

AGENDA

Greenwood City Council Meeting

Wednesday, May 6, 2020

This meeting will be held by Zoom video-conferencing technology.
Use this link to join the meeting ...

<https://zoom.us/j/92830945347?pwd=aFJ5U1dEcFNxT0lXYlZBSi9ENExWUT09>

If you would like to test Zoom prior to the meeting, login at 6:45pm.

If you have trouble with Zoom, call Councilman Fletcher at 952.224.5550.



Regular Meeting *The public is invited to speak when items come up on the agenda (comments are limited to 3 minutes). The public may speak regarding other items during Matters from the Floor (see below).*

7:00pm 1. CALL TO ORDER | ROLL CALL | APPROVE MEETING AGENDA

7:01pm 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: 04.01.20 City Council Meeting Minutes

B. Approve: 04.16.20 to 04.23.20 Local Board of Appeal & Equalization Meeting Minutes

C. Approve: Mar Cash Summary Report

D. Approve: Mar Certificates of Deposit Report

E. Approve: Apr Verifieds, Check Register, Electronic Fund Transfers

F. Approve: May Payroll Register

G. Approve: Weed Removal Bid for City Docks and Meadville Boat Launch

H. Approve: Public Access Procedures

7:05pm 3. MATTERS FROM THE FLOOR

This is an opportunity for the public to address the council regarding matters not on the agenda. Comments are limited to 3 minutes. Typically, the council will not take action on items presented at this time, but will refer items to staff for review, action, and / or recommendation for future council action.

7:10pm 4. PRESENTATIONS, REPORTS, GUESTS, AND ANNOUNCEMENTS

A. Announcement: Joint City Council & Planning Commission Worksession, 05.13.20, approximately 8pm, (to be held via Zoom video-conferencing technology or postponed due to COVID-19)

B. City Engineer Dave Martini: Discuss 2020 Engineering Projects

NONE 5. PUBLIC HEARINGS

NONE 6. ACTION RELATED TO PUBLIC HEARINGS

7:10pm 7. PLANNING, ZONING & SUBDIVISION ITEMS

A. Consider: Res 07-20, Conditional Use Permit Findings (grading and retaining walls) Precision Builders, LLC for 21750 Byron Circle

B. 1st Reading: Ord 299, Amending Section 1140.10 Subd 2(C) Lake Setbacks for Accessory Structures; Res 11-20, Summary of Ord 299 for Publication

7:40pm 8. UNFINISHED BUSINESS

A. Discuss: Met Council's Comments re: Greenwood's 2040 Comprehensive Plan

B. Consider: Res 15-20 Adopting the City of Greenwood 2040 Comprehensive Plan

7:55pm 9. NEW BUSINESS

A. Consider: Refunding Portion of Liquor License Fee to Old Log Due to COVID-19

B. Consider: Installing Winter Access by St. Alban's Bay Docks

C. Discuss: Potential Amendments to Small Cell Wireless Ordinance

NONE 10. OTHER BUSINESS

8:15pm 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, Public Works Committee, Mayors' Meetings, Website

E. Roy: Minnetonka Community Education

8:30pm 12. ADJOURNMENT

Worksession *In accordance with open meeting laws, worksessions are open to the public for viewing, but there will be no opportunity for public participation. The worksession will be held by Zoom video-conferencing technology. If you have trouble with Zoom, call Councilman Fletcher at 952.224.5550. Use this link to join the meeting ... <https://zoom.us/j/99593730928?pwd=TWsxTHJNTnhJQ0dwNktFYtJtQ2Jvdz09>*

8:35pm 1. CALL TO ORDER | ROLL CALL | APPROVE AGENDA

8:35pm 2. Discuss Contract for City Services

9:00pm 3. ADJOURNMENT

MINUTES

Greenwood City Council Meeting

Thursday, April 1, 2020

Via Zoom Video Conferencing Technology



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, Tom Fletcher, Rob Roy

Members Absent: Councilman Bill Cook

Staff Members Present: City Zoning Administrator Pat Smith

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

2. CONSENT AGENDA

A. Approve: 03.04.20 City Council Meeting Minutes

B. Approve: 03.04.20 Assessor Worksession Meeting Minutes

C. Approve: Feb Cash Summary Report

D. Approve: Feb Certificates of Deposit Report

E. Approve: Mar Verifields, Check Register, Electronic Fund Transfers

F. Approve: Apr Payroll Register

~~G. Approve: July 4th Contribution to Excelsior Lake Minnetonka Chamber of Commerce~~

H. Approve: Res 12-20, A Resolution of Appreciation for Outgoing Planning Commissioner, Dean Barta

Motion by Kind to approve the consent agenda A-F and H. Second by Roy. Motion passed 4-0.

3. MATTERS FROM THE FLOOR

Keith Steussi, 5000 Meadville Street, asked if anyone had filed an appeal for their property valuation yet.

Answer: Not yet, but the deadline to file an appeal is April 10.

4. PRESENTATIONS, REPORTS, GUESTS, AND ANNOUNCEMENTS

A. Announcement: Local Board of Appeal & Equalization Meeting Convenes at 6pm on 04.16.20, City Council Chambers, 20225 Cottagewood Road, Deephaven (may be electronic or postponed due to COVID-19)

B. Announcement: Joint City Council & Planning Commission Worksession, 05.13.20, approximately 8pm, Old Log's Cast & Cru Restaurant, 5175 Meadville St, Greenwood (may be electronic or postponed due to COVID-19)

View announcements at LMCC-TV.org.

5. PUBLIC HEARINGS

A. Public Hearing: City Stormwater Pollution Prevention Program

Motion by Fletcher to OPEN the Stormwater Pollution Prevention Program Annual Public Hearing. Second by Roy. Motion passed 4-0.

No one spoke during the public hearing.

Motion by Kind to CLOSE the Stormwater Pollution Prevention Program Annual Public Hearing. Second by Cook. Motion passed 4-0.

6. ACTION RELATED TO PUBLIC HEARINGS

A. None

7. PLANNING, ZONING & SUBDIVISION ITEMS

A. Consider: Res 13-20, Conditional Use Permit Findings, Kent Carlson (Greenwood Marina LLC), 21900 Minnetonka Blvd, re: Replacement of an Existing Monument Sign

Motion by Fletcher that the city council accepts the recommendation, findings, and conditions of staff and planning commission and approves resolution 13-20 approving the conditional use permit request to

replace an existing monument sign with a new monument sign for the property at 21900 Minnetonka Blvd with the condition that the sign will remain illuminated only during the regular business hours of 6am to 10pm. Second by Roy. Motion passed 4-0.

- B. 1st Reading: Ord 299, Amending Section 1140.10 Subd 2(C) Lake Setbacks for Accessory Structures; Res 11-20, Summary of Ord 299 for Publication

Motion by Fletcher to continue discussion of ordinance 299 and resolution 11-20 to the 05-06-20 city council meeting so Councilman Cook can be present to participate in the discussion. Second by Conrad. Motion passed 4-0.

8. UNFINISHED BUSINESS

- A. Discuss: Met Council's Comments re: Greenwood's 2040 Comp Plan

Motion by Fletcher to continue discussion of the 2040 Comp Plan to the 05-06-20 city council meeting so Councilman Cook can be present to participate in the discussion. Second by Conrad. Motion passed 4-0.

9. NEW BUSINESS

- A. 1st Reading: Ord 300, Amending Tobacco Ordinance Section 415 to Comply with New Federal Age Limit; and Res 14-20, a Summary of Ord 300 for Publication

Motion by Fletcher that the city council (1) approves the 1st reading of ordinance 300 amending section tobacco ordinance section 415 to comply with the new federal age limit; (2) waives the 2nd reading; (3) approves resolution 14-20 a summary of ordinance 300; and (4) directs staff to submit resolution 14-20 to the city's official newspaper for publication. Second by Conrad. Motion passed 4-0.

10. OTHER BUSINESS

- A. Consider: Extension of Mayor's Local Emergency Declaration

Motion by Fletcher to authorize the extension of the mayor's 03-31-20 Local Emergency Declaration until ended by council action. Second by Roy. Motion passed 4-0.

- 2G. Consider: July 4th Contribution to Excelsior – Lake Minnetonka Chamber of Commerce

Motion by Fletcher to continue action on this request to the June city council meeting noting that the city will support the July 4th festivities if they occur. Second by Conrad. Motion passed 4-0.

11. COUNCIL REPORTS

- A. Conrad: Planning Commission

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

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

No report, since Cook was not at the meeting.

- C. Fletcher: LMCC, Fire, Administrative Committee, Metro Cities, League of MN Cities

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

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

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

- E. Roy: Minnetonka Community Education

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

12. ADJOURNMENT

Motion by Kind to adjourn the meeting at 7:39pm. Second by Conrad. Motion passed 4-0.

This document is intended to meet statutory requirements for city council meeting minutes. A video recording was made of the meeting which provides a verbatim account of what transpired. The video recording is available for viewing at lmcc-tv.org for 1 year.

MINUTES

Meeting of the Greenwood City Council Acting as the Local Board of Appeal & Equalization



6pm, Thursday, April 16, 2020 and Reconvene at 6pm, Thursday, April 23, 2020
Held via Zoom pursuant to the March 20, 2020 Greenwood Order & Declaration due to COVID-19.

CALL TO ORDER | ROLL CALL | APPROVE AGENDA

At 6:08pm on 04-16-2020, Mayor Kind called the meeting to order.

Members Present: Mayor Deb Kind; Councilmembers Kristi Conrad, Bill Cook, Tom Fletcher, and Rob Roy
Others Present: Assessors Michael Smerdon, Rob Winge, Josh Hoogland, Melody Devine (commercial appraiser)

Cook made a motion to approve the agenda. Second by Roy. Motion passed 5-0 on a roll call vote.

Mayor Kind explained the meeting process and the Local Board of Appeal of Equalization (LBAE) heard appeals from those on the roster and those whose names were added to the roster at the meeting ...

ROSTER OF APPEALS:

- A. Jill Nagel, 21890 Byron Circle
- B. Patrick Murphy, 5135 Weeks Road
- C. Bob Gravier, 21510 Fairview Street
- D. Rick & Kim Polk, 4660 Linwood Circle
- E. Paul Vincent, 21080 Excelsior Boulevard
- F. Matthew Frauensuh (represented by Lesley Adam), 5155 Weeks Road

NAMES ADDED AT THE MEETING:

- G. Dennis Regnier, 5115 Greenwood Circle
- H. John Chapman, 5155 Greenwood Circle
- I. Steve & Deb Kind, 5140 Curve Street
- J. Kent Carlson, Excelsior Bay Harbor, 21900 Minnetonka Blvd
- K. William & Laticia Cook, 5195 Greenwood Circle
- L. Adam Rodriguez, 21925 Byron Circle

At 8:05pm on 04-16-20, Fletcher made a motion to recess the convening meeting and set 6pm on 04-23-20 as the reconvene time. Second by Cook. Motion passed 5-0 on a roll call vote.

At 6:04pm on 04-23-20, Mayor Kind reconvened the meeting.

The assessor made a recommendation for each property on the roster. Each property owner was given the opportunity to respond to the assessor's recommendation. The LBAE discussed each appeal and took the following action ...

Motion by Fletcher that the LBAE approves no change for the Kind property at 5140 Curve Street. Second by Conrad. Motion passed 4-0-1 on a roll call vote with Kind abstaining.

Motion by Fletcher that the LBAE approves no change for the Cook property at 5195 Greenwood Circle. Second by Conrad. Motion passed 4-0-1 on a roll call vote with Cook abstaining.

Motion by Cook that the LBAE approves all the other valuations as indicated on the attached file in addition to approving the reclassification of the Nagel property at 21890 Byron Circle from Residential Misc to Residential Vacant. Second by Roy. Motion passed 4-1 on a roll call vote with Kind voting nay.

ADJOURNMENT

Motion by Cook to adjourn the LBAE meeting at 7:13pm on 04-23-19. Second by Conrad. Motion passed 5-0 on a roll call vote.

GREENWOOD LBAE CHANGES FOR 2020 ESTIMATED MARKET VALUES *Approved 04.23.20*

		INITIAL LAND	INITIAL BLDG	INITIAL TOTAL	LBAE LAND	LBAE BLDG	LBAE TOTAL	LBAE CHG
Carlson	21900 Minnetonka Blvd	\$650,000	\$6,663,000	\$7,313,000	\$650,000	\$6,663,000	\$7,313,000	\$0
Chapman	5155 Greenwood Circle	\$1,153,000	\$20,000	\$1,173,000	\$1,153,000	\$20,000	\$1,173,000	\$0
Cook	5195 Greenwood Circle	\$675,000	\$297,000	\$972,000	\$675,000	\$297,000	\$972,000	\$0
Frauenschuh	5155 Weeks Road	\$1,840,000	\$990,000	\$2,830,000	\$1,840,000	\$823,000	\$2,663,000	-\$167,000
Gravier	21510 Fairview Street	\$2,283,000	\$1,018,000	\$3,301,000	\$2,283,000	\$875,000	\$3,158,000	-\$143,000
Kind	5140 Curve Street	\$1,116,000	\$406,000	\$1,522,000	\$1,116,000	\$406,000	\$1,522,000	\$0
Murphy	5135 Weeks Road	\$2,320,000	\$382,000	\$2,702,000	\$2,320,000	\$40,000	\$2,360,000	-\$342,000
Nagel	21890 Byron Circle *	\$90,000	\$5,000	\$95,000	\$90,000	\$0	\$90,000	-\$5,000
Polk	4660 Linwood Circle	\$2,440,000	\$1,425,000	\$3,865,000	\$2,440,000	\$1,169,000	\$3,609,000	-\$256,000
Regnier	5115 Greenwood Circle	\$795,000	\$346,000	\$1,141,000	\$795,000	\$275,000	\$1,070,000	-\$71,000
Rodriguez	21925 Byron Circle	\$1,180,000	\$746,000	\$1,926,000	\$1,180,000	\$746,000	\$1,926,000	\$0
Vincent	21080 Excelsior Blvd	\$448,000	\$245,000	\$693,000	\$448,000	\$245,000	\$693,000	\$0
TOTAL CHANGE								-\$984,000

* The LBAE also authorized changing the property type from Residential Misc. to Residential Vacant.

GREENWOOD CERTIFICATES OF DEPOSIT

Report Date **3/31/20**

Acct #	Bank	Date	Term	Maturity	Rate	Amount
x237	Bridgewater Bank	11/08/18	18 Month	05/08/20	2.48%	\$ 134,926.54
x238	Bridgewater Bank	03/08/19	18 Month	09/08/20	2.82%	\$ 135,080.74
x239	Bridgewater Bank	05/08/19	18 Month	11/08/20	2.48%	\$ 134,772.93
x240	Bridgewater Bank	09/08/19	18 Month	03/08/21	2.23%	\$ 134,299.81
x241	Bridgewater Bank	11/08/19	18 Month	05/08/21	1.59%	\$ 134,658.18
x242	Bridgewater Bank	03/08/20	18 Month	09/08/21	1.84%	\$ 134,823.66
TOTAL						\$ 808,561.86

CITY COUNCIL POLICY

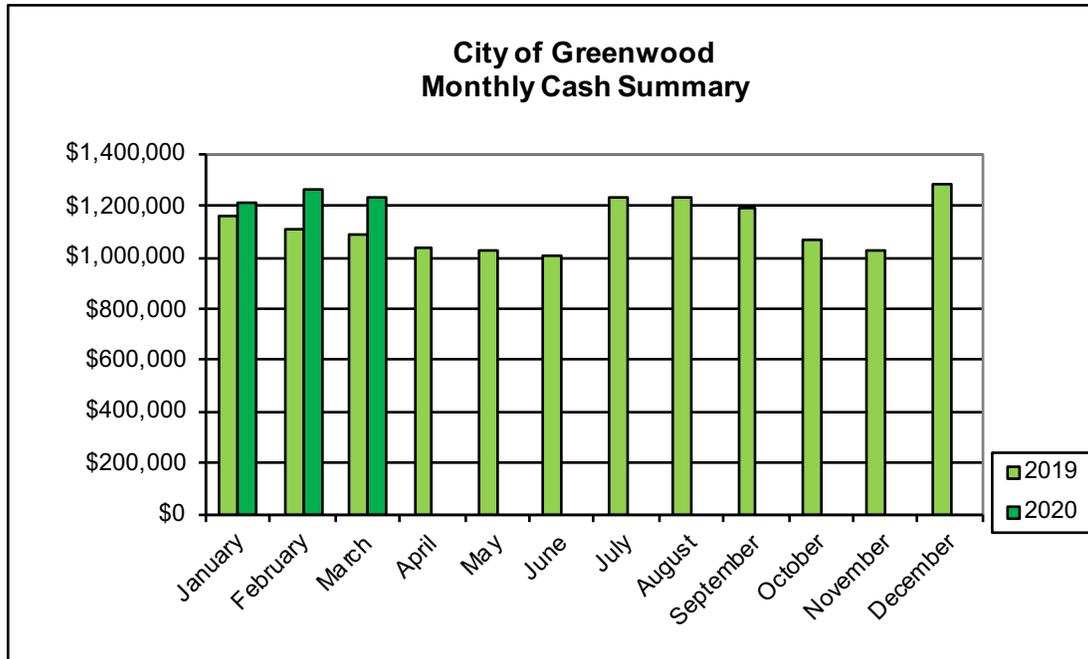
09-03-14 Motion by Roy to authorize the administrative committee to open CDs with a maximum initial maturity of 25 months with a combined maximum total CD balance of \$500,000 at Alerus Bank or Bridgewater Bank. Second by Cook. Motion passed 5-0.

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.

04-03-19 Motion by Fletcher to raise the allowable certificate of deposits balance to \$900,000 to allow for interest growth. Second by Conrad. Motion passed 4-0.



	2019	2020	Variance with Prior Month	Variance with Prior Year
January	\$1,160,255	\$1,212,136	-\$75,983	\$51,881
February	\$1,113,218	\$1,262,195	\$50,059	\$148,977
March	\$1,093,116	\$1,237,573	-\$24,622	\$144,457
April	\$1,035,438	\$0	-\$1,237,573	-\$1,035,438
May	\$1,030,665	\$0	\$0	-\$1,030,665
June	\$1,001,314	\$0	\$0	-\$1,001,314
July	\$1,235,754	\$0	\$0	-\$1,235,754
August	\$1,229,599	\$0	\$0	-\$1,229,599
September	\$1,196,210	\$0	\$0	-\$1,196,210
October	\$1,071,209	\$0	\$0	-\$1,071,209
November	\$1,031,949	\$0	\$0	-\$1,031,949
December	\$1,288,119	\$0	\$0	-\$1,288,119

Bridgewater Bank Checking	\$30,949
Bridgewater Bank Money Market	\$398,062
Bridgewater Bank CD's	\$808,562
	\$1,237,573

ALLOCATION BY FUND

General Fund	\$462,682
Special Project Fund	\$8,406
General Fund Designated for Parl	\$26,311
Bridge Capital Project Fund	\$191,244
Road Improvement Fund	\$35,068
Stormwater Fund	\$35,808
Sewer Enterprise Fund	\$345,571
Marina Enterprise Fund	\$132,483
	\$1,237,573

GREENWOOD CERTIFICATES OF DEPOSIT

Report Date: 3/31/2020

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TOTAL						\$ 808,561.86

CITY COUNCIL POLICY

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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.

04-03-19 Motion by Fletcher to raise the allowable certificate of deposits balance to \$900,000 to allow for interest growth. Second by Conrad. Motion passed 4-0.

Check Issue Date(s): 04/01/2020 - 04/30/2020

Per	Date	Check No	Vendor No	Payee	Check GL Acct	Amount
04/20	04/07/2020	11440	51	BOLTON & MENK, INC.	502-20100	1,925.50
04/20	04/07/2020	11441	9	CITY OF DEEPHAVEN	101-20100	6,464.97
04/20	04/07/2020	11442	761	DEBRA KIND	101-20100	195.13
04/20	04/07/2020	11443	822	ECM PUBLISHERS INC	502-20100	172.55
04/20	04/07/2020	11444	52	EXCELSIOR FIRE DISTRICT	101-20100	35,044.13
04/20	04/07/2020	11445	68	GOPHER STATE ONE CALL	602-20100	16.20
04/20	04/07/2020	11446	850	KENNEDY, GRAVEN, CHARTERED	101-20100	520.00
04/20	04/07/2020	11447	99	LAKE MTKA CONSERVATION DISTRIC	101-20100	1,769.25
04/20	04/07/2020	11448	105	METRO COUNCIL ENVIRO SERVICES	602-20100	2,774.73
04/20	04/07/2020	11449	893	REPUBLIC SERVICES #894	101-20100	1,981.45
04/20	04/07/2020	11450	38	SO LAKE MINNETONKA POLICE DEPT	101-20100	27,999.58
04/20	04/07/2020	11451	145	XCEL ENERGY	101-20100	192.74
Totals:						<u>79,056.23</u>

Dated: _____

Mayor: _____

City Council: _____

City Recorder: _____

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
BOLTON & MENK, INC.					
51	BOLTON & MENK, INC.	0246992	2020 DEVELOPMENT REVIEW	02/27/2020	986.00
		0246993	2020 MISC DRAINAGE	02/27/2020	69.00
		0246994	2020 MISC ENGINEERING	02/27/2020	402.50
		0247145	2019 SEWER PROJECT	02/29/2020	468.00
Total BOLTON & MENK, INC.					1,925.50
CITY OF DEEPHAVEN					
9	CITY OF DEEPHAVEN	APRIL 2020	RENT & EQUIPMENT	04/07/2020	487.45
			Postage		192.00
			COPIES		75.80
			PARK MAINTENANCE		1,689.28
			SNOW PLOWING/SANDING/SALT		188.69
			ZONING		405.27
			Clerk Services		3,426.48
Total CITY OF DEEPHAVEN					6,464.97
DEBRA KIND					
761	DEBRA KIND	03 22 20	NEWSLETTER PRINTING	03/22/2020	179.02
		INV11811293	Zoom Video	03/17/2020	16.11
Total DEBRA KIND					195.13
ECM PUBLISHERS INC					
822	ECM PUBLISHERS INC	766789	LEGAL NOTICE	03/26/2020	71.40
		768003	LEGAL NOTICE	04/02/2020	41.65
		768004	LEGAL NOTICE	04/02/2020	59.50
Total ECM PUBLISHERS INC					172.55
EXCELSIOR FIRE DISTRICT					
52	EXCELSIOR FIRE DISTRICT	20-010	2nd Quarter - Buildings	04/01/2020	15,191.74
			2nd Quarter - Operations		19,852.39
Total EXCELSIOR FIRE DISTRICT					35,044.13
GOPHER STATE ONE CALL					
68	GOPHER STATE ONE CALL	0010431	Gopher State calls	01/31/2020	4.05
		0030431	Gopher State calls	03/31/2020	12.15
Total GOPHER STATE ONE CALL					16.20
KENNEDY, GRAVEN, CHARTERED					
850	KENNEDY, GRAVEN, CHARTERED	153746	LEGAL SERVICES	03/13/2020	520.00
Total KENNEDY, GRAVEN, CHARTERED					520.00
LAKE MTKA CONSERVATION DISTRICT					
99	LAKE MTKA CONSERVATION DISTRICT	2ND QTR 20 LEVY	2nd Quarter Levy	03/16/2020	1,769.25
Total LAKE MTKA CONSERVATION DISTRICT					1,769.25
METRO COUNCIL ENVIRO SERVICES					
105	METRO COUNCIL ENVIRO SERVICES	0001108370	Monthly wastewater Charge	04/06/2020	2,774.73

Vendor	Vendor Name	Invoice No	Description	Inv Date	Net Inv Amt
Total METRO COUNCIL ENVIRO SERVICES					2,774.73
REPUBLIC SERVICES #894					
893	REPUBLIC SERVICES #894	0894-005129853	RECYCLING SVCS	03/15/2020	1,981.45
Total REPUBLIC SERVICES #894					1,981.45
SO LAKE MINNETONKA POLICE DEPT					
38	SO LAKE MINNETONKA POLICE	APRIL 2020	DEBT SERVICE 2020 OPERATING BUDGET	04/01/2020	11,318.00 16,681.58
Total SO LAKE MINNETONKA POLICE DEPT					27,999.58
XCEL ENERGY					
145	XCEL ENERGY	678136731	LIFT STATION #2	03/25/2020	40.65
		678137185	LIFT STATION #4	03/25/2020	49.97
		678150152	LIFT STATION #3	03/25/2020	43.41
		678161848	4925 MEADVILLE STREET *	03/25/2020	8.38
		678322434	LIFT STATION #1	03/26/2020	41.98
		678695981	Sleepy Hollow Road *	03/30/2020	8.35
Total XCEL ENERGY					192.74

Total Paid: 79,056.23
 Total Unpaid: -
 Grand Total: 79,056.23



Agenda Number: 2G

Agenda Date: 05-06-20

Prepared by Deb Kind

Agenda Item: Consider Proposals for Weed Removal at City Docks

Summary: At the March city council meeting, the council authorized the city clerk to secure bids for a “per 6cf wheelbarrow” rate for ongoing removal of loose weeds that accumulate along the shore by the city docks and Meadville boat launch.

The city received two bids ...

	Cost Per 6cf Load	Minimum Cost Per Visit	Maximum Cost Per Hour	Notes
Dive Guys	\$10	\$200	\$350	Requires notice of 3 business days
Life's A Beach	\$15-\$25	No Minimum	N/A	See attached estimate

If the council wishes to discuss this topic further, it will need to be removed from the consent agenda.

Consent Agenda Motion:

I move the council approves the proposal from Dive Guys to provide ongoing removal of loose weeds that at the city docks and Meadville boat launch during the summer of 2020 to be paid from the city marina fund.



City of Greenwood Cleanup Proposal:

Greenwoods Dock Slips/Shoreline and Meadville Launch

Cost Per 6 cubic feet wheelbarrow = \$10/load

It is our best estimate that a 4 man crew would be able to collect and dispose of 30 loads per hour, in load sizes of 6 cubic feet wheelbarrow. A typical hourly rate for a 4 man crew is \$300/hr. We arrived at \$10/bag by dividing our hourly rate by the amount of loads we feel we can get done in an hour.

Minimum Cost Per Visit = \$200/visit

In order to cover our overhead costs, a minimum rate of \$200/visit will be applied for visits that result in 15 hauls or less

Maximum Cost Per Visit = \$350/hr

In the event our crew is able to haul more than 30 load/hr, a maximum hourly rate of \$350/hr will be applied so we do not exceed our proposal estimates.

Notification in Advance = 3 business days

We require in allowance of 3 business days from when you contact us to when we will get out there to remove the weeds.

Life's A Beach Shoreline Services
 PO Box 291
 Spring Park, MN 55384 US
 612.615.1444
 jacob@lifesabeachmn.com
 www.lifesabeachmn.com

Estimate



ADDRESS
City of Greenwood Attn: Dana Young 20225 Cottagewood Rd. Deephaven, MN 55331

ESTIMATE #	DATE
1132	03/18/2020

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	Floating Weed Removal	<p>Floating Weed Removal that accumulate near dock systems and shoreline at the City Docks and Meadville Launch.</p> <p>Cost per 6 cubic foot wheelbarrow rates are determined by total volume encountered during each visit.</p> <ul style="list-style-type: none"> - 1-14 Wheel Barrow loads or less = \$25 per wheel barrow - 15-24 Wheel Barrow loads = (\$250) + \$20 per wheel barrow - 25+ or more Wheel Barrow loads = (\$350) + \$15 per wheel barrow <p>Frequency of visits are dependent on your needs through the season. Our clients with similar situations and areas as your typically require weekly service or every other week service.</p>	1	0.00	0.00T

SUBTOTAL	0.00
TAX (7.525%)	0.00
TOTAL	\$0.00

Accepted By

Accepted Date



Agenda Number: **2H**

CITY OF GREENWOOD NOTICE

As required by ordinance code section 125, the Greenwood city council appoints city clerk Dana Young as the “responsible authority” for the city.

The responsible authority answers inquiries from the public concerning the provision or dissemination of government data. The responsible authority also is charged with creating an inventory of data that the city maintains.

All data is presumed public data unless specifically determined confidential or private by state or federal law.

Updated May 6, 2020



Agenda Number: 4B

Agenda Date: 05-06-20

Prepared by Deb Kind

Agenda Item: Dave Martini, 2020 Engineering Projects

Summary: City Engineer Dave Martini will attend the city council meeting to discuss potential 2020 engineering projects.

Below are city fund balances as of **03-31-20** that may be used for any city purpose:

- \$345,571** *Sewer Enterprise Fund* (interfund transfer OUT code 602-43200-720, capital outlay code 602-43200-530, engineering code 602-43200-303)
- \$35,808** *Stormwater Special Revenue Fund* (interfund transfer OUT code 502-43200-720, interfund transfer IN code 502-34405, capital outlay code 502-43200-530, engineering code 502-43200-303)
- \$191,244** *Bridge Capital Project Fund* (general fund transfer OUT to bridge fund code 101-49000-500, interfund transfer IN code 403-39200, capital outlay 403-45100-530, engineering code 403-45100-303)
- \$159,068** *Road Improvement Fund* – Includes \$124,000 from **2020** general fund budget to be transferred to the road improvement fund plus the \$35,068 current road improvement fund balance (general fund transfer OUT to road fund code 101-43200-500, interfund transfer IN code 404-36230, capital outlay 404-45100-100, engineering code 404-45100-303)
- \$4,000** *2020 Contingency Budget* (general fund code 101-49000-439)

In addition, below is the General Fund Reserve balance as of 12-31-18. Reserve funds may be used for any city purpose:

- \$505,443** *General Fund Reserves* (interfund transfer OUT code 101-43200-500) – This number is approximately 65.01% of operating expenditures. Goal is 35-50%.

County Aid to Municipalities: In 1957, Hennepin County established a County Aid to Municipalities (CAM) program to provide financial assistance for roadways and bridges to cities with populations under 5,000. Typically, the funding is between \$1,000 and \$3,000 per year. The city must submit a project approval form to receive the funds.

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

1. I move the city council authorizes the city engineer to secure bids for the following projects:

2. Do nothing or other motion ???



Agenda Number: **7A**

Agenda Date: **05-06-20**

Prepared by Deb Kind

Agenda Item: Consider: Res 07-20, Findings for CUP Request, Cory and Denae Martilla, 21750 Byron Circle

Background: Notice of the public hearing was published in Finance & Commerce on 12-21-19. The planning commission held a public hearing at their 01-09-20 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 sections 1150.20 CUP criteria and 1155.20 variance criteria as well as any conditions in the findings.

01-09-20 Planning Commission Action: The planning commission held a public hearing at their 01-09-20 meeting. The planning commission recommended denial of the variance and conditional use permit requests based on the recommendation and findings of staff.

02-05-20 City Council Action: Based on input from the planning commission, the applicant submitted design revisions on 1-24-20. The revised drawings appeared to remove the variance request items from the proposal. In the opinion of staff, the submitted revisions were not suitable for decision-making purposes but may be appropriate for discussion purposes in order to provide the applicant input. At the 02-02-20 meeting, the city council approved the following motion:

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 and conditional use permit application of Cory and Denae Martilla, 21750 Byron 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 to allow the applicant time to bring a more refined revised plan to the planning commission for their review and recommendation. Second by Cook. Motion passed 5-0.

02-12-20 Planning Commission Action: The planning commission recommended approval of the revised landscaping proposal as submitted on a 3-0 vote. The commission didn't object to the 2-foot retaining wall that encroaches into the 50-foot setback as the plan would remove all other retaining walls within the setback area. In addition, the 2:1 slope that is provided by the installation of the retaining walls allows for native plantings and would help to prevent erosion of the hillside. See the 02-12-20 planning commission minutes in the FYI section of the packet for the discussion.

At the 03-04-20 City Council Meeting, the council reviewed the revised plans, discussed the planning commission's recommendation, and discussed the plans with the applicant. During the discussion, the council expressed concern regarding the tall retaining wall facing the neighbor's property and determined that the proposed underground storage unit was a 2nd accessory structure (only 1 accessory structure is allowed on a property). At the meeting, the applicant also submitted a handwritten withdrawal of the variance request. The council approved the following motion ...

Motion by Fletcher that the city council continues action on the findings resolutions for the variance and conditional use permit applications of Cory and Denae Martilla, 21750 Byron Circle, to the 04-01-20 council meeting to give the applicant time to revise plans based on the council discussion. Second by Conrad. Motion passed 3-0.

On 03-30-20, the applicant submitted a written withdrawal of the variance requests, a request to extend action until 05-17-20, and a request to be placed on the 05-06-20 council agenda.

At the 05-06-20 City Council Meeting, the council will review the revised plans.

Comments from the applicant: At the council's request, we have assembled a perspective and planting visual aid for the north side view of the existing and proposed CUP. Please note I have included the Planning and Zoning minutes that unanimously approve the plans and CUP as designed.

Attached are findings for the CUP requests based on staff's recommendations, planning commission discussion, city council discussion, and engineering comments.

Key Dates:

Application Complete: December 19, 2019
Notice of Public Hearing Published: December 21, 2019
Planning Commission Public Hearing: January 9, 2020
City Council Discussion: February 5, 2020
2nd Planning Commission Review: February 12, 2020
60-Day Deadline: February 17, 2020
City Council Discussion: March 4, 2020
Applicant Submitted Written Request
to Extend Deadline to May 17, 2020: March 30, 2020
Original 120-Day Deadline: April 17, 2020
City Council Consideration: May 6, 2020
Deadline Extended by Applicant: May 17, 2020

Council Action: The applicant has submitted a written request to extend the action deadline to 05-17-20. The council **must** take action by 05-17-20 unless the applicant grants an extension in writing. Potential motions ...

1. I move the city council (1) adopts resolution 07-20 laying out the findings of fact as written / as revised per the council discussion **APPROVING** the conditional use permit requests of Cory and Denae Martilla, 21750 Byron Circle, to install retaining walls within the lake yard setback and to regrade the lake yard area; and (2) 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 Cory and Denae Martilla, 21750 Byron Circle, to be considered by the city council at __ pm on _____, 2020.
3. Other motion ???

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).

12/13



Conditional Use Permit Application

Person completing form: Property Owner Builder / Architect
 If you prefer to complete this form electronically, it is available at www.greenwoodmn.com.

Date application submitted	12-18-19
Date application complete (office use only)	
Property address	21750 Byron Circle
Property identification number (PID)	26-117-23-34-0055
Property owner's current mailing address	14190 Rawhide Parkway Dallas, TX 75234
Names of all property owners	Cory + DeMAE Martilla
Cell phone and email of property owner(s)	913 484 6591 Cory.Martilla@Supremelending.com
Name of builder / architect (if any)	Mike Peterson / Bill Madden / Roland Aberg
Company name of builder / architect	Precision Builders / Madden Architects / Hart Hoverton Landscape
Cell phone and email of builder / architect	612 889 7166 / 651 328 4571 / 415 740 1711
Company address	4551 Oak Chase Circle Egan, MN 55123
Present use of property	Single Family Residential
Property acreage	.5261 22917 #
Existing variances or conditional use permits	<input type="checkbox"/> No <input type="checkbox"/> Yes - please attach a copy
Request is for	<input 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)	Replace deteriorated & failing Existing Landscaping

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:

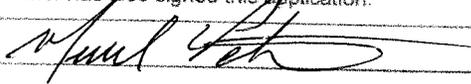
Will the proposed use comply with the regulations specified in the ordinance for the district in which the proposed use is to be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: Subject Property will Remain A Single Family Residential use. No changes.
Is the 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: NO change to 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 impact
Will the proposed use be harmonious with the objectives of the comp plan?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: NO change to use
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 change to use

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:	NO change to use.
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:	N/A
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 change to use
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:	NO change to use or approach
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:	N/A
Will the proposed use unreasonably depreciate surrounding property values?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain:	N/A NO change to use

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

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

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

Signature:  Date: 12/12/19

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

Signature:  Date: 12/12/19

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: Cash Check # _____ Amount \$ _____

12/19/19



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	12/19/19
Date application complete (office use only)	
Property address	21750 Byron Circle
Property identification number (PID)	26-117-23-34-0055
Property owner's current mailing address	14190 Rawhide Pkwy Dallas, TX 75234
Names of all property owners	Cory & Renae Martilla
Cell phone and email of property owner(s)	9134846591 Cory.Martilla@Suprema-Lending.com
Name of builder / architect (if any)	Michael Peterson / Bill Madden / Roland Aberg
Company name of builder / architect	Acision Builders LLC / Madden Architects / Hart Howerton Landscape
Cell phone and email of builder / architect	6128897766 / 6513284571 / 4157401711
Company address	4531 Oak Chase Circle Eagan MN 55123
Present use of property	Single family Residential
Property acreage	.52 Acre 22644 Sq. Ft.
Existing variances or conditional use permits	<input 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 checked="" type="checkbox"/> Replace
The variance(s) are being requested to (e.g. build a garden shed)	Variance #1 Build a subterranean storage shed #2 Install a level, dry permeable area near lake shore

Requested variance(s):

	Required*	Proposed	Difference	
<input type="checkbox"/> Side Yard (feet)				
<input type="checkbox"/> Front Yard (feet)				
<input type="checkbox"/> Rear Yard (feet)				
<input checked="" type="checkbox"/> Lake Setback (feet)	50'	41.5'	9.5'	Var #1
<input type="checkbox"/> Building Height (feet)				
<input type="checkbox"/> Structure Height (feet)				
<input type="checkbox"/> Wetland Setback (feet)				
<input type="checkbox"/> Bluff Setback (feet)				
<input type="checkbox"/> Maximum Above Grade Building Volume (cubic feet)				
<input type="checkbox"/> Hardcover (percentage)				
<input checked="" type="checkbox"/> Other: Lake Setback	35'	26'	9.0'	Var. #2

* 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.

Is the variance in harmony with the purposes and intent of the ordinance?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: <i>NO CHANGE IN USE</i>
Is the variance consistent with the comprehensive plan?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: <i>proposal presents the best solution for required Repair + Replacement of existing.</i>
Does the proposal put the property to use in a reasonable manner?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: <i>NO CHANGE IN USE</i>
Are there unique circumstances to the property not created by the landowner?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Please explain: <i>Steep hillside limits access between home + Lake, please see Attached Narrative</i>
Will the variance alter the essential character of the locality?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: <i>Current hillside stairs, walls, landscape are in disrepair + must be re-done, repaired, improved. See Attached Narrative.</i>
Will the variance impair an adequate supply of light and air to adjacent property?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: <i>no change</i>
Will the variance unreasonably increase the congestion in the public street?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: <i>no change</i>
Will the variance increase the danger of fire or endanger the public safety?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: <i>no change</i>
Will the variance unreasonably diminish or impair established property values within the neighborhood?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Please explain: <i>Hillside improvements + House remodel (in subsequent Bldg. Permit Application) Will Improve Property Values.</i>

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: 21795 MTKA Blvd.

Signature: _____ Date: _____

Print Name: Joel + Heather Davis

Neighbor #2 Address: 21800 Byron Circle

Signature: _____ Date: _____

Print Name: Todd & Amy Wilkinson

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 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: [Signature] Date: 12/19/19

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: Cory Martila Details signed by Cory Martila
DN: CN = Cory Martila, OU = Supreme Lending Branch, 100
Date: 2019-12-19 11:28:07 -0500 Date: 12/19/19

Note: If the property owner is different than the applicant, signatures from 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: Cash Check #:

Amount \$ _____



Permit #	FORM #15 Return this document to City Hall
Receipt #	

Stormwater Management Plan

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

Property Owner(s)	Cary & Denaé Mantilla
Property Address	21750 Byron Circle

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

Date Application Submitted	12/13/19
Property Owner's Mailing Address	14190 Rowhide Parkway Dallas TX 75234
Property Owner's Phone Number	913 484 6591
Property Owner's Email	Cary.Mantilla@Supreme-Lending.com
Contractor or Builder / Architect Name	Precision Builders LLC / Hart-Howerton w/ Stark Civil Engineer
Contractor or Builder / Architect Address	4557 OAK Chase Circle Essey MN 55123
Contractor or Builder / Architect Phone	612 889 7766 / 415 740 1711
Contractor or Builder / Architect Email	Mike@precisionbuilders.us / CAberge@hart-howerton.com

SECTION 1. Stormwater management (code section 1140.17) must be implemented for any alteration which results in increased impervious surface coverage of 200 SF or more or any increase that results in a total impervious surface coverage that is greater than what is allowed in the zoning district. Does your proposed project increase impervious surface by 200 SF or increase the surface coverage by an amount that is greater than what is allowed in the zoning district? Yes (complete section 2) No (skip to section 3)

SECTION 2. Choose ONE of the following four options:

- For alterations that do NOT exceed hardcover requirements, I will provide stormwater runoff volume reduction practice(s) on-site with capacity to retain a minimum volume of (_____ SF X 1.25 gallons per SF = _____).
Type of volume reduction practice: _____.
- For alterations that DO exceed hardcover requirements, I will provide stormwater runoff volume reduction practice(s) on-site with capacity to retain a minimum volume of the greater of added impervious surface area (_____ SF) or the area that exceeds the hardcover requirements (_____ SF) X 1.25 gallons per SF. Type of volume reduction practice: _____.
- Attached is a report and calculations demonstrating that stormwater runoff management practice(s) proposed limits the peak runoff rate from a 2-inch – 60-minute rainfall event does not exceed existing conditions for the same event.
- The attached site plan demonstrates through topographic features that water will be conveyed towards naturally occurring water features such as lakes, wetlands, creeks, or channels without impacting neighboring properties.

