

CALL TO ORDER: Chair Studer called the meeting to order at 7:00 p.m.

PRESENT: Commissioners John Daly, Jeