the east shall be installed and subject to the approval of the city engineer.

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	10-11-18
Date application complete (office use only)	
Property address	5175 Queens Circle, Greenwood, MN 55331
Property identification number (PID)	2611723420052
Property owner's current mailing address	7495 Kimberly Ct. Maple Grove, MN 55311
Names of all property owners	Cisco and Kim Skanson
Cell phone and email of property owner(s)	Cisco: 952-240-2348, Kim: 612-384-1787
Name of builder / architect (if any)	John Ortiz
Company name of builder / architect	General Contractor: Mom's Design Build
Cell phone and email of builder / architect	Cell: 612-720-1208, Office: 952-277-6667
Company address	12276 Johnson Memorial Drive, Shakopee, MN 55379
Present use of property	Single family home
Property acreage	22,532 SF, .53 acres
Existing variances or conditional use permits	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes – please attach a copy
Request is for	<input type="checkbox"/> New Construction <input checked="" type="checkbox"/> Addition <input checked="" type="checkbox"/> Remodel <input type="checkbox"/> Replace <input checked="" type="checkbox"/> Other: Pool, enclosed patio under reconstructed deck
The CUP is being requested to (e.g. install a swimming pool)	New in ground swimming pool construction plus grading involving moving more than 7 CY of soil. Total estimated soil excavation = 130 CY

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:

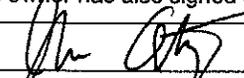
Will the proposed use comply with the regulations specified in the ordinance for the district in which the proposed use is to be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: New swimming pool and grading will adhere to setbacks, size restrictions, and other applicable regulations.
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: Yes, a swimming pool plus the involved grading is an allowable use.
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: No, the new construction will not cause an unsafe condition or burdens on the public. There will also be a pool cover for safety measures.
Will the proposed use be harmonious with the objectives of the comp plan?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: Yes, the swimming pool and grading will fit well into the overall plan.
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: No, the new construction will not hinder or disturb neighboring properties at this time or in the future.

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: Yes, the new construction will not infringe on setbacks and will be appropriately tied into drainage as to not cause harmful effects on the lake or sewer.
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: The new pool will not cause any public cost or economic burden.
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: No, the proposed pool will be constructed with good materials, equipment and building practices. During construction proper jobsite functions will be conducted. Work will only occur during allowable hours, no excess noise will be produced beyond the normal levels for pool construction. Dust, fumes and odors will be kept as minimal as possible.
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: Vehicular parking and traffic will be kept orderly and out of the way of surrounding traffic on a regular basis. Parking is to occur on one side of street and neighboring driveways shall remain clear for use by neighbors at all times.
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: No, loss of historic scenic views shall be destroyed.
Will the proposed use unreasonably depreciate surrounding property values?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: No, the new pool will have no negative affect on values of neighboring properties.

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 with in 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: 10-11-18
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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: 10/12/18
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Note: If the property owner is different than the applicant, signatures from the both the applicant and the property owner are required.

Conditional Use Permit 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 \$
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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)	Cisco and Kim Skanson
Property Address	5174 Queens Circle, Greenwood, MN. 55331

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	10-15-18
Property Owner's Mailing Address	7495 Kimberly Ct, Maple Grove, MN 55311
Property Owner's Phone Number	952-240-2348
Property Owner's Email	cskanson@gmail.com
Contractor or Builder / Architect Name	Mom's Design Build
Contractor or Builder / Architect Address	12276 Johnson Memorial Drive, Shakopee, MN 55379
Contractor or Builder / Architect Phone	952-277-6667, 612-720-1208
Contractor or Builder / Architect Email	johnortiz@momsdesignbuild.com

SECTION 2

Total surface area to be moved, disturbed, cut, or filled (square feet)	5481 SF
Total volume of soil or earth to be moved, disturbed, cut, or filled (cubic feet)	130 CY
Estimated start date	October 25, 2018

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

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)

The proposal will involve grading involving a 200+ sq ft area, and 7 cubic yards of material (conditional use permit required)

Per code section 1140.19 subd 3, the following items must be 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: 10-15-18
Print Name	John Ortiz	

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:
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Form Updated 07-03-17

NARRATIVE FOR CUP

October 26, 2018

City of Greenwood City Council
Att: Dale Cooney,
Permit Administrator
20225 Cottagewood Road
Deephaven, MN 55331

Dear City Council,

Below is a narrative explaining the Conditional Use Permit for a proposed in-ground swimming pool for Christopher and Kim Skanson's residential property located at 5175 Queens Circle, Greenwood, MN 55331.

The proposed new in-ground swimming pool will comply with size and location regulations as stipulated in the City Ordinance for the R-1A district. An in-ground swimming pool plus the grading required to build the swimming pool is an approved conditional use permitted by the district. A swimming pool is not uncommon in the Greenwood neighborhood, in fact the neighbor to the west has an in-ground swimming pool. Overall, the proposed swimming pool fits into the style of the neighborhood and will not cause discomfort or disturbance to the people, neighborhood or landscape surrounding the property.

Specifically, in Section 1140.10 of the Greenwood City Code the setbacks for in-ground swimming pools are 50ft for Front-yard, 10ft for side-yard, 10ft for rear-yard and 50ft for lakeside-yard. Our proposed pool will be placed according to the setbacks and not interfere or encroach in them. The size of the pool plus the pool deck directly surround the pool is 45' x 24'. The grading required to build the pool will involve moving 130CY of soil. In addition to the setbacks that the pool placement will adhere to, there are also several easements on the property. Our construction and grading will stay clear of these drainage and utility easements and the existing elevations will not be modified within the easements.

Furthermore, the proposed new swimming pool plus the construction involved in the project will keep and maintain the access for safety services like fire protection and police. In the event of an emergency there will be adequate access to the pool and surrounding areas. Moreover, it will in no way hinder the future work of a public agency that may need to perform construction in the drainage and utility easements.

The proposed vinyl pool will be constructed with proper materials and proper equipment and building practices and it will have an automatic cover rated for safety. During construction proper jobsite practices and activity will take place which includes, working during the allowable hours, keeping noise, dust, fumes and smoke to a minimum. At Mom's Design Build we will work to keep on-road parking orderly to prevent any obstructions for neighbors, safety vehicles and general traffic. In addition to that we will maintain a clean road by clearing dirt and debris from the road on a regular basis.

This pool is for private use and is paid for by Christopher and Kim Skanson for their personal use on their private property. There is no intention to have the pool be open to the public and there will be no economic burden or negative affect placed on the community or neighbors.

In summary we respectfully request approval of this CUP which will involve the construction of an in-ground swimming pool plus the associate grading of 130 CY of soil and this permitted use will in no way adversely affect the neighbors or community but instead provide a wonderful outdoor living space amongst the rest of the backyard landscape for Christopher and Kim Skanson.

Please review this submittal package at your earliest opportunity, and we look forward to your response.

Sincerely,

Mom's Design Build
John Ortiz
Assistant Landscape Designer
E: johnortiz@momsdesignbuild.com
P: 612-720-1208

Dale Cooney

From: Bob Bean <Robert.Bean@bolton-menk.com>
Sent: Monday, October 29, 2018 8:46 AM
To: Dale Cooney
Subject: RE: 5175 Queens 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 the north to south toward Lake Minnetonka. A swale is proposed along the west property line to ensure runoff is not directed toward the adjacent structure.
2. The swale along the west property line should be reviewed in the field by the City prior to restoration to ensure runoff is adequately routed toward Lake Minnetonka and not the adjacent structure.
3. Perimeter erosion control measures should be installed by the Contractor and inspected by the City prior to any other work, including demolition. Contractor must provide minimum 24 hour notice prior to inspection.
4. Since proposed improvements will result in an increase of 200 square feet or more of new impervious surface, permanent stormwater management practices should be installed to meet City requirements. Practices must have capacity to retain a minimum volume equivalent to 2" times the net increase in impervious surface or restrict the proposed peak runoff rate for the 2" – 60 minute event to existing conditions.
5. Construction of any stormwater management facilities should be observed by a City representative to ensure system is installed as proposed.
6. A record drawing of any stormwater management improvements installed should be submitted upon completion to confirm facility was constructed per plan.
7. The applicant should be required to submit a Maintenance Agreement for any stormwater management facilities installed. The agreement should define maintenance responsibilities following completion of project, specify types and frequencies of inspection and maintenance activities, designate who will conduct inspection and maintenance activities, and outline reporting requirements.
8. Contractor must exercise care during construction to not block traffic on Queens Circle. Clear drive lanes must be maintained at all times.
9. The applicant may 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

November 14, 2018

City of Greenwood
City Council
20225 Cottagewood Road

I am writing this letter to you in response to the Public Hearing notice I received regarding the construction of the swimming pool at 5175 Queens Circle by Cisco and Kim Skanson. I live at 5050 Kings Court and hold 25% ownership of the land at 5170 Queens Circle which is adjacent to the Skanson's property.

My understanding is that the current plans are for any water run-off to be directed from the property at 5175 Queen's Circle to our property at 5170 Queens Circle. I feel that this is unnecessary as there is already too much water standing at times during the year. The property at 5175 Queens Circle is located on the lake and therefore, any run-off from this property should go directly from the Skanson's property into the lake.

If you have any questions regarding my opinions or would like to discuss it further, please call me at 952-913-3412.

Sincerely,



Rob Fowler

City of Greenwood
20225 Cottagewood Rd.
Deephaven, MN 55331

11.14.18

Re: Conditional use permit
for grading and an
in-ground swimming pool
at 5175 Queens Circle

Attn: Dale Cooney
Zoning Administrator

dalec@mediacombb.net

We are ¼ owners of the property located next to 5175 Queen Circle. Why were we not notified of this public hearing? We are the longest time owners of this property, 16 ½ years. We have heard about this only second or third hand by other, new owners.

We object to any water being drained onto our property. There is already enough water from the storm drainage system drained into our property, for unwanted element settlement, before it overflows into the lake. Any additional water will speed the outflow from our settlement pond into the lake, thus, not allowing for adequate settlement time of the unwanted particles in the standing water that is already there.

We were told by Mike Bogen, the past owner of 5175 Queen Circle, that the property with a pool next door to the west of 5175 has an easement ditch across the front yard(lake side) of 5175 that is used to drain the pool into our property. We object to this for the same reasons stated above, and hereby request that easement be canceled.

As it is, there is enough standing water most of the summer causing it to become a mosquito breeding swamp. Any additional water will only make it worse.

We don't know why they need to drain their pools. We had an in-ground pool at our home before living here and we never drained it, we vacuumed it, filtered it, used the usual chemicals, and always kept it clean using the same water without ever draining it. In the winter we placed 3 long logs in it to cushion the ice which then never damaged the pool tiles, sides and bottom.

We don't know the LMCD pool drainage guidelines, but if they must drain their pools, why not just drain them directly into the lake?

Thank you for reading some of our concerns,

Max and Marilyn Levine

5040 Kings Court 952-401-9576 lmlevine@mchsi.com

City of Greenwood
20225 Cottagewood Rd.
Deephaven, MN 55331

11.14.18

Re: Conditional use permit
for grading and an
in-ground swimming pool
at 5175 Queens Circle

Attn: Dale Cooney

Zoning Administrator

dalec@mediacombb.net

We are ¼ owners of the property located next to 5175 Queen Circle. Why were we not notified of this public hearing? We are the longest time owners of this property, 16 ½ years. We have heard about this only second or third hand by other, new owners.

We object to any water being drained onto our property. There is already enough water from the storm drainage system drained into our property, for unwanted element settlement, before it overflows into the lake. Any additional water will speed the outflow from our settlement pond into the lake, thus, not allowing for adequate settlement time of the unwanted particles in the standing water that is already there.

We were told by Mike Bogen, the past owner of 5175 Queen Circle, that the property with a pool next door to the west of 5175 has an easement ditch across the front yard(lake side) of 5175 that is used to drain the pool into our property. We object to this for the same reasons stated above, and hereby request that easement be canceled.

As it is, there is enough standing water most of the summer causing it to become a mosquito breeding swamp. Any additional water will only make it worse.

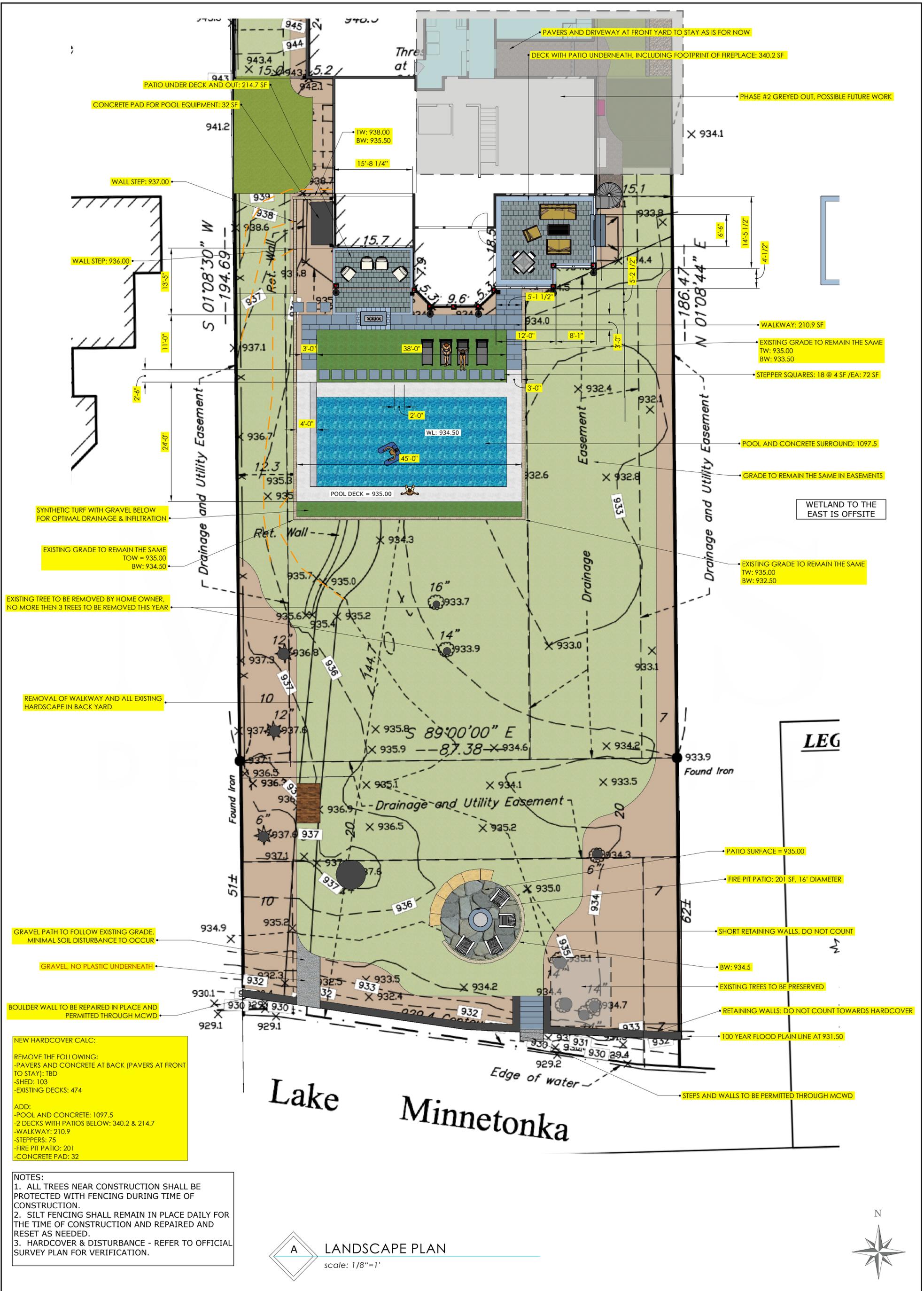
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We don't know the LMCD pool drainage guidelines, but if they must drain their pools, why not just drain them directly into the lake?

Thank you for reading some of our concerns,

Max and Marilyn Levine

5040 Kings Court 952-401-9576 lmlevine@mchsi.com



NEW HARDCOVER CALC:

REMOVE THE FOLLOWING:
 -PAVERS AND CONCRETE AT BACK (PAVERS AT FRONT TO STAY): TBD
 -SHED: 103
 -EXISTING DECKS: 474

ADD:
 -POOL AND CONCRETE: 1097.5
 -2 DECKS WITH PATIOS BELOW: 340.2 & 214.7
 -WALKWAY: 210.9
 -STEPPERS: 75
 -FIRE PIT PATIO: 201
 -CONCRETE PAD: 32

NOTES:

1. ALL TREES NEAR CONSTRUCTION SHALL BE PROTECTED WITH FENCING DURING TIME OF CONSTRUCTION.
2. SILT FENCING SHALL REMAIN IN PLACE DAILY FOR THE TIME OF CONSTRUCTION AND REPAIRED AND RESET AS NEEDED.
3. HARDCOVER & DISTURBANCE - REFER TO OFFICIAL SURVEY PLAN FOR VERIFICATION.

RESOLUTION NO 40-18

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

APPROVING

In Re: Application of Cisco and Kim Skanson for the property at 5175 Queens 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 5,481 square feet of surface area and 130 cubic yards of volume and to install a permanent in-ground swimming pool.

WHEREAS, Applicants Cisco and Kim Skanson (hereinafter 'Applicant') are owners of property commonly known as 5175 Queens Circle, Greenwood, Minnesota 55331 (PID No. 26-117-23-42-0052) being real property located in Hennepin County, Minnesota and legally described as follows:

Lot 8, Block 1, STRICKLAND ADDITION, Hennepin County, Minnesota.

; and

WHEREAS, the applicant proposes to regrade the property in order to accommodate a patio and install an inground swimming pool; 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 November 14, 2018; 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 5175 Queens Circle, Greenwood, Minnesota 55331 (PID No. 26-117-23-42-0052) is a single-family lot of record located within the R-1 district.
2. The applicant is proposing to alter site / lot topography impacting 5,481 square feet of surface area and 130 cubic yards of soil volume in conjunction with the construction of a patio and swimming pool 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. Motion by Lucking to approve the request based on the recommendation, findings, and conditions of staff. Motion was seconded by Steingas. Motion carried 5-0.

The approval is subject to the following conditions:

- (a) Stormwater management improvements to prevent the additional runoff from draining to the east shall be installed and subject to the approval of the city engineer.
 - (b) The applicants enter into a maintenance agreement with the city to ensure the long-term operation and maintenance of the stormwater management improvements. The maintenance agreement shall be executed and recorded against the parcel.
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, and subject to the conditions noted above.

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 granting of the CUP is subject to the following conditions:
 - (a) Stormwater management improvements to prevent the additional runoff from draining to the east shall be installed and subject to the approval of the city engineer.
 - (b) The applicants enter into a maintenance agreement with the city to ensure the long-term operation and maintenance of the stormwater management improvements. The maintenance agreement shall be executed and recorded against the parcel.

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 5,481 square feet of surface area and 130 cubic yards, and to install a permanent in-ground swimming pool for the property at 5175 Queens Circle , subject to the following conditions:

- (a) Stormwater management improvements to prevent the additional runoff from draining to the east shall be installed and subject to the approval of the city engineer.
- (b) The applicants enter into a maintenance agreement with the city to ensure the long-term operation and maintenance of the stormwater management improvements. The maintenance agreement shall be executed and recorded against the parcel.

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 Young, City Clerk



Agenda Number: **7E**

Agenda Date: **12-05-18**

Prepared by Dale Cooney

Agenda Item: Consider: Res 41-18 & 42-18, Conditional Use Permit and Variance Findings, Michael and Colleen Kroening for 5260 Meadville Street.

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 11-01-18. The planning commission held a public hearing at their 11-14-18, 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** incorporate city code section 1150.20 conditional use permit criteria as well as any conditions in the motion.

Planning Commission Action: Motion by Lucking to recommend approval of the CUP request, and the setback and impervious surface variance requests as proposed, and to recommend denial the building volume variance request. Lucking's motion included the recommendation that the city council should consider some flexibility to the allowable volume on this property since the lower level is almost completely exposed. Motion was seconded by Barta. Motion carried 4-0.

Key Dates:

Application complete:	November 5, 2018
Notice of Public Hearing published:	November 1, 2018
Planning Commission Public Hearing:	November 14, 2018
City Council Consideration:	December 5, 2018
60-Day Deadline:	January 4, 2019
120-Day Deadline:	March 5, 2019

Council Action: The city council must take action by 01-04-19 unless the council decides to exercise the city's option to take another 60 days to consider the request. Possible motions ...

1. I move the city council adopts resolution 41-18 laying out the findings of fact **APPROVING** the conditional use permit request of Michael and Colleen Kroening for 5260 Meadville Street, as proposed. I further move that the city council adopts resolution 42-18 laying out the findings of fact **APPROVING** the setback and impervious surface area variance requests and **DENYING** the building volume variance request of Michael and Colleen Kroening for 5260 Meadville Street, as proposed. I further move 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 conditional use permit and variance requests of Michael and Colleen Kroening, 5260 Meadville Street, to be considered at the January 2, 2019 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 Michael and Colleen Kroening, 5260 Meadville Street, 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: **7E**

Agenda Date: 12-05-18

STAFF REPORT

Agenda Item: Consider variance and conditional use permit request of Michael and Colleen Kroening to encroach into the front yard setback, exceed the maximum permitted impervious surface area, exceed the maximum above grade building volume, and regrade portions of the front yard in order to replace a detached garage with an attached garage addition to the house at 5260 Meadville Street.

Summary: Michael and Colleen Kroening, property owners at 5260 Meadville Street, are requesting a variance to build an attached garage addition with living space above. An existing detached garage would be removed and the grade would be altered to eliminate the existing tuck under garage. The garage addition would be 758 square feet.

Setbacks:

Section 1120.15 of the Greenwood Zoning Code requires a front yard setback of 30 feet and side yard setbacks of 10 feet for the 50 foot wide lot. Applicants are proposing a front yard setback of 2.4 feet and a side yard setback of 11.1 feet.

The existing garage has a front setback as close as 1 foot and a side yard setback of 7.9 feet. While in both cases the encroachment would be reduced, the overall footprint and massing within the setbacks would increase significantly. The existing (shorter) garage footprint is 334 square feet, while the proposed garage addition would be 758 square feet and 22 feet tall to the midpoint of the roof.

The right-of-way is offset from the actual location of the street. In this case, the existing garage is approximately 30 feet from the edge of the paved surface. So, the garage currently feels as if it is appropriately setback from the street.

Building Volume:

Section 1140.18 of the zoning code states the building volume limitations for structures. The proposed addition would expand the building volume on the property from 33,521 cubic feet to 48,215 cubic feet (The request was reduced from the original proposal of 50,786 cubic feet reviewed by the Planning commission. See attached e-mail). The cubic footage limitation for the property is 43,404. The creation of a two-car attached garage may be a reasonable proposal given Minnesota weather conditions, but the property is already served by a tuck under garage. Further, the scale of the request exceeds that of a typical two car garage and includes optional living space above.

Impervious Surface Area:

At 45.9% impervious area, the property is nonconforming in this respect. The applicants propose to reduce the impervious area to 43.1%. Based upon the survey, the revised building and driveway footprint would be less than the existing garage driveway, and concrete apron footprint. The sliding scale calculation from Section 1120.15 limits the maximum impervious surface area on the property to 32.76%.

In the case of nonconforming impervious areas, Section 1176.07.05 (Subd. 4) allows driveways to be exchanged for structural impervious surfaces. In the opinion of staff, the impervious surface area proposal would meet the city zoning code requirements.

Grading:

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 1,625 square feet of surface area and 125 cubic yards of volume.

The applicants are proposing to elevate the front portion of the lot to eliminate the tuck under garage and allow the main level of the proposed garage be at street level, similar to the existing detached garage. In staff's opinion, the proposal meets the standards required for approval of the conditional use permit.

Discussion: Due to the current nonconforming garage, and the location of the public right-of-way relative to the actual street, staff feels that there is likely a practical difficulty that could be justified for an attached garage in this general

location. However, staff has trouble justifying the request based on the overall scale of the proposal relative to the existing garage and the building volume limitations.

Staff Recommendation for Variance Request:

Staff recommends denial of the variance request of Michael and Colleen Kroening for a variance to encroach 27.6 feet into the front yard setback, to exceed the maximum allowable impervious surface area by 10.3%, and to exceed the maximum permitted building volume by 4,811 cubic feet for the garage and house addition at 5260 Meadville Street, as proposed.

Staff findings, based on the variance practical difficulty standards found in city code section 1155.10:

- a) The variance, if granted, will NOT be in harmony and keeping with the spirit and intent of the zoning ordinance because the purpose of the ordinance is to encourage both new houses and expansions or alterations to existing houses to be in scale with existing homes while preserving the green space and openness of the community. The scale of the addition is not in keeping with the spirit and intent of the ordinance.
- b) The variance, if granted, will be consistent with the comprehensive plan which encourages, through reasonable accommodation, the maintenance and improvement of existing homes consistent with our variance procedures.
- c) Though the property owner's proposed *manner of use* of the property is not permitted by the zoning ordinance without a variance, the proposed *manner of use* is NOT reasonable because: it greatly expands the nonconforming volume of the house and the encroachment area. While some level of encroachment might be reasonable in this situation based on the existing nonconformity, the scale of the proposed expansion does not attempt to work within constraints comparable to the existing nonconformity.
- d) The plight of the landowner-applicant is NOT due to circumstances unique to the property and IS created by the landowner because: the house is currently served by a tuck under garage and a detached garage. Creating an at-grade garage with living space above might be a reasonable upgrade for the property, but the property is already served by an attached and a detached garage. The applicant has not demonstrated why the existing configuration is untenable and unique enough to require the additional nonconforming volume and encroachment.
- e) The variance, if granted, WILL alter the essential character of the locality, because: the proposed expansion would create significant additional structural encroachment and exceed the create excessive building volume relative to the small lot size.
- f) The variance, if granted, will not:
 - i. Impair an adequate supply of light and air to adjacent property;
 - ii. Unreasonably increase the congestion in the public street;
 - iii. Increase the danger of fire or endanger the public safety; or
 - iv. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this ordinance.

Staff Recommendation for Conditional Use Permit Request:

Staff recommends approval of the conditional use permit request of Michael and Colleen Kroening for 5260 Meadville Street to impact 1,125 square feet of surface area and 125 cubic yards of volume in order to regrade the property to accommodate an attached garage, 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 R-1 zoning district.
- b) The use is one of the conditional uses permitted for the R-1 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.

Variance 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	October 16, 2018
Date application complete (office use only)	
Property address	5260 Meadville St.
Property identification number (PID)	26-117-23-33-0005
Property owner's current mailing address	3384 Williamsburg Pkwy - Woodbury, MN 55129
Names of all property owners	Michael P. & Colleen D. Kroening
Cell phone and email of property owner(s)	651-335-3168 / mpkroening@gmail.com
Name of builder/architect (if any)	David Steiner
Company name of builder/architect	Steiner & Koppelman, LLC
Cell phone and email of builder/architect	612-414-5124 / david@steinerkoppelman.com
Company address	18340 Minnetonka Blvd. - Wayzata, MN 55391
Present use of property	Single Family Residence
Property acreage	1.17 acres (7234 sf)
Existing variances or conditional use permits	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - please attach a copy
Request is for	<input type="checkbox"/> New Construction <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Remodel <input type="checkbox"/> Replace
The variance(s) are being requested to (e.g. build a garden shed)	replace existing detached garage with an attached garage, exterior remodel

Requested variance(s):

		Required*	Proposed	Difference
<input checked="" type="checkbox"/>	Side Yard (feet) (2' addition)	15	11.1	3.9
<input checked="" type="checkbox"/>	Front Yard (feet) (2' addition)	30	2.4	27.6
<input type="checkbox"/>	Rear Yard (feet)	35		
<input type="checkbox"/>	Lake Setback (feet)	50		
<input type="checkbox"/>	Building Height (feet)	28	22	
<input type="checkbox"/>	Structure Height (feet)	42	29'-9"	
<input type="checkbox"/>	Wetland Setback (feet) (N.A.)			
<input type="checkbox"/>	Bluff Setback (feet) (N.A.)	30		
<input checked="" type="checkbox"/>	Maximum Above Grade Building Volume (cubic feet)	43,404	50,786	7,382
<input checked="" type="checkbox"/>	Hardcover (percentage)	30	43.12	13.12
<input type="checkbox"/>	Other:			

(existing is 7.9)
 (existing is 1.0)
 (not changing)
 (not changing)
 (existing is 45.89)

* See page 2 of the CUP & Variance Checklist document for the requirements for various zoning districts.

Making your case for the grant of a variance

Per state law and city code section 1155 (view at city hall or at www.greenwoodmn.com) any persons may request variances from the literal provisions of the zoning ordinance, shoreland management district ordinance, wetland ordinance, and other applicable zoning regulations in instances where their strict enforcement would cause practical difficulties because of circumstances unique to the individual property under consideration. A variance shall only be permitted when it is in harmony with the purposes and intent of the ordinance and when the variances are consistent with the comprehensive plan. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. Economic considerations alone shall not constitute practical difficulties.

- "Practical difficulties," as used in connection with the granting of a variance, means:
- (a) that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
 - (b) the plight of the landowner is due to circumstances unique to the property and not created by the landowner;
 - (c) and the variance, if granted, will not alter the essential character of the locality.

Establishing a "practical difficulty"

Please respond to each of the following questions. If you are unable to establish a "practical difficulty," please consider alternatives to your construction plans that may remove the need for a variance.

<p>Is the variance in harmony with the purposes and intent of the ordinance?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: Attempting to bring a non conforming structure closer to conforming on a non conforming lot.</p>
<p>Is the variance consistent with the comprehensive plan?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: Use of the property will remain the same</p>
<p>Does the proposal put the property to use in a reasonable manner?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: Will continue to be used as a residence</p>
<p>Are there unique circumstances to the property not created by the landowner?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: existing lot size and structure on the property are non conforming</p>
<p>Will the variance alter the essential character of the locality?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: Will continue to be used as a residence</p>
<p>Will the variance impair an adequate supply of light and air to adjacent property?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain:</p>
<p>Will the variance unreasonably increase the congestion in the public street?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: Proposal will still be for a single family</p>
<p>Will the variance increase the danger of fire or endanger the public safety?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: Single Family use and type of construction will be similar to the area</p>
<p>Will the variance unreasonably diminish or impair established property values within the neighborhood?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: Single Family use will be consistent with the neighborhood</p>

Adjacent property owners' acknowledgement: It is not required by ordinance, but applicants are highly encouraged to review plans with adjacent property owners and secure signatures in this section. Attach another page if there are more than 2 adjacent neighbors.

The undersigned acknowledges that we have reviewed the plans for the proposed improvements or proposed use of the property listed on page 1 of this document. We understand that by signing this acknowledgement, that we NOT being asked to declare approval or disapproval of the proposal, but merely are confirming for the city council that we aware of the plans and that we understand that the proposed project requires city council approval.

Neighbor #1 Address: 5250 Meadville St.	
Signature:	Date:
Print Name: Mark D. & Sandra E. Setterholm	

Neighbor #2 Address: 5270 Meadville St.	
Signature:	Date:
Print Name: Colin Sievers	

The undersigned 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 with in 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: 10-16-18
--	----------------

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: 10-16-18
--	----------------

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

Variance Fee (nonrefundable)	\$450
Shoreland Management Review Fee (nonrefundable)	\$200
Total Amount Due (make check payable to the City of Greenwood)	\$650

For Office Use Only	Fee Paid: <input type="checkbox"/> Cash <input type="checkbox"/> Check #:	Amount \$
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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	
Date application complete (office use only)	
Property address	5260 Mesdoville Street
Property identification number (PID)	26-117-23-33-0005
Property owner's current mailing address	3384 Williamsburg Pkwy - Woodbury, MN 55129
Names of all property owners	Michael P & Colleen D. Kroening
Cell phone and email of property owner(s)	651-335-3148 / mpkroening@gmail.com
Name of builder / architect (if any)	David Steinjas
Company name of builder / architect	Steiner & Koppelman, LLC
Cell phone and email of builder / architect	612-414-5124 / david@steinerkoppelman.com
Company address	18340 Minnetonka Blvd. - Wayzata, MN 55391
Present use of property	Single Family Residence
Property acreage	.17 Acre (7,234 sf)
Existing variances or conditional use permits	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes - please attach a copy
Request is for	<input type="checkbox"/> New Construction <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Remodel <input type="checkbox"/> Replace <input type="checkbox"/> Other:
The CUP is being requested to (e.g. install a swimming pool)	Allow grading to eliminate a driveway to a truck-underpass & create 2 garage/entry at same grade

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:

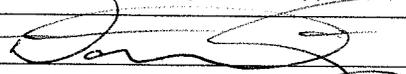
Will the proposed use comply with the regulations specified in the ordinance for the district in which the proposed use is to be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain:
Is the proposed use one of the conditional uses permitted for the district in which it is to be located?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: This structure would be considered 2 principal use in this district
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:
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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: <i>Existing access will be maintained</i>
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: <i>A remodeled structure should enhance property values</i>

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: 11.5.18
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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:
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Note: If the property owner is different than the applicant, signatures from both the applicant and the property owner are required.

Conditional Use Permit 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 \$
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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)	Michael P & Colleen O. Kroening
Property Address	5200 Meadowville Street

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	3384 Williamsburg Pkwy - Woodbury, MN 55129
Property Owner's Phone Number	651-335-3168
Property Owner's Email	mpkroening@gmail.com
Contractor or Builder / Architect Name	Steiner & Koppelman, LLC / David Steinger
Contractor or Builder / Architect Address	18340 Minnetonka Blvd - Wayzata, MN 55391
Contractor or Builder / Architect Phone	612-414-5124
Contractor or Builder / Architect Email	david@steinerkoppelman.com

SECTION 2

Total surface area to be moved, disturbed, cut, or filled (square feet)	1,625 sf
Total volume of soil or earth to be moved, disturbed, cut, or filled (cubic feet)	125 CY
Estimated start date	12-15-18

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)

The proposal will involve grading involving a 200+ sq ft area, and 7 cubic yards of material (conditional use permit required)

Per code section 1140.19 subd 3, the following items must be 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: 11.5.18
Print Name	David Steinger	

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:
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Form Updated 07-03-17

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)	Michael P & Colleen D. Kroenig
Property Address	5260 Medeville Street

Person completing this form: Property Owner Builder Architect

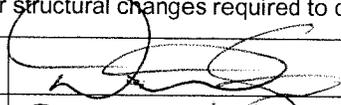
Per code section 1140.18 (view at www.greenwoodmn.com or at city hall), no lot in the residential zones of the city may be host to principal and accessory buildings and structures whose above grade building volume (expressed in cubic feet) is greater than the following maximums:

- (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.

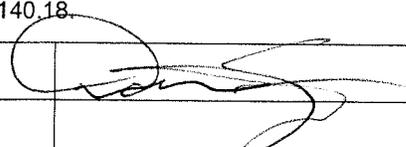
Exemption for small projects: The proposed improvements involve an area equal to 20% or less of the first floor of the principal structure, therefore I request the city zoning administrator waive the requirement to submit the additional survey requirements and the "above grade building volume" calculation. (Existing building volume calculation = 33,521 ft³)

The "above grade building volume" calculation for the property is:	50,786 ft. ³
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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: 11-5-18
Print Name	David Steier	

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: 11-5-18
Print Name		

Form Updated 10-27-14

Dale Cooney

From: Bob Bean <Robert.Bean@bolton-menk.com>
Sent: Wednesday, November 07, 2018 8:52 AM
To: Dale Cooney
Subject: RE: 5260 Meadville

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 from the garage and driveway will continue to drain to Meadville Street.
2. Work in public right-of-way should be coordinated with the City. Contractor must provide City with 48 hour notice prior to any work in right-of-way.
3. Extents of removals within public right-of-way should be coordinated with the City prior to any demolition. Bituminous pavement should be saw-cut for clean match lines.
4. The existing driveway should be completely removed within public right-of-way. Any green area to be re-vegetated in the right-of-way should be restored with sod.
5. Perimeter erosion control measures should be indicated on the plan. Measures should be installed by the Contractor and inspected by the City prior to any other work, including demolition. Contractor must provide minimum 24 hour notice prior to inspection.
6. Contractor must exercise care during construction to not block traffic on Meadville Street. Clear drive lanes must be maintained at all times.
7. 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

From: Dale Cooney [<mailto:dalec@mediacombb.net>]
Sent: Wednesday, October 31, 2018 10:03 AM
To: Bob Bean <Robert.Bean@bolton-menk.com>
Subject: 5260 Meadville

Bob,

Attached is a survey for an attached garage that would replace the existing tuck under and detached garages. I welcome any comments you have. Please send them along by either 11/7 (for packet) or 11/13 (in advance of the meeting).

Dale Cooney

From: Michael Kroening <mpkroening@gmail.com>
Sent: Monday, November 19, 2018 3:14 PM
To: Dale Cooney
Subject: 5260 Meadville
Attachments: IMG_1145.jpg; Untitled attachment 00220.txt; IMG_1143.jpg; Untitled attachment 00223.txt; IMG_1140.jpg; Untitled attachment 00226.txt

Dale, I also would like to include these pictures. The first shows the steep driveway, which gives us problems in the winter and thus, the motivation for moving the garage up to the street grade. Second, the view of the house from the north, which indicates one of the reasons for our high volume (i. e. We don't really have a basement, and therefore, almost all of our volume is counted). Third, the view from the south, which is the only wall that is partially below ground. I believe that picture indicates that even though we propose a higher roof line, that side of the house is not overwhelming to that neighbor (as he testified at the Planning Commission meeting). I think this info. could be helpful in the packet that is presented to City Council.

Please let me know if we can provide any further information.

Thank you,

Mike Kroening

Dale Cooney

From: Dave MacPherson <davem@steinerkoppelman.com>
Sent: Monday, November 19, 2018 12:37 PM
To: mpkroening@gmail.com; 'Dale Cooney'
Subject: 5260 Meadville St.

Mike / Dale –

In the interest of looking at this project coming closer to complying with the Above Grade Building Volume requirement, Dave Steingas and myself have analyzed the roof pitch on our proposal being lowered from 12/12 to 10/12. This would maintain the proposed plan as drawn. The roof pitch any lower than this we feel would result in omitting the living space over the Garage. The revised Above Grade Building Volume would be 48,215 cubic feet with this 10/12 roof pitch.

If you have any questions, please give either of us a shout.

Thank You,
Dave

David E. MacPherson

Steiner & Koppelman LLC
18340 Minnetonka Blvd.
Wayzata, MN 55391
(952)473-5435

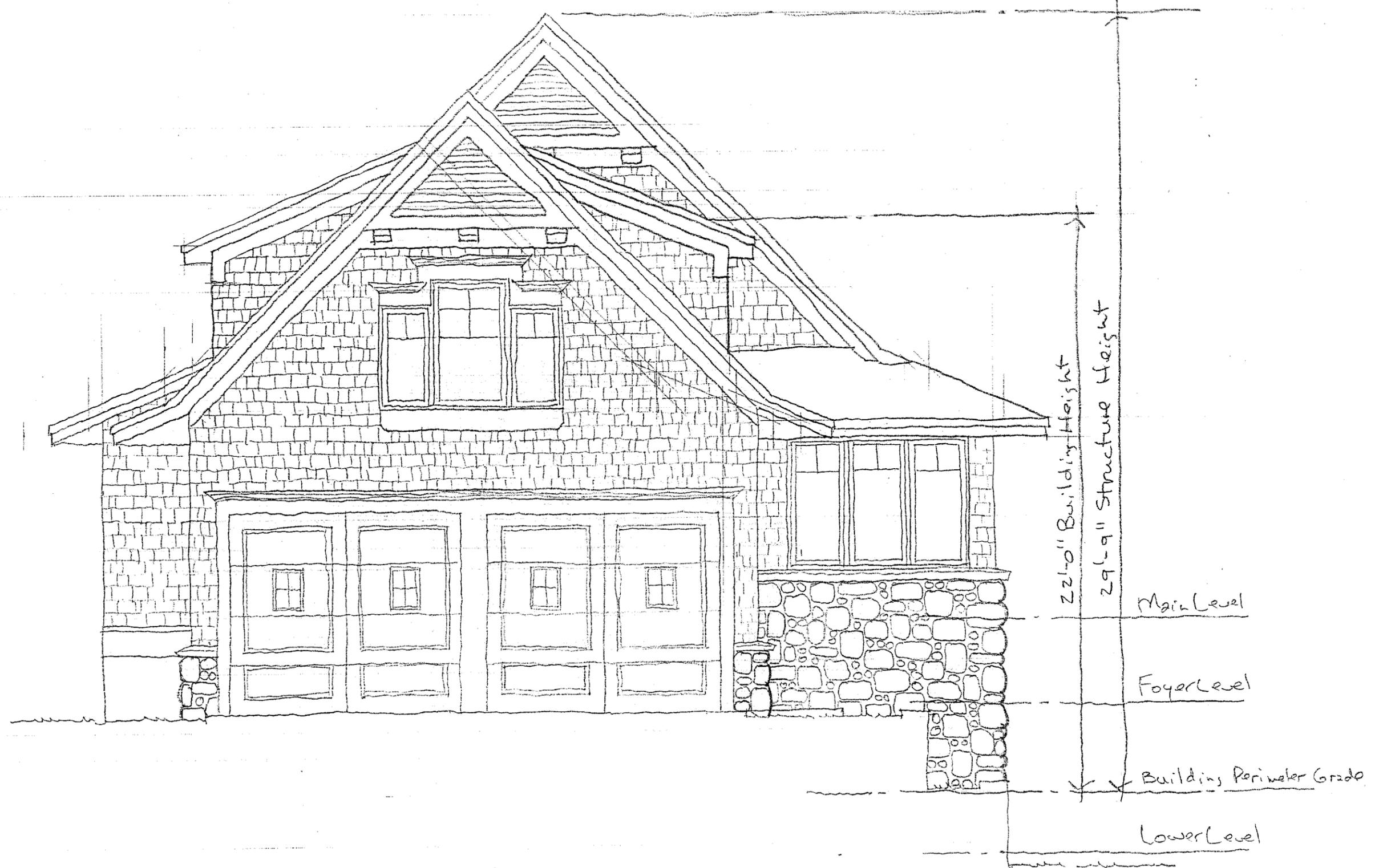


Virus-free. www.avast.com

PRELIMINARY PLAN
KROENING REMODEL

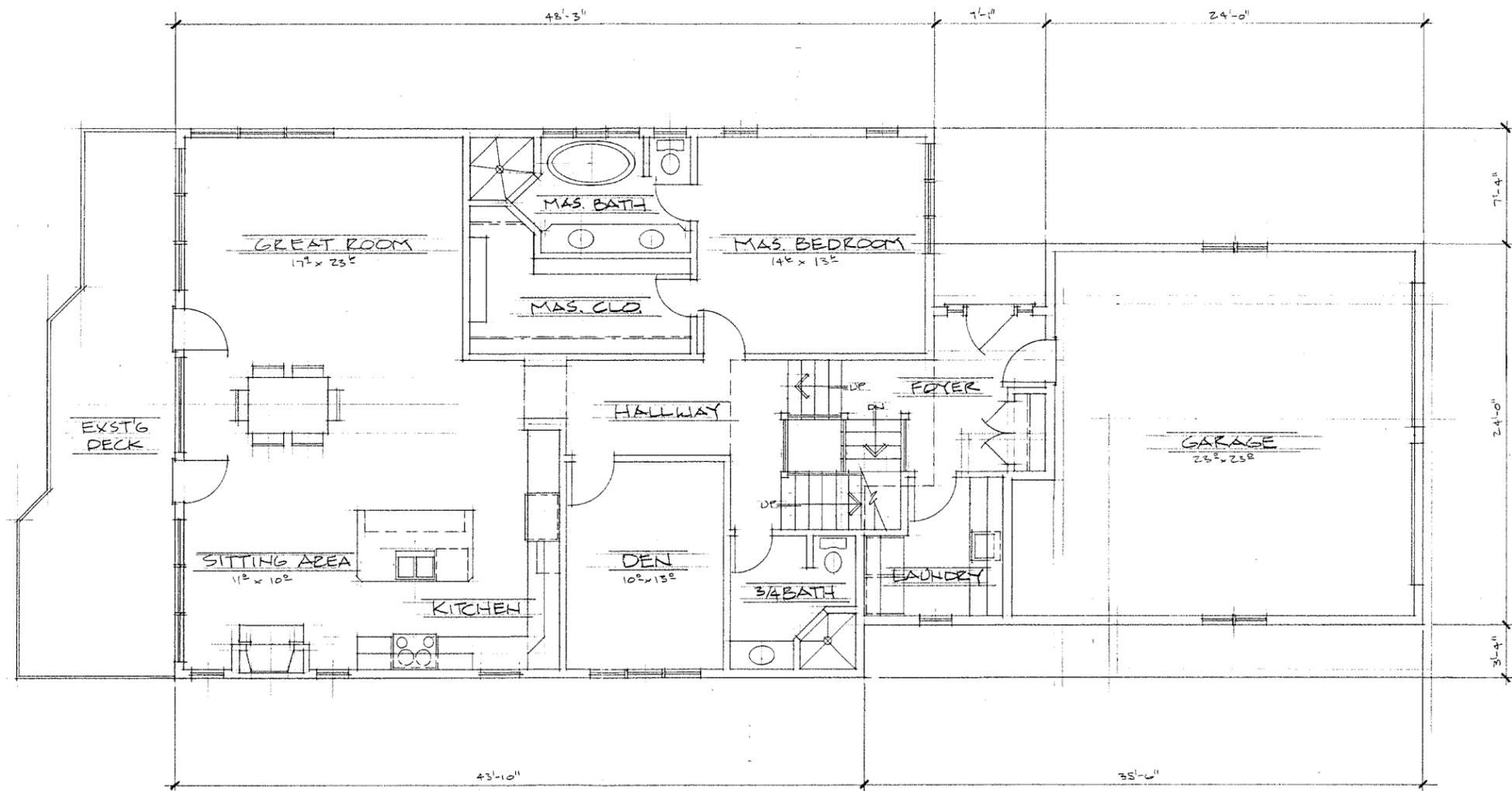
GREENWOOD, MN

09.05.18
REV. 10.15.18



FRONT ELEVATION

1/4" = 1'-0"



MAIN LEVEL FLOOR PLAN

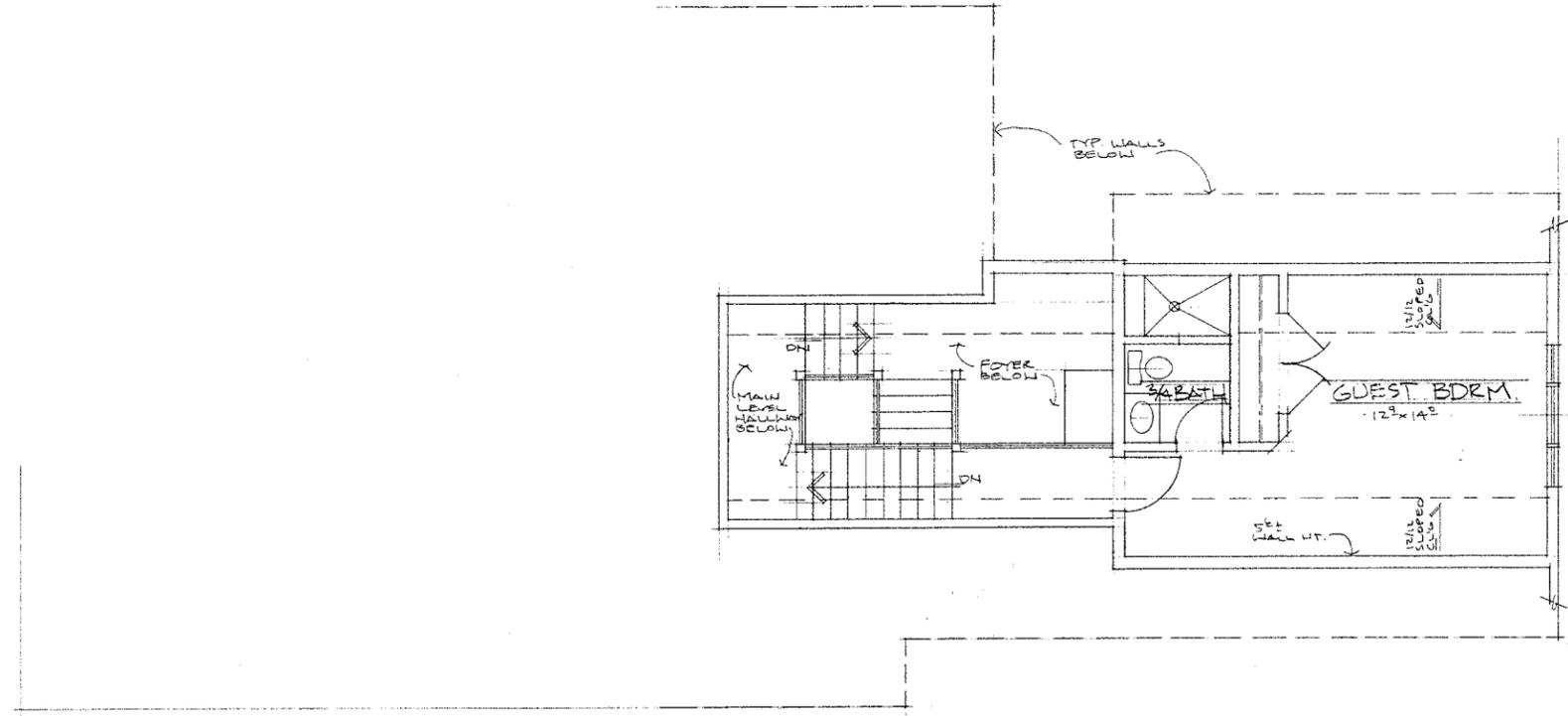
1/4" = 1'-0"

#	PLAN ITEM	BY	DATE	#	PLAN ITEM	BY	DATE
1	PRELIM PLANS	DM	10/15/18	6			
2				7			
3				8			
4				9			
5				10			

REMODELING FOR:
KROENING FAMILY
 STAR MEADOW STREET - GREENWOOD, MN

Steiner & Koppelman
 A Tradition of Excellence
 RESIDENTIAL CONSTRUCTION
 952-413-8439

SHEET



UPPER LEVEL FLOOR PLAN

1/4" = 1'-0"

SHEET

Steiner & Koppelman
 A Tradition of Excellence
 RESIDENTIAL CONSTRUCTION
 987-473-8435

REMODELING FOR:

KROENING FAMILY
 2200 MEADOW STREET - GREENWOOD, MN

#	PLAN/ITERA	BY	DATE	#	PLAN/ITERA	BY	DATE
1	PRELIM PLANS	DM	10.15.18	6			
2				7			
3				8			
4				9			
5				10			







RESOLUTION NO 41-18

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

APPROVING

In Re: Application of Michael and Colleen Kroening for the property at 5260 Meadville Street for a conditional use permit under Greenwood ordinance code section 1140.19(2) and 1150.20 to permit grading or site / lot topography alterations involving 1,625 square feet of surface area and 125 cubic yards of volume.

WHEREAS, Applicants Michael and Colleen Kroening (hereinafter 'Applicant') is the owner of property commonly known as 5260 Meadville Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-33-0005) being real property located in Hennepin County, Minnesota and legally described as follows:

The North 50 feet of Lot 2, SOLBERGS POINT

; and

WHEREAS, the applicant proposes to regrade the property in conjunction with the construction of a new house on the property; 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 November 14, 2018; 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 5260 Meadville Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-33-0005) is a single-family lot of record located within the R-1 district.
2. The applicant is proposing to alter site/lot topography impacting 1,625 square feet of surface area and 125 cubic yards of 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. 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.
4. 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 5-0 vote recommended approval because the proposed CUP request complies with the CUP standards in Greenwood ordinance section 1150.20, Subd 1.

The approval was recommended without conditions.

- 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, and not subject to any conditions.

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) and 1150.20 necessary for the granting of a CUP.

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 involving 1,625 square feet of surface area and 125 cubic yards of volume for the property at 5260 Meadville Street.

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 Young, City Clerk

RESOLUTION NO 42-18

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

In Re: Application of Michael and Colleen Kroening for the property at 5260 Meadville Street for a variance from Greenwood ordinance code sections 1120.15 and 1140.18 to encroach into the front yard setback, exceed the maximum permitted impervious surface area, exceed the maximum above grade building volume in order to build an attached garage with living space above.

Michael and Colleen Kroening, applicants, are the owners of property commonly known as 5260 Meadville Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-33-0005) being real property in Hennepin County Minnesota and legally described as follows:

The North 50 feet of Lot 2, SOLBERGS POINT

; and

WHEREAS, application was made for variance to zoning code sections 1120.15 and 1140.18 in conjunction with building an attached garage with living space above that encroaches into the front yard setbacks, exceeds the maximum permitted impervious surface area for the property, and exceeds the maximum allowable building volume for the property; 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 November 14, 2018; 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 applicants, 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 5260 Meadville Street, Greenwood, Minnesota 55331 (PID No. 26-117-23-33-0005) is a single-family lot of record located within the R-1 district.
2. The applicants propose an attached garage with living space above that would encroach 27.6 feet into the front yard setback. The property currently hosts a one-stall, detached garage that encroaches as much as 29 feet into the front yard setback. The right-of-way is offset from the actual location of the street. In this case, the existing garage is approximately 30 feet from the edge of the paved surface.
3. The applicants propose to exceed the maximum permitted impervious surface area by 10.3%. The property is currently at 45.9% impervious area, and is nonconforming in this respect. The applicants propose to reduce the impervious area to 43.1%. The sliding scale calculation from Section 1120.15 limits the maximum impervious surface area on the property to 32.76%. The revised building and driveway footprint would be less than the existing garage driveway, and concrete apron footprint. In the case of nonconforming impervious areas, Section 1176.07.05 (Subd. 4) allows driveways to be exchanged for structural impervious surfaces.
4. The applicants propose to exceed the maximum permitted building volume by 4,811 cubic feet. The proposed addition would expand the building volume on the property from 33,521 cubic feet to 48,215 cubic feet. The cubic footage limitation for the property is 43,404. The 758 square foot footprint for the garage exceeds the size of a typical two car garage, and the living space above the garage further expands the building volume for the proposal.
5. Greenwood ordinance section 1155.10, subd 4, 5 & 6 states:

“Subd. 4. Practical Difficulties Standard. “Practical difficulties,” as used in connection with the granting of a variance, means:

- (a) that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance;
- (b) the plight of the landowner is due to circumstances unique to the property and not created by the landowner;
- (c) and the variance, if granted, will not alter the essential character of the locality

Economic considerations alone shall not constitute practical difficulties.

Subd. 5. Findings. The board, in considering all requests for a variance, shall adopt findings addressing the following questions:

- (a) Is the variance in harmony with the purposes and intent of the ordinance?
- (b) Is the variance consistent with the comprehensive plan?
- (c) Does the proposal put property to use in a reasonable manner?
- (d) Are there unique circumstances to the property not created by the landowner?
- (e) Will the variance, if granted, alter the essential character of the locality?

Subd. 6. Practical Difficulties Considerations. When determining reasonable manner or essential character, the board will consider, but will not be limited to, the following:

- (a) Impair an adequate supply of light and air to adjacent property.
- (b) Unreasonably increase the congestion in the public street.
- (c) Increase the danger of fire or endanger the public safety.
- (d) Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this ordinance.”

- 6. The applicants assert that the proposed variance request complies with the practical difficulties standards in Greenwood ordinance section 1155.10, subd 4, 5, & 6.
- 7. The planning commission discussed the requests of Michael and Colleen Kroening and on a 5-0 vote recommended the council approve the requests to vary from city code Section 1140.15 to encroach into the front yard setback and exceed the maximum allowable impervious surface area, as proposed, for the property at 5260 Meadville Street, Greenwood, Minnesota 55331.

The proposal meets the practical difficulties standards outlined in section 1155.10(4) in that:

- (a) The variance(s), if granted, will be in harmony and keeping with the spirit and intent of the zoning ordinance since the intent of the zoning district is to provide a use zone for low-density single-family dwellings that will be exclusive of other types of use for the purpose of creating a quality semi-estate district, and the proposal is consistent with that intent.
- (b) The variance, if granted, will be consistent with the comprehensive plan’s guiding use for the subject property in that the comprehensive plan, through reasonable accommodation, encourages the maintenance and improvement of older homes consistent with the city’s variance procedures.
- (c) Though the property owner's proposed *manner of use* of the property is not permitted by the zoning ordinance without a variance, the proposed *manner of use* is reasonable because the variances reduce impervious areas and reduce the severity of the existing encroachments from the public right-of-way.
- (d) The plight of the landowner-applicant is due to circumstances unique to the property and not created by the landowner because the public right-of-way is significantly offset from the street, situating the proposed garage approximately 31 feet from the edge of the road surface. The existing garage on the property currently encroaches into the setback and the proposed setback for the attached garage is a reduction of the nonconformity. The property is currently at 45.9% impervious area, and is nonconforming in this respect, and the applicants propose to reduce the impervious surface area to 43.1%.
- (e) The variance, if granted, will not alter the essential character of the locality since the proposal is of a scope and scale comparable to other properties within the community.
- (f) The variance, if granted, will not:
 - a. Impair an adequate supply of light and air to adjacent property;
 - b. Unreasonably increase the congestion in the public street;

- c. Increase the danger of fire or endanger the public safety; or
 - d. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this ordinance.
8. The planning commission, on a 5-0 vote, recommended the council deny the request of Michael and Colleen Kroening to vary from city code Section 1140.18 to exceed the maximum permitted building volume, as proposed, for the property at 5260 Meadville Street, Greenwood, Minnesota 55331.

The motion was based on the practical difficulties standards outlined in section 1155.10(4) in that:

- a) The variance, if granted, will NOT be in harmony and keeping with the spirit and intent of the zoning ordinance because the purpose of the ordinance is to encourage both new houses and expansions or alterations to existing houses to be in scale with existing homes while preserving the green space and openness of the community. The scale of the addition is not in keeping with the spirit and intent of the ordinance.
- b) The variance, if granted, will be consistent with the comprehensive plan which encourages, through reasonable accommodation, the maintenance and improvement of existing homes consistent with our variance procedures.
- c) Though the property owner's proposed *manner of use* of the property is not permitted by the zoning ordinance without a variance, the proposed *manner of use* is NOT reasonable because: it greatly expands the nonconforming volume of the house and the encroachment area. While some level of encroachment might be reasonable in this situation based on the existing nonconformity, the scale of the proposed expansion does not attempt to work within constraints comparable to the existing nonconformity.
- d) The plight of the landowner-applicant is NOT due to circumstances unique to the property and IS created by the landowner because: the house is currently served by a tuck-under garage and a detached garage. Creating an at-grade garage with living space above might be a reasonable upgrade for the property, but the property is already served by an attached and a detached garage. The applicant has not demonstrated why the existing configuration is untenable and unique enough to require the additional nonconforming volume and encroachment.
- e) The variance, if granted, WILL alter the essential character of the locality, because: the proposed expansion would create significant additional structural encroachment and exceed the create excessive building volume relative to the small lot size.
- f) The variance, if granted, will not:
 - i. Impair an adequate supply of light and air to adjacent property;
 - ii. Unreasonably increase the congestion in the public street;
 - iii. Increase the danger of fire or endanger the public safety; or
 - iv. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this ordinance.

9. Based on the foregoing, the city council determined that:

A. The request to vary from city code Section 1120.15 to encroach into the front yard setback and exceed the maximum permitted impervious surface area for the proposed attached garage with living space above:

- (a) Does comply with the practical difficulties standards in ordinance section 1155.10, subd 4, 5, & 6.
- (b) Is in harmony and keeping with the spirit and intent of the zoning ordinance.

B. The request to vary from city code Section 1140.18 to exceed the maximum allowable building volume for the proposed attached garage with living space above:

- (a) Does NOT comply with the practical difficulties standards in Greenwood ordinance section 1155.10, subd 4, 5, & 6.
- (b) Is NOT in harmony and keeping with the spirit and intent of the zoning ordinance since the since the expansion of the enclosed porch further undermines the low-density nature of the zoning.

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:

The applicant has made an adequate demonstration of facts meeting the standards of section 1155.10 necessary for the grant of variances from Section 1120.15 Subd. 2(c) and therefore:

- A. A variance from section 1120.15 to construct an attached garage with living space above that encroaches 27.6 feet into the minimum required front yard setback and exceeds the maximum permitted impervious surface area by 10.3% should be **APPROVED**.

The applicants have NOT made an adequate demonstration of facts meeting the standards of section 1155.10 necessary for the grant of a variance from Section 1140.18 and therefore:

- B. A variance to section 1140.18 of the ordinance to exceed the maximum allowable building volume by 4,811 cubic feet for the property at 5260 Meadville Street should be **DENIED**.

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Greenwood, Minnesota acting as the Board of Appeals & Adjustments:

That the application of Michael and Colleen Kroening for the property at 5260 Meadville Street, Greenwood, Minnesota 55331 for:

- A. A variance from section 1120.15 to construct an attached garage with living space above that encroaches 27.6 feet into the minimum required front yard setback and exceeds the maximum permitted impervious surface area by 10.3% should be **APPROVED**.
- B. A variance to section 1140.18 of the ordinance to exceed the maximum allowable building volume by 4,811 cubic feet for the property at 5260 Meadville Street should be **DENIED**.

PASSED this 5th day of December, 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 Young, City Clerk



Agenda Number: **7F**

Agenda Date: **12-05-18**

Prepared by Dale Cooney & Deb Kind

Agenda Item: First reading of ordinance 282: revisions to section 1140.19 regarding grading regulation & restrictions

Summary: Based on the recommendation of the planning commission, the city council is considering revisions to its grading ordinance. The intent of the revisions would be to make the ordinance less restrictive such that standard grading requests for new houses and smaller landscaping projects would not require a conditional use permit. Since proposed grading standards would be relaxed to be comparable to those of peer cities, projects that exceed grading regulations would now have to meet a higher standard for approval via a variance request.

Planning Commission Action: The planning commission held a public hearing to consider the ordinance at their 09-12-18 meeting. Motion by Barta to recommend approval of the ordinance as written. Motion was seconded by Gallagher. Motion carried 3-0.

10-03-18 Council Meeting Update: The city council discussed the proposed ordinance at the 10-03-18 meeting and approved the following motion ...

Motion by Fletcher that the city council continues discussion of the grading ordinance to the November council meeting to allow for more council input. Second by Conrad. Motion passed 3-0.

11-07-18 Council Meeting Update: The city council discussed changes proposed by Councilman Fletcher and approved the following motion to give the council time to review the proposed changes.

Motion by Fletcher that the city council continues the 1st reading of ordinance 282 to the 12-05-18 council meeting. Second by Conrad. Motion passed 5-0.

Timeline:

~~09-05-18 The city council reviews the first draft of the ordinance.~~

~~09-12-18 Planning commission holds public hearing and makes a recommendation to the city council.~~

~~10-03-18 City council discussed the ordinance and continued the discussion to the 11-07-18 meeting.~~

~~11-07-18 City council discussed the ordinance and continued the discussion to the 12-05-18 meeting.~~

12-05-18 City council considers 1st reading of the ordinance (may make revisions / may waive 2nd reading).

12-06-18 If the 2nd reading is waived, the ordinance is submitted to the Sun-Sailor for publication.

12-13-18 If the 2nd reading is waived, the ordinance is published in the Sun-Sailor (goes into effect on this date).

01-02-18 City council considers 2nd reading of the ordinance (may make revisions).

12-03-18 The ordinance is submitted to the Sun-Sailor for publication.

12-10-18 The ordinance is published in the Sun-Sailor (goes into effect on this date).

Council Action: Potential motions ...

1. I move the city council (1) approve the first reading of ordinance 282 draft 11-21-18 amending the city's zoning code section 1140.19 regarding grading regulation & restrictions as written / as amended; (2) waives the second reading; (3) approves summary resolution 43-18; and (3) directs that summary resolution 43-18 be submitted to the Sun-Sailor for publication.
2. I move the city council (1) approve the first reading of ordinance 282 draft 11-21-18 amending the city's zoning code section 1140.19 regarding grading regulation & restrictions as written / as amended; and (2) directs that the ordinance be placed on the January 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 ZONING CODE CHAPTER 11 REGARDING GRADING**

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

SECTION 1.

Greenwood ordinance zoning code chapter 11, section 1102 Definitions is amended to add the following definition:

“Grade, Average is the average of the lowest and highest points of elevation.”

SECTION 2.

Greenwood ordinance zoning code chapter 11, section 1140.19 Grading Regulations & Restrictions is amended to read as follows:

“Section 1140.19. Grading Regulation & Restrictions.

Subd. 1. Purpose. The purpose of this ordinance is to review significant grading projects in order to determine and mitigate impacts related to site drainage and stormwater and adherence to the city’s height regulations.

Subd. 2. Grading Permit Required. No disturbance of the existing surface of land or the grading or alteration of the topography of land or of a lot shall be performed without a permit first obtained. **Fees for permits hereunder shall be set by the city council from time to time and set forth in chapter 5 of this code book.**

Subd. 3. Grading Permit Application. Application for a grading permit shall be made to the zoning administrator. In support of a grading permit the applicant shall set forth in writing a full description of the grading or site / lot topography alteration to be performed, including:

- (a) the total surface area to be moved, disturbed, cut or filled,
- (b) the total volume of soil or earth to be moved, disturbed, cut or filled,
- (c) the reason why the grading or topography alteration is required,
- (d) whether the work is required for the remodeling of an existing structure or construction of a new structure, whether the grading or topography alteration or disturbance is due to drainage issues related to existing topography or structures,
- (e) whether the grading or topography alteration or disturbance is or 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,
- ~~(f) the cubic feet of material to be disturbed, added and removed,~~
- ~~(g) the surface area in square feet to be disturbed.~~

If upon review, the zoning administrator is satisfied:

- I. that the application is complete,
- II. that the application is supported by a statement of accuracy,
- III. that the grading or site / lot topography alteration request, **other than grading alterations to address city-required stormwater management, will not increase or decrease the average grade (existing compared to final conditions) by more than 1 foot in any 300 square foot area, does not involve more than 200 square feet of surface area, and d) that the grading or site / lot topography alteration does not involve or more than 7 cubic yards of material,** and
- IV. the grading or site / lot alteration will not alter the existing drainage pattern or concentrate or accelerate the flow of water off the lot, then

... a grading permit may be issued without a conditional use permit first obtained. All other grading permit requests shall require a conditional use permit application pursuant to section 1150 of this code.

Subd. 4. Additional Information Required in Support of Grading Permit Applications. Applications for grading **exceeding 20 cubic yards or requiring a** conditional use permit shall, in addition to all of the information required in subdivision ~~2~~ **3** above, be supported by:

- i) a current topographic survey by a licensed surveyor illustrating the existing topography of the entire lot in 2-foot contours, existing drainage pattern, existing drainage volumes, existing mean lot grade,
- ii) a topographic of the entire lot showing proposed topography in 2-foot contours post grading, proposed drainage pattern, proposed drainage volumes, the proposed mean lot grade, and the proposed Building Perimeter Grade, and
- iii) a stormwater management plan for the entire lot post grading prepared by a civil engineer meeting the approval of the city engineer.

Conditional use permit applications also need to provide all information required under section 1150.

Subd. 5. Grading Limitations. In considering the issuance of a conditional use permit application for grading or site / lot alteration, the city may impose reasonable restrictions to protect property, both public and private, from concentrated or redirected stormwater flow, inundation, flooding, erosion, water hazard, ponding, or damage. The city may impose stormwater management and drainage controls, including but not limited to, holding ponds or other water management methods recommended by the city engineer, and such other requirements as are deemed necessary to protect the public health safety and welfare against actual or potential harm or other damage related to the proposed grading or site / lot alteration. In granting a grading conditional use permit the city may require that the proposed above grade building volume, building height, and structure height be determined using and limited by the existing building perimeter grade or a previous estimated building perimeter grade, if the site has had previous grading performed instead of the proposed building perimeter grade.

~~Subd. 6. Grade Alteration. The existing grade of a lot shall not be altered by the addition or removal of fill or by grading so as to increase or decrease the average elevation of the land by more than 1 foot in any area greater than 100 square feet without the approval of the city engineer. The measurements shall be calculated by averaging the lowest point of elevation and highest point of elevation in the square foot area on the existing survey compared to the proposed survey."~~

SECTION 3.

Greenwood ordinance zoning code chapter 5, section 510 Fees is amended to add the following fee:

“

Zoning-Related Fees:			
Grading Permit for stand-alone project	1140.19	\$200 plus consultant and contract service provider expenses incurred by the city.	Per application
Grading Permit for project in conjunction with a building permit, variance application, or conditional use permit application	1140.19	No Fee	

”

SECTION 4.

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

RESOLUTION 43-18

**A RESOLUTION OF THE CITY OF GREENWOOD, MINNESOTA
APPROVING PUBLICATION OF ORDINANCE NUMBER 282 BY TITLE AND SUMMARY**

WHEREAS, on December 5, 2018 the city council of the city of Greenwood adopted "Ordinance 282 Amending Greenwood Ordinance Code Chapter 11 Regarding Grading."

WHEREAS, the city council has prepared a summary of ordinance 282 as follows:

1. The ordinance increases the threshold for the requirement of a condition use permit (from 200 sq ft or more than 7 cubic yards to a change of 1 ft in average grade in any 300 sq ft area.
2. The ordinance clarifies that grading for city-required stormwater management is not included in the calculation.
3. The ordinance lays out additional information required for grading exceeding 20 cubic yards.
4. The ordinance establishes a fee for grading permit stand-alone projects of \$200 plus consultant and contract service provider expenses incurred by the city. No fee is charged for grading permits in conjunction with a building permit, variance application, or conditionals us permit application.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENWOOD:

1. The city council finds that the above title and summary of ordinance 282 clearly informs the public of intent and effect of the ordinance.
2. The city clerk is directed to publish ordinance 282 by title and summary, pursuant to Minnesota statutes, section 412.191, subdivision 4.
3. A full copy of the ordinance is available at the Greenwood city office, 20225 Cottagewood Road, Deephaven, MN 55331.

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

____ AYES ____ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana H. Young, City Clerk

CITY OF GREENWOOD
Debra J. Kind, Mayor
Attest: Dana H. Young, City Clerk
First reading: _____, 2018
Second reading: _____, 2018
Publication: _____, 2018



Agenda Number: **7G**

Agenda Date: **12-05-18**

Prepared by Dale Cooney & Deb Kind

Agenda Item: Review Draft of 2040 Comprehensive Plan

Summary: Every 10 years, Minnesota state law requires cities, townships, and counties in the seven-county metro area to prepare comprehensive plan updates as required by the *Metropolitan Land Planning Act*. Ostensibly, the goal of the law is to create a regional approach to growth and development particularly as it pertains to region-wide systems such as wastewater and transportation. Cities must submit their comprehensive plan to the Metropolitan Council for review of the plan's compatibility and conformity with the Council's regional system plans. When the Metropolitan Council determines that a city's comprehensive land use plan may have a substantial impact on or contain a substantial departure from the Metropolitan Council's regional system plans, the Metropolitan Council has the statutory authority to require the city to conform to the Council's system plans.

Greenwood's local comprehensive plan is statutorily required to address several plan elements: Land Use, Transportation, Water Resources (Wastewater, Surface Water, Water Supply), Parks and Trails, Housing, and Implementation. Other plan areas of regional interest identified by the Metropolitan Council include Resilience and Economic Competitiveness. Historically, Greenwood has only provided those elements required by statute.

Greenwood is a developed community and is not expected to see a significant change in population or housing units over the term of this comprehensive plan update. Region-wide systems such as wastewater or transportation will be negligibly impacted by changes within the city of Greenwood. Due to these conditions, no significant changes to the city's comprehensive plan are proposed. The plan is a vision for Greenwood from now until 2040.

Planning Commission Action: The planning commission held a public hearing of the draft comprehensive plan at their 02-21-18 meeting and recommended approval of the document as presented.

Update: Attached for review is an updated 10-20-18 draft of the comp plan main document with updated attachments. Note: The city received no comments from neighboring cities. As of the council packet deadline, Bolton & Menk had not completed SWMP updates that incorporate comments received from the Minnehaha Creek Watershed and Met Council. If the SWMP is completed prior to the 12-05-18 meeting, the file will be emailed to the city council and hard copies will be at the meeting.

Timeline: Comprehensive plan updates are required to be submitted for review to the Metropolitan Council by 12-31-18. Below is the timeline the city is following ...

08-02-17	The city council holds a public hearing to gather public input.
08-02-17	The city council discusses public input and gives direction to the subcommittee.
Aug-Jan	The subcommittee works with the city zoning administrator and the city engineer to update the comp plan.
02-14-18	Deadline for the subcommittee to submit a draft to staff for inclusion in the planning commission packet.
02-21-18	The planning commission reviews the draft, holds a public hearing, and makes recommendations.
04-04-18	City council reviews draft of comp plan.
04-13-18	Deadline for Surface Water Management Plan update from Bolton & Menk.
4/13-4/20	Staff incorporates SWMP update into draft of comp plan.
04-20-18	City council packet deadline.
05-02-18	The city council reviews the draft of the comp plan, approves the draft with or without revisions, and authorizes the draft to be sent to neighboring cities.
May-Oct	The draft is sent to the watershed and Met Council for review. Revisions are made based on comments received from the watershed and Met Council.
11-07-18	The city council reviews the revised draft of the comp plan.
11-16-18	Deadline for neighboring cities' input. (6 months required by law).
11/16-11/23	Neighboring cities' input (if any) is redlined into the draft of the comp plan.
11-23-18	City council packet deadline.
12-05-18	The city council approves the draft with or without further revisions for submission to the Met Council.
12-31-18	Deadline for the city to submit the draft of the comp plan to the Met Council.

City Council Action: No action required. Suggested motions ...

1. I move the city council (1) directs the following revisions be made to the draft of the 2040 comprehensive plan: _____; (2) **authorizes Councilman Cook and Mayor Kind to approve SWMP updates;** and (3) directs staff to forward the draft to the Met Council by the 12-31-18 deadline.
2. Do nothing or other motion.

Comprehensive Plan 2040



DRAFT 10.20.18

2040 COMPRHENSIVE PLAN GREENWOOD, MINNESOTA

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BACKGROUND, OVERVIEW, GOALS, POLICIES

Background

LOCATION

Greenwood is mainly a residential community located on the southeast area of Lake Minnetonka approximately 20 minutes west of Minneapolis, MN on State Hwy 7. The city of Excelsior is located to the southwest of Greenwood, the city of Deephaven is located to the north, and the city of Shorewood is located to the east.

HISTORY

With the Treaties of the Traverse des Sioux and Mendota concluding in the year 1851, the Dakota “Sioux” Indians ceded lands to the United States lying in Minnesota including the lands around Lake Minnetonka. In 1852, surveyor reports reached the east coast and caught the attention of promoters in New York. By 1853, a colony of settlers led by George M. Bertram, Charles Galpin, and Peter Gideon under the title “Excelsior Association Number 1” arrived at Excelsior Bay. In 1854, the village of Excelsior was platted. In 1856, there was an effort to establish a village on the north shore of St. Alban’s Bay, Lake Minnetonka. The name St. Alban’s was given to the community by the original settler whose wife came from St. Alban’s, England. A mill was established at the site but economics prevailed, the village of Excelsior grew, and village of St. Alban’s was abandoned. The name, however, carried on in its association with the bay which Greenwood largely surrounds.

By 1880, the Excelsior / Lake Minnetonka area was home to many resorts and summer cabins. At the turn of the twentieth century, developers were beginning to plat and sell lakeshore parcels, often in small sizes intended for cabins. Many of those lots continue to be of record today.

At the close of World War II, the Excelsior area grew increasingly attractive to those who wished to obtain lakeshore on Lake Minnetonka, but had the need for reasonable commuting distance to Minneapolis afforded by Hwy 7. Today, Greenwood provides highly desirable residential neighborhoods, many of which have lakeshore. The need for local control of neighborhoods was a principal motivator in the breakup of Excelsior Township in 1956, when Excelsior Township was divided into the cities of Excelsior, Greenwood, and Shorewood.

Comprised mostly of residential neighborhoods with a few commercial properties, the city of Greenwood expects that it will continue to focus its attention on providing a quality residential environment.

Overview

In conformance with the Metropolitan Land Planning Act, the city of Greenwood prepared a development guide plan in October 1972. Comprehensive plans for 2010, 2020, and 2030 also were prepared.

As required by the Metropolitan Land Planning Act, the city of Greenwood has updated its comprehensive plan for 2040. Little change has been made to this update of the comprehensive plan – mainly due to the fact that Greenwood is a small city that is almost fully developed. Therefore, no reference is made to development plans for housing and expansion.

As in past years, the philosophy of the city has been to share services with adjacent communities when possible, while retaining Greenwood’s own identity. Greenwood continues to cooperate with surrounding communities in order to minimize the cost of the services by contracting for services from adjacent communities or sharing in the cost of services whenever possible through common efforts. Cooperative efforts include:

1. Administration, public works, sewer, and zoning services provided by a contract with the city of Deephaven.
2. Building inspection services provided by a contract with the city of Minnetonka via Deephaven.
3. Fire protection provided through the Excelsior Fire District, which operates under a joint powers agreement between the cities of Greenwood, Deephaven, Excelsior, Shorewood, and Tonka Bay.
4. Police service provided by the South Lake Minnetonka Police Department (SLMPD) which, which operates under a joint powers agreement between the cities of Greenwood, Excelsior, Shorewood, and Tonka Bay.

The city also appoints representatives to serve on the boards of the Lake Minnetonka Conservation District and Lake Minnetonka Communications Commission and an ex-officio member of the St. Albans Bay Lake Improvement District.

The Greenwood comprehensive plan contains three primary sections – Land Use, Public Facilities, and Implementation. The following summarizes the three major elements of the comprehensive plan.

LAND USE SECTION SUMMARY

Greenwood's current and future land use will be addressed by focusing on the following issues:

Protection

This section describes how the city regulates the use and development of land and water in regard to:

- Natural watercourses
- Wetlands
- Lakes
- Slopes
- Woodlands

Land Use

This section includes an analysis of the existing and proposed locations, intensity, and extent of the use of land and water for residential, commercial, industrial, and other public and private purposes.

Housing

This section includes an analysis of opportunities to meet existing and projected local housing needs, including the availability of land for future development.

PUBLIC FACILITIES SECTION SUMMARY

The Public Facilities section considers the community's needs related to sanitary sewers, storm sewers, water, transportation, parks, and open space. It explores the character, location, timing, sequence, function, use, and capacity of existing and future public facilities. Specifically, it addresses existing and potential effects that projected growth and development may have on the following:

Public Utilities (Sanitary Sewer, Storm Sewer, and Water)

This section includes a description, designation, and scheduling of areas served or to be served by public sewer and water systems.

Transportation

This section includes a description, designation, and scheduling of the location, function, and capacity of existing and proposed local public and private transportation services and facilities.

Recreation, Parks, Trails, Open Space

This section includes a description, designation, and scheduling of improvements to existing and proposed parks and recreational open spaces within the city.

IMPLEMENTATION SECTION SUMMARY

Achieving the land use pattern and public facilities infrastructure addressed in the Land Use and Public Facilities sections of the plan requires the delineation of specific implementation techniques. The goals and policies offered in the planning framework will be realized if they are supported by the following:

Controls

A description of necessary ordinance modifications including a schedule for the preparation, adoption, and administration of such controls.

Capital Improvements Program

Addressing transportation, sewers and water, parks and open space facilities.

Housing Implementation Program

Controls designed to help implement the housing element of the land use plan.

Protection Goals / Policies

PROTECTION GOALS

1. To protect natural resources which serve vital functions in the city, such as drainage ways, wetlands, and other environmental features.
2. To preserve sites and structures of historical importance.

NATURAL WATERCOURSE POLICIES

1. Continue to implement city ordinances and partner with the Department of Natural Resources (DNR) and Minnehaha Creek Watershed District (MCWD) to protect natural drainage ways and watercourses from accelerated stormwater run-off or constriction in conjunction with the development, redevelopment, or expansion of housing and / or subdivision of land through use of restrictive easements, land-use regulation, and hard-surfacing regulations.

WETLAND POLICIES

1. Continue to implement city ordinances and partner with the DNR and MCWD to protect wetlands from alteration or encroachment by physical structures or development to preserve the essential role of wetlands in the hydrology and ecology of the community.
2. Continue to maintain an official city wetland map.
3. Continue to implement city ordinances to protect wetlands as part of public or private development or subdivisions.

LAKE POLICIES

1. Continue to implement the city's Shoreland Management District ordinance that meets or exceeds Department of Natural Resources shoreline standards to protect the shoreland from undue hardcover and specifically protect the shore impact zone from adverse consequences of development.
2. Continue to partner with Lake Minnetonka Conservation District, DNR, and MCWD for implementation of standards regarding stormwater runoff.
3. Continue to implement city stormwater management ordinances that meet or exceed state and watershed standards.
4. Encourage the maintenance of vegetation along the shorelines of Lake Minnetonka and encourage stabilization of the shoreline by individual property owners.

SLOPE POLICIES

1. Continue to implement city ordinances to ensure that slopes >30% that are susceptible to severe erosion are maintained in as natural state as possible with vegetative cover to minimize erosion problems.
2. Continue to implement city ordinances to ensure that slopes that are subject to moderate erosion (12-30%) are covered with vegetation to minimize erosion problems and require information regarding soil loss both during and after construction.
3. Continue to implement city ordinances to ensure that soil is left bare for the shortest time possible and techniques are employed to trap sediment.
4. Continue to implement the city's Shoreland Management District ordinance to ensure bluff setbacks are maintained and that slopes and other natural features are free of unnecessary erosion through the introduction of destabilizing development and / or loss of natural vegetation.

WOODLAND POLICIES

1. Continue to implement city ordinances for public or private construction to minimize the removal of trees, shrubs, and groundcover, with replanting occurring where removal is done.
2. Continue to implement city ordinances that require fencing to protect trees during construction.
3. Continue to implement city ordinances that require identification of existing trees, trees to be removed, and proposed plantings for subdivisions and construction projects.
4. Encourage tree preservation by enforcing the city's tree ordinance, which requires a tree inventory for subdivisions and construction projects, prevents clear-cutting of properties, and limits the removal of trees.

AGGREGATE RESOURCES POLICIES

1. There are no aggregate deposits of significant commercial potential in the city. Due to the fact the city is almost fully developed, there is no need to review the city ordinances to address aggregate mining.

HISTORIC SITES & STRUCTURES POLICIES

1. Continue to maintain the Greenwood portion of the Excelsior Cemetery through the agreement between the two cities.
2. Continue to work with the city of Excelsior to determine next steps for the St. Alban's Bay bridge and ensure compliance with Minnesota Department of Transportation Cultural Resources Unit and State Historic Preservation Office.
3. Continue to review places and structures that are not now "historic," but may eventually be considered historic in the future. If historic sites or structures are identified in the future, the city will take appropriate steps to ensure preservation.

Housing Goals / Policies

HOUSING GOALS

1. To have safe, healthy, and quality housing that respects the natural environment of the community.
2. To have a variety of housing ages and sizes to provide opportunities for ownership or rental for a variety of income levels.
3. To have a variety of housing choices including multiple housing and senior housing opportunities both within the city of Greenwood and within our neighboring communities.

HOUSING POLICIES

1. Continue to implement city ordinances to permit reasonable accommodations for the maintenance and modernization of the residential housing stock.
2. Continue to implement city ordinances to ensure safety and quality of rental properties.
3. Continue to allow, through reasonable accommodation, the maintenance and improvement of older homes consistent with city's variance procedures.
4. Consider the adoption of land use regulations that would provide flexibility in design and site planning that supports greater housing choices within the city.

Land Use Goals / Policies

LAND USE GOALS

1. To keep the character of residential neighborhoods.
2. To have commercial areas that are free of encroachments or undue impacts on adjacent residential areas.

LAND USE POLICIES

1. Continue to implement city ordinances that allow residential development on substandard size lots, which existed prior to the city's zoning ordinance.
2. Continue to implement city ordinances to maintain standards for residential properties regarding mass, setbacks, and hardcover.
3. Continue to implement city ordinances to maintain standards for commercial building regarding setbacks, hardcover, architectural design, landscaping, lighting, parking, access, buffering, signage, etc.

Recreation, Parks, Trails, Open Space Goals / Policies

RECREATION, PARKS, TRAILS, OPEN SPACE GOALS

1. To have parks, trails, and open spaces that conserve natural resources, protect environmentally sensitive areas, and fulfill the recreational needs of the citizens of Greenwood.

RECREATION, PARKS, TRAILS, OPEN SPACE POLICIES

1. Continue to maintain parks, trails, and open spaces which complement the development pattern of the city.
2. Continue to maintain open space areas that assist in the conservation and protection of ecologically sensitive areas.
3. Continue to encourage citizen participation in the planning and development of park, trail, and open space areas.
4. Continue to improve and upgrade parks, trails, and open spaces to keep pace with the changing needs of the community.

Solar & Wind Energy Goals

SOLAR / WIND ENERGY GOALS

To allow solar and wind energy systems that are compatible with the residential character of the city. Encourage the development of solar/wind energy facilities including solar/wind farms and solar/wind gardens located in appropriate settings.

LAND USE

Existing Land Uses Inventory

The city of Greenwood is located within the Metropolitan Council (Met Council) defined urban service area. It contains approximately 234 acres or 0.37 square miles. Of that, 144.5 acres are single-family residential, 1.2 acres are multi-family residential, and 8.5 acres are commercial.

The net residential density in the city is 2.24 units per acre. If subdivision opportunities arise in the city, the city requires a minimum lot size of 15,000 sq ft – a density of 2.9 units per acre.

Existing roadways are included in the 2.24 units per acre estimate. The per unit acreage estimate does not include St. Alban's Bay, Excelsior Bay or lower portions of Lake Minnetonka. The total area of the city including water is 1 square mile.

Of the existing acreage there are 7 wetlands that have been identified by the city and protected by wetland ordinances. They comprise approximately 8.2 acres independent of the waters of Lake Minnetonka. In addition, the shore impact zone (25 feet back from the ordinary high water mark) represents approximately 99 acres of the city. Flood plains are limited to land lying below 931.5 ASL; which is 2.1 feet above Lake Minnetonka's OHWL of 929.4 ASL. There are locations within the residential areas abutting Lake Minnetonka which have top of bluff or bottom of slope regulation requirements but no calculation is available as to total acreage of these areas.

The principal use of land within in the city is single-family residential. 70.1% of the city's land is devoted to single-family residential uses. 44% of the residences in the city of have lakeshore on Lake Minnetonka.

Currently there are two residential zoning districts: R-1 sets a 15,000 square foot lot minimum and R-2 sets a 20,000 square foot lot minimum. Overall, 86% of the land zoned single-family residential include lots that are 15,000 square feet or smaller lots. Within these zones, there are very few remaining properties to be developed or further subdivided. Properties will likely be improved through repair, renovation, or demolition and reconstruction. Multi-family residential is limited to a 17-unit apartment complex located on 1.2 acres in the R-1 district a grandfathered non-conforming use and a 20-unit condominium complex located on 2 acres in the C-2 district. The city recently made significant changes in the zoning ordinance to reduce the number of non-conforming properties within each residential zoning district. Neighborhoods and districts within Greenwood are quite small and dispersed among other neighborhoods and districts. The common attributes of lots within each neighborhood and its resulting development requirement is the lot size and geometry of each lot. As a result, the city reduced the number of residential zoning districts from four to two with varying setbacks, hardcover allowances, structure volume requirements based on a sliding scale tied to the lot size and geometry.

Properties large enough to subdivide are few and are not expected to give rise to any significant increase in the total number of single-family residential home sites within the city. The existence of very few properties with more than one acre of land severely limits the potential for the creation of multi-family residential developments in the city. This will likely cause those properties to remain single-family residential uses. In addition, the cost typically associated with purchasing and consolidating existing single-family residential properties is prohibitive.