And submit the following with this form:

- (a) When a certified site survey is required by code, the survey shall include:
 - i) An impervious surface calculation for existing and proposed impervious surface conditions.
 - ii) The location of proposed activities.
 - iii) Plans, specifications, and calculations showing compliance with all required stormwater management performance practices and compliance with section 1140.17 subd 3.
- (b) When a certified site survey is not required by code, the applicant shall provide:
 - i.) An impervious surface calculation worksheet with existing and proposed impervious surface conditions.
 - ii.) A site plan or drawing showing the location of proposed activities.
 - iii.) Plans, specifications, and calculations showing compliance with all required stormwater management performance practices and compliance with section 1140.17 subd 3.

Note: A **Stormwater Maintenance Agreement** between the property owner and the city that documents all responsibilities for the long-term operation and maintenance is required for systems that require continuing physical maintenance. The maintenance agreement shall be executed and recorded against the parcel with the county, must be disclosed by the selling party to the buyer, shall be inspected by a qualified third-party technician hired by the property every 5 years in years ending in 0 and 5 and prior to a sale or transfer of the property. 5-year inspection reports must be submitted to the city by August 1 of that year. Any maintenance identified during the inspections shall be completed within 12 months of the inspection. For properties that are for sale, the inspection report must be submitted to the city prior to closing, and all repairs must be completed prior to closing or disclosed to the buyer and completed within 12 months of closing.

SECTION 3. The undersigned hereby submits this Stormwater Management Plan form and certifies the property owner(s) listed above are the sole fee title owner(s) of the described property; information provided on this form and in the submitted documents is true, complete, and accurate; if the plan is approved, the work will be in accordance with the plan and city code section 1140.17.

Signature		Date: 12/13/19
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Form Updated 01-08-19

From: Debra Kind dkind100@me.com
Subject: Review Needed re: 21750 Byron Circle Grading Plan
Date: February 24, 2020 at 6:07 PM
To: Debra Kind dkind100@me.com



From: Bob Bean
Subject: RE: Review Needed re: 21750 Byron Circle Grading Plan
Date: February 24, 2020 at 1:50:44 PM CST
To: Debra Kind
Cc: David Martini

Mayor Kind,

I have completed review of the information provided. I have updated my comments as follows:

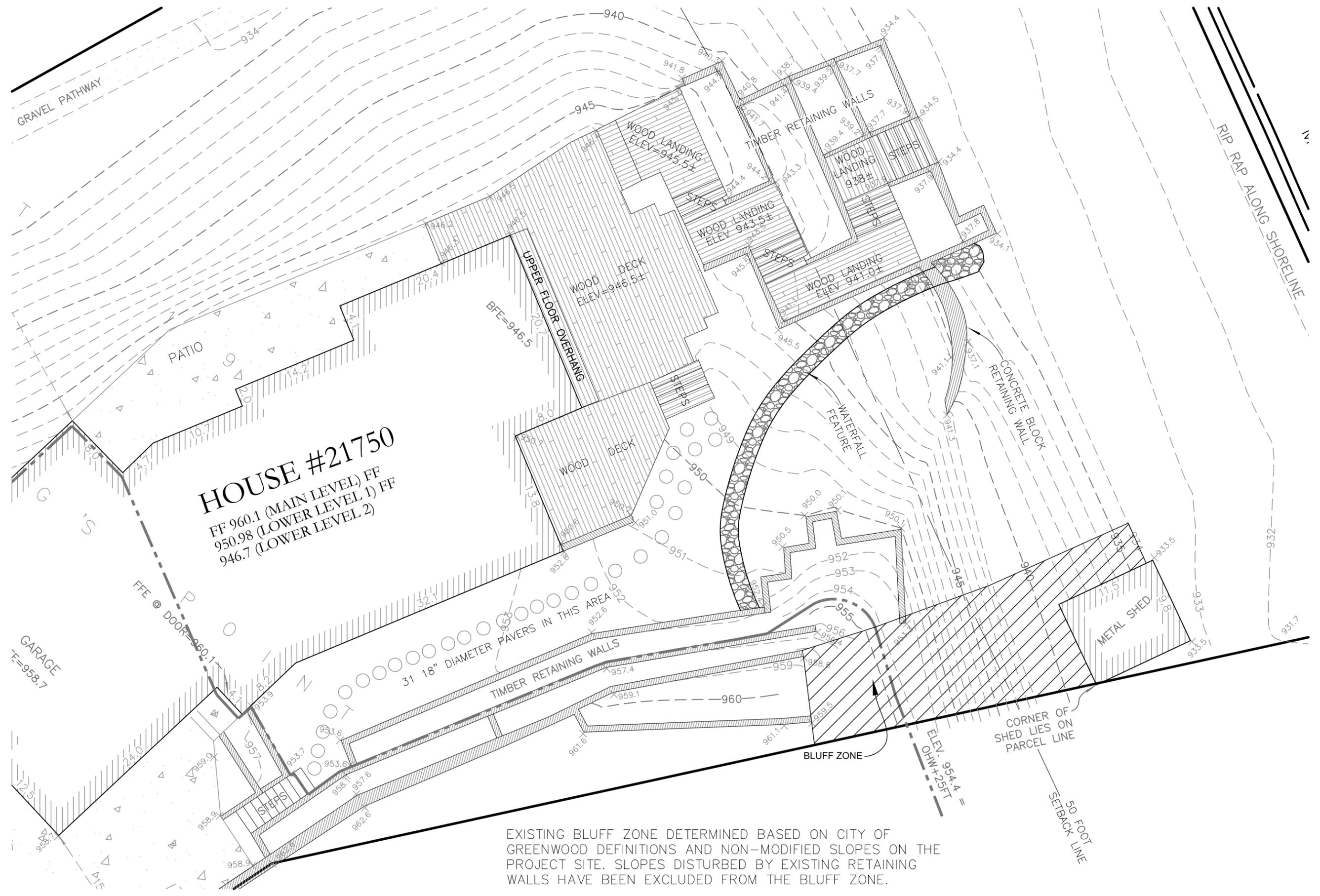
1. Drainage patterns would be maintained with proposed improvements. Runoff would continue to drain directly to Lake Minnetonka.
2. Perimeter erosion control measures should be installed by the Contractor and inspected by the City prior to any other work. Contractor must provide minimum 24 hour notice prior to inspection.
3. Retaining walls 4' or greater in height must be designed by a licensed Professional Engineer. Wall plans must be submitted for review and approval prior to construction.
4. Bluff is present along the south side of the lot, and the area is accurately noted on the plan. Perimeter control measures have been indicated adjacent to the bluff to prevent any disturbance of this area.
5. Regarding work on steep slopes, plans should include direction for prevention of erosion and preservation of existing vegetation screening of structures, vehicles, and other facilities as viewed from the surface of Lake Minnetonka (1176.04.Subd6). Clear cutting of natural vegetation is prohibited and natural vegetation should be restored as feasible (1176.08.Subd1) A Landscape Plan and shoreline renderings should be included in the plan set as necessary to establish these items accordingly.
6. Clear drive lanes must be maintained on Byron Circle 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 further.

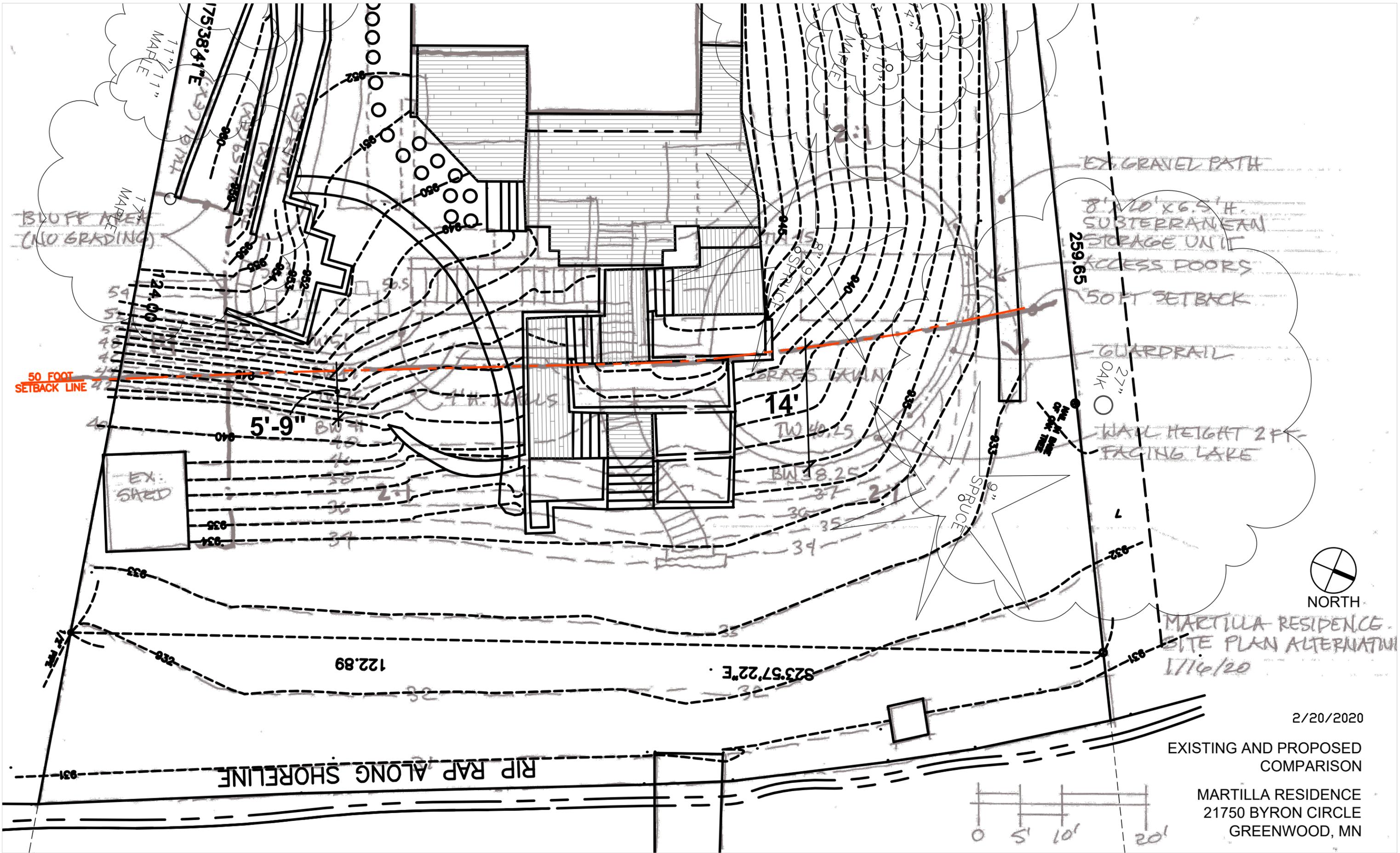
Thanks,

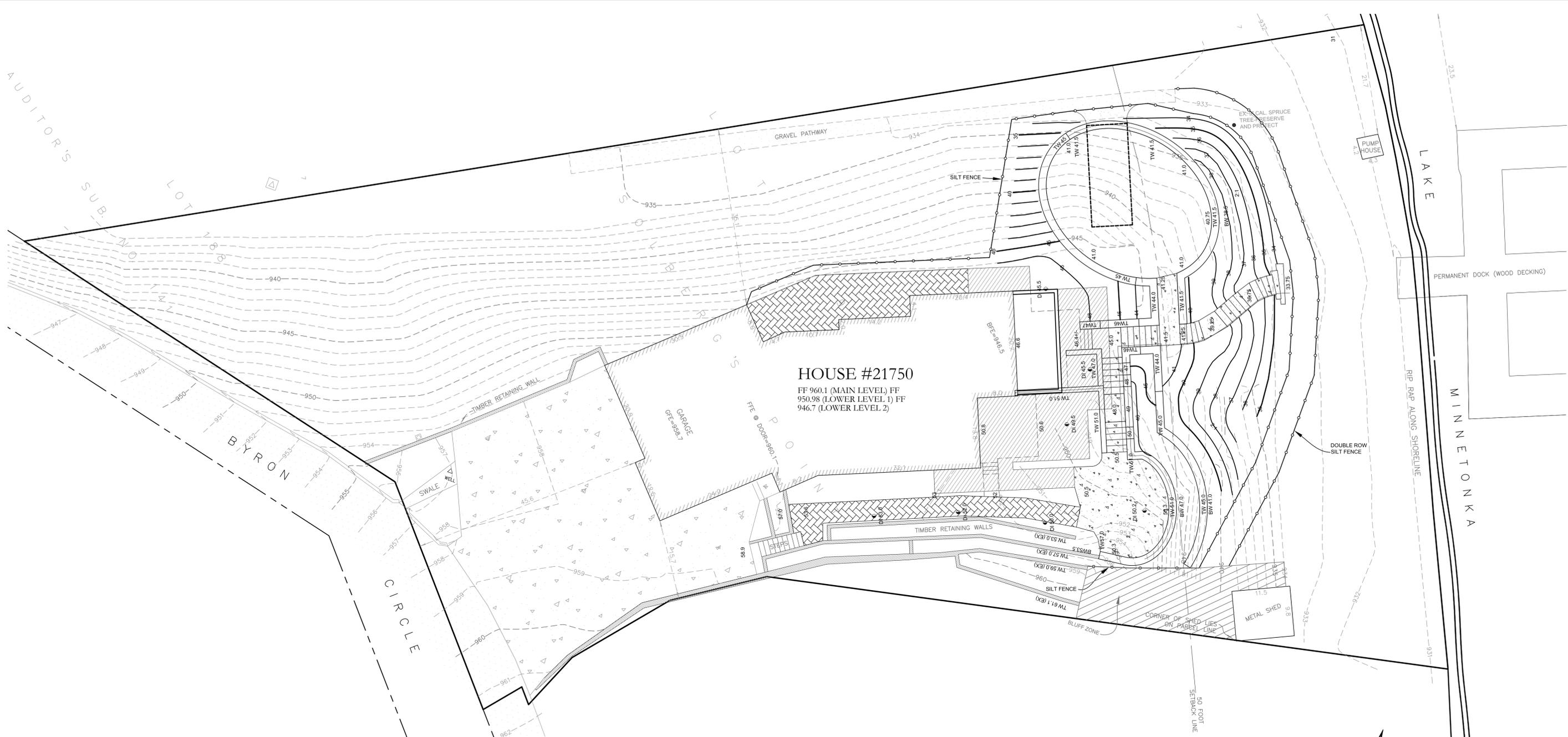
Robert E Bean Jr. P.E.
Water Resources Project Engineer
Bolton & Menk, Inc.
2638 Shadow Lane
Suite 200
Chaska, MN 55318-1172
Bolton-Menk.com





EXISTING BLUFF ZONE DETERMINED BASED ON CITY OF GREENWOOD DEFINITIONS AND NON-MODIFIED SLOPES ON THE PROJECT SITE. SLOPES DISTURBED BY EXISTING RETAINING WALLS HAVE BEEN EXCLUDED FROM THE BLUFF ZONE.



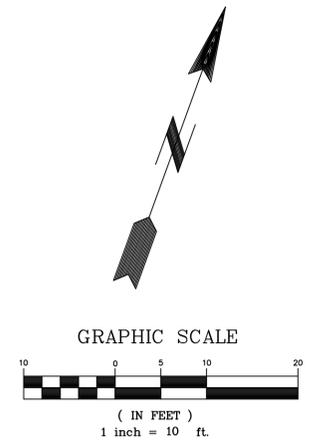


HOUSE #21750

FF 960.1 (MAIN LEVEL) FF
 950.98 (LOWER LEVEL 1) FF
 946.7 (LOWER LEVEL 2)

NOTES:

1. BASE PLAN USED IS A SURVEY PREPARED BY VAN NESTE SURVEYING.
2. ALL EXISTING UTILITY LOCATIONS AND ELEVATIONS SHOWN ARE APPROXIMATE ONLY. CONTRACTOR SHALL CONFIRM ALL LOCATIONS AND ELEVATIONS PRIOR TO CONSTRUCTION. CONTRACTOR SHALL CONTACT UTILITY COMPANIES VIA GOPHER STATE ONE-CALL ONLINE OR BY CALLING 811 OR 1-800-252-1166.
3. ALL CONSTRUCTION SHALL CONFORM TO THE MOST RESTRICTIVE OF THE PROJECT SPECIFICATIONS, THE STANDARD SPECIFICATIONS OF THE CITY OF GREENWOOD AND THE LATEST EDITION OF MNDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION.
4. EXISTING BLUFF ZONE DETERMINED BASED ON CITY OF GREENWOOD DEFINITIONS AND NON-MODIFIED SLOPES ON THE PROJECT SITE. SLOPES DISTURBED BY EXISTING RETAINING WALLS HAVE BEEN EXCLUDED FROM THE BLUFF ZONE.
5. THE FOLLOWING SEQUENCE AND PROTOCOLS SHALL BE FOLLOWED FOR EROSION AND SEDIMENT CONTROL DURING THE SITE DEVELOPMENT PROCESS:
 - A. INSTALL PERIMETER CONTROLS (SILT FENCE) AS SHOWN ON THE PLANS PRIOR TO START OF WORK.
 - B. NO CONCRETE WASHOUTS ARE ALLOWED ON THE PROJECT SITE. SOIL STOCKPILES SHALL HAVE PERIMETER CONTROL AND HAVE TEMPORARY SEED AND MULCH.
 - C. MAINTAIN ALL TEMPORARY EROSION CONTROL DEVICES IN PLACE UNTIL THE CONTRIBUTING DRAINAGE AREA HAS BEEN STABILIZED. INSPECT TEMPORARY EROSION CONTROL DEVICES ON A WEEKLY BASIS AND AFTER EACH 1/2" OR MORE RAIN EVENT. CLEAN OR MAINTAIN THESE DEVICES AS NEEDED TO BE EFFECTIVE. REPLACE DETERIORATED, DAMAGED OR ROTTED EROSION CONTROL DEVICES IMMEDIATELY.
 - D. REMOVE ALL SOILS AND SEDIMENTS DEPOSITED ONTO PUBLIC AND/OR PRIVATE PAVEMENT AREAS WITHIN 24 HOURS OF DEPOSITION. REMOVAL OF TRACKING MATERIALS SHALL BE COMPLETED AT THE END OF EACH WORK DAY WHEN IT OCCURS. SWEEPING MAY BE ORDERED AT ANY TIME IF CONDITIONS WARRANT.
 - E. PERFORM SITE REMOVALS, GRADING, EXCAVATION AND EMBANKMENT. SEED AND MULCH ALL DISTURBED AREAS OUTSIDE OF PROPOSED RETAINING WALL, CONCRETE PAVEMENT, PAVERS, DECKING AND BUILDING AREAS WITHIN 72 HOURS OF THIS WORK.
 - F. INSTALL UTILITIES, PAVERS, RETAINING WALL AND CONCRETE PAVEMENT SECTION. FINE GRADE SITE AND RESTORE GREEN AREAS WITH PERMANENT VEGETATION PER PLANS.
 - G. REMOVE ALL TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES AFTER SITE HAS UNDERGONE FINAL STABILIZATION AND PERMANENT VEGETATION HAS BEEN ESTABLISHED WITH AT LEAST 70% COVERAGE.



