

**GREENWOOD PLANNING COMMISSION
WEDNESDAY, DECEMBER 12, 2019
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 Julie Getchell, and David Steingas

Others Present: Zoning Administrator Dale Cooney

Absent: Commissioners Dean Barta, Kelsey Nelson, and Council Liaison Kristi Conrad

2. MINUTES – Regular meeting of November 13, 2019.

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

3. PUBLIC HEARINGS

3a. Consider conditional use permit request of Garden Expressions for the property at 21450 Excelsior Boulevard in order to install a retaining wall within the lake yard setback.

— Section 1176.04 (Subd. 7) of the city code states that retaining walls shall not be placed within the lake yard setback without a conditional use permit.

Lucking introduced the agenda item and opened the public hearing.

David Nickson, property owner, said that he was available to answer questions.

Getchell confirmed that the maximum wall height was 31 inches tall. Nickson said yes.

Hearing no further public comments, Lucking closed the public hearing.

Lucking asked if there is a hardcover issue. Cooney said no.

Getchell asked about the patio area. Cooney said that the retaining wall is an after-the-fact variance based on a neighbor complaint. He said that the patio expansion was not legal and that he asked them to remove the patio to an extent existing prior to expansion or ask for a variance. Cooney said that they removed the expanded patio. He said that staff's understanding of the ordinance at the time was that they could replace patio area with some kind of landscaping stone, which they did. Cooney said that since then, the city council has taken a harder line on that and that landscaping stone is not permitted. He said that is a zoning interpretation that will be discussed at the city council meeting.

Motion by Steingas to recommend approval of the request based on the recommendation, findings, and conditions of staff. Motion was seconded by Lucking. Motion carried 3-0.

3b. Public Hearing to consider preliminary plat application (subdivision) request of James and Jessica Benning, property owners, to subdivide 21915 Fairview Street into two lots. —

Subdivisions are regulated by Chapter 6 of the city code, beginning with preliminary plat requirements of Section 600.10.

Lucking introduced the agenda item and opened the public hearing.

Todd Simning, consultant for the applicants, said that he has a wetland delineation, is working on geotechnical to test the soils. He said that the setbacks work for the property.

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Steingas asked if there would be a lower level. Simning said that their work has shown that the water table will allow for a lower level.

Getchell asked about the status of the garage and the existing house. Simning said that both will be demolished and that the property owners would build on one lot and sell the other. He said that the well has been sealed.

Getchell asked if there would be a stormwater plan at final plat. Simning said that he would submit that at the building permit phase. Cooney said that the City Council has discretion if they would like to required something sooner as part of the subdivision phase.

Simning said that the title and survey information is currently being reviewed by Hennepin County.

Pat Stolz of 5090 Covington Street said that she has seen the neighborhood change and that every year her lake view gets a little smaller. She asked if the applicants bought the property as an investment or if they plan on living there. James Benning, applicant, said that they intend to live on one of the properties and sell the other. Jessica Benning said that they moved from Indiana and that this area had a similar feel to the area they moved from.

Stolz said that she was glad they were not just developers and would live in the neighborhood.

Maureen Burns of 5080 Meadville Street said that she is in attendance to try and be proactive. She said that she has lived in the neighborhood for 55 years. She said that she is concerned about subdividing the lot and that it should only be done if no variances are required. She said that a lot of time was put into the ordinances and that they should be followed and respected.

Simning said that no variances will be needed.

Lucking closed the public hearing.

Lucking said that this used to be a simple subdivision process and that the law changed a few years ago. He said that he cannot see any reason to deny the request.

Motion by Lucking, second by Getchell to approve the preliminary plat request as proposed.
Motion carried 3-0.

Stolz asked how many times can a property be subdivided. Lucking said that there is no limit as long as it is compliant with codes.

Burnes asked if the lot size used to be 20,000 square feet. Lucking said that different areas used to be 20,000 square feet, but that was 20 or 25 years ago. He said that there are still two areas in town that have that minimum lot size.

4. NEW BUSINESS

5. LIAISON REPORT

6. ADJOURN

Motion by Steingas to adjourn the meeting. Getchell seconded the motion. Motion carried 3-0.
The meeting was adjourned at 7:33 p.m.

Respectively Submitted,
Dale Cooney - Zoning Administrator