Commercial properties within the city are divided into two zoning districts: The C-1 Office & Institutional District located in the southerly portion of the city along the northerly right-of-way of State Hwy 7 and the C-2 Lake Recreation District located on Solberg's Point near the St. Alban's Bay channel.

The permitted uses in the C-1 district include general offices, banks, cemeteries, and conditional uses such as food and dry goods retail, hotel, mortuary, music studios, photographic studios, day nurseries. The permitted uses in the C-2 district are marinas and general offices. C-2 conditional uses include retail uses that are marina or water related, multi-family housing, and restaurants.

The C-1 Office & Institutional District (3 acres) presently is host to a bank, chiropractic office, gas station / convenience store, motor vehicle licensing, and general office building. All of these properties are likely to continue to be used in a similar manner for the foreseeable future. These uses are compatible with the adjacent residential neighborhood across Excelsior Blvd on the south side of St. Alban's Bay, Lake Minnetonka. The city's ordinances have provisions that provide for buffering between the residential and commercial district to reduce the effects of noise, lighting, etc on the neighboring residential properties.

The uses presently in the C-2 Lake Recreation District include three marinas, a multi-family condominium development, and office buildings. Due to the amount of lakeshore these premises enjoy, their highest and best use is the delivery of lake-related services, entertainment, and higher density residential uses. Demand for such services and uses is strong. Given their value, it is in the interest of the citizens of Greenwood that these properties remain productive of tax revenue and not be removed from the tax rolls. As in the C-1 district, the city's ordinances have provisions that provide for buffering between the residential and commercial district to reduce the effects of noise, lighting, etc on the neighboring residential properties.

Multi-family residential development in the C-1 district is impractical due to its narrow width, small area, proximity to Hwy 7, and poor soil conditions necessitating pilings for construction. The multi-family residential development in the C-2 district complies with DNR Rules 6120 et seq, which typically limit density within the shoreland areas. This multi-family development reflects the market value of similar multi-family properties located on Lake Minnetonka.

There remains one additional commercial property of significance – the Old Log Theatre located in the R-1 district of the city. This theater is a legal nonconforming use that predates the city's ordinance code. The Old Log has been in operation since 1940 and blends well with its residential surroundings. While it is located on a 10+ acre site, a large portion of the site is wetland. The potential redevelopment of this property is dependent on the economic viability of the Old Log Theatre.

Regional Growth Policy

According to the Metropolitan Council's Regional Growth Strategy, Greenwood has been classified as a developed community within the Metropolitan Council's 2030 Regional Development Framework. This means that Greenwood will have a minor future impact on metropolitan systems such as transportation, sewers, and parks, principally due to the fact that the community will experience limited future growth. The city is not forecasted to experience any population or household growth.

The city is classified as a suburban community with no population or household growth projected by the Met Council.

As described in the Overview, the Land Use Section will contain three primary elements: Protection, Land Use, and Housing. These elements will describe the present and projected picture of Greenwood's overall land use.

Protection

This element of the Land Use section identifies and assesses some of the more critical environmental features and historic sites. Effective protection of these areas requires more than identification, it requires an understanding of their importance. Municipal planning has changed significantly in recent years, and one phase of local planning that has gained considerably more recognition is the preservation of what is often referred to as "sensitive lands" and historic sites. "Sensitive lands" include certain soil types, woodlands, floodplains, natural watercourses, wetlands, and steep slopes. The emphasis has been on developing standards that will allow these areas to perform their natural functions. The misuse of sensitive land can result in both destruction of private property and increased public cost related to construction of corrective measures. The topic of soils is not addressed in this plan since there are no environmental constraints on the soil on the few acres of remaining undeveloped land.

Historic sites are locations and / or structures with past significance or current uniqueness that demand their preservation as a part of community continuity and character. The failure to recognize and preserve historic sites can lead to a more sterile environment in which little identity can be found.

HISTORIC SITES & STRUCTURES

Historic Sites & Structures Inventory

The only "historic site" in the city is limited to a small portion of the Excelsior Cemetery located between Hwy 7 and Excelsior Blvd on the border of the cities of Greenwood and Excelsior. The cemetery dates from the settlement of the area in the 1850s. There are no other identified historic sites within the city.

In the 19th century, Greenwood was host to summer recreation hotels that were serviced by the railroad industry and supported by a network of streetcars and streetcar boats on Lake Minnetonka. No resorts remain within the city. Cabin sites that were platted at the turn of the century have largely been converted to locations for year-round, single-family residences. Most of these have been substantially rebuilt and / or demolished and rebuilt. Therefore, there are no identified buildings of architectural significance in the city. Places of interest but not considered historical are:

1. The Old Log Theatre, which has been operating since 1940, is recognized as a local treasure, but is not considered to be an historic site or historic structure.
2. The St. Alban's Bay bridge which is co-owned by the cities of Greenwood and Excelsior. The Minnesota Department of Transportation (MnDOT) lists the bridge as number 090608 and includes it on the Minnesota Historic Bridge Inventory as a bridge that is "eligible" to be historic. The bridge was built as a Works Progress Administration (WPA) project in 1941 under the sponsorship of the Hennepin County Board of Commissioners. The inventory document states, "With its curved fascia girders and rounded, stepped-back piers and railing posts, the bridge is a well-detailed example of the Art Deco Style as applied to bridges. The structure is eligible for the National Register for its architectural design." The city does not consider this structure to be worthy of inclusion as a historic structure but has determined that the Art Deco Style features will be maintained in future bridge repairs and will be included in new bridge construction as it occurs.

The August 2016 Bridge Report includes a sufficiency rating of 43.2. When a sufficiency rating falls below 50, a bridge is categorized as "structurally deficient," but this does not mean that the bridge should be closed for safety reasons, nor does it indicate structural failure. It is simply a categorization to determine funding eligibility for bridge replacement or rehabilitation projects. Follow-up inspections and reviews have indicated that the bridge is structurally sound but requires some repair on the aesthetic features of the bridge.

HISTORIC SITES & STRUCTURES PLAN

The city of Excelsior is will continue to maintain the Greenwood portion of the Excelsior Cemetery through the agreement between the two cities.

The city of Greenwood will continue to work with the city of Excelsior to determine next steps for the St. Alban's Bay bridge and will comply with Minnesota Department of Transportation Cultural Resources Unit and the State Historic Preservation Office requirements.

Places and structures that are not now "historic," may eventually be considered historic in the future. If historic sites or structures are identified in the future, the city will take appropriate steps to ensure preservation.

ENVIRONMENTAL FEATURES

Because of the extent of the existing development pattern, preservation of environmental resources may be less a concern in Greenwood than in less developed communities. Despite this fact, the city ordinances protect environmental features during development of the remaining vacant land within the community and during potential future redevelopment.

Natural Watercourses Inventory

There are no significant watercourses within the city. There is general non-point drainage into the Lake Minnetonka basin that is then drained by way of Minnehaha Creek to the Mississippi River. The various marshes and wetlands within the city are drained by small streams and conduits to the waters of Lake Minnetonka and are otherwise illustrated on the wetlands map.

Natural Watercourses Plan

The city has an interest in ensuring that the natural drainage of existing upland wetlands are maintained and otherwise unobstructed. Restrictions on hard surfacing and limits on the right to expand properties within the Shoreland Management District contribute to the city's ability to control and maintain the natural drainage.

Preservation of natural watercourses is an essential part of any program to minimize public investment in storm sewers and improve the quality of stormwater runoff. However, the conservation efforts must extend beyond the streams and creeks themselves, and consideration must be given to the entire watershed, including wetlands, lakes, and ground water resources. Included in the attachments section of this comprehensive plan is the city's most recent Stormwater Management Plan that serves as a policy document and detailed plan to enhance overall water quality. The plan conforms to the guidelines established by the Minnehaha Creek Watershed District.

Wetlands Inventory

Wetlands are low-lying areas, which are normally covered with shallow or intermittent waters. Swamps, marshes, bogs, and other low-lying areas are all wetlands, and may occur as part of a river, stream, drainage way, or as a freestanding low area. Wetlands that provide desirable open space and wildlife habitat also provide a natural filtering system and storage basin to absorb and hold stormwater runoff. They also reduce soil erosion and flood potential.

Both the Minnesota and Federal governments heavily regulate wetlands. In Minnesota, agencies regulating wetlands include the Army Corps of Engineers, Board of Soil and Water Resources, Department of Natural Resources, watershed districts, and municipalities. In general, wetlands or wetland alterations exceeding a total area of 400 sq ft are subject to a variety of regulations. In most urban areas, any alteration of wetlands must be replaced at an acre ratio of 2 to 1. As a matter of practice, the city of Greenwood rarely permits the alteration of wetland areas and reserves the right to permit such alterations on a case-by-case basis. Restrictions generally apply to all of the following wetland categories:

Type 1. Seasonally Flooded Basin or Forest: The soil is covered with water or is waterlogged during variable seasonal periods but usually is well-drained during much of the growing season.

Type 2. Inland Fresh Meadow: The soil is usually waterlogged within a few inches of water on the surface throughout the growing season.

Type 3. Inland Shallow Fresh Marshes: These principal production areas for waterfowl are often found bordering deep-water marshes, or as seep areas on irrigated lands.

Type 4. Inland Deep Fresh Marshes: 6 inches to 3 feet of water supporting water lilies, pond weeds, and attract ducks.

Type 5. Inland Fresh Open Water: Less than 10 feet of water may sustain permanent populations of fish and migratory waterfowl.

Type 6. Shrub Swamps: Waterlogged areas along sluggish streams and floodplains, supporting dogwood, willow, alders, and many forms of wildlife.

The city has designated seven wetlands of varying sizes. Total acreage of wetlands within the city is 8.2 acres. These are largely upland wetlands that ultimately drain to the waters of Lake Minnetonka.

Wetlands Plan

The city's zoning ordinance includes a wetland ordinance which prohibits the disturbance of designated wetlands within the city and requires an environmental protection plan in the event any manmade structure is proposed to be built within an existing wetland. Justification of such development is required and otherwise limited and restricted. The city is not required to allow the improvement of wetlands under its ordinances.

Lakes Inventory

The city of Greenwood largely surrounds St. Alban's Bay, Lake Minnetonka. It also abuts Excelsior Bay and lower Lake Minnetonka. This 14,000 acre lake on the western side of Minneapolis in Hennepin County is considered one of the finest inland navigation lakes in the United States.

Lakes are a source of concern when altered by surrounding development. High levels of precipitation can inundate abutting land, while adjacent streets and parking lots may produce runoff containing polluting substances. Thus, all discharge into and withdrawal from lakes should be carefully regulated and monitored.

Since Greenwood's character and unique value derive largely from its setting on the shores of Lake Minnetonka, the following specific concerns and issues are raised:

- Runoff from streets and parking lots introduce contaminants into lakes and drainage ways.
- There is the possibility of inundating abutting land areas with water during floods.
- Watercourses could be used for roads, driveways, and utilities without proper precautions.

The three agencies concerned with water quality in the Greenwood area are the Lake Minnetonka Conservation District, the Minnesota Department of Natural Resources, and the Minnehaha Creek Watershed District. These organizations and the standards and regulations are described below.

The Lake Minnetonka Conservation District (LMCD) has regulations regarding docks and policy statements regarding stormwater runoff and quality.

The Minnesota Department of Natural Resources (DNR) regulates shoreland throughout the state of Minnesota. Its lake protection classifications apply to Lake Minnetonka. Lake Minnetonka is classified as a General Development lake, which is the most densely developed, multiple use category of lake.

The Minnehaha Creek Watershed District (MCWD) has regulates many aspects of lake protection. Their jurisdiction in Greenwood includes policy statements and regulations concerning the following:

- Flood plains
- Stream and lake crossing
- Dredging in or dredging related to water areas
- Other work in beds and levels of water areas
- Municipal drainage plans
- Land use and soil characteristics
- Withdrawal of waters
- Placement of structures on lots riparian to public waters
- Erosion and sediment control

Lakes Plan

1. In 1993, the city adopted a Shoreland Management District ordinance which regulates development with 1000 feet of any of the classified lakes. The ordinance also contains lot size restrictions, setback provisions, and limits amounts of impervious hardcover. Greenwood's ordinance was approved by the DNR and is more restrictive than the DNR's standards.
2. The city has established harbor regulations intended to complement and supplement the LMCD and MCWD regulations and will continue to review those regulations with an eye towards ensuring the peaceful use of Lake Minnetonka's resources and otherwise ensure that the use of the lake is compatible with the residential character of the city as a whole.
3. The city will continue to partner with the MCWD to implement their regulations.
4. The city will continue to partner with the LMCD implement their regulations.

Woodlands Inventory

A woodland differs from a forest because of its smaller land area. Woodlands are the basis of much of what is "scenic" in landscape and function as windbreaks, water and air filters, and temperature moderators. Greenwood's woodlands cover a majority of the total land in the community and therefore contribute greatly to the character of the community.

While larger tracts of trees are sometimes protected by Federal and State preserves, significant amounts of woodland areas are subject to the potential threat of urban development. Other threats to woodlands that are more significant for Greenwood are disease and natural disaster. Communities have had some success controlling Dutch Elm Disease and Oak Wilt by developing effective management programs.

Woodlands Plan

Total preservation of woodlands or forests may not be desired or in the best public interest. However, a choice need not be made between total preservation or nothing at all. The city's care and attention to proper preservation and use of woodland areas include the following steps:

1. Continue to plant trees in public open space and right-of-ways and carefully monitor the cutting and trimming of trees on public property.
2. Maintain the natural state of the woodland area gifted to the city (Shuman Woods Park) and within Greenwood City Park.
3. Continue to implement ordinances that mandate replacement planting, limit clear-cutting, and regulate the number of trees a property owner can remove on an annual basis.

Slopes Inventory

Regulating development on hillsides is a concern in the Lake Minnetonka area because of the varied topography. Slopes, if abused through ill-considered development practices, could be stripped of their natural protective functions. As people seek out choice residential sites and as some lots are further subdivided, there will be increasing pressure for hillside development. The slope, soil, vegetation, and underlying geological formation of the hillsides determine the stability and susceptibility of the soil to erosion. Removal of vegetation from slopes alters the soil stability and increases erosion and siltation. Although there are no severe soil stability problems in Greenwood, the city has established ordinances to avoid them in the future.

The city relies on its requirements of bluff setback and toe of bluff setback as well as excavation and clear-cutting limitations within the Shoreland Management District ordinance to control adverse impacts on slopes. These ordinances are effective since the entire city has been included in the designated Shoreland Management District.

Slopes Plan

In Greenwood, because of the presence of slopes and susceptibility of these areas to erosion, steep slopes are identified whenever a property is reviewed for subdivision or construction. Since poorly-designed or poorly-constructed structures on hillsides frequently result in a substantial cost to the public, slope regulations within the Shoreland Management District ordinance are necessary.

The city will continue to review its Shoreland Management District regulations and, as may be appropriate, expand the prohibitions on clear-cutting and / or excavation or disturbance of existing slopes and bluffs.

Slopes that are prone to severe erosion (30%) are protected as permanent open space. Slopes that are subject to moderate erosion (18% to 30%) can be developed if there is proper enforcement of appropriate standards. Preservation of erodible slopes is important, not only from an environmental and economic standpoint, but also for aesthetic reasons. The city's Shoreland Management District ordinance provides the following protections:

1. There shall be no alterations of slopes greater than 30%.
2. Structures are allowed on slopes that are susceptible to erosion only if proper precautions are observed.
3. Vegetative cover is to be preserved as much as possible to minimize erosion problems.
4. A permit is required for shoreline properties with banks that have a 12%+ slope.
5. Development controls should be adopted to minimize erosion and slippage.
6. Soil is to be exposed for the shortest possible time and sediment trapped during construction.
7. Shoreline protection and stabilization are the individual property owner's responsibility.

Land Use

INTRODUCTION

No significant changes are forecasted in the current land use of the city of Greenwood. Economic forces are expected to improve the maintenance of lakeshore and non-lakeshore properties.

There are no areas of blight. Consequently, the city has designated no areas for redevelopment. Present commercial areas, whether they be lake oriented in the C-2 Lake Recreation District or business oriented in the C-1 Office & Institutional District along Hwy 7, are most likely to continue in their present orientation and remain unchanged for the foreseeable future.

The future land use map sets forth anticipated course and intensity of future development within the city of Greenwood. The type of land use in the city will remain unchanged in the years 2020, 2030, and 2040. No significant future development is anticipated. It is anticipated that residential use will remain static for the reason there are very few lots large enough for future subdivision, and the use of lakeshore property for residential home sites is considered its highest and best economic use.

Adjacent non-lakeshore properties will have continuing high value as single-family residential home sites due to the availability of recreational opportunities in conjunction with Lake Minnetonka and the general quality of life. Commercial areas also will likely remain unchanged. The land in the C-2 Lake Recreation District, will most like continue to be devoted to servicing Lake Minnetonka boating – a demand which certainly will not fade. The land used within the C-1 Office & Institutional District will continue to attract small businesses due to relatively small lot sizes and the need to ensure that use of these properties minimizes the impact on adjacent residential areas.

5-YEAR STAGING

As noted above, the city does not anticipate any significant growth between now and 2040. This is in conformance with the Metropolitan Council's forecast of population, households, and employment opportunities in the city of Greenwood.

REDEVELOPMENT AREAS

There is one tax-forfeited 7,536 sq ft property in the city located at 21495 Minnetonka Blvd. There are no brown field sites, obsolete retail areas, or general areas of declining property values within the city. There are no locations near retail, transit, or other services that would be appropriate for senior or high-density housing in the future

NEW LAND TO URBAN SERVICE AREA

The entire city of Greenwood is within the current urban service area and no change will occur.

LAND USE MAP

There are minor differences between the existing land use map and the future land use map as the city is entirely within the urban service area and has very little vacant land. Because there are no major changes anticipated, there are no interim uses identified. Therefore, it is not necessary to create a local capital improvement program to stage local infrastructure development. The existing infrastructure is anticipated to serve the needs of the community as presently built. Given that the Metropolitan Council forecasts that the city population, households, and employment will remain static through the year 2040, public services and roads are expected to meet the needs of the population today and for the foreseeable future. There are no planned highway improvements. As discussed in the Public Facilities section all planned improvements to Minnesota State Hwy 7 have been completed.

RESIDENTIAL DEVELOPMENT

The zoning map (attachment B) shows streets, city property / parks, office and institutional zoning district, lake recreation zoning district, and two residential zoning districts. The city council recently consolidated four residential zoning districts into one residential zoning district. The existing and future land use maps (attachments D & E) show streets, city property / parks, commercial, and residential areas. No major changes are anticipated through the year 2040.

COMMERCIAL AND INDUSTRIAL AREAS

Commercial properties within the city are divided into two zoning districts. The C-1 Office & Institutional District is located in the southerly portion of the city along the northerly right-of-way of State Hwy 7 and the C-2 Lake Recreation District is located on Solberg's Point near the St. Alban's Bay channel. The only other commercial property is the Old Log Theatre located in the R-1 Single-Family Residential district of the city. There are no other commercial areas within the city and no others are planned or anticipated. There are no industrial areas within the city and none are planned or anticipated.

COMMERCIAL DEVELOPMENT AND EMPLOYMENT FORECASTS

No new commercial developments are planned or anticipated. The city has no regulation on the maximum / minimum number of jobs required per acre, nor does the city have the ability to anticipate the number of jobs that existing commercial properties would host on a per acre basis apart from the forecast of the Metropolitan Council. Their forecast shows total employment for the city is expected to grow from 82 in the year 2010 to 130 in the year 2040. There is no information available as to whether these are part-time, full-time, or seasonal jobs. However, it is anticipated that most workers within the Lake Recreation District would be part-time or seasonal. Work in the service businesses along Minnesota Hwy 7 include part-time and full-time year-round positions. Jobs at the Old Log Theatre include short-term, part-time, and full-time positions.

The minimum lot area in the C-1 district is 20,000 sq ft and is 3 acres in the C-2 district. Lot coverage for both areas is not more than 30% hardcover to be occupied by buildings or other hard surfacing as dictated by the Shoreland Management District ordinance. 75% hardcover is allowed with a stormwater management plan approved by the city engineer. Front, side, and rear yard setback regulations define buildable lot area and otherwise confine the properties on Hwy 7 to a relatively small building envelope while the 50-foot lakeshore setbacks for the C-2 Lakeshore Recreation District restrict the expansion of buildings lakeward. These restrictions will limit total employment and growth of employment opportunities.

There are no rural areas in the city.

NON-HIGHWAY LINKAGES (TRAILS)

Indicated on the street and trail map are existing walking and biking corridors and trails maintained by the city and / or Three Rivers Parks District. These link the citizens of Greenwood to the cities of Excelsior, Deephaven, Shorewood, and beyond. The local road network is conducive to biking and walking to park facilities. Trails are further discussed under the Recreation, Parks, Trails, Open Space heading on page 21. Roads are further discussed under the Transportation heading on page 20.

BRIDGE PLAN

The city of Greenwood shares in the use of the St. Alban's Bay Bridge, located on Minnetonka Boulevard, with the city of Excelsior. The city will continue to monitor the condition of the bridge. The two cities will work together with the goal that monies from the federal, state, and county may be used to repair and / or replace the bridge when necessary. The bridge is further discussed under the Historic Sites & Structures heading on page 10.

STAGING: FLEXIBILITY & OPTIONS

The city is not subject to staged growth.

HISTORIC SITES & STRUCTURES

Historic sites and structures are discussed under the Historic Sites & Structures heading on page 10.

Housing

Because Greenwood is almost fully developed, the mix of housing will not change significantly over the next two decades. At the most a few vacant lots will be developed and a few new single-family building sites will become available due to minor subdivisions of existing larger lots. As a result, the focus of the community’s future housing efforts will be on maintenance, renovation, and demolition / reconstruction of the existing housing stock.

HOUSEHOLD CHARACTERISTICS

44% of the properties in the city are lakeshore properties which are often subject to renewal, redevelopment, remodeling, and rehabilitation. Off-lake properties are a significant portion of the available housing at 56%. The 2017 value of single-family properties ranged from \$123,000 to \$4,958,000 with a median home value of \$885,000. Georgetown Manor, which has 17 units, is the only multi-family rental apartment building in the city. The St. Alban’s Bay Villas, which has 20 units, is the only multi-family condominium in the city. Because there is very little land available for subdivision, it is unlikely the city will see any changes in the relative number of affordable housing or an increase in multi-family housing.

Population and Household Developments

Since Greenwood almost fully developed city, there very little land to be developed. There is potential growth due to subdivision and development of a few vacant lots. Between 2000 and 2010, the city had a net gain of 5 households, a 1.8% increase. By 2040, the Metropolitan Council estimates that Greenwood will have 300 households, a 0% change from 2020 to 2040.

In addition, the total population for the city is forecasted to slightly decline. The 2010 census put the population of Greenwood at 688. The Metropolitan Council estimates the city’s population will be than 680 in 2020, 670 in 2030, and 650 in 2040.

Population / Household Trends

	2000	2010	Change	% Change
Total Population	729	688	-41.0	-5.6%
Number of Households	285	290	5	1.8%
Persons per Household	2.6	2.4	-0.2	-7.4%
Number of Families	215	223	8	3.7%
Persons per Family	3.0	2.7	-0.3	-8.8%

Source: U.S. Census Bureau

Forecasts of Population, Households, and Employment

	2010	2020	2030	2040
Population	688	680	670	650
Households	290	300	300	300
Employment	82	110	120	130

Source: Met Council

2010 General Demographic Characteristics

Male	357	Median Household Income	\$130,417
Female	331	Average Commute	25.3 minutes
Median Age	49.8	Age 65 Years and Older	96

Source: U.S. Census Bureau

METROPOLITAN COUNCIL FORECASTS

Forecasts prepared by the Metropolitan Council predict that Greenwood will add zero households over the next 20 years. This projection could change if the property currently occupied by the Old Log Theatre is developed as housing. Since that property was recently sold in 2013 and continues to be operated as a theatre, it is unlikely that the Old Log property will be developed as housing. Without the development of the Old Log property, the only source of new housing growth will come from the development of the very few existing vacant lots and subdivisions of very few existing larger properties. Occasionally, adjoining lots are combined which reduces the number of households within the city.

FUTURE HOUSING DEMAND

A number of current trends are likely to impact future housing demand in the city of Greenwood. These trends include:

Life-Cycle Evolution

As people move through the different stages of life they develop different housing needs. This process is known as life-cycle housing. A young person getting out of school usually can't afford a home and begins by renting. As people grow older, they establish a family and buy their first home, typically either a townhome or a smaller home. As families grow and household income increases, they move up into a larger home. Once the children leave the house, many people downsize and move back to smaller homes or multi-family housing with less maintenance needs. Finally, as people reach retirement they may desire or need an assisted-living housing type. Greenwood accommodates many of the housing styles in the life-cycle evolution. The city has a supply of rental apartments and older, smaller, relatively affordable homes. The city has a large supply of move-up housing that are higher-value, single-family detached homes. The city also has condominiums for those who are looking to downsize to housing with less maintenance.

The Baby Boom Generation

The baby boom generation was born between 1940 and 1960. This large population cohort is a driving force in the economy and is expected to continue to be so for at least the next 10 years. Their housing needs are changing as well. Those who are in the 40s age group are living in the largest home of the life-cycle chain and will be seeking to downsize in the next 10 to 20 years. Those residents who are in their 50s will be looking to downsize in the next 10 years. Those in their 60s are driving the demand for one-level living and senior housing today.

As the baby boom generation moves into the next cycle of housing, they leave behind the larger single-family homes. The population cohort that followed the baby boom era is much smaller. Now that the baby boomers have begun to downsize, regionally there will be an excess supply of larger single-family homes. Fortunately, amenities in and around Greenwood are expected to help sustain the demand for larger single-family homes despite an abundant regional supply of such housing.

Rental Housing

Since 1990, very little new development of rental housing has occurred in the entire Twin Cities metro area, other than upper scale apartment complexes and rental townhome developments. Rental housing is a critical component at the beginning and end of the life-cycle housing chain filling the needs of several segments of the population including:

- Commercial and retail service employees
- Single income families and individuals
- Senior citizens living on fixed incomes
- Young people moving out of homes and into the workforce
- Economically disadvantaged households

The rental housing stock in the city of Greenwood, as well as throughout much of the metro area, includes an apartment building and a variety of single-family housing stock.

HOUSING PLAN

The city of Greenwood recognizes that the community will have a number of housing needs over the next 10 to 20 years. Since the city is almost fully built out, it is impossible to significantly change the current composition of housing stock within the boundaries of the city. Therefore, the city will continue to focus its housing development and other related efforts on the maintenance and rehabilitation of current housing stock to provide a variety in housing choices that will continue to serve much of the life-cycle housing and affordable housing needs.

Livable Communities Program

Greenwood currently does not participate in the Livable Communities Program. The city will continue to monitor the program and will periodically assess participation in the program. The city does provide information on financial resources and economic assistance that may be available through the County HRA or Minnesota Housing Finance Agency.

Housing Maintenance Code / Code Enforcement

The city currently enforces building and zoning codes as measures to require and encourage property maintenance. The city enforces the International Property Maintenance Code to ensure that the rental housing supply is maintained in good condition.

Rehabilitation / Renovation Programs

A number of programs are currently available for housing rehabilitation and renovation. As a community's housing stock ages, it is increasingly important to provide low to moderate income residents with the resources needed to be able to install a new roof, replace old windows, replace deteriorated siding, replace outdated mechanics, and other maintenance issues facing older homes. In addition to housing rehabilitation, many homes need renovation to meet the needs of changing household demographics. Older homes often fit the bill for first-time home buyers and this sometimes mean a transition from an elderly single person to a young family with children. Housing needs and tastes between these generations are different and can be accommodated through remodeling and renovation.

The size of Greenwood prohibits the city from participating directly in any redevelopment of properties within its boundaries. However, the city will refer interested parties to economic assistance programs available from the Minnesota Housing Finance Agency, Metropolitan Council, Minnesota Mortgage Program, Homeownership Assistance Fund, Purchase Plus Program, Minnesota Urban & Rural Homesteading Program, and other agencies or programs.

Affordable Housing

The Metropolitan Council has forecasted the affordable housing needs for all cities and townships within the Twin Cities Metropolitan Area for the period from 2021 to 2030. The city's share of this allocation is zero affordable housing units. Affordable housing is defined as housing affordable to households at or below 80% of the Area Median Income (AMI). 80% AMI for the Twin Cities Metro Area equals \$65,800 for a family of four. 30% or less of gross monthly income equals \$1,645 per month or less for a mortgage or rent. The most recent data (2017) shows that 11 of 348 residential properties are valued at \$300,000 or below and the Georgetown Manor apartment (17 units) rent for \$1,000 (1BR) to \$1,400 (3BR).

Infrastructure Improvements

An important part of maintaining strong neighborhoods and strong housing opportunities is maintaining quality infrastructure including streets, trails, and utilities. Old infrastructure that is poorly maintained shows a lack of investment into the community and subtly communicates a low expectation for upkeep of housing. Conversely the maintenance of city infrastructure encourages a high expectation for upkeep of housing. The city will continue to maintain quality streets, trails, and utilities throughout the community.

PUBLIC FACILITIES

Sanitary sewer, storm sewer, water, transportation, and parks comprise the major categories of public facilities addressed in this section. Since Greenwood is approaching full development, existing utilities (except water), roads, parks, and trails are accessible to all areas of the community. Therefore, city planning is oriented toward maintaining and improving existing facilities rather than planning for the accommodation of future growth.

Public Utilities

UTILITIES INVENTORY

Sanitary Sewer

1. Availability - The existing local system was constructed in the early 1970s and full service is available to the entire community.
2. Capacity – Sanitary sewer service to the city of Greenwood is supplied by the Metropolitan Council Environmental Services. Effluent from Greenwood is treated at the Blue Lake Waste Water Treatment Plan located in Shakopee. Since Greenwood is projected to add 0 households from 2020 through 2040, the current system has the capacity to accommodate the city’s needs into the future.

Water

1. Greenwood does not currently have a municipal water system. Water is provided from private wells with the exception of two localized areas that receive municipal water from the city of Excelsior: (1) The St. Alban’s Bay Villas and adjacent commercial properties; and (2) The residential and commercial properties along Excelsior Blvd from the Excelsior city boundary to Maple Heights Road.
2. The quality of private well water is generally acceptable except that it has a high iron content.
3. Well pollution and ground water contamination have not been a problem in Greenwood.

Storm Sewer

The city has a few small areas that have curb and gutter to direct water into drainage ways and wetland areas via storm sewers, but Greenwood does not have an overall storm sewer system. The city’s stormwater drainage primarily is handled via overland flows that are collected in various drainage ways and wetland areas.

UTILITIES PLAN

Sanitary Sewer

1. Greenwood is completely sewered and all households, population and employment are service by the Blue Lake Wastewater Treatment Plant. Since the city is fully developed, the city does not need to consider any expansion or phasing of new facilities.
2. Projected sewer flows are expected to remain relatively stable since the sewered population is not anticipated to increase over the next 20 years and the expected increase in sewered households and employment over the same period will not change. The past and projected flows are as follows:

	2010	2020	2030	2040
Sewered Population	688	680	670	650
Sewered Households	290	300	300	300
Sewered Employment	82	110	120	130
Average Annual Wastewater Flow (MGD)	.06	.06	.06	.06
Allowable Peak Hourly Flow (MGD)	.24	.24	.24	.24

3. The city acknowledges the issue of inflow and infiltration (I / I) into the city’s sanitary sewer system. The city enacted a sump pump inspection ordinance and will continue to participate Metropolitan Area Grant Fund programs to undertake I/I projects to minimize I/I flow into the sanitary sewer system.

Water

Most properties within the city of Greenwood receive water from private wells. Pollution of private wells has not been a major problem in Greenwood. Accordingly, the city intends to continue to rely on private wells for potable water for the foreseeable future and has no immediate plans to implement a municipal water system.

Storm Sewer

1. The city of Greenwood had adopted a comprehensive stormwater management plan in conformance with plans and policies adopted by the Minnehaha Creek Watershed District. The plan complies with the requirements of the watershed district as well as those of the Metropolitan Council.
2. The city also has adopted an ordinance that requires construction projects to maintain the same rate of runoff after development that existed in the pre-development or pre-redevelopment condition.

Transportation

THOROUGHFARES

The current roadway system has been established in Greenwood and due to the extent of existing development, major changes to the system are neither warranted nor would they be economically feasible. Higher traffic volumes and traffic congestion occur in one primary area: Minnesota Hwy 7. All roads within Greenwood are part of an overall system of functional classification. Minnesota Hwy 7 is a principal arterial and Minnetonka Boulevard is a collector. All remaining streets are classified as local streets.

The Metropolitan Council utilizes Traffic Assignment Zones (TAZ) to analyze the impacts of future growth on the metropolitan roadway system. Traffic assignment zones information are shown on the following table and attached map.

Greenwood TAZ Information

	TAZ	2010	2020	2030	2040
Population	625	688	680	670	650
Households	625	290	300	300	300
Employment	625	82	110	120	130

LOCAL TRANSPORTATION SYSTEMS

The southerly boundary of the city is the right-of-way of Minnesota State Hwy 7, a principal arterial metropolitan highway. This 4-lane limited access east / west highway services the western Twin City suburbs. It provides access directly to Minneapolis and the I-494 / I-694 ring interstate road system. There are no expansion plans for Hwy 7.

Public transportation is provided by Metro Transit bus routes 670 & 671 servicing the city of Excelsior from downtown Minneapolis by way of Minnetonka Boulevard or Excelsior Boulevard. The bus transportation provides peak period service for residents to commute to downtown Minneapolis and points en route. The city of Greenwood does not have park and ride lots or station facilities for transit passengers. There is no plan for development of such sites.

Greenwood is within the Metropolitan Transit Taxing District and included within Market Area IV. Services for cities within Market Area IV include peak express bus service, Transit Link (formerly Dial-A-Ride), and special needs transit service for ADA and seniors (Metro Mobility).

AVIATION & AIRPORTS

Aviation Inventory

Greenwood is approximately 20 miles from the Minneapolis / St. Paul International Airport which serves the metropolitan area. It is approximately 14 miles from Flying Cloud Airport, a regional airport in the city of Eden Prairie. There are no privately owned airports, airfields, or heliports within the city. There are no radio beacons or navigational aids related to aircraft operation and no existing or proposed water towers, television, radio towers, or structures which exceed 200 feet in height located in Greenwood. The Minnesota Department of Transportation has identified Lake Minnetonka as an area of seaplane operation. The FAA controls the designation of seaplane base lakes and all associated regulations.

Aviation Plan

There is no land suitable within Greenwood for uses relating to aircraft operation. The city will notify the FAA and the Minnesota Department of Transportation of any structure 200 feet above the ground that could affect navigable airspace, however the city’s zoning code does not permit such structures.

TRAFFIC FLOW & CONGESTION

With the exception of Minnesota State Hwy 7, where traffic flow and congestion is managed by the Minnesota Department of Transportation, there are no traffic congestion problems in the city. Most streets are local and residential in character and are limited to local traffic. Through traffic is confined to Minnetonka Blvd which connects Greenwood with Excelsior at its southern boundary and Deephaven and Shorewood at its northern boundary. Minnetonka Blvd does not experience traffic congestion.

STREET MAINTENANCE

Street maintenance is provided under contract with the city of Deephaven. They are responsible for repairing, plowing, and maintaining the street system. Larger street projects, such as mill and overlay projects, are awarded through a bid process.

PUBLIC SAFETY SERVICES

The South Lake Minnetonka Police Department (SLMPD) provides police services to the city of Greenwood. The SLMPD is operated under a joint powers agreement between the cities of Greenwood, Excelsior, Shorewood, and Tonka Bay. The SLMPD was established in 1973. The department functions with a high-level of efficiency and is well respected by the citizens it serves.

Fire protection is provided by the Excelsior Fire District which is operated under a joint powers agreement between the cities of Greenwood, Deephaven, Excelsior, Shorewood, and Tonka Bay.

Recreation, Parks, Trails, Open Space

This section serves as a guide for the city council in making decisions that impact recreational opportunities within the city. Greenwood is fortunate to have abundant natural resources. Mature trees, wetlands, and lakes provide the backdrop for recreational activities within the community.

Greenwood's overall goal for recreation, parks, trails, and open space is to preserve the existing natural setting, conserve natural resources, protect environmentally sensitive areas, and fulfill the needs of the people of the city.

RECREATION, PARKS, TRAILS, OPEN SPACE SUPPLY

The city of Greenwood does not have federal or state parks within its boundaries. The Lake Minnetonka Regional Trail, located on the western border of the city, is managed by Three Rivers Park District. The Greenwood section of this heavily used trail includes one of the most spectacular views of Lake Minnetonka and Big Island. City recreation, park, trail, and open space amenities include:

- **Greenwood Park** Located on Covington Street between Meadville Street and Fairview Street. Amenities include a tennis court, basketball court, playground equipment, picnic tables, and trail.
- **Shuman Woods Park** Located on St. Alban's Bay Road near the intersection with Minnetonka Blvd, this park is a natural woodland.
- **Minnetonka Blvd Trail** This asphalt trail is located along Minnetonka Blvd between Lodge Lane and Meadville Street.
- **Excelsior Blvd Trail** This asphalt trail connects with Excelsior's trail to the west and Shorewood's trail to the east.
- **Lake Minnetonka Amenities** The city offers four Lake Minnetonka amenities: (1) A city marina located on the north shore of St. Alban's Bay near Greenwood Circle includes 26 boat slips; (2) A boat launch located on Meadville Street includes 2 sailboat slips, canoe racks, and a bench; (3) A passive overlook located on Meadville Street; and (4) A dock on the north shore of St. Alban's Bay near Curve Street.

According to the National Recreation & Park Association, cities that maintain less than 250 acres of park land have a median of 5 acres of park land per 1000 residents (.005 per person). The most current population estimate for Greenwood is 702 x .005 equals 3.51 acres. The combined acreage of Greenwood Park (1.57 acres) and Shuman Woods Park (2.65 acres) is 4.22 acres. Therefore, the city exceeds the national median for park acreage.

Utilizing population ratio standards is only one general measure of the adequacy of a community's park and recreation system. A comprehensive analysis also requires a review of the accessibility of recreational facilities. Various types of parks and recreation facilities have recommended service areas. Neighborhood parks have a typical service area of 1/2 mile. The service area for community parks is 1-2 miles. Since the entire city of Greenwood is less than 1/2 square mile, the park and trail system in the city serves the recreational needs of our residents.

RECREATION, PARKS, TRAILS, OPEN SPACE PLAN

Since Greenwood residents' recreational needs are served by the Lake Minnetonka Regional Trail and city amenities, there are no plans for adding new recreation, park, trail, or open space amenities. In accordance with state law, the city's designated park fund will continue to be used for acquisitions and improvements for the current park, trail, and open space amenities. Costs for maintenance of the city's park, trails, and open spaces will continue to be paid from the city's general fund. Costs for acquisitions, improvements, and maintenance of the city's marina and boat launch / sailboat slip / canoe rack area will continue to be paid from the city's marina fund.

IMPLEMENTATION

The Greenwood comprehensive plan contains a collection of goals, policies, and standards designed to set a direction for the community over the next 10 to 20 years. Many communities prepare comprehensive plans to help address significant change. Since Greenwood is almost fully developed, major changes are not anticipated over the next couple of decades. Rather, the focus of the city will be on maintaining quality residential and commercial properties and in enhancing the natural environment.

Comprehensive plan implementation in Greenwood includes administrative procedures, official controls, environmental protection, and a housing plan.

Administrative Procedures

As a regulatory entity, the city plays a major role in land development. Development decisions have a lasting effect on the image and identity of a community. Therefore, the city's policies, plans and ordinances reflect the collective vision of the community. In order to make the development process and application procedures more understandable to the general public, current procedures will be reviewed on an ongoing basis and revised where appropriate.

Official Controls

Greenwood's zoning, shoreland, and subdivision ordinances are the principal tools in implementing the policies outlined in the comprehensive plan. The zoning ordinance establishes minimum requirements and standards for the utilization of land and structures within the city. The existing zoning classifications are consistent with the land use plan of the comprehensive plan. There are no plans to change the official controls currently in place.

Environmental Protection

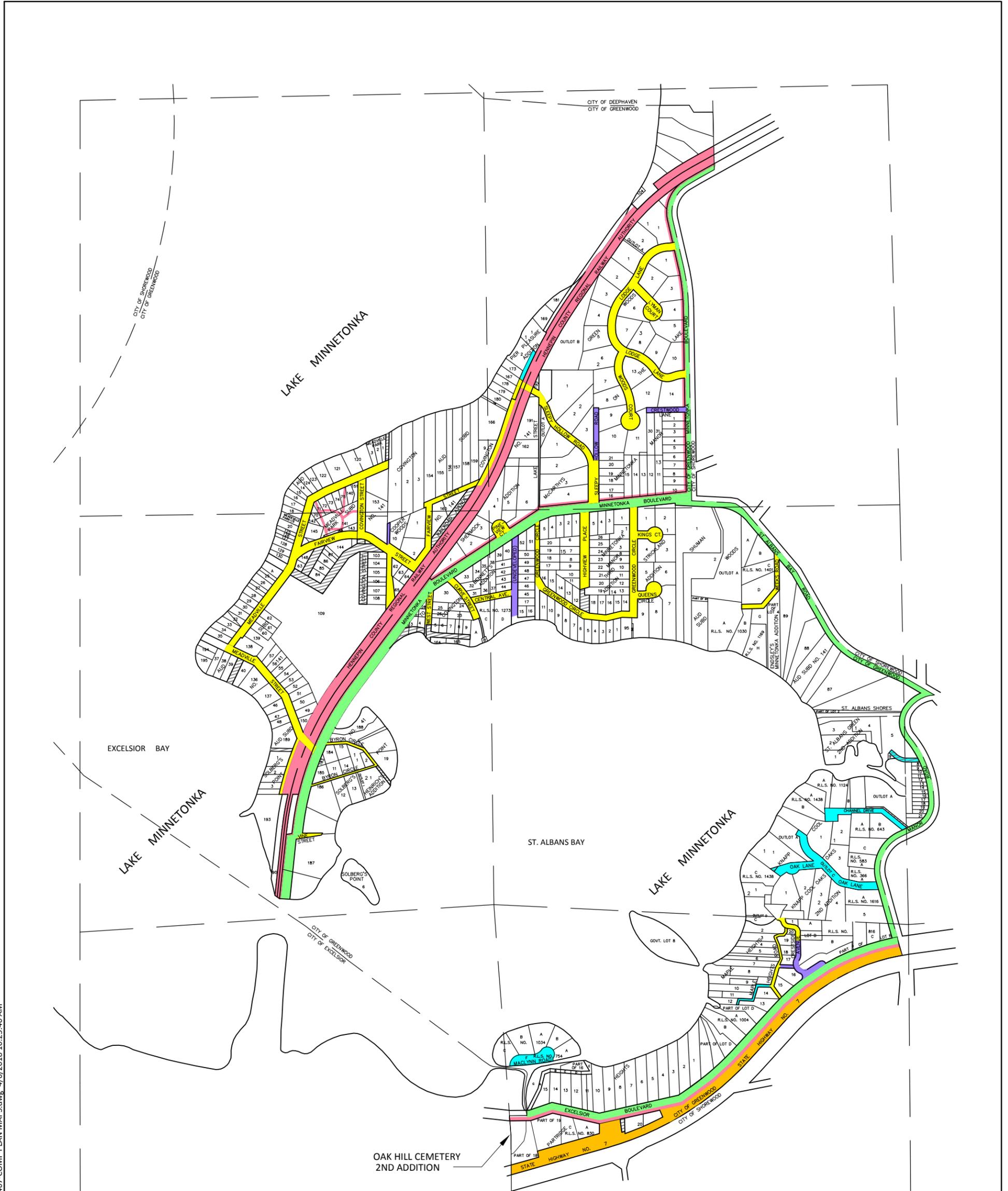
The image of a community is established by a number of factors. The strongest single element that shapes the form of Greenwood is the environment. Lake Minnetonka, wetlands, and mature trees are dominant natural elements. These elements are so strong that they overshadow the manmade components of the development pattern.