**REVIEW PLAN
 NOT FOR CONSTRUCTION**

www.startkengineer.com
 920-249-2811
 Sauk Rapids, Minnesota

STARK ENGINEERING

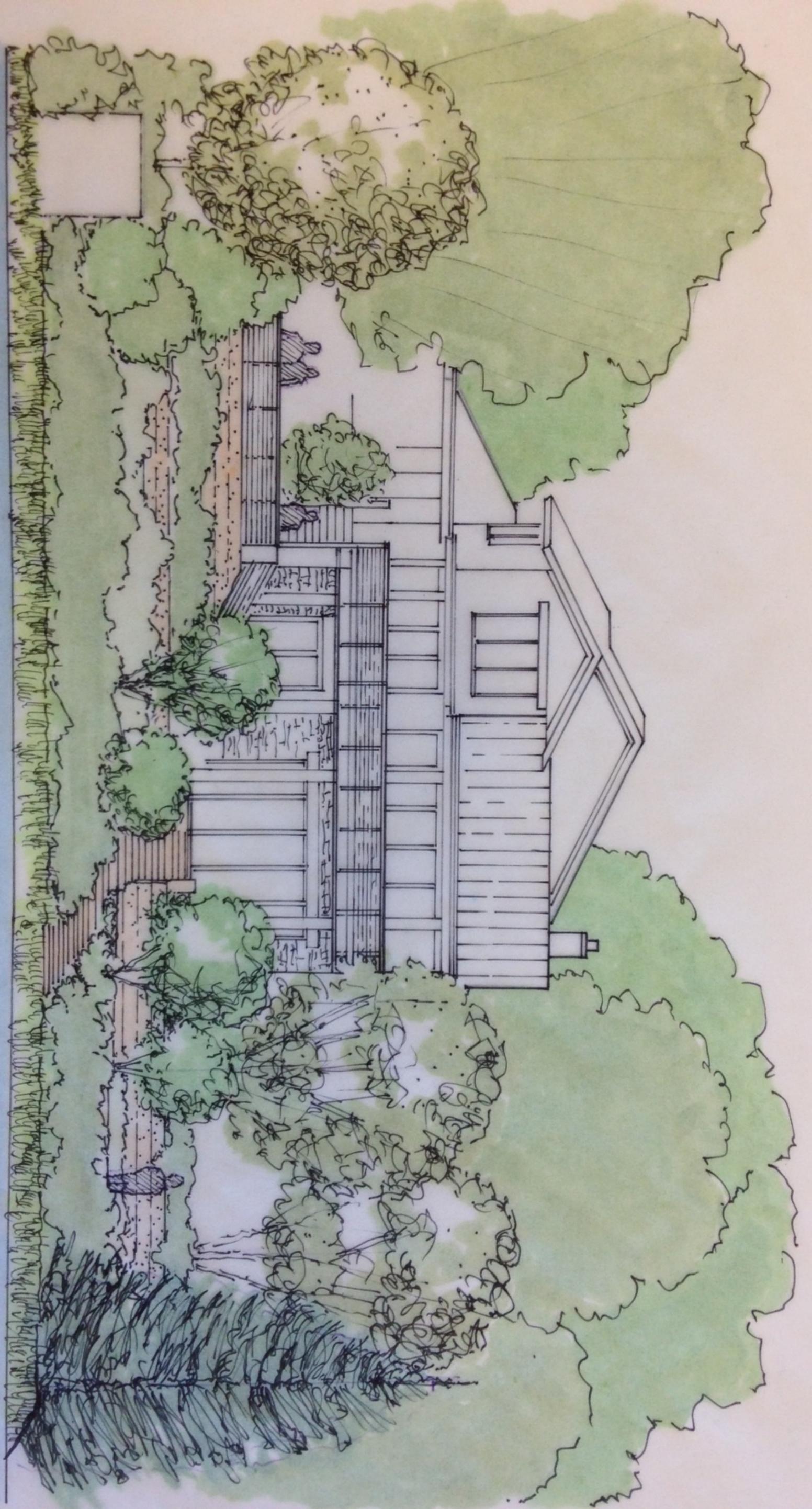
I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
 Wayne C.B. Stark Date 1/22/20 Registration No. 26093

REVISIONS	CITY REVIEW
1/22/20	

GRADING & EROSION CONTROL PLAN

MARTILLA RESIDENCE
 GREEN WOOD, MINNESOTA
 for:
 PRECISION BUILDERS

SHEET
C-2
 OF 2 SHEETS





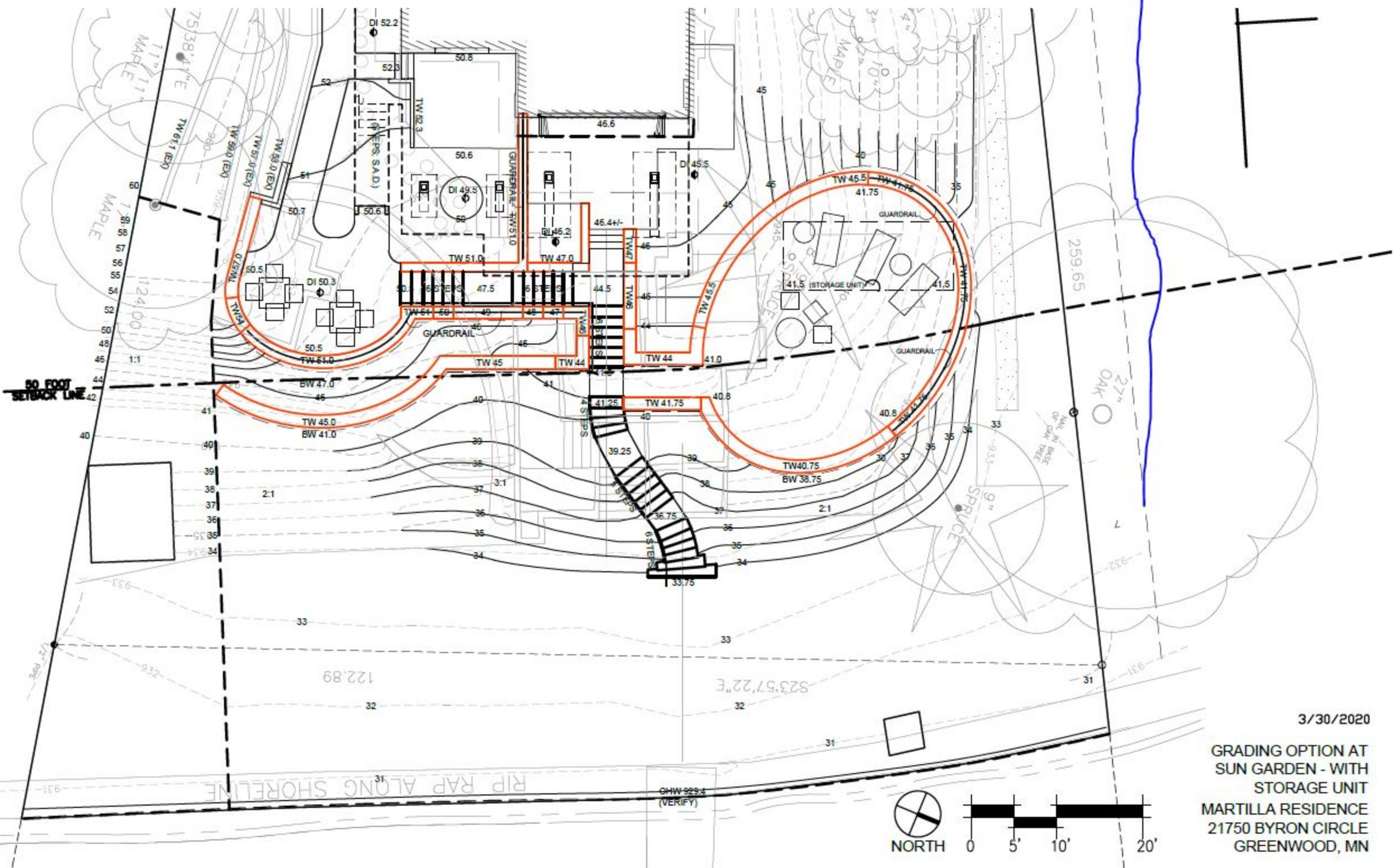


NORTH

3/20/2020

AERIAL VIEW WITH
NEIGHBORING PROPERTY

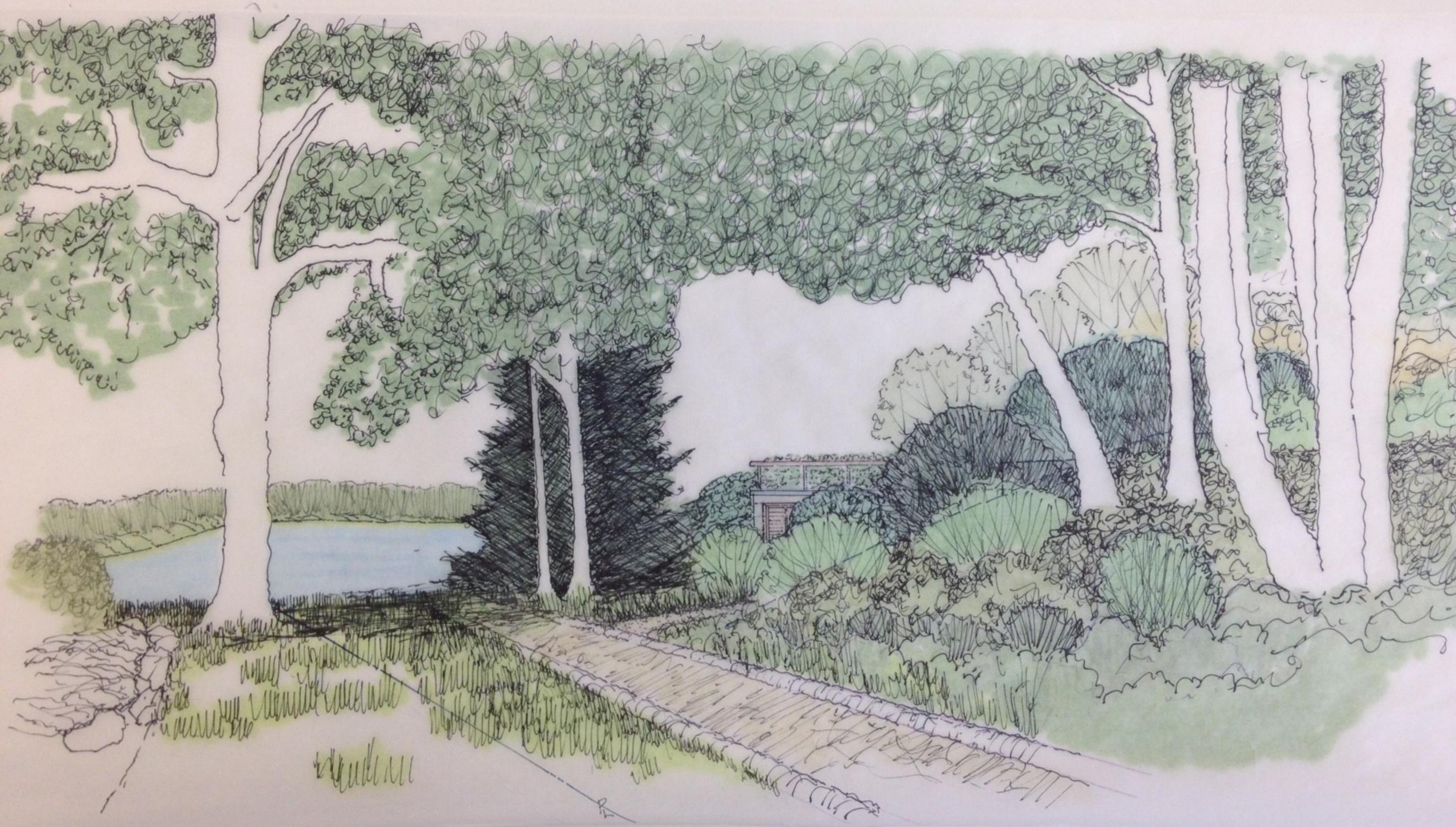
MARTILLA RESIDENCE
21750 BYRON CIRCLE
GREENWOOD, MN



3/30/2020

GRADING OPTION AT
 SUN GARDEN - WITH
 STORAGE UNIT
 MARTILLA RESIDENCE
 21750 BYRON CIRCLE
 GREENWOOD, MN

GHW 9294
 (VERIFY)



Greenwood Planning Commission
Wednesday, February 12, 2020
7:00 P.M.

1. CALL TO ORDER/ROLL CALL

Chairman Lucking called the meeting to order at 7:00 p.m.

Members Present: Chairman Pat Lucking, Commissioners Kelsey Nelson and David Steingas

Members Absent: Commissioner Julie Getchell and Dean Barta

Others Present: City Engineer David Martini, Interim Zoning Administrator Dana Young, and Council Liaison Kristi Conrad

2. MINUTES – Regular meeting of January 8, 2020.

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

3. PUBLIC HEARINGS

3a. Consider the conditional use permit and variance requests of James and Jessica Benning, 21915 Fairview Street, for a variance to exceed the maximum allowable construction-related tree removal, and a conditional use permit to regrade portions of the property in conjunction with the construction of a new house. — Section 1140.80 Subd. 4(B)(2) of the city ordinance limits tree removal for a new construction project to 20% of the total diameter inches of significant trees on a property and the applicants propose to remove 27% of the diameter inches of trees for the property. Section 1140.19 Subd. 3 of the city ordinance requires a conditional use permit for any the grading or site/lot topography alteration request that increases or decreases the average grade (existing compared to final conditions) by more than 1 foot in any 300 square foot area. The proposed project will exceed these grading thresholds.

Lucking introduced the agenda item and opened the public hearing.

John Erickson, 5085 Meadville Road, stated his concerns regarding the height of the proposed retaining wall, which would be located next to his property line, and with the drainage impact on his property from the construction of the new house. He provided a PowerPoint of the site map and showed the current drainage that gathered in the natural swale or depression located in the front of the property. He stated that the fill for the retaining wall would cut into this natural swale area. He stated that Zoning Coordinator Dale Cooney had noted that some areas of the retaining wall could be 6 feet high. He stated he is concerned about the appearance and drainage impact of a wall of that height. He asked if consideration had been given to constructing a taller foundation and tapering out the grade or dropping the garage and house down. He stated that he would be interested in any ideas to keep it more natural so he doesn't have to look at such a big retaining wall. He added that he thought the building placement was fine.

Julie Ekelund, 5085 Meadville Street, stated that water runoff comes down Fairview Street and gathers in their driveway. She stated that her husband has to chip the ice to try to get the water off of the street and into the pond or to the ditch that outlets into the lake. She stated that there are already problems with water ponding on Meadville Street and doesn't want to see it increase. She added that this problem could be compounded when a home on the other vacant lot is constructed.

Todd Simning, builder for the property owners, stated that his engineer has talked with Bob Bean of Bolton & Menk regarding the drainage on this property. He stated that the current drainage plan as recommended by the City Engineer would shift the retaining wall further back from the property line to better access the infiltration basin.

City Engineer David Martini stated that the retaining wall would be moved closer to the house and the swale and roof drains would be directed to the infiltration basins.

Todd Simning stated that the general rule is that the development of a property cannot add additional storm water over and above the existing storm water. He added that the retaining wall should be under 4 feet in height.

David Martini added that the wall will be 4 feet with the ground sloping up to the house.

Todd Simning stated that the basement has to be 3 feet above the ordinary high water, which accounts for some of the elevation of the house. He stated that they would add natural boulder walls for the retaining wall, which provides for a more natural setting. He reiterated that they want to keep the retaining wall below 4 feet.

David Steingas asked why they weren't building a walk out.

Todd Simning stated that there is nothing to walk out to.

David Steingas stated that after approving this subdivision, they were told that the subdivision would not require any variances. He stated that the neighbors were assured that there would be no variances.

Todd Simning stated that a walk out would look a little funky.

David Steingas suggested switching the garage to the high side.

Todd Simning stated that no matter the design, we would still be here asking for a variance because the 1 foot grade increase in a 300 square foot area is fairly restrictive and for tree removal. He stated that he was unaware at the time of the subdivision review that the 1 foot grading rule would require a variance.

Kristi Conrad asked if he knows anything about construction timelines on the vacant other lot.

Todd Simning stated that he didn't know anything about the construction of the other vacant lot.

Julie Ekelund asked about the tree removal requirements. She stated that the City Code limits tree removal to 20% yet Dale Cooney mentions that the amount of tree removal could be anywhere between 27% - 36%.

Pat Lucking stated that Dale gave the applicants credit for removing three problematic trees, which would lower their percentage from 36% to 27%. He stated that the City Arborist thought at least two of the trees in question would survive.

Julie Ekelund stated that she was comfortable with the tree removal as long as the tree replacement brings it back in line.

After hearing no further comments, Pat Lucking closed the public hearing at 7:27 p.m.

David Steingas stated that he has less of a problem with the tree removal as the applicant can plant more and better trees. He stated that the grading issue for him is huge. He stated that the retaining wall could be eliminated by flipping the garage to the high side of the property. He stated that during the review of the subdivision plan, they didn't think there would be any variances needed. He stated that this is his opinion unless the City Engineer can convince him that the water will not be a problem.

David Martini stated that, as presently shown, the retaining wall is too close to the property line to adequately maintain flow to Fairview Street.

Kelsey Nelson asked if the proposed storm water mitigation for this property would make the drainage better.

David Martini stated that you are adding hardcover to a property where there was none. He stated that the infiltration basins will help, unless the basins are full or frozen.

David Steingas stated that removing the retaining walls will allow the water to go where it normally goes.

Kristi Conrad stated that taking away the retaining walls would still require storm water mitigation. She stated that you would direct the water to the pond in the backyard, which might be a big advantage. She stated that drainage often just moves the problem from one property to another. She stated that storm water issues are a nightmare for the city.

David Martini stated that some of the water can go to the pond but Meadville and Fairview are very flat streets and it is hard to do anything with these streets to control runoff. He noted that the pond also has a pump in it to remove excess water so the whole area is challenging.

Todd Simning stated that the retaining walls are not something we have to have. He suggested the possibility of expanding the infiltration basins. He stated that it would be difficult to move a basin to Fairview Street due to the high water table.

David Martini stated that maintaining the existing drainage is preferred, although the infiltration basins would help. He stated that we don't have storm water infrastructure in place and have to rely on natural depressions and ponds to handle drainage.

David Steingas recommended designing a house to fit the lot rather than designing the lot to fit the house.

Pat Lucking also recommended that the applicant make some changes to adapt to the lot. He noted that they may never meet the 1 foot in 300 S.F. standard.

Todd Simning stated that they will revise their plans.

David Steingas cautioned that they might run into a building volume issue and they should check into this carefully. He reiterated his suggestion that they eliminate the retaining wall and drop the grade.

Julie Ekelund asked what happens if the drainage doesn't work.

David Steingas stated that why we have a City Engineer.

Todd Simning stated that increasing the infiltration basins will help.

Julie Ekelund stated that she doesn't want more water added to the ditch.

David Martini stated that they try to find a solution to drainage problem and determine whether it is a City issue, or a homeowner solution, or both. He stated that there is already a drainage problem here.

Julie Ekelund stated that she doesn't want it to be a financial hardship for them.

David Martini stated that the direction is to maintain the drainage patterns and include infiltration basins. However, there is nothing that is proposed that will make the drainage better.

Pat Lucking asked if there was a marsh behind the Ekelund's house.

Kristi Conrad stated that there is a marsh but it was landlocked.

Julie Ekelund stated that there might be a potential solution by installing pipe under their driveway and draining the excess storm water runoff into the pond.

The Commission requested the applicant to return to the Planning Commission with revised plans as discussed tonight for further review at their March 10th meeting.

3b. Consider Amending Greenwood Ordinance Code Section 1102 Definitions and Section 1140.10 Subd. 2(C) Regarding Accessory Structure Lake Setbacks

Pat Lucking stated that the intent of this ordinance is to clarify some discussion that was held between Dale and the City Council.

Kelsey Nelson stated that the ordinance proposes to establish setbacks and add clarity.

Kristi Conrad stated that the Council is trying to avoid the installation of patios within the 50' lake yard setback.

David Steingas stated that he struggles with the language in the proposed ordinance that refers to "crushed or smooth rock, sand" being included in the definitions of deck and patio. He stated that these are permeable surfaces and should not be included as part of hardcover.

Kelsey Nelson noted that the ordinance is not calling this hardcover but part of the definition of a deck and patio.

David Steingas stated that he wants to allow "crushed or smooth rock, sand".

Kristi Conrad stated that this doesn't have anything to do with hardcover, the ordinance is trying to restrict use.

Pat Lucking noted that it's defining a space.

Kristi Conrad stated that the ordinance would shift everything back to a 50' lake yard setback.

David Steingas stated that you should be able to put a permeable material within the 50' setback.

Kelsey Nelson noted that we are retroactively addressing all of those things that we are currently permitting.

Motion by Pat Lucking to recommend approval of the proposed ordinance subject to removing "crushed or smooth rock, sand" from the definition of deck and patio. Seconded by David Steingas. Kelsey Nelson voted against stating that she prefers to remove all of the verbiage under the definition of deck and patio. Motion carried 2-1.

4. OLD BUSINESS

4a. Discussion on design revisions related to the request of Precision Builders, LLC, contractor for the property owners at 21750 Byron Circle for a conditional use permit to install retaining walls within the lake yard setback and to regrade the lake yard areas of the property.

Mike Peterson and Roland Aberg, with Precision Builders, were present to submit their revised design plans for 21750 Byron Circle. Mike Peterson stated that they had met with the City

Council on February 5th and the plans had changed significantly enough that the Council asked them to bring it back to the Planning Commission for their review.

Roland Aberg provided a PowerPoint presentation on their revised landscaping plan. The plan showed an overall reduction from 147 L.F. of retaining wall within the 50' lake yard setback to 76 L.F. On the south side, two 4' retaining walls were proposed instead of one 10' wall. The furthest wall on the south side would encroach 6' into the 50' lake yard setback. On the north side, one 2' retaining wall would be installed, which would encroach 15' into the 50' lake yard setback. Roland Aberg stated that the effect of rebuilding the retaining walls on the north and south side would enable the removal of all other retaining walls within the 50' setback, establish slopes of 2:1 that would allow for native plantings, improve erosion, and allow for a much more attractive property.

Further discussion was held on reducing the encroachment into the 50' lake yard setback, particularly with the egg-shaped area on the north side that included the 2' retaining walls that encroached 15' into the setback. Roland Aberg stated that pushing the retaining wall on the south side further back would make it more difficult to obtain a 2:1 slope, adversely impact the roots of existing trees, and make the area less attractive.

Pat Lucking stated that it would be good to get the walls moved back from the 50' setback.

Mike Peterson stated that they need to maintain the 2:1 slope for the plantings. He stated he is not sure how this could be accomplished if the walls were moved back. He added that they will be removing a lot of hardcover within the 50' setback and would like the Commission to acknowledge that they have made a significant improvement with their revised landscaping plan.

David Steingas asked about the proposed metal bunker, which was now out of the 50' setback. He noted that there would be no hardcover issue with the bunker as there would be grass over the top.

David Steingas stated that he didn't object to the 2' retaining wall that encroached into the 50' setback. He noted that this plan proposed to remove all other retaining walls within the setback area. He stated that this was a major improvement in his mind and it was only a 2' high wall. He added that the 2:1 slope is a huge improvement, particularly in terms of helping to prevent erosion of the hillside.

Kelsey Nelson stated that she liked the fact that the wall was substantially moved back on the south side and recommended that the applicants provide an elevation plan for the Council.

Motion by David Steingas to recommend approval of the landscaping proposal as submitted. Seconded by Kelsey Nelson. Motion carried 3-0.

5. NEW BUSINESS

Dana Young stated that the original date of March 11th for the joint Council / Planning Commission Worksession is not going to work. The Council has rescheduled the joint worksession for Mary 13th.

Dana Young stated that the terms of office for David Steingas and Kelsey Nelson are set to expire in March 2020. He asked if any the Commissioners were interested in serving a second term of office. Both David and Kelsey stated that they were agreeable to serving a second term.

6. LIAISON REPORT

Kristi Conrad provided a brief update on the role of Planning Commission in terms of their review of future projects.

7. ADJOURN

Motion by David Steingas to adjourn the meeting. Kelsey Nelson seconded the motion. Motion carried 3-0. The meeting was adjourned at 9:05 p.m.

Respectively Submitted,
Dana Young – Interim Zoning Administrator



Agenda Number: **7B**

Agenda Date: **05-06-20**

Prepared by *Deb Kind*

Agenda Item: 1st Reading: Ord 299, Amending Section 1140.10 Subd 2(C) Lake Setbacks for Accessory Structures; Res 11-20, Summary of Ord 299 for Publication

Summary: At the 01-02-19 city council meeting, discussed potential changes to the city code regarding Lake Setbacks for Accessory Structures ...

- add “including, but not limited to, concrete, flagstones, bricks, pavers, crushed or smooth rock, sand, or boards” to the definition of decks, patios and slabs;
- add the horizontal area of retaining walls to the definition of impervious surfaces;
- add a definition for landscaping retaining walls;
- limit the size of firepits (built-in or freestanding) to 10 square feet if they are located between 10ft and 50ft from the lake;
- prohibit the location of landscaping retaining walls within 50 feet of the lake and within 10ft of the rear yard property line;
- prohibit the location of decks, patios, slabs within 50 feet of the lake; and
- increase the lakeshore setback from 35 to 50 feet for pergolas, arbors, and trellises.

The council was not unanimous on the proposed changes, but directed that the proposed changes be sent to the planning commission for their review and recommendation.

Planning Commission Action: The planning commission reviewed the proposed changes at their 02-12-20 meeting and took the following action ...

Motion by Lucking to recommend approval of the proposed ordinance subject to removing “crushed or smooth rock, sand” from the definition of deck and patio. Second by Steingas. Motion carried 2-1. Nelson voted nay stating that she prefers to remove all of the new verbiage under the definition of deck and patio.

At the 03-04-20 City Council Meeting, the council discussed the planning commission's recommendation. Kind expressed concerns regarding the ordinance – especially the retaining wall restriction. Fletcher suggested that he and Kind work on revisions to the ordinance. The council approved the following motion ...

Motion by Fletcher that the city continues action on ordinance 299 to allow time to revise the ordinance based on the city council’s discussion. Second by Conrad. Motion passed 3-0.

At the 04-01-20 City Council Meeting, the council continued action to the 05-06-20 council meeting to give Cook an opportunity to weigh in.

At the 05-06-20 City Council Meeting, the council will review the attached revised ordinance.

Timeline:

- ~~01-02-20 The city council discussed the proposed ordinance and approved sending it to the planning commission.~~
- ~~02-12-20 The planning commission reviewed the ordinance and made a recommendation.~~
- ~~03-04-20 The city council discussed the proposed ordinance and continued action to the 04-01-20 meeting.~~
- ~~04-01-20 The city council continued action to the 05-06-20 council meeting.~~
- 05-06-20 City council considers 1st reading of the ordinance (may make revisions / may waive 2nd reading).
- 05-07-20 If the 2nd reading is waived, the ordinance is submitted to the Sun-Sailor for publication.
- 05-14-20 If the 2nd reading is waived, the ordinance is published in the Sun-Sailor (goes into effect on this date).
- 06-03-20 City council considers 2nd reading of the ordinance (may make revisions).
- 06-04-20 The ordinance is submitted to the Sun-Sailor for publication.
- 06-11-20 The ordinance is published in the Sun-Sailor (goes into effect on this date).

Council Action: None required. Potential motions ...

1. I move the city council (1) approves the 1st reading of ordinance 299 amending section 1140.10 subd 2(C) Lake Setbacks for Accessory Structures as written / as amended; (2) waives the 2nd reading; (3) approves resolution 11-20 a summary of ordinance 299; and (4) directs staff to submit resolution 11-20 to the city's official newspaper for publication.
2. I move the city council (1) approves the 1st reading of ordinance 299 amending section 1140.10 subd 2(C) Lake Setbacks for Accessory Structures as written / as amended; and (2) directs the ordinance be placed on the next city council agenda for a 2nd reading.
3. Do nothing (maintain current ordinance) or other motion ???

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

**AN ORDINANCE OF THE CITY OF GREENWOOD, MINNESOTA
AMENDING GREENWOOD ORDINANCE CODE SECTION 1102 DEFINITIONS AND
1140.10 SUBD. 2(C) REGARDING ACCESSORY STRUCTURE LAKE SETBACKS**

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

SECTION 1.

Greenwood ordinance code Section 1102 definitions of “Deck,” “Impervious Surface,” and “Patio, Slab” are amended to read as follows:

“Deck means an unenclosed roofless horizontal surface constructed of materials (including, but not limited to, concrete, flagstones, bricks, pavers, or boards) greater than 2 square feet in area or greater than 10 square feet in a 50 square foot area of a lot. (THIS DEFINITION APPEARS UNDER “PATIO, SLAB” AND “DECK”)

“Impervious Surface means a surface that either prevents or retards the passage of rainwater through it or causes water to run off the surface in greater quantities and at an increased rate of flow than prior to development. Impervious surfaces shall include, but are not limited to, all buildings, driveways, and parking areas (though they be paved or MnDOT class 5 sand and gravel mix), pavers, tennis courts, sidewalks, walkways, horizontal area of retaining walls, patios, boardwalk decks, swimming pools, and plastic landscaping sheets which are not porous.”

“Patio, Slab means an unenclosed roofless horizontal surface constructed of materials (including, but not limited to, concrete, flagstones, bricks, pavers, or boards) greater than 2 square feet in area or greater than 10 square feet in a 50 square foot area of a lot. (THIS DEFINITION APPEARS UNDER “PATIO, SLAB” AND “DECK”)

SECTION 2.

Greenwood ordinance code Section 1102 definitions is amended to include the following definition for “Landscaping Retaining Wall”:

“Retaining Wall, Engineered means a wall used for supporting different ground elevations that requires engineered design per the state building code.”

SECTION 3.

Greenwood ordinance code Section 1140.10 is amended to read as follows:

“Section 1140.10. Setbacks and General Regulations for Accessory Structures and Uses (Primary and Secondary).

Subd. 1. Purpose. To preserve (1) the public safety and welfare, (2) the enjoyment of property, (3) property values, and (4) to prevent adverse impacts arising from overcrowding or competing uses associated with the placement of accessory structures and uses, the city has determined that the below setbacks and regulations are necessary to protect the public welfare of the city.

Subd. 2. Setback Standards for Accessory Structures and Uses (Primary and Secondary).

- A. *Unobstructed Green Space Perimeter Requirement*. All lots shall establish and maintain a 2-foot wide green space perimeter of open yard space along all lot lines (boundary lines) free of all accessory structures and uses (primary and secondary), subject only to (a) the right angle traversing of same by driveway, parking pad, or sidewalk, (b) code compliant authorized fences, and (c) code compliant authorized lakeside improvements.
- B. *Primary Accessory Structures and Uses Setback Minimums - Residential Zones*. Subject to the Unobstructed Green Space Perimeter Requirement (subd. 2A above), the minimum yard setback for all primary accessory structures / uses in residential zones R-1A, R-1B, R-1C, and R-2, inclusive, (as same are defined in this code including sections 1120, 1122, 1123, and 1125), are as follows:

	Front Yard Setback	Side Yard Setback	Exterior Side Yard Setback (Corner Lot)	Rear Yard Setback	Lakeside Yard Setback
Primary Accessory Structures - Residential Zones (see sections 1120.20, 1122.20, 1123.20, 1125.20 for more regulations)	100 feet	10 feet	30 feet	10 feet	50 feet

C. *Secondary Accessory Structures and Uses Setback Minimums.* Subject to the Unobstructed Green Space Perimeter Requirement (subd. 2A above), for each of the specific secondary accessory structures / uses identified in the table below, the minimum yard setbacks stated therein shall control and supersede the setback minimums for primary accessory structures stated in subd. 2B above. See section 1102 for definitions.

	Front Yard Setback	Side Yard Setback	Exterior Side Yard Setback (Corner Lot)	Rear Yard Setback	Lakeside Yard Setback
Driveways, Parking Pads (see section 1140.46)	0 feet	5 feet	0 feet	10 feet	50 feet
Driveway Monument Posts (see subd. 8 below)	2 feet	5 feet	2 feet	Not allowed	Not allowed
Fire Pits (built-in or freestanding, less than or equal to 20 sq ft in area)	50 feet	5 feet	30 feet	10 feet	10 feet
Engineered Retaining Walls that do <u>not</u> have a signed statement from an engineer that the wall is necessary to support the primary structure on the property.	0 feet	0 feet	0 feet	10 feet	50 feet
Monument Signs (for commercially-regulated properties only, see section 1140.40 subd 8 (d) for more regulations)	2 feet	10 feet	2 feet	Not allowed	Not allowed
Outdoor Fireplaces, Outdoor Kitchens (built-in or freestanding), Fire Pits (greater than 20 sq ft in area)	50 feet	5 feet	30 feet	10 feet	35 50 feet
Patio, Deck, Slabs (less than 30 inches in height at all points, excluding railing, pergola, etc.)	50 feet	5 feet	30 feet	10 feet	35 50 feet
Patio, Deck, Slabs (30+ inches in height at any point, excluding railing, pergola, etc.)	50 feet	10 feet	30 feet	10 feet	50 feet
Pergolas, Arbors, Trellises (see subd 4 below)	20 feet	5 feet	30 feet	10 feet	35 50 feet
Sidewalks (see subd. 5 below)	0 feet	5 feet	0 feet	10 feet	0 feet
Sport Courts, Tennis Courts (see subd. 6 below)	50 feet	10 feet	30 feet	10 feet	50 feet
Swimming Pools, Hot Tubs, Spas – in-ground (see subd. 7 below) and freestanding	50 feet	10 feet	30 feet	10 feet	50 feet
Miscellaneous Secondary Accessory Structures Not Listed Above – with a footprint of 2 sq ft or greater	50 feet	10 feet	30 feet	10 feet	50 feet

Subd. 3. Proximity and Attachment of Primary Accessory Structures to Principal Structures. If a primary accessory structure is attached or physically connected to the main principal structure by any means, utility connections excepted, it shall be deemed a part of the main principal structure and shall comply in all respects with the requirements of the zoning ordinance applicable to the principal structure. No primary accessory structure shall be closer than 5 feet to the principal structure. No primary accessory structure may be attached to and / or made a part of the principal structure, if so doing would cause the principal structure to become noncompliant with the setbacks applicable to the principal structure.

Subd. 4. Pergolas, Arbors, and Trellises. Must meet the setback requirements in subd. 2C above. The maximum height for a pergola or arbor is 12 feet. The maximum total combined footprint per property for pergolas or arbors located in a garden, in a grassy area, or over a sidewalk is 100 square feet. The maximum total combined square foot per property for pergolas located over decks or patios that are compliant with the setbacks in subd. 2C above is 400 square feet. Trellises may be included as a decorative element to a code compliant fence.

Subd. 5. Sidewalks. Must meet the setback requirements in subd. 2C above. Sidewalks may exceed 4 feet in only one direction. If adjacent to lakeshore, sidewalks must be perpendicular (not parallel) to the shoreline.

Subd. 6. Sport Courts and Tennis Courts. Must meet the setback requirements in subd. 2C above. A conditional use permit is required for all sport courts and tennis courts subject to reasonable conditions for the protection of public safety, health, and welfare.

Subd. 7. In-Ground Swimming Pools and In-Ground Spas. Must meet the setback requirements in subd. 2C above. All equipment related to operation or maintenance of an in-ground pool or in-ground spa must comply with the setbacks. A conditional use permit is required for all in-ground pools and in-ground spas subject to reasonable conditions for the protection of public safety, health, and welfare.

Subd. 8. Driveway Monument Posts. Must meet the setback requirements in subd. 2C above. A maximum of 2 posts are allowed per driveway entrance (1 post on each side of the driveway). The maximum dimensions for each driveway monument post is 3 feet wide, 3 feet deep, 7 feet tall including a light or finial.

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 _____, 2020.

___ AYES ___ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana H. Young, City Clerk

First reading: _____, 2020
Second reading: _____, 2020
Publication: _____, 2020

RESOLUTION 11-20

**A RESOLUTION OF THE CITY OF GREENWOOD, MINNESOTA
APPROVING PUBLICATION OF ORDINANCE NUMBER 299 BY TITLE AND SUMMARY**

WHEREAS, on _____, 2020 the city council of the city of Greenwood adopted "Ordinance 299 Amending Greenwood Ordinance Code Section 1102 Definitions and 1140.10 Subd. 2(C) Regarding Accessory Structure Lake Setbacks."

WHEREAS, the city council has prepared a summary of ordinance 299 as follows:

1. The purpose of this ordinance is to protect and safeguard the health, safety, and welfare of the public by regulating the location of accessory structures that affect the natural look of the shoreline and / or cause increased stormwater runoff rates and volumes that can lead to erosion and contaminants entering the lake.
2. The ordinance ...
 - adds "including, but not limited to, concrete, flagstones, bricks, pavers, or boards" to the definition of decks, patios and slabs;
 - adds the horizontal area of retaining walls to the definition of impervious surfaces;
 - adds a definition for engineered retaining walls;
 - limits the size of firepits (built-in or freestanding) to 20 square feet if they are located between 10ft and 50ft from the lake;
 - prohibits the location of engineered retaining walls within 50 feet of the lake and within 10ft of the rear yard property line unless deemed appropriate by a written engineering statement indicating the wall is necessary to support the primary structure;
 - prohibits the location of decks, patios, slabs within 50 feet of the lake; and
 - increases the lakeshore setback from 35 to 50 feet for pergolas, arbors, and trellises.
3. The ordinance applies to any new construction, new alteration, or new improvement.

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 299 clearly informs the public of intent and effect of the ordinance.
2. The city clerk is directed to publish ordinance 299 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 _____, 2020.

____ 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: _____, 2020
Second reading: _____, 2020
Publication: _____, 2020



Agenda Number: **7C**

Agenda Date: **05-06-20**

Prepared by Dale Cooney & Deb Kind

Agenda Item: Met Council's Comments re: Greenwood's 2040 Comp Plan

Summary: The Met Council approved Greenwood's 2040 Comp Plan with "advisory comments." See attached letter. Here are the Met Council's "advisory comments" ...

Forecasts (top of page 4 of the Review Record) – Although the City has acknowledged that current Population, Household, and Employment estimates (2017) all exceed the City's 2040 Forecasts, they have chosen to not request an official forecast change at this time. [Met] Council staff still advises the City to consider a formal forecast change request in the coming years to better represent future conditions more accurately.

Land Use (bottom of page 4 of the Review Record) – [Met] Council staff advises the City that if redevelopment opportunities present themselves, the City must meet the minimum density of 5 units per acre and request a comprehensive plan amendment for review. The plan references the 10-acre Old Log Theatre site, which is zoned for residential uses (plan page 10). [Met] Council Staff recommend City staff evaluate the potential for redevelopment of the theater site in the future.

Water Supply (middle of page 5 of the Review Record) – The Plan should include information about water sources, including plans to protect private water supplies in appropriate sections of the local comprehensive plan.

Note from former Zoning Administrator Dale Cooney: No immediate action is required for Forecasts and Land Use, but [the Met Council expects] those to be implemented.

Here is the Water Supply language Dale included for Woodland ...

The city does not have a water source, supply, or tower facility within its municipal boundaries. There are no plans to extend municipal water to other areas of the city at this time.

The majority of the households within the city have private well water. Whenever potential issues arise, the city will work with the Minnesota Department of Health and Hennepin County to identify and seal abandoned wells in order to prevent contamination of groundwater resources. The city will be a willing participant in state and local efforts to protect private water supplies. The city will also continue to provide information, resources, and recommendations for residents on well maintenance and wellhead protection.

Next Steps: The following actions need to happen **before June**. Therefore, the city council must approve changes and approve the resolution at the 05-06-20 council meeting OR set a date for a special meeting to approve these items prior to 06-01-20.

1. The new change(s) to the Comp Plan reviewed and approved by the city council.
2. The resolution approving the plan must be adopted prior to June.
3. The adopted plan and the resolution must be sent to the Met Council in both hard copy form and electronic form.

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

1. I move the city council (1) directs the following update(s) be made to the city's 2040 Comprehensive Plan: _____; and (2) approves resolution __-20.
2. I move the city council (1) authorizes Councilmembers _____ and _____ work with staff to make revisions to the city's 2040 Comprehensive Plan based on the city council's discussion; and (2) approves resolution __-20.
3. Do nothing or other motion.

October 1, 2019

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

RE: **City of Greenwood 2040 Comprehensive Plan - Notice of Council Action**
Metropolitan Council Review File No. 22155-1
Metropolitan Council District 3, Christopher Ferguson

Dear Mr. Cooney:

The Metropolitan Council reviewed the City of Greenwood Comprehensive Plan Update (Plan) at its meeting on September 25, 2019. The Council based its review on the staff's report and analysis (attached).

The Council found that the City's Plan meets all Metropolitan Land Planning Act requirements; conforms to the regional system plans including transportation, aviation, water resources management, and parks; is consistent with *Thrive MSP 2040*; and is compatible with the plans of adjacent jurisdictions.