Because of the importance of Greenwood's natural environment, the city will need to continually monitor the adequacy and effectiveness of environmental protection ordinances. The city's Shoreland Management District provisions contain standards for shoreline development. At the state and national levels, wetland regulation has become more comprehensive in recent years. At the local level, Greenwood will continue to examine its current ordinances to ensure that environmental protection is adequately addressed.

Housing Plan

The city of Greenwood is at full development. As a result, the city has limited opportunities to accommodate new housing development.

It is important for any community to have a well-maintained housing stock. Deteriorating housing not only makes a community less aesthetically appealing but it can also undermine property values. At the present time, most of Greenwood's housing stock is well maintained. As housing within the community continues to age, the city will continue to monitor maintenance of both rental and owner-occupied housing and enact housing maintenance provisions if warranted.

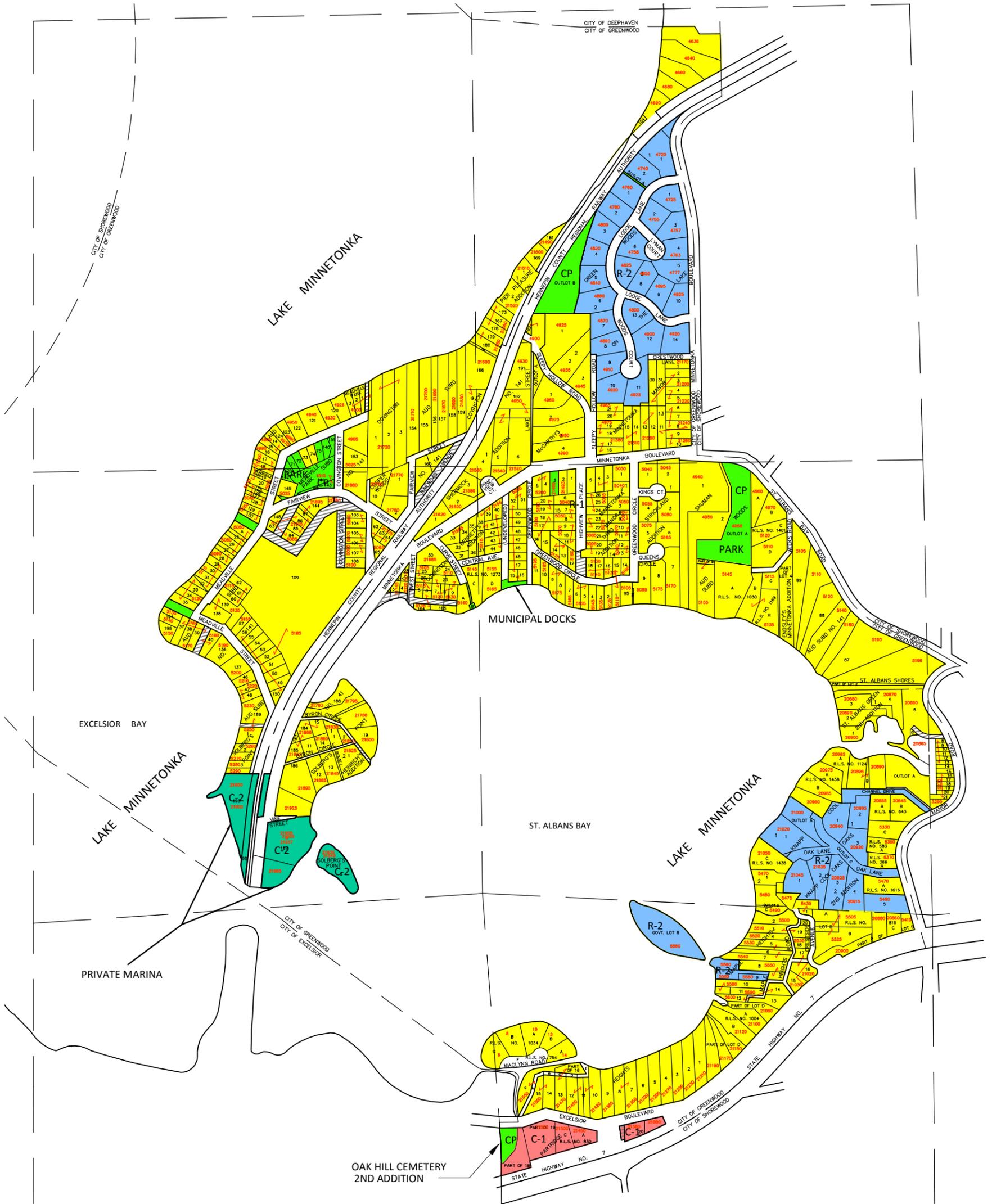


LEGEND

-  PRINCIPAL ARTERIAL
-  LOCAL COLLECTOR STREET
-  LOCAL STREET
-  PRIVATE STREET
-  STREET NOT CONSTRUCTED
-  TRAIL / WALKWAY



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LEGEND

- C-1 OFFICE & INSTITUTIONAL
- C-2 LAKE RECREATION
- R-1 SINGLE FAMILY
- R-2 SINGLE FAMILY
- CP CITY PROPERTY / PARKS



GREENWOOD ZONING DISTRICT DESCRIPTIONS

R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

The intent of this district is to provide a use zone for single-family dwellings that will be exclusive of other types of use for the purpose of creating and preserving the residential character of the community, and also allow for the continuing operation of an established theater with attached restaurant in the manner it has been used historically heretofore and providing for possible enlargement of facilities and / or intensification of established uses by conditional use permit first obtained in a manner that is compatible with the surrounding residential community and provides flexibility to address changing business conditions. The minimum lot size is 15,000 sq ft. The minimum lot size is 15,000 sq ft.

R-2 SINGLE-FAMILY RESIDENTIAL DISTRICT

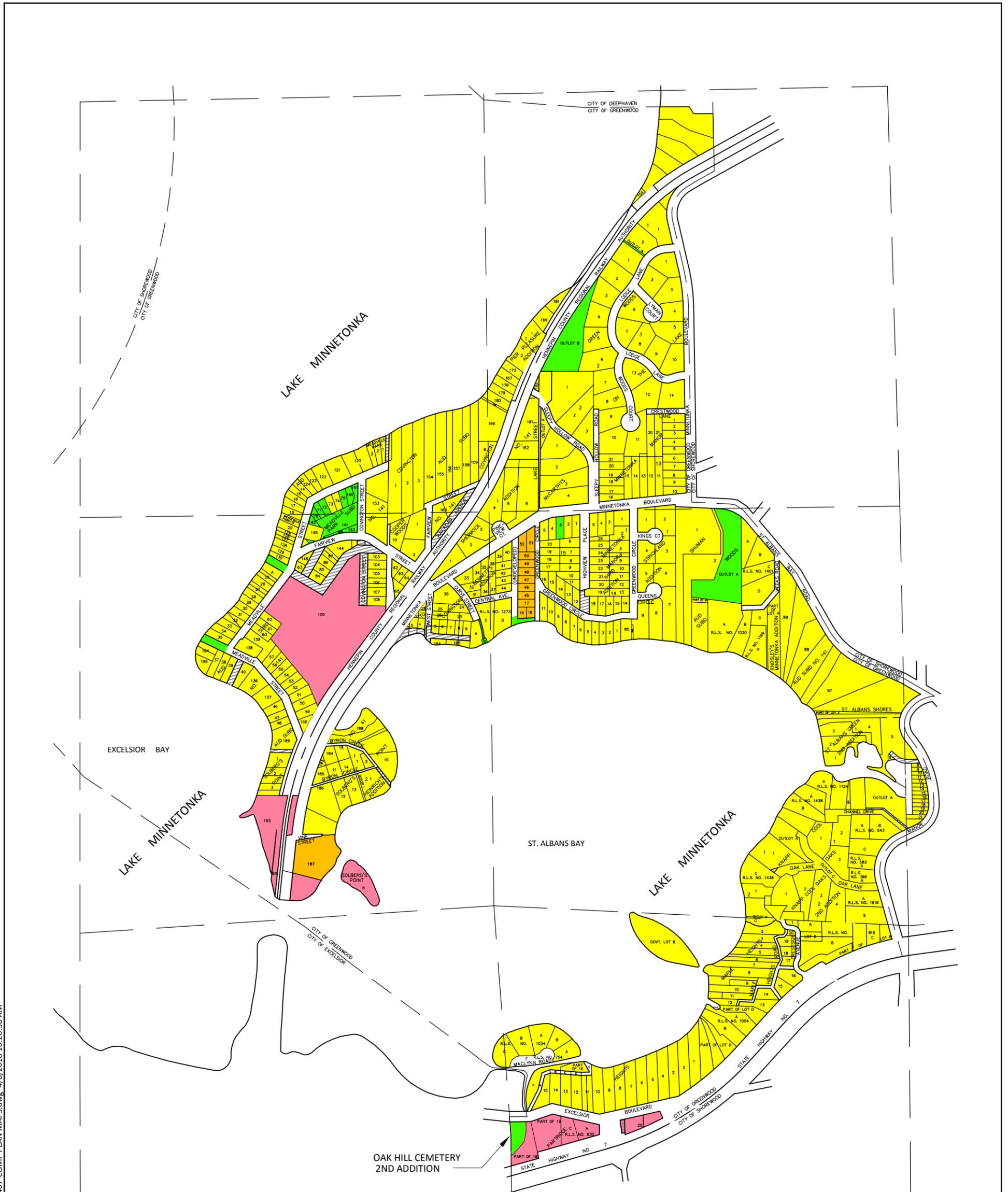
This district establishes a use zone for low-density, single-family dwellings. The minimum lot size is 20,000 sq ft.

C-1 OFFICE AND INSTITUTIONAL DISTRICT

The C-1 district is intended to provide a district that is related to and may reasonably adjoin other residential districts for the location and development of administrative office buildings and related office uses which are subject to more restrictive controls. The office uses allowed in this district are those in which there is limited contact with the public and no manufacture, exterior display or selling of merchandise to the general public.

C-2 LAKE RECREATION DISTRICT

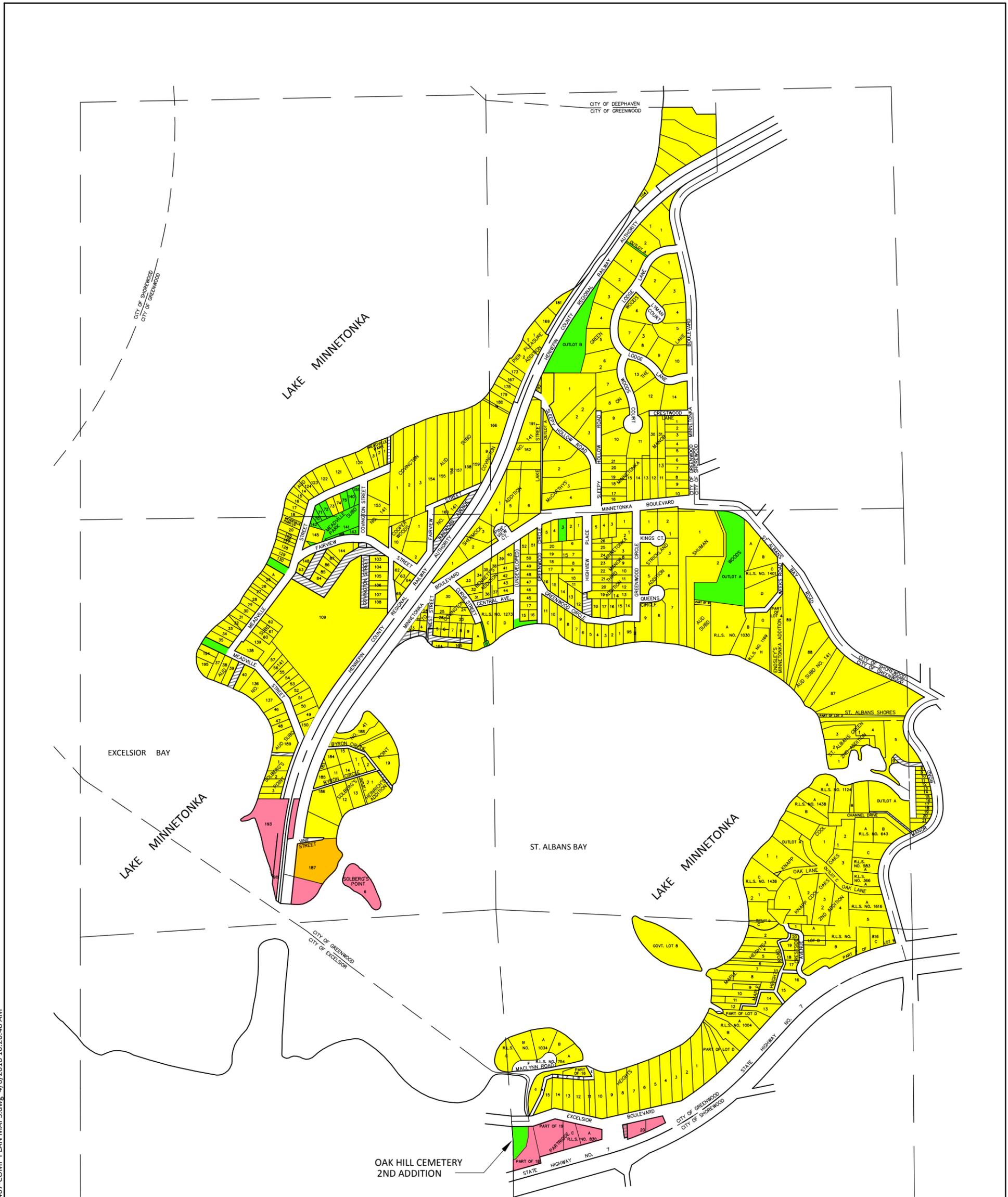
The C-2 lake recreation district is intended to provide a district that will allow commercial activity to serve the recreational needs of residents in conjunction with lake activities and to otherwise permit as conditional use, general offices, retail uses, and multi-family residential uses that meet specific standards and which will otherwise prevent and buffer interference with residential areas.



LEGEND

- COMMERCIAL
- SINGLE FAMILY DETACHED
- MULTI FAMILY
- CITY PROPERTY / PARKS





LEGEND

-  COMMERCIAL
-  SINGLE FAMILY DETACHED
-  MULTI FAMILY
-  CITY PROPERTY / PARKS



GREENWOOD LAND USE TABLE

	Allowed Density Units / Acre		Existing (2020) Acres	2025 Acres	2030 Acres	2035 Acres	2040 Acres	Change 2020- 2040 Acres
	Minimum	Maximum						
SEWERED AREA								
Residential	Minimum	Maximum	Acres	Acres	Acres	Acres	Acres	Acres
Single-Family Detached	2.8	2.8	144.5	144.5	144.5	144.5	144.5	0
Multi-Family	14.1	14.1	1.2	1.2	1.2	1.2	1.2	0
C / I Land Uses	Est. Employees / Acre		Acres	Acres	Acres	Acres	Acres	Acres
Commercial	21.7		8.5	8.5	8.5	8.5	8.5	0
Public / Semi-Public	Minimum	Maximum	Acres	Acres	Acres	Acres	Acres	Acres
City Property / Parks	–	–	6.02	6.02	6.02	6.02	6.02	0
Roadway Rights of Way	–	–	43.79	43.79	43.79	43.79	43.79	0
Regional Railway (Trail)	–	–	1.1	1.1	1.1	1.1	1.1	0
Subtotal Sewered	–	–	205.11	205.11	205.11	205.11	205.11	0
UNSEWERED AREA								
Residential	–	–	0	0	0	0	0	0
Commercial	–	–	0	0	0	0	0	0
Public / Semi-Public	–	–	0	0	0	0	0	0
Subtotal Unsewered	–	–	0	0	0	0	0	0
UNDEVELOPED								
Wetlands	–	–	8.2	8.2	8.2	8.2	8.2	0
Open Water Lake Minnetonka, Streams	–	–	406	406	406	406	406	0
TOTAL	–	–	619.31	619.31	619.31	619.31	619.31	0