In addition to the Advisory Comments and Review Record, the Council adopted the following recommendations.

1. Authorize the City of Greenwood to put its 2040 Comprehensive Plan into effect.
2. Advise the City to implement the advisory comments noted in the Review Record for Forecasts, Land Use, and Water Supply.
3. Approve the City of Greenwood's Comprehensive Sewer Plan.

Please consult the attached staff report for important information about the City's next steps. Of particular importance are the Council's actions, listed on page 1, general Advisory Comments listed on page 3, and the specific comments for technical review areas, which are found in the body of the report. The final copy of the Plan needs to include all supplemental information/changes made during the review.

Congratulations on completing this important project. It was a pleasure to work with the City's staff throughout the review process.

Sincerely,



Angela R. Torres, AICP, Manager
Local Planning Assistance

Attachment



METROPOLITAN
C O U N C I L

Dale Cooney, City of Greenwood
September 26, 2019
Page 2

cc: Tod Sherman, Development Reviews Coordinator, MnDOT Metro Division
Christopher Ferguson, Metropolitan Council District 3
Jake Reilly, Sector Representative/Principal Reviewer
Raya Esmaili, Reviews Coordinator

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Committee Report

Joint Business Item No. 2019-242 JT

Community Development Committee

Meeting date: September 3, 2019

Environment Committee

Meeting date: September 10, 2019

For the Metropolitan Council meeting of September 25, 2019

Subject: City of Greenwood 2040 Comprehensive Plan and Comprehensive Sewer Plan, Review File 22155-1

Proposed Action

[Repeat action as submitted on the original Business Item, or as modified by the Committee.]

Summary of Committee Discussion/Questions

That the Metropolitan Council adopt the attached Advisory Comments and Review Record and take the following actions:

Recommendations of the Community Development Committee

1. Authorize the City of Greenwood to place its 2040 Comprehensive Plan into effect.
2. Advise the City to implement the advisory comments in the Review Record for Forecasts, Water Supply, and Land Use.

Recommendation of the Environment Committee

1. Approve the City of Greenwood's Comprehensive Sewer Plan

Summary of Community Development Committee Discussion/Questions

Senior Planner Jake Reilly presented the staff's report to the Committee. Dale Cooney, Zoning Administrator for the City of Greenwood was in attendance. The Community Development Committee unanimously recommended approval of the proposed action with no questions or discussion at its meeting on September 3, 2019.

Summary of Environment Committee Discussion/Questions

No comments or questions. This item was approved on the Environment Committee consent agenda for Tuesday, September 10, 2019.

Community Development Committee

Meeting date: September 3, 2019

Environment Committee

Meeting date: September 10, 2019

For the Metropolitan Council meeting of September 25, 2019

Subject: City of Greenwood 2040 Comprehensive Plan and Comprehensive Sewer Plan, Review File 22155-1

District(s), Member(s): District 3, Christopher Ferguson

Policy/Legal Reference: Metropolitan Land Planning Act (Minn. Stat. § 473.175), Minn. Stat. § 473.513

Staff Prepared/Presented: Jake Reilly, Senior Planner (651-602-1822)
Angela R. Torres, Local Planning Assistance Manager (651-602-1566)
Kyle Colvin, Engineering Programs, Manager (651-602-1151)

Division/Department: Community Development / Regional Planning
Environmental Services / Technical Services

Proposed Action

That the Metropolitan Council adopt the attached Advisory Comments and Review Record and take the following actions:

Recommendations of the Community Development Committee

3. Authorize the City of Greenwood to place its 2040 Comprehensive Plan into effect.
4. Advise the City to implement the advisory comments in the Review Record for Forecasts, Water Supply, and Land Use.

Recommendation of the Environment Committee

1. Approve the City of Greenwood's Comprehensive Sewer Plan.

Advisory Comments

The following Advisory Comments are part of the Council action authorizing the City of Greenwood to implement its 2040 Comprehensive Plan (Plan)

Community Development Committee

1. As stated in the *Local Planning Handbook*, the City must take the following steps:
 - a. Adopt the Plan in final form after considering the Council's review recommendations as contained in the body of this report.
 - b. Submit one hard copy and one electronic copy of the Plan to the Council. The electronic copy must be submitted as one unified file
 - c. Submit to the Council a copy of the City Council resolution evidencing final adoption of the Plan.
2. The *Local Planning Handbook* also states that local governments must formally adopt their comprehensive plans within nine months after the Council's final action. If the Council has recommended changes to the Plan, local governments should incorporate those recommended changes into the Plan or respond to the Council before "final adoption" of the comprehensive plan by the governing body of the local governmental unit. (Minn. Stat. § 473.858, subd. 3)
3. Local governments must adopt official controls as identified in their 2040 comprehensive plans and must submit copies of the official controls to the Council within 30 days after the official controls are adopted. (Minn. Stat. § 473.865, subd. 1)
4. Local governmental units cannot adopt any official controls or fiscal devices that conflict with their comprehensive plans or which permit activities in conflict with the Council's metropolitan system plans (Minn. Stats. §§ 473.864, subd. 2, 473.865, subd. 2). If official controls conflict with comprehensive plans, the official controls must be amended within 9 months following amendments to comprehensive plans (Minn. Stat. § 473.865, subd. 3)

Environment Committee

1. The Council-approved Comprehensive Sewer Plan becomes effective only after the Plan receives final approval from the local governmental unit's governing body. After the Plan receives final approval from the City and the Comprehensive Sewer Plan becomes effective, the City may implement its Plan to alter, expand, or improve its sewage disposal system consistent with the Council-approved Comprehensive Sewer Plan.
2. A copy of the City Council resolution adopting its 2040 comprehensive plan, including its Comprehensive Sewer Plan, must be submitted to the Council.

Background

The City of Greenwood is located in south-central Hennepin County. It is surrounded by the communities of Deephaven, Excelsior, Shorewood, and Orono.

The City submitted its 2040 Comprehensive Plan (Plan) to the Council for review to meet the Metropolitan Land Planning Act requirements (Minn. Stats. §§ 473.851 to 473.871) and the Council's 2015 System Statement requirements.

Review Authority & Rationale

Minn. Stat. § 473.175 directs the Metropolitan Council to review a local government's comprehensive plan and provide a written statement to the local government regarding the Plan's:

- **Conformance** with metropolitan system plans
- **Consistency** with the adopted plans and policies of the Council
- **Compatibility** with the plans of adjacent governmental units and plans of affected special districts and school districts

By resolution, the Council may require a local government to modify its comprehensive plan if the Council determines that "the plan is more likely than not to have a substantial impact on or contain a substantial departure from metropolitan system plans" (Minn. Stat. § 473.175, subd. 1).

Each local government unit shall adopt a policy plan for the collection, treatment, and disposal of sewage for which the local government unit is responsible, coordinated with the Metropolitan Council's plan, and may revise the same as often as it deems necessary (Minn. Stat. § 473.513).

The attached Review Record details the Council's assessment of the Plan's conformance, consistency, and compatibility, and is summarized below.

Review Standard	Review Area	Plan Status
Conformance	Regional system plan for Parks	Conforms
Conformance	Regional system plan for Transportation, including Aviation	Conforms
Conformance	Water Resources (Wastewater Services and Surface Water Management)	Inconsistent
Consistency with Council Policy	<i>Thrive MSP 2040</i> and Land Use	Inconsistent
Consistency with Council Policy	Forecasts	Consistent
Consistency with Council Policy	<i>2040 Housing Policy Plan</i>	Consistent
Consistency with Council Policy	Water Supply	Consistent
Consistency with Council Policy	Community and Subsurface Sewage Treatment Systems (SSTS)	Consistent
Compatibility	Compatible with the plans of adjacent and affected governmental districts	Compatible

Thrive Lens Analysis

The proposed 2040 comprehensive plan is reviewed against the land use policies in *Thrive MSP 2040*. To achieve the outcomes identified in *Thrive*, the metropolitan development guide defines the Land Use Policy for the region and includes strategies for local governments and the Council to implement. These policies and strategies are interrelated and, taken together, serve to achieve the outcomes identified in *Thrive*.

Funding

None.

Known Support / Opposition

There is no known local opposition to the 2040 comprehensive plan.

REVIEW RECORD

City of Greenwood 2040 Comprehensive Plan

Review File No. 22155-1, Business Item No. 2019-242-JT

The following Review Record documents how the proposed Plan meets the requirements of the Metropolitan Land Planning Act and conforms to regional system plans, is consistent with regional policies, and is compatible with the plans of adjacent and affected jurisdictions.

Conformance with Regional Systems

The Council reviews plans to determine conformance with metropolitan system plans. The Council has reviewed the City's Plan and finds that it conforms to the Council's regional system plans for Regional Parks, Transportation (including Aviation), and Water Resources.

Regional Parks and Trails

Reviewer: Colin Kelly, Community Development (CD) - Regional Parks (651-602-1361)

The Plan conforms to the 2040 Regional Parks Policy Plan for the Regional Parks System element. Three Rivers Park District is the park implementing agency for Regional Parks System components in Greenwood, for which the Plan accurately describes the Regional Parks System components. Regional Trails located within the City include the Lake Minnetonka LRT Regional Trail. There are no state or federal lands within the City.

Regional Transportation, Transit, and Aviation

Reviewer: Russ Owen, Metropolitan Transportation Services (MTS) (651-602-1724)

The Comprehensive Plan (Plan) conforms to the 2040 Transportation Policy Plan (TPP) adopted in 2015. It accurately reflects transportation system components of the TPP as well as applicable land use policies for regional transitways. The Plan is also consistent with Council policies regarding community roles, the needs of non-automobile transportation, access to job concentrations, and the needs of freight.

Roadways

The Plan conforms to the Highways system element of the TPP. The Plan accurately accounts for the metropolitan highway system of principal arterials, which includes MN Highway 7.

The Plan accurately reflects the regional functional classification map of A-minor arterials, and has delineated major and minor collectors; most of the streets in Greenwood are classified as local streets.

The Plan identifies all the required characteristics of the City's roadways, including existing and future functional class, right-of-way preservation needs, and existing and forecasted traffic volumes for principal and A-minor arterials. Forecasting is consistent with regional methodology.

Transit

The Plan conforms to the Transit system element of the TPP. It shows the location of existing transit routes and facilities and acknowledges the City is within Transit Market Area IV and Emerging Market Area III.

The Plan is consistent with the policies of the Transit system element of the TPP. The Plan addresses community roles related to its Community Designation of Suburban.

Aviation

The Plan conforms to Aviation system element of the TPP. The Plan includes policies that protect regional airspace from obstructions and addresses seaplane use.

Bicycling and Walking

The Plan is consistent with the Bicycling and Pedestrian chapter of the TPP. The Plan identifies existing and future segments of, and connections to, the Regional Bicycle Transportation Network (RBTN) and regional trails. There is a Tier 1 alignment and a Tier 2 corridor in the City. The Plan is also consistent with Bicycle and Pedestrian policies of the TPP.

Freight

The Plan is consistent with Freight policies of the TPP. There is one principal arterial and no A-Minor arterials, so there is little freight that travels through Greenwood.

Transportation Analysis Zones (TAZs)

The Plan conforms to the TPP regarding TAZ allocations. The City's TAZ allocations for employment, households, and population appropriately sum to the Council's citywide forecast totals for all forecast years.

The City's planned land uses and areas identified for development and redevelopment can accommodate the TAZ forecasted allocations in the Plan, and at densities consistent with the community's Thrive designation of Suburban.

Water Resources

Wastewater Service

Reviewer: Kyle Colvin, Environmental Services (ES) – Engineering Programs (651-602-1151)

The Plan conforms to the 2040 Water Resources Policy Plan (WRPP). The Plan is in conformance with the 2040 Water Resources Policy Plan (WRPP). It represents the City's guide for future growth and development through the year 2040. It includes growth forecasts that are consistent with the Council's forecasts for population, households, and employment.

Current wastewater treatment services are provided to the City by Metropolitan Council Environmental Services. All wastewater generated within the City is conveyed through Council Interceptors 6-GW-649, 7017, and 6-DH-545. All flow is treated at the Council's Blue Lake Wastewater Treatment Plant in Shakopee. The Plan projects that the City will have 300 sewer households and 130 sewer employees by 2040. The Metropolitan Disposal System with its scheduled improvements has or will have adequate capacity to serve the City's growth forecasts.

The Plan provides sanitary flow projections in 10-year increments. The rationale for the projections is given in the Plan and determined appropriate for planning local services. The Council is committing to provide the level of wastewater service based on the sewer forecasts as stated in the sewer element of the Plan.

The Plan defines the community's goals, policies, and strategies for preventing and reducing excessive inflow and infiltration (I/I) in the local municipal (city) and private property sanitary sewer systems. The Plan includes a summary of activities and programs intended to investigate and mitigate I/I from both public and private property sources including system smoke testing, MH sealing, casting raising, or relocation out of flood prone areas, and conducted a self-reporting sump pump survey.

The Plan describes the requirements and standards for minimizing I/I and references City Ordinance (Section 310.30) that prohibits the discharge of stormwater, surface water, and groundwater from roof drains, sump pumps, foundation drains, cooling water, and cistern overflows to the sanitary sewer.

system and requires the disconnection of such connections if discovered. The Ordinance also requires property owners to allow City staff or its authorized representatives access into private property buildings to confirm there are no prohibited connections to the wastewater collection system.

The Plan describes the sources, extent, and significance of existing I/I within the entire wastewater collection system and acknowledges that a significant amount of I/I is from private property sources. It provides a description of an implementation plan for preventing and eliminating excessive I/I from entering both the municipal and private property sewer systems. The Plan states that most of the City was developed before 1970 when clay tile services were standard, which is of significance since clay tile pipe can become more susceptible to I/I as it ages. The City by comparing wastewater flow data during high lake level periods in Lake Minnetonka has determined that the collection system is not significantly impacted by infiltration. However, system peak flow in response to wet weather events have exceeded the City's assigned limits resulting in work plan assignments from the Council.

Sewer Element Comments

The Sewer Element of the Plan has been reviewed against the requirements for Comprehensive Sewer Plans for Suburban communities. It was found to be inconsistent with Council policies. Upon adoption of the Plan by the City, the action of the Council to approve the Sewer Plan becomes effective. At that time, the City may implement its Plan to alter, expand, or improve its sewage disposal system consistent with the approved Sewer Plan. A copy of the City Council Resolution adopting its Plan needs to be submitted to the Council for its records.

Surface Water Management

Reviewer: Jim Larsen, CD – Local Planning Assistance (651-602-1159)

The Plan is consistent with Council policy requirements and in conformance with the Council's WRPP for local surface water management. The Plan satisfies the requirements for 2040 comprehensive plans. The City of Greenwood lies within the oversight boundaries of the Minnehaha Creek Watershed District. Greenwood submitted a draft Local Water Management Plan (LWMP) update to the Council in August 2018. Council Water Resources staff reviewed and commented on the draft LWMP to the City and Watershed District in a letter dated August 7, 2018. The Minnehaha Creek Watershed District approved the LWMP on January 10, 2019 and the City adopted the final LWMP on April 3, 2019. The Plan incorporates the City's final LWMP as Attachment J.

Consistency with Council Policies

The Council reviews plans to evaluate their apparent consistency with the adopted plans of the Council. Council staff have reviewed the City's Plan and find that it is consistent with the Council's policies, as detailed below.

Forecasts

Reviewer: Paul Hanson, CD – Research (651-602-1642)

The Plan includes, in the Table on page 17, the Council forecast for the City. For reference:

Table 1. City of Greenwood Forecasts

	Census	Estimated	Council Forecasts		
	2010	2017	2020	2030	2040
Population	688	724	680	670	650
Households	290	306	300	300	300
Employment	82	155	110	120	130

All forecasts tables throughout the Plan are consistent and with little anticipated growth, the City appears to have enough land guided to accommodate future household growth.

Advisory Comments

Although the City has acknowledged that current Population, Household, and Employment estimates (2017) all exceed the City's 2040 Forecasts, they have chosen to not request an official forecast change at this time. Council Staff still advises the City to consider a formal forecast change request in the coming years to better represent future conditions more accurately.

Thrive MSP 2040 and Land Use

Reviewer: Jake Reilly, CD – Local Planning Assistance (651-602-1322)

The Plan is inconsistent with *Thrive MSP 2040* and its land use policies. The Plan acknowledges the *Thrive* community designation of Suburban (Figure 2). *Thrive* describes Suburban communities as those that saw their primary era of development during the 1980s and early 1990s as Baby Boomers formed families and entered their prime earning years.

Suburban communities are expected to plan for forecasted population and household growth at overall average densities of at least five units per acre, and target opportunities for more intensive development near regional transit investments at densities and in a manner articulated in the TPP. Plans are also required to identify areas for redevelopment, particularly areas that are well-served by transportation options and nearby amenities and that contribute to better proximity between jobs and housing.

The existing land uses in Greenwood are 70% residential, as shown in Figure 3. The commercial uses make up less than 4% of the land area of the City. The Plan's vision and goals focus on protecting natural and historic resources and maintaining the existing character of residential neighborhoods. Lake Minnetonka represents a significant natural resource in the City, and land use policy prohibits development within 50 feet of the lakeshore. The City does not anticipate any household growth, as reflected in the forecast.

The Plan is inconsistent with land use and residential density policies for the Suburban community designation. *Thrive* calls for Suburban communities to plan for forecasted population and household growth at overall average densities of at least 5 units per acre. The Plan identifies the City as fully developed with one vacant parcel available for new construction and/or redevelopment. There is no acreage identified as available for redevelopment and no land is anticipated to be redeveloped during this timeframe other than at the same intensity of use. Therefore, the existing residential density of 2.24 units per acre is expected to be static through 2040. The Plan does identify that subdivision of lots greater than 30,000 square feet is possible, but that given a minimum lot size of 15,000 square feet, the greatest density anticipated is 2.9 units per acre.

Given previous development patterns, the lack of planned residential development or redevelopment opportunities within the planning timeframe, and the consideration that the City's household growth is not forecasted to increase between 2020 and 2040, Council staff find that this is not an underutilization of the wastewater system. Given this, the Plan is not more likely than not to have a substantial impact on or contain a substantial departure from metropolitan system plans.

Advisory Comments

Council staff advise the City that if redevelopment opportunities present themselves, the City must meet the minimum density of 5 units per acre and request a comprehensive plan amendment for review. The Plan references the 10-acre Old Log Theatre site, which is zoned for residential uses (Plan page 10). Council staff recommend City staff evaluate the potential for redevelopment of the theater site, in the future.

Housing

Reviewer: Hilary Lovelace, CD – Housing (651-602-1555)

The Plan is consistent with the 2040 Housing Policy Plan. As of 2016, the City currently has 330 homes including more than 30 multifamily units and nearly 300 single-family homes. Approximately 40 homes are rented. More than 30 housing units are currently affordable to households earning under 80% of Area Median Income (AMI); however, nearly 40 households earning 80% of AMI or below are paying more than 30% of their income toward housing costs. The City currently has no publicly subsidized affordable housing.

The City does not have an allocation of affordable housing need in the 2021-2030 decade, as it is not expected to experience any household growth.

The Plan identifies maintenance and rehabilitation as its main existing housing need. The housing implementation plan component of the Plan describes that the City will refer interested parties to economic assistance programs available from other agencies.

Water Supply

Reviewer: John Clark, ES – Water Supply Planning (651-602-1452)

The Plan is consistent with WRPP policies related to water supply, including the policy on sustainable water supplies, the policy on assessing and protecting regional water resources, and the policy on water conservation and reuse.

Because Greenwood relies primarily on private wells and does not own/operate a municipal community public water supply system (PWS), no local water supply plan is required.

Advisory Comment

The Plan should include information about water sources, including plans to protect private water supplies, in appropriate sections of the local comprehensive plan.

Community and Subsurface Sewage Treatment Systems (SSTS)

Reviewer: Jim Larsen, CD – Local Planning Assistance (651-602-1159)

The Plan indicates that Greenwood is entirely served by the local sanitary sewer collection system which directs flow into the MCES interceptor system for ultimate treatment at the Blue Lake Wastewater Treatment Plant in Shakopee. There are no public or privately-owned Community Wastewater Treatment or individual SSTS in operation in the City.

Special Resource Protection

Solar Access Protection

Reviewer: Cameran Bailey, CD – Local Planning Assistance (651-602-1212)

The Plan is consistent with statutory requirements (Minn. Stat. 473.859) and Council policy regarding planning for the protection and development of access to direct sunlight for solar energy systems as required by the Metropolitan Land Planning Act (MLPA). The Plan includes the required solar planning elements.

Aggregate Resource Protection

Reviewer: Jim Larsen, CD – Local Planning Assistance (651-602-1159)

The Plan indicates, consistent with the Council's aggregate resources inventory information contained in *Minnesota Geological Survey Information Circular 46*, that there are no viable aggregate resource deposits available for extraction within the nearly fully developed City.

Historic Preservation

Reviewer: Jake Reilly, CD – Local Planning Assistance (651-602-1822)

The Plan addresses historic and cultural resources as required by the Metropolitan Land Planning Act, under the Protection section of the Plan. The Plan identifies one historic site, a cemetery, as being within the City limits and also identifies other sites that could be identified as being significant. The Plan

indicates that the City has an interest in preserving representative portions of its history through appropriate steps, as needed.

Plan Implementation

Reviewer: Jake Reilly, CD – Local Planning Assistance (651-602-1822)

The Plan includes a statement regarding the capital improvement program, a copy of information addressing the zoning code, the subdivision code, and the housing implementation program.

The Plan, with supplemental materials, describes the official controls and fiscal devices that the City will employ to implement the Plan. Specific implementation strategies are contained in an Implementation Plan and capital improvements planning is identified as being on an as-needed basis.

Compatibility with Plans of Adjacent Governmental Units and Plans of Affected Special Districts and School Districts

The proposed Plan is compatible with the plans of adjacent jurisdictions. No compatibility issues with plans of adjacent governmental units and plans of affected special districts and school districts were identified.

Documents Submitted for Review

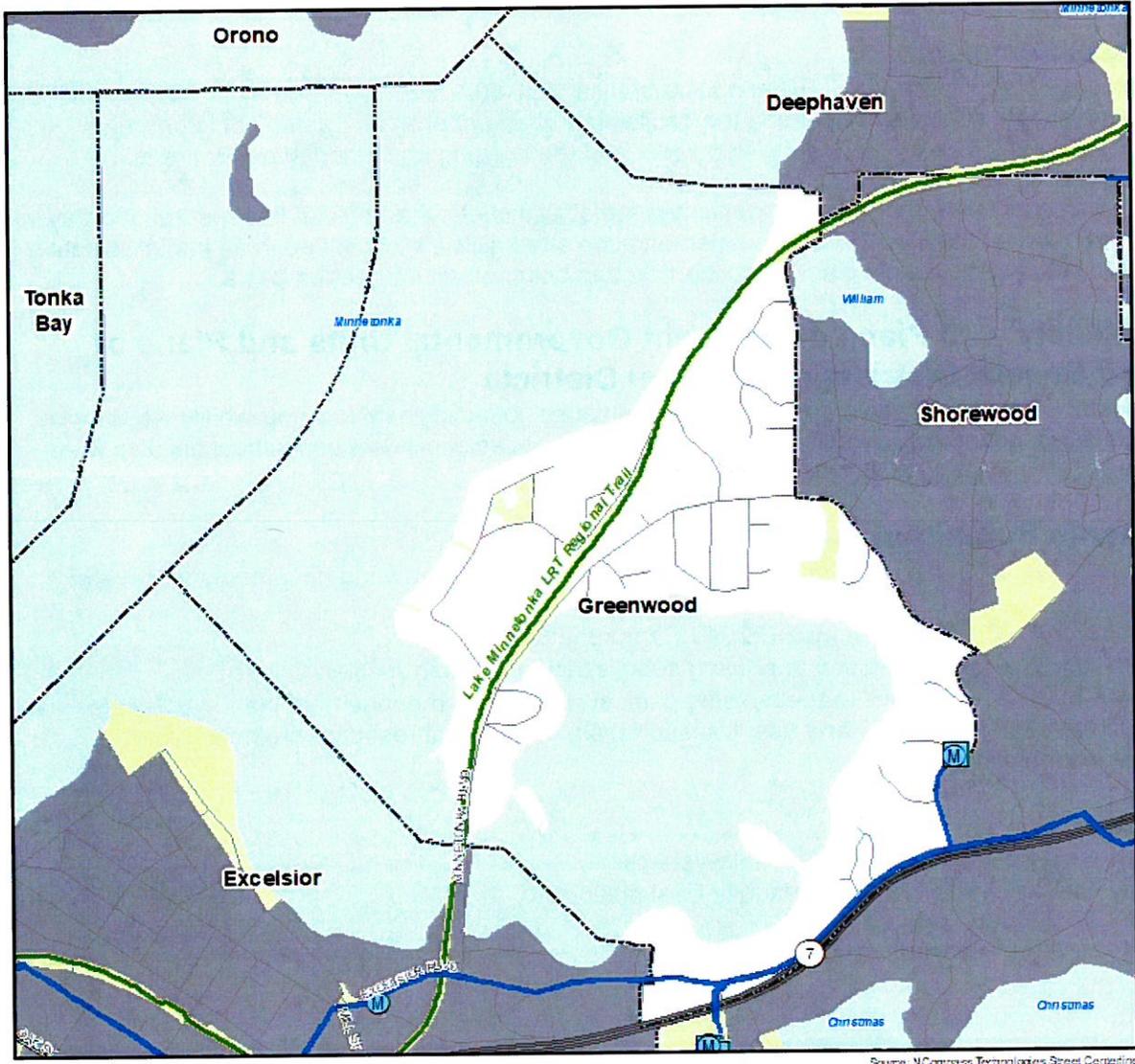
In response to the 2015 System Statement, the City submitted the following documents for review:

- December 20, 2018: Greenwood 2040 Comprehensive Plan
- January 8, 2019: Resolution approving submission to the Metropolitan Council
- June 6, 2019: Revisions to the housing plan, surface water management plan, wastewater plan, and the implementation, land use, transportation, and special resource protection and development sections

Attachments

- Figure 1: Location Map with Regional Systems
- Figure 2: *Thrive MSP 2040* Community Designations
- Figure 3: Existing Land Use
- Figure 4: 2040 Planned Land Use

Figure 1. Location Map with Regional Systems



Source: NCompass Technologies Street Centerline

Regional Systems

- Transportation**
- Transitways**
2040 Transportation System Policy - adopted January 2015
- Existing
 - - - - Planned Current Revenue Scenario
 - - - - Planned Current Revenue Scenario - CTIB* Phase 1 Projects
 - Potential Increased Revenue Scenario
- Regional Highway System**
- Existing Principal Arterials
 - - - - Planned Principal Arterials
 - Existing Minor Arterials
 - - - - Planned Minor Arterials
 - Existing Other Arterials
 - - - - Planned Other Arterials

- Recreation Open Space**
- Regional Parks**
- Existing (Open to Public)
 - In Master Plan (Not Open to Public)
 - Planned Units
- Regional Trails**
- Existing (Open to Public)
 - - - - Existing (Not Open to Public)
 - - - - Planned
- Wastewater**
- (M) Meters
 - (L) Lift Stations
 - MCES Interceptors
 - MCES Treatment Plants

- Regional Park Search Areas and Regional Trail Search Corridors**
- (Blue circle) Boundary Adjustment
 - (Red circle) Search Area
 - (Yellow dotted area) Regional Trail Search Corridors
 - Local Streets
 - Existing State Trails
 - Other Parks, Preserves, Refuges and Natural Areas
- * Counties Transit Improvement Board (CTIB)

Figure 2. Thrive MSP 2040 Community Designations

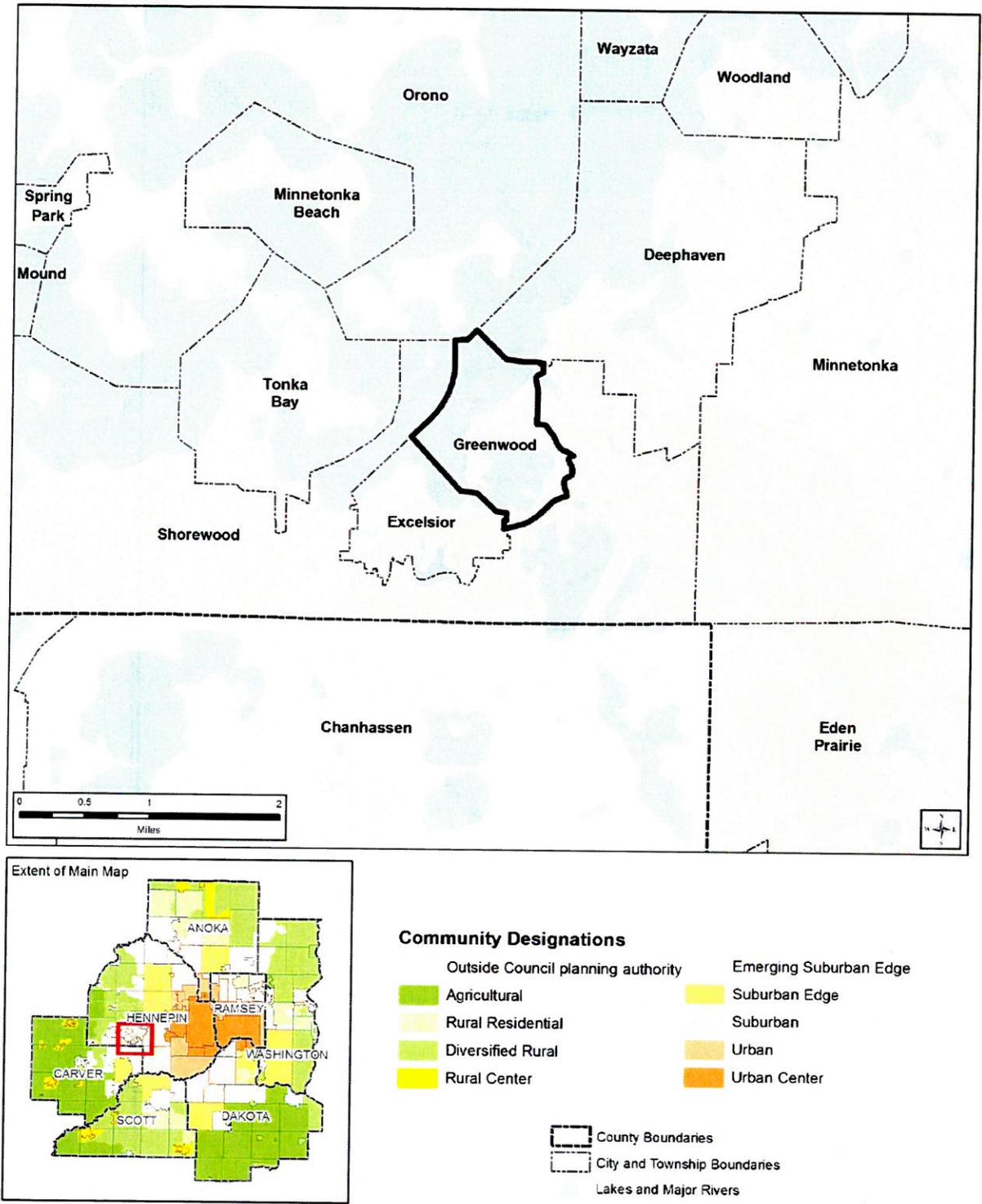


Figure 3. Existing Land Use

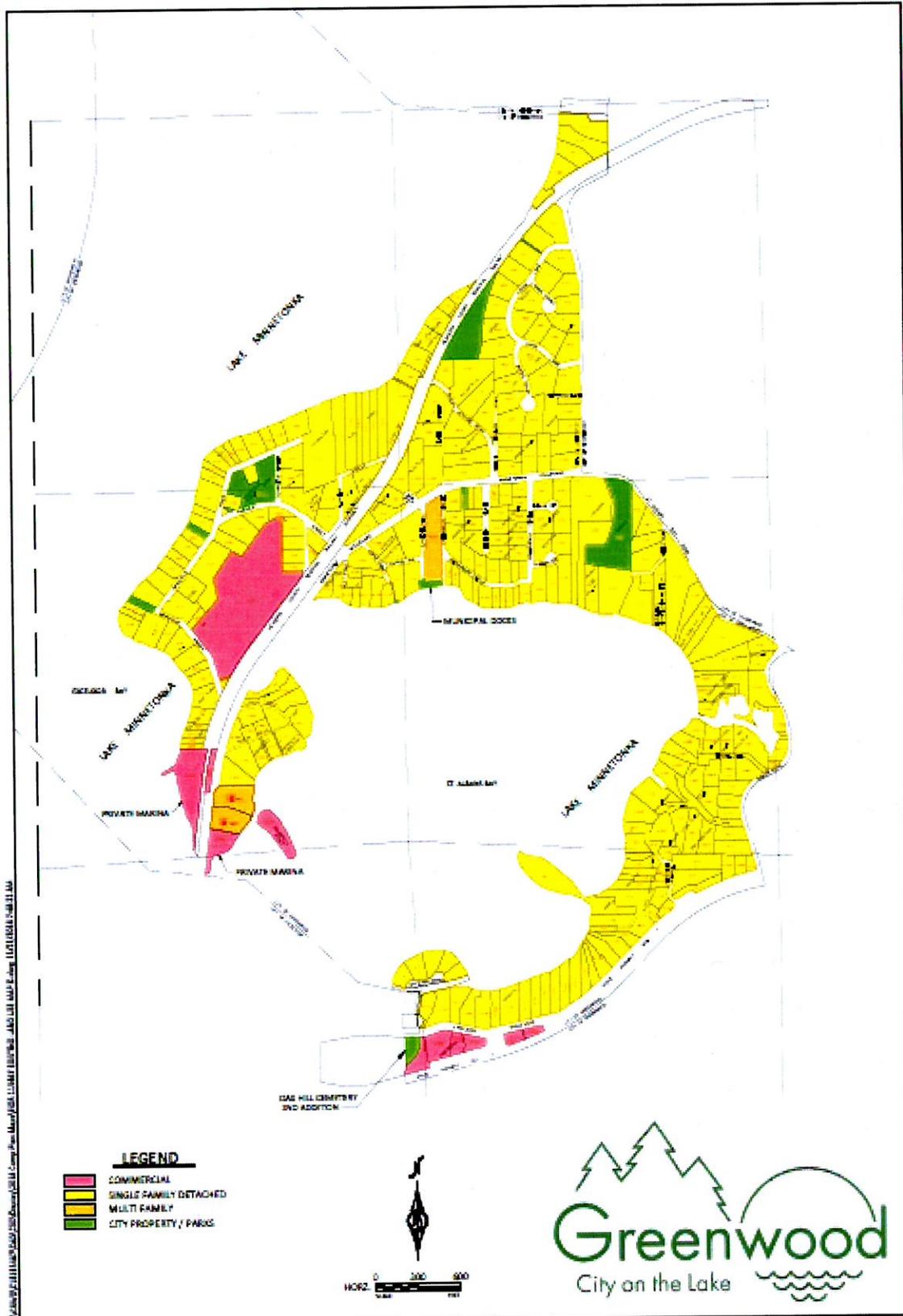
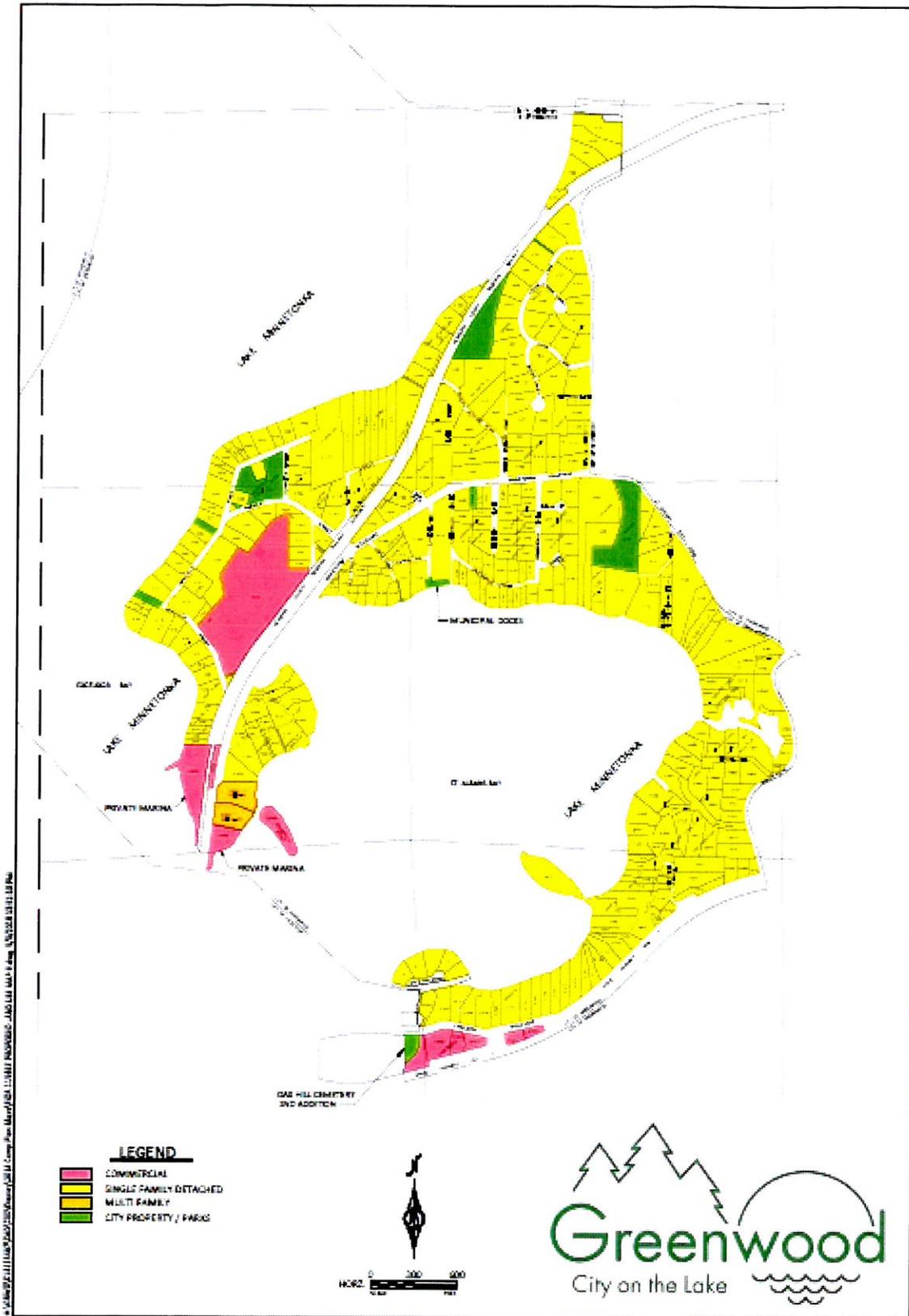


Figure 4. 2040 Planned Land Use



RESOLUTION NO 15-20

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENWOOD, MINNESOTA

A RESOLUTION ADOPTING THE CITY OF GREENWOOD 2040 COMPREHENSIVE PLAN

WHEREAS, the City of Greenwood (the "City") is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, the City has adopted a comprehensive plan pursuant to Minn. Stat. 462.355, 473.175, and 473.871 to regulate development and land use within the community; and

WHEREAS, the City has conducted a decennial review of its comprehensive plan, which included the participation of city residents and city officials in open meetings; and

WHEREAS, following this public process, the City prepared an amendment to the comprehensive plan, to be called the 2040 Comprehensive Plan (the "Plan"), pursuant to the requirements of Minn. Stat. 473.864; and

WHEREAS, the City considered the proposed Plan at their February 21, 2018, April 4, 2018, and December 5, 2018 regular meetings, and held a public hearing at their August 2, 2017 and February 21, 2018 meetings in which all interested persons were given an opportunity to comment; and

WHEREAS, the City Council reviewed the comments received from surrounding jurisdictions; and

WHEREAS, the City Council authorized City Staff to submit the Plan to the Metropolitan Council for formal review; and

WHEREAS, on September 25, 2019 the Metropolitan Council found that the plan meets all Metropolitan Land Planning Act requirements, conforms to the regional system plans, is compatible with the plans of adjacent jurisdictions, and the Metropolitan Council authorized the City to put the Plan into effect; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Greenwood, Minnesota that the council approves adoption of the 2040 Comprehensive Plan and that City Staff and officials are authorized and directed to take necessary actions to implement the Plan as updated and approved by the City Council.

PASSED this _____ day of _____, 2020 by the city council of the city of Greenwood, Minnesota.