Updated 04-16-18

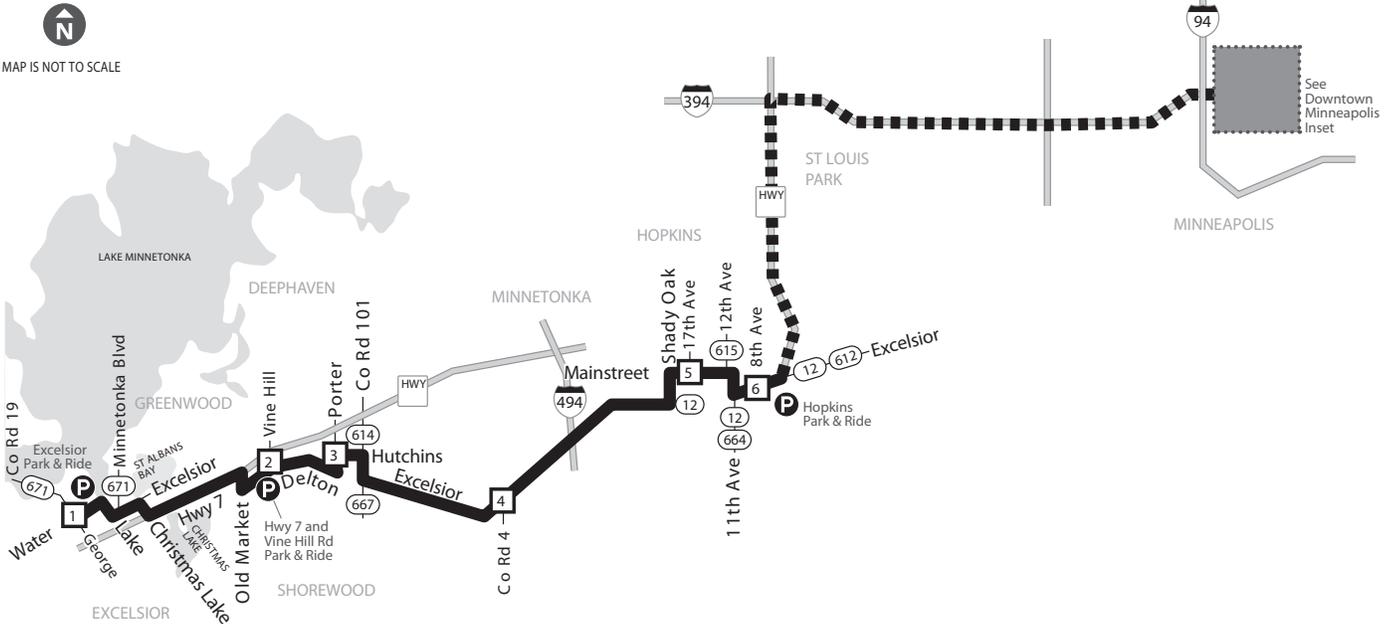
METRO TRANSIT ROUTES THAT SERVE GREENWOOD

670 Express Bus Route



metrotransit.org
612-373-3333

Effective 12/2/17

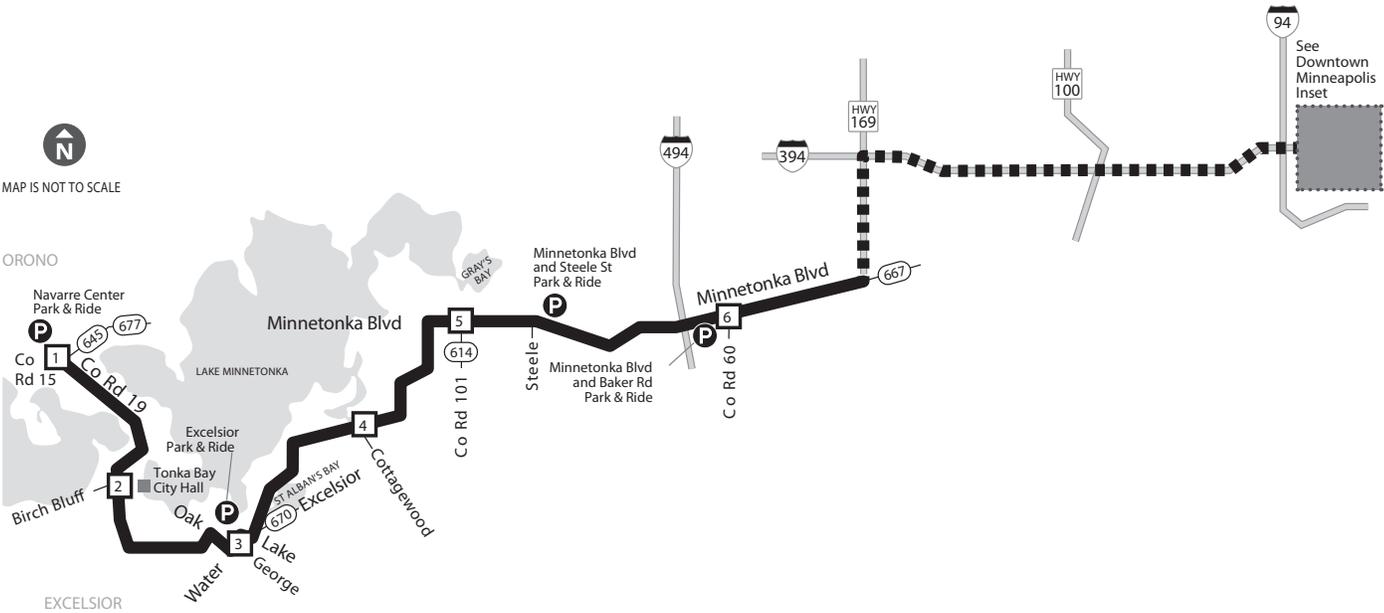


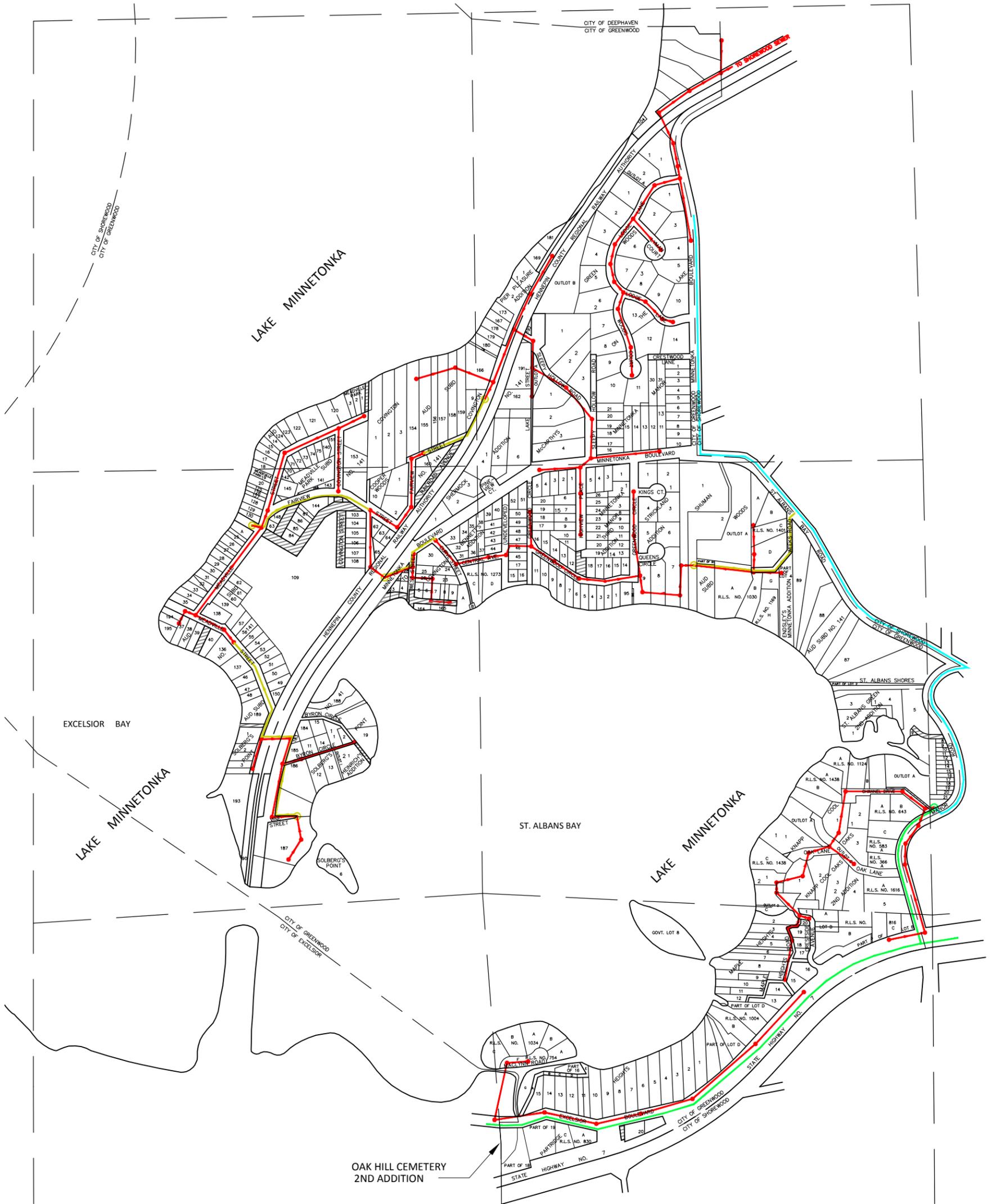
671 Express Bus Route



metrotransit.org
612-373-3333

Effective 12/2/17





LEGEND

-  GREENWOOD SANITARY SEWER
-  GREENWOOD FORCEMAIN
-  SHOREWOOD SANITARY SEWER
-  MCES TRUNK FACILITIES
-  SANITARY SEWER DISTRICT
-  SANITARY SEWER DISTRICT NUMBER





Agenda Number: 9A

Agenda Date: 12-05-18

Prepared by Deb Kind

Agenda Item: Consider 2018 Year-End Fund Transfers

Summary: Each December, the council considers fund transfers. Below is a motion for the council's consideration. Note: Road Fund transfers were made earlier in the year, so a Road Fund transfer is not included in the suggested motion.

Council Action: Suggested motions ...

1. I move the council approves the following budgeted 2018 fund transfers:
 - a. **\$12,500** from 605-49300-720 Marina Enterprise Fund Transfer Out to 101-39200 General Fund Interfund Operating Transfer In
 - b. **\$3,860** from 605-49300-721 Marina Enterprise Fund Transfer Out to 101-39201 General Fund Administrative Expense Reimbursement
 - c. **\$10,090** from 602-43200-720 Sewer Enterprise Fund Transfer Out to 101-39202 General Fund Administrative Expense Reimbursement
 - d. **\$2,573** from 502-43200-720 Stormwater Special Revenue Fund Transfer Out to 101-39203 General Fund Administrative Expense Reimbursement
 - e. **\$10,000** from 101-49000-500 General Fund Bridge Transfer to 403-39200 Bridge Capital Project Fund
2. Other motion ???



Agenda Number: **11A-E**

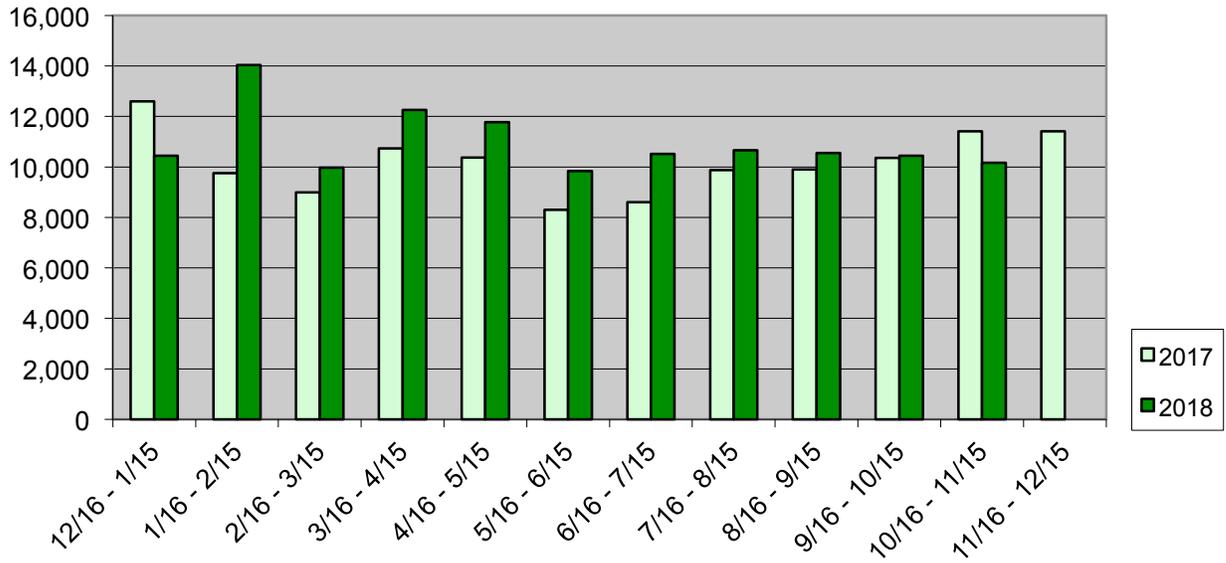
Agenda Item: Council Reports

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.

City of Greenwood
Website Total Hits



Month	2017	2018	Variance with Prior Month	Variance with Prior Year	Bulk Email List
12/16 - 1/15	12,599	10,441	-965	-2,158	173
1/16 - 2/15	9,758	14,039	3,598	4,281	173
2/16 - 3/15	8,996	9,974	-4,065	978	174
3/16 - 4/15	10,728	12,252	2,278	1,524	173
4/16 - 5/15	10,366	11,773	-479	1,407	173
5/16 - 6/15	8,301	9,836	-1,937	1,535	173
6/16 - 7/15	8,604	10,511	675	1,907	173
7/16 - 8/15	9,873	10,658	147	785	173
8/16 - 9/15	9,901	10,555	-103	654	173
9/16 - 10/15	10,357	10,439	-116	82	173
10/16 - 11/15	11,404	10,159	-280	-1,245	
11/16 - 12/15	11,406		-10,159	-11,406	
AVERAGE	10,191	10,967			

POPULATION: 703
EMAIL ADDRESSES % OF POPULATION: 24.61%

Population source: www.metrocouncil.org, Data & Maps, Download Data, Population and Household Estimates
 Population figure updated: 03-17-18

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

End Date

Report Name

Page Views by Section

Section	Page Views	Percent of Total
Default Home Page	5317	52.34%
Agendas, Minutes, Meeting Packets	715	7.04%
City Departments	374	3.68%
Welcome to Greenwood	374	3.68%
Planning Commission	249	2.45%
RFPs & Bids	205	2.02%
Mayor & City Council	201	1.98%
Code Book of Ordinances	191	1.88%
Assessments & Taxes	185	1.82%
Elections, Voting	182	1.79%
Budget & Finances	147	1.45%
Forms, Permits, Licenses	124	1.22%
Photo Gallery	118	1.16%
Spring Clean-Up Day	104	1.02%
Garbage & Recycling	102	1%
Comp Plan	88	0.87%
Public Safety	85	0.84%
Meetings	84	0.83%
Community Surveys	80	0.79%
Agendas, Minutes, Meetings	79	0.78%
Lake Minnetonka	71	0.7%
Parks, Trails & Watercraft Amenities	60	0.59%
Email Sign-Up	54	0.53%
Search Results	53	0.52%
St. Alban's Bay Lake Improvement District	53	0.52%
Watercraft Spaces	52	0.51%
Coyotes & Animal Services	51	0.5%
Tree Contractors	46	0.45%
July 4th	42	0.41%
News, Events	42	0.41%
Fire Department	41	0.4%

Links	40	0.39%
Recreation, Amenities	40	0.39%
Smoke Testing	40	0.39%
Meetings on TV	40	0.39%
Old Log Events	37	0.36%
City Newsletters	37	0.36%
Finances, Taxes, Assessments	37	0.36%
Luck O' the Lake	35	0.34%
Emergency Preparedness	35	0.34%
Well Water	34	0.33%
Toilet Drain Guide	31	0.31%
Tour de Tonka	31	0.31%
SABLID Email Sign-Up	29	0.29%
Road Closures & Detours	28	0.28%
Library Events	27	0.27%
Sewer, Stormwater, Water, Garbage, Recycling	27	0.27%
Homesteading	13	0.13%
Habitat 500 Bike Ride	12	0.12%
Christkindlsmarkt	10	0.1%
Unsubscribe	6	0.06%
---	1	0.01%
TOTAL	10159	100%

Unique IPs by Section

Section	Unique IPs	Percent of Total IPs
Default Home Page	2081	40.72%
Agendas, Minutes, Meeting Packets	292	5.71%
City Departments	272	5.32%
Welcome to Greenwood	204	3.99%
Mayor & City Council	131	2.56%
Elections, Voting	130	2.54%
Planning Commission	106	2.07%
Code Book of Ordinances	104	2.03%
Photo Gallery	88	1.72%
Assessments & Taxes	87	1.7%
Forms, Permits, Licenses	82	1.6%
Garbage & Recycling	81	1.58%
Spring Clean-Up Day	72	1.41%
Community Surveys	62	1.21%
Lake Minnetonka	62	1.21%
Comp Plan	61	1.19%
Agendas, Minutes, Meetings	61	1.19%
Public Safety	61	1.19%
Budget & Finances	61	1.19%
Meetings	54	1.06%
RFPs & Bids	48	0.94%
Email Sign-Up	47	0.92%
Parks, Trails & Watercraft Amenities	47	0.92%
St. Alban's Bay Lake Improvement District	44	0.86%
Coyotes & Animal Services	42	0.82%
Watercraft Spaces	41	0.8%
Tree Contractors	40	0.78%
News, Events	38	0.74%
Smoke Testing	36	0.7%
Meetings on TV	36	0.7%
Links	35	0.68%
Fire Department	34	0.67%
Old Log Events	34	0.67%
Finances, Taxes, Assessments	33	0.65%
Recreation, Amenities	33	0.65%

July 4th	33	0.65%
Emergency Preparedness	32	0.63%
City Newsletters	32	0.63%
Search Results	31	0.61%
Luck O' the Lake	29	0.57%
Tour de Tonka	28	0.55%
Well Water	28	0.55%
Toilet Drain Guide	27	0.53%
Library Events	26	0.51%
Road Closures & Detours	25	0.49%
Sewer, Stormwater, Water, Garbage, Recycling	25	0.49%
SABLID Email Sign-Up	24	0.47%
Habitat 500 Bike Ride	12	0.23%
Christkindlsmarkt	8	0.16%
Homesteading	7	0.14%
Unsubscribe	3	0.06%
---	1	0.02%
TOTAL	5111	100%

Generate Download File (.csv) for the current report: [Generate and Download](#)

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.

**GREENWOOD PLANNING COMMISSION
WEDNESDAY, NOVEMBER 14, 2018
7:00 P.M.**

1. CALL TO ORDER/ROLL CALL/OATH OF OFFICE

Chairman Lucking called the meeting to order at 7:00 p.m. Kelsey Nelson was sworn in as a new planning commissioner.

Members Present: Chairman Pat Lucking, Commissioners Dean Barta, Jennifer Gallagher, Kelsey Nelson, and David Steingas

Others Present: Zoning Administrator Dale Cooney

Absent: Council Liaison Kristi Conrad

2. MINUTES – October 10, 2018

Motion by Steingas to approve the minutes as written. Motion was seconded by Gallagher. Motion carried 5-0.

3. PUBLIC HEARINGS

3a. Consider the simple subdivision request of Kyle Hunt & Partners for 5135 and 5125 Weeks Road.— Section 600.07 outlines the Simple Subdivision process and requirements.

Lucking introduced the agenda item and opened the public hearing.

Gallagher asked for clarity on the locations of the lot line. Hunt showed Gallagher the existing and proposed lot line configurations on the survey.

Steingas said that Hunt had done nice work and thanked him.

Lucking closed the public hearing.

Motion by Steingas to recommend approval of the request based on the recommendation and findings of staff. Motion was seconded by Barta. The motion was not subject to any conditions. Motion carried 5-0.

3b. Consider the conditional use permit request of Diane Wold for 4980 Meadville Street to regrade the property in conjunction with the construction of a new house.—Section 1140.19 (2) of the City Zoning Code requires a conditional use permit for a 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.

Mike Sharratt of Sharratt Design and Company, architect for the applicant, stated that there were 3 main areas of grade alteration requested: the rear yard divot carved out for a walk-out basement door, exterior stairs from the main level to the lower level, and daylight windows for the basement level. He said that the tuck under garage would be eliminated and that the property owners are proposing a garage at the same level of the main floor which would also require front yard grade alterations.

Barta asked if the divot is problematic for water. Sharratt said that it is not and that area drains to the lake.

Gallagher asked if any of the existing structure would be kept. Sharratt said no and said that the existing home is old and poorly built.

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Cooney noted the mitigation requirements of the code for the proposed new house. Sharratt said that he understands the requirements.

Tom Hessian of 4990 Meadville Street said that he had not seen the plans and asked if the house would be moved away from the property line. Sharratt said that it would be 15 feet from the property line.

Motion by Steingas to approve the request based on the recommendation and findings of staff. Motion was seconded by Gallagher. Motion carried 5-0.

3c. Consider the conditional use permit request of Cisco and Kim Skanson for 5175 Queens Circle to regrade portions of the property and install in-ground swimming pool.—Section 1140.19 (2) of the City Zoning Code requires a conditional use permit for a 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. Section 1120.05 of the zoning code regulates permanent in-ground swimming pools as conditional uses.

Lucking introduced the agenda item and opened the public hearing.

Becca Bastyr of Mom's Design Build, contractor for the property owner, said that she is available for questions.

Lucking noted that the swales on the property run east to west and the property crests at the lake. He asked how the new stormwater might be managed.

Bastyr said that they are installing a synthetic turf area with stones below that will act as a French drain to permit infiltration.

Ron Weseman of 5165 Queens Circle said that he is one of the owners of the property to the east at 5170 Queens Circle. He said that he does not want any more water coming onto the wetland on the property. He said that there is already standing water there and they have a bridge to get to the lake and that more water would be problematic.

Barta said that the property is mostly torn up right now and asked about the extent of that work. Bastyr said that they were not regrading that area yet, but simply sodding the rear yard.

Cooney said that if the French drain area could be demonstrated to handle a 2 inch rain event for the new impervious surface coverage, it would likely be sufficient for any of the city's stormwater management requirements. Lucking agreed.

Barta asked about the large amount of dirt that was brought onto the property. Bastyr said that was soil for planting beds.

Steingas asked about how much soil would need to be removed for the pool. Bastyr said 1,800 cubic yards.

Barta asked if pools need to be drained and where does that water go. Lucking asked if it was pumped to the lake. Gallagher said that pumping to the lake would introduce the pool chemicals to the lake.

Cooney said that if there were concerns about pumping the pool, it could be a condition of approval, but other pools have been approved without similar conditions. Lucking said that this was likely much ado about nothing.

Steingas said that pool drains can go to the sewer and that the city should not include any conditions. He said that it would be neighborly to not pump the pool onto the neighbor's yard.

Lucking closed the public hearing.

Motion by Lucking to approve the request based on the recommendation, findings, and conditions of staff. Motion was seconded by Steingas. Motion carried 5-0.

3d. Consider variance and conditional use permit request of Michael and Colleen Kroening to encroach into the front yard setback, exceed the maximum permitted impervious surface area, exceed the maximum above grade building volume, and regrade portions of the front yard in order to replace a detached garage with an attached garage addition to the house at 5260 Meadville Street.—Section 1120.15 of the Greenwood Zoning Code requires a front yard setback of 30 feet. Section 1120.15 limits the maximum impervious surface area on the property to 32.76%. Section 1140.18 (Subd. 3) defines the above grade building volume limitations for the property. Section 1140.19 (2) requires a conditional use permit for any 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.

Lucking introduced the agenda item and opened the public hearing.

David Steingas recused himself from the request. Steingas, builder for the property owners, said that the applicants would like to replace the 1 car garage and tuck-under garage with a two-car garage that would be at the current elevation of the street. He said the tuck-under garage creates water problems. Steingas said that they are reducing hardcover and moving the garage back from the street. He said that the proposal would exceed the volume requirements for the property but that the small lot size is a practical difficulty.

Gallagher asked about the height of the garage relative to the height of the new house. Steingas said that they are changing the pitch of the house and the garage would be 22 feet to the midpoint and that it is shorter than the house.

Lucking asked if there was any way to meet the volume requirements. Steingas said that they would have to lose the room over the garage and that the cottage style 12/12 pitched roof would have to become a shallower pitch.

Cooney asked if the new roof pitch would also change the volume of the existing house. Steingas said that it would add volume.

Lucking asked about the area serving the current tuck-under garage. Steingas said that would be filled in and a sidewalk would be added.

Gallagher asked if that would help with the water problem for that area. Steingas said it would help.

Lucking asked about lowering the pitch to reduce volume. Steingas said that they would likely lose the bonus room but was not sure about the overall volume.

Gallagher said that it is a small lot. Lucking said that it is the largest home on the small lots in this area.

Cooney said that the zoning code gives a greater building volume allowance for small lot houses. Lucking said that the building volume allowance increased in the last few years from 5 times the lot size to 6 times the lot size.

Steingas said that most of the basement level of the house is exposed which takes up a lot of the volume area.

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Colin Sievers of 5270 Meadville Street said that he just bought his property next door. He said that he is right on the property line. He said that he has no complaints about the proposal. He asked if the setbacks were changed recently. Steingas said that the setbacks were modified based on lot width for narrower lots. He said he would probably do something for his house in the next couple of years.

Barta said that he was not sure about the request. He said that he was sure it would look good.

Gallagher said that she was concerned about a precedent for a building volume variance.

Barta said that the volume calculation was changed not that long ago and that at some point there has to be a line drawn.

Lucking said that he would like the volume to come down and that they might have to get rid of the room over the garage. He said that the exposed lower level is a good argument for some flexibility, but likely not 7,000 cubic feet.

Barta asked Steingas if he has a plan B. Steingas said that he did not but that he would be open to a conversation with the city about what might be workable.

Michael Kroening, applicant, said that this is their plan B. He said that they are improving the property in several ways by reducing the hardcover and the setbacks. He said that the basement level is exposed. Kroening said that changing the roofline is an improvement aesthetically for the neighborhood. He said that the room over the garage is only an 8 foot ceiling.

Lucking asked if the neighbor would have a different opinion of the changes if the sunlight were being blocked from the south. Kroening said that they are not blocking sunlight. Lucking said it was just a hypothetical question that demonstrates how the planning commission has to think about these issues now and going forward for other neighbors.

Lucking closed the public hearing.

Lucking said that he might be more amenable to a volume variance if the city had not recently increased the allowable volume. Lucking made a motion to approve the CUP request and setback and impervious surface variance requests as proposed, and to deny the building volume variance request. Lucking's motion included that the city council should consider some flexibility to the allowable volume on this property since the lower level is almost completely exposed.

Nelson said that she was not as concerned with the building volume issue due to the basement and the improved look of the house.

Lucking said that it is hard to claim a practical difficulty for aesthetic modifications such as a cottage style roof pitch.

Barta said that the exposed lower level might allow for some leniency that could be a practical difficulty. Cooney said that an exposed lower level is a walkout level and that usually considered a desirable amenity, not a drawback to be overcome.

Gallagher said that she was okay with the proposal but not the building volume.

Barta seconded Lucking's motion. Motion carried 4-0.

4. NEW BUSINESS

Lucking asked about the zoning ordinance. Cooney said that it was similar to what was reviewed previously by the planning commission, and included a sliding scale for hardcover and an

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average lot width. He said that the ordinance was likely more fair in many respects but also more complicated.

Cooney said that the grading ordinance has gone through a first reading with changes still taking place. He said that, as proposed, the changes would be less restrictive than the existing ordinance, but not as forgiving as what the planning commission recommended.

Steingas said that he is working with the city council to consider pervious pavers as a means to help provide a mitigation option to properties that exceed hardcover.

5. LIAISON REPORT

Cooney noted that the planning applications from October were passed by the city council on the consent agenda.

6. ADJOURN

Motion by Steingas to adjourn the meeting. Nelson seconded the motion. Motion carried 4-0. The meeting was adjourned at 8:33 p.m.

Respectively Submitted,
Dale Cooney - Zoning Administrator