___ AYES ___ NAYS

CITY OF GREENWOOD

By: _____
Debra J. Kind, Mayor

Attest: _____
Dana H. Young, City Clerk



Agenda Number: 7D

Agenda Date: 05-06-20

Prepared by Deb Kind

Agenda Item: Discuss Potential Amendments to Small Cell Wireless Ordinance

Summary: Councilman Fletcher requested this item be included on the council agenda for discussion. For the council's reference, attached are materials from Edina regarding recent changes to their Small Cell Wireless Ordinance.

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

1. I move the city council (1) directs staff to draft an ordinance amending the Greenwood code regarding small cell wireless facilities based on the Edina ordinance, and (2) directs that the planning commission holds a public hearing and makes a recommendation to the city council regarding the ordinance.
2. Do nothing or other motion.



CITY OF EDINA

4801 West 50th Street

Edina, MN 55424

www.edinamn.gov

Date: April 21, 2020

Agenda Item #: VI.H.

To: Mayor and City Council

Item Type:
Report / Recommendation

From: Chad A. Millner, P.E. Director of Engineering

Item Activity:

Subject: Ordinance No. 2020-05: Repealing and Replacing Sections of Chapter 24 of the Edina City Code Concerning Small Wireless Facility Standards

Action

ACTION REQUESTED:

Approve Ordinance No. 2020-05, Repealing and Replacing Sections of Chapter 24 of the Edina City Code Concerning Small Wireless Facility Standards and grant second reading.

INTRODUCTION:

Questions from first reading:

1. Redlines from Verizon: The City Attorney has reviewed the suggested edits to the ordinance from Verizon Wireless and it is our opinion to keep the ordinance language as drafted.
2. Public Health: Applicants are required to submit radio frequency information detailing how their equipment is in compliance with the FCC's Maximum Permissible Exposure (MPE) Limits for general public exposure and occupational exposures to radio frequency electromagnetic energy.

This ordinance change allows shrouded small cell sites in all zoning districts except R1 Single Dwelling Unit and R2 Double Dwelling Unit. It also clarifies specifications of the required concealed pole. Please see staff report and graphics attached.

ATTACHMENTS:

Staff Report: Ordinance No. 2020-05 Repealing and Replacing Sections of Chapter 24

Ordinance 2020-05: Repealing and Replacing Sections of Chapter 24

Appendix: Example of Antennae



Date: April 21, 2020

To: Mayor and City Council

From: Chad A. Millner, P.E. Director of Engineering

Subject: Ordinance No. 2020-05: Repealing and Replacing Sections of Chapter 24 of the Edina City Code Concerning Small Wireless Facility Standards

Information / Background:

Staff recommends repealing and replacing sections of Chapter 24 of the City Code concerning small wireless facility standards. The city attorney drafted recommended changes. The proposed changes allow shrouded small cell antennas in all zoning districts EXCEPT R1 Single Dwelling Unit and R2 Double Dwelling Unit. It also updates the design standards that require wireless facilities be concealed inside the support structure or below ground.

Staff recommends adopting Ordinance 2020-05 and granting second reading.

ORDINANCE NO. 2020-05

**AN ORDINANCE AMENDING CHAPTER 24, ARTICLE III
OF THE EDINA CITY CODE CONCERNING SMALL
WIRELESS FACILITIES AND WIRELESS SUPPORT
STRUCTURES LOCATED IN THE PUBLIC RIGHT-OF-
WAY**

THE CITY COUNCIL OF EDINA ORDAINS:

Section 1. Section 24-53.(d)(1) of the Edina City Code is amended by adding the underline language and removing the strikethrough language as follows:

(d) *Standards for wireless telecommunication facilities.*

(1) *Purpose.* The city desires high quality wireless communication services to accommodate the needs of residents and businesses. At the same time, the city strives to minimize the negative impacts associated with wireless facility deployments. Such negative impacts may include interference with the right-of-way sight lines, aesthetic impacts that are inconsistent with the surrounding area, fall zone and clear zone risks, navigation obstacles, interference with future right-of-way improvement or transportation improvement plans, interference with the installation or maintenance of other utilities, and increased visual or noise pollution. Due to the many services that must be delivered within its limited area, the city also strives to avoid unnecessary encumbrances within the public right-of-way. The city allows and regulates wireless telecommunication facilities outside of the public right-of-way through performance standards and height limits. The purpose of this article is to regulate wireless telecommunication facilities within the public right-of-way in a manner that balances desire for service with aesthetic, public safety, and right-of-way flexibility concerns.

To address such impacts, any person desiring to collocate wireless facilities or place new wireless support structures in the right-of-way must first obtain a wireless facility permit. Moreover, any person seeking to collocate a wireless facility on an existing wireless support structure owned or controlled by the city must first enter a standard collocation agreement.

The following aesthetic standards and requirements are intended to maintain the city's aesthetic environment while also allowing for the availability of wireless services, including broadband and "5G" services, using small wireless facilities. These standards are intended to establish clear and consistent aesthetic standards for wireless facility placements in the city and establish a streamlined review and approval process. The city will make these standards publicly available. The city desires to promote aesthetically acceptable and area conforming wireless facilities

using the smallest and least intrusive means available to provide wireless services to the community.

These standards, which are meant to protect the public health, safety, and welfare, apply to all wireless telecommunication facilities on city-owned and non-city owned support structures and placement and replacement of wireless support structures in the public right-of-way. Wireless facilities and wireless support structures will be allowed in the public right-of-way as provided in this article ~~and section 36-434~~. Compliance with these standards is a requirement for, and condition of, issuance of a small wireless facility permit. Any installation that does not conform to these standards will be in violation of the associated permit and the city's right-of-way ordinance.

In addition to the following standards the placement of new support structures for small wireless facilities shall be subject to any conditions specified in the small wireless facility permit. ~~Applications to install new wireless support structures in districts or areas zoned for single-family residential use or within a historic district established by federal or state law or city ordinance as of the date of application shall further be subject to any conditions contained in the required conditional use permit authorizing such installation.~~

With respect to city-owned support structures, these standards additionally seek to:

- a. Establish a menu of design options for providers to select from when applying for new small wireless facility permits associated with city support structures.
- b. Minimize unnecessary placement of new poles by encouraging collocation of small wireless facilities.
- c. In situations where city support structures will be replaced, require that the structures be of stealth design such that the maximum amount of facilities, including any wiring, are concealed inside the structure.
- d. In situations where attachments will be made to existing poles, require that facilities, equipment, cabling, and conduit be concealed through the use of approved shrouding or camouflaging.

Section 2. Section 24-53.(d)(2)d. of the Edina City Code is amended by adding the underline language and removing the strikethrough language as follows:

- d. The wireless telecommunication facility shall not extend more than ten feet above the top of the an existing public utility structure that was in place as of May 31, 2017 ~~and the height of the existing public utility structure shall not be increased to accommodate the wireless telecommunication facility.~~

Section 3. Section 24-53.(d)(2)e. of the Edina City Code is amended by adding the underline language and removing the strikethrough language as follows:

- e. If the public utility structure must be replaced to structurally accommodate the wireless telecommunication facility, the replacement public utility structure shall remain in its existing location unless otherwise permitted by the city. Replacement public utility structure height shall not exceed 50 feet above ground level or the height of the existing public utility structure height whichever is greater and the replacement public utility structure diameter shall not exceed ~~the existing public utility structure diameter by more than 50 percent~~ 24 inches in diameter from the ground level to 5 feet above ground level in height and from 5 feet above ground level in height to the top of the public utility structure the diameter shall not exceed the diameter needed for structure support. Concealed poles shall meet the specifications of a Valmont concealed pole or approved equal in size.

Section 4. Section 24-53.(d)(2) of the Edina City Code is amended by adding paragraph m. as follows:

- m. Shrouded small wireless facilities shall not be permitted in the right-of-way in any zoning district designated R1 (single dwelling unit district) or R2 (double dwelling unit district) but shall be permitted in the right-of-way in all other zoning districts. A shrouded small wireless facility is a small wireless facility that has all antennas and cables fully covered, concealed, or screened.

Section 5. Section 24-53.(d)(3)c. of the Edina City Code is amended by adding the underline language and removing the strikethrough language as follows:

- c. The replacement public utility structure diameter shall not exceed ~~the existing public utility structure diameter by more than 50 percent~~ 24 inches in diameter from the ground level to 5 feet above ground level in height and from 5 feet above ground level in height to the top of the public utility structure the diameter shall not exceed the diameter needed for structure support. Concealed poles shall meet the specifications of a Valmont concealed pole or approved equal in size.

Section 6. Section 24-53.(d)(4)a. of the Edina City Code is amended by adding the underline language and removing the strikethrough language as follows:

(4) *Poles.*

- a. The erection in the right-of-way of a new pole to support wireless telecommunication facilities is not allowed, except:
 - 1. When attachment to existing utility or city poles is not feasible; or
 - 2. The new pole is owned by the city; or

3. When the pole meets the definition of a wireless support structure. ~~Wireless support structures are permitted in the public right-of-way in the R-1 zoning district by conditional use permit pursuant to section 36-434. Wireless support structures are a permitted use in the public right-of-way in all other zoning districts.~~

Section 7. Section 24-53.(d)(4)b. of the Edina City Code is amended by adding the underline language and removing the strikethrough language as follows:

- b. New and replacement poles when allowed shall not exceed 350 feet in height or the height of the replaced wireless support structure whichever is greater ~~and four feet in circumference~~ and 24 inches in diameter from the ground level to 5 feet above ground level in height and from 5 feet above ground level in height to the top of the public utility structure the diameter shall not exceed the diameter needed for structure support. Concealed poles shall meet the specifications of a Valmont concealed pole or approved equal in size. ~~except that new wireless support structures in the right of way shall not exceed 50 feet in height or the height of the replaced wireless support structure, whichever is greater.~~

Section 8. Section 24-60 of the Edina City Code is amended by adding the underline language and removing the strikethrough language as follows:

- (a) Within 120 days following completion of any work pursuant to a permit, the registrant shall provide the engineer accurate maps and drawings certifying the as-built location of all facilities and equipment installed, owned and maintained by the registrant. Such maps and drawings shall indicate both the horizontal and vertical location of all facilities and equipment and shall be provided in a format consistent with the city's electronic mapping system. Failure to provide maps and drawings in accordance with this section shall be grounds for revoking the permit holder's registration.
- (b) Additional Construction Information: In addition, the right-of-way user that installs a new or replacement wireless support structure or pole shall submit to city at the time the project is completed a completion certificate signed by an engineer licensed by the state of Minnesota verifying the wireless support structure or pole has been installed according to the structural design.

Section 9. This ordinance is effective _____, 2020.

First Reading:

Second Reading:

Published:

ATTEST:

Sharon Allison, City Clerk

James A. Hovland, Mayor

Please publish in the Edina Sun Current on:
Send two affidavits of publication
Bill to Edina City Clerk

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina, do hereby certify that the attached and foregoing Ordinance was duly adopted by the Edina City Council at its Regular Meeting of _____, 2017 and as recorded in the Minutes of Said Regular Meeting.

WITNESS my hand and seal of said City this _____ day of _____, 2017.

City Clerk

Appendix

Example: Shrouded Small Cell Antennae



Example: Valmont Concealed Antennae Pole





Agenda Number: 9A

Agenda Date: 05-06-20

Prepared by Deb Kind

Agenda Item: Consider Refunding Portion of Liquor License Fee to Old Log Due to COVID-19

Summary: Councilman Fletcher requested this item be included on the council agenda for discussion. For the council's reference, the Old Log pays the city \$10,000 per year for a liquor license.

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

1. I move the city council directs the city treasurer to disburse a check in the amount of \$_____ to the Old Log Theatre in recognition of their lost liquor revenue due to the governor's order to close restaurants and performing arts venues due to COVID-19.
2. Do nothing or other motion.



Agenda Number: 9B

Agenda Date: 05-06-20

Prepared by Deb Kind

Agenda Item: Consider Installing Winter Access by St. Alban's Bay Docks

Summary: Councilman Cook requested this item be included on the council agenda for discussion. Cook will share a brief overview at the 05-06-20 council meeting.

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

1. I move the city council directs the city clerk secure bids to install _____ at the St. Alban's Bay dock location to provide winter access to the bay.
2. Do nothing or other motion.



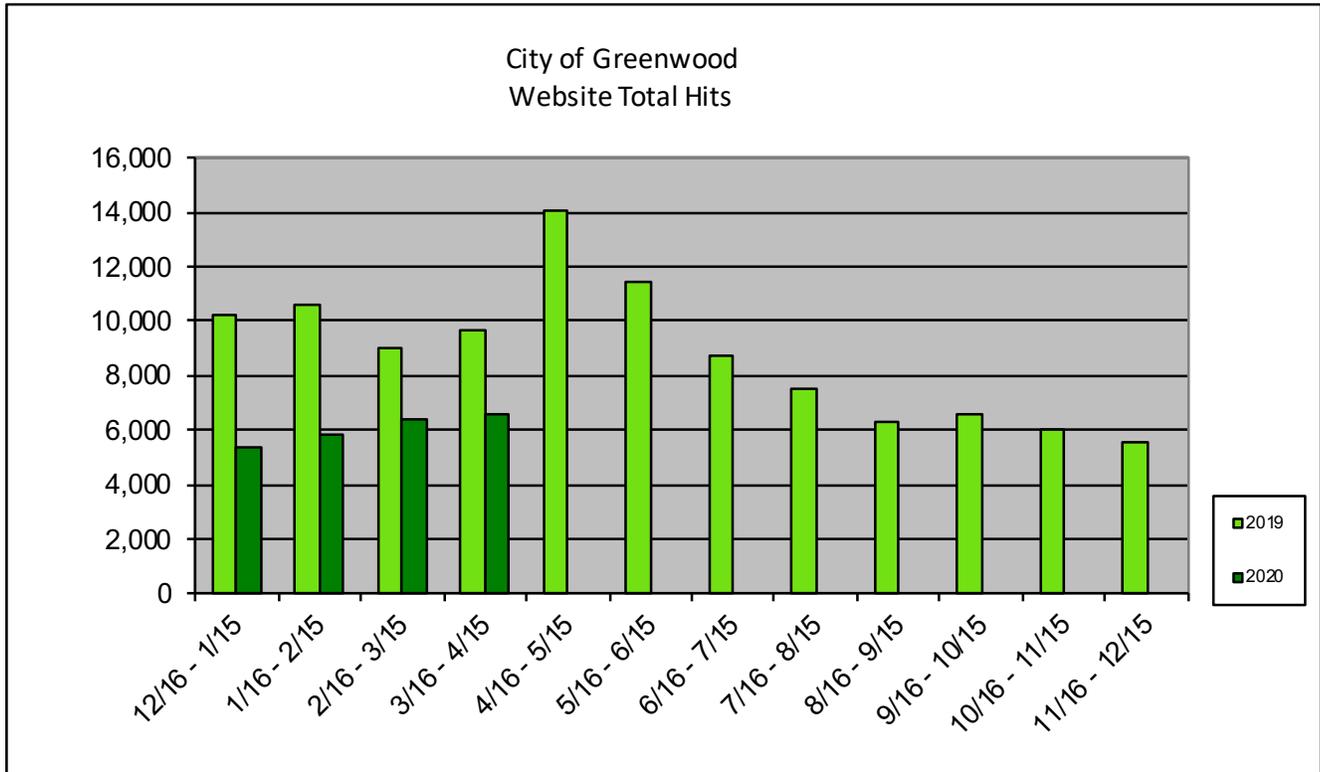
Agenda Number: **11A-E**

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.



Month	2019	2020	Variance with Prior Month	Variance with Prior Year	Bulk Email List
12/16 - 1/15	10,255	5,355	-211	-4,900	176
1/16 - 2/15	10,576	5,853	498	-4,723	175
2/16 - 3/15	9,038	6,408	555	-2,630	159
3/16 - 4/15	9,638	6,597	189	-3,041	159
4/16 - 5/15	14,074	-	-6,597	-14,074	-
5/16 - 6/15	11,420	-	0	-11,420	-
6/16 - 7/15	8,766	-	0	-8,766	-
7/16 - 8/15	7,489	-	0	-7,489	-
8/16 - 9/15	6,326	-	0	-6,326	-
9/16 - 10/15	6,531	-	0	-6,531	-
10/16 - 11/15	6,049	-	0	-6,049	-
11/16 - 12/15	5,566	-	0	-5,566	-
AVERAGE	8,811	6,053			

POPULATION: 724
EMAIL ADDRESSES % OF POPULATION: 24.61%

Population source: www.metrocouncil.org, Data & Maps, Download Data, Population and Household Estimates
 Population figure updated: 03-24-19

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	1954	29.62%
Agendas, Public Notices, Minutes, Meeting Packets	634	9.61%
Welcome to Greenwood	465	7.05%
City Departments	433	6.56%
RFPs & Bids	259	3.93%
Planning Commission	235	3.56%
Code Book of Ordinances	199	3.02%
Assessments & Taxes	197	2.99%
Mayor & City Council	150	2.27%
Agendas, Public Notices, Minutes, Meetings	121	1.83%
Forms, Permits, Licenses	110	1.67%
Photo Gallery	109	1.65%
Garbage & Recycling	90	1.36%
St. Alban's Bay Lake Improvement District	85	1.29%
Parks, Trails & Watercraft Amenities	80	1.21%
Budget & Finances	79	1.2%
Search Results	73	1.11%
Spring Clean-Up Day	72	1.09%
Public Safety	69	1.05%
Links	69	1.05%
Community Surveys	69	1.05%
Lake Minnetonka	68	1.03%
Comp Plan	67	1.02%
Elections, Voting	64	0.97%
City Newsletters	62	0.94%
Finances, Taxes, Assessments	55	0.83%
Meetings on TV	51	0.77%
Fire Department	49	0.74%
Homesteading	49	0.74%
Watercraft Spaces	48	0.73%
Meetings	45	0.68%

Sewer, Stormwater, Water, Garbage, Recycling	44	0.67%
Coyotes & Animal Services	43	0.65%
Recreation, Amenities	43	0.65%
Tree Contractors	42	0.64%
Email Sign-Up	41	0.62%
News, Events	34	0.52%
Old Log Events	33	0.5%
Emergency Preparedness	30	0.45%
Tour de Tonka	26	0.39%
Well Water	24	0.36%
Toilet Drain Guide	24	0.36%
Smoke Testing	22	0.33%
July 4th	21	0.32%
SABLID Email Sign-Up	17	0.26%
Luck O' the Lake	15	0.23%
Library Events	14	0.21%
Christkindlsmarkt	13	0.2%
Unsubscribe	1	0.02%
TOTAL	6597	100%

Unique IPs by Section

Section	Unique IPs	Percent of Total IPs
Default Home Page	906	25.76%
City Departments	309	8.79%
Welcome to Greenwood	253	7.19%
Agendas, Public Notices, Minutes, Meeting Packets	246	6.99%
Planning Commission	103	2.93%
Code Book of Ordinances	99	2.81%
Mayor & City Council	99	2.81%
Assessments & Taxes	77	2.19%
Agendas, Public Notices, Minutes, Meetings	75	2.13%
Forms, Permits, Licenses	73	2.08%
Garbage & Recycling	62	1.76%
Photo Gallery	55	1.56%
Parks, Trails & Watercraft Amenities	53	1.51%
Spring Clean-Up Day	51	1.45%
St. Alban's Bay Lake Improvement District	48	1.36%
Public Safety	48	1.36%
Links	47	1.34%
City Newsletters	47	1.34%
Community Surveys	46	1.31%
Lake Minnetonka	45	1.28%
Comp Plan	41	1.17%
Elections, Voting	38	1.08%
Budget & Finances	38	1.08%
Finances, Taxes, Assessments	37	1.05%
RFPs & Bids	37	1.05%
Fire Department	36	1.02%
Tree Contractors	35	1%
Sewer, Stormwater, Water, Garbage, Recycling	34	0.97%
Meetings	34	0.97%
Coyotes & Animal Services	34	0.97%
Meetings on TV	33	0.94%
Watercraft Spaces	33	0.94%
Search Results	33	0.94%
Homesteading	33	0.94%
Recreation, Amenities	30	0.85%
News, Events	28	0.8%
Email Sign-Up	28	0.8%
Emergency Preparedness	27	0.77%



Old Log Events	23	0.65%
Well Water	22	0.63%
Tour de Tonka	18	0.51%
Smoke Testing	18	0.51%
July 4th	17	0.48%
Toilet Drain Guide	16	0.45%
SABLID Email Sign-Up	15	0.43%
Luck O' the Lake	13	0.37%
Library Events	12	0.34%
Christkindlsmarkt	11	0.31%
Unsubscribe	1	0.03%
TOTAL	3517	100%

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

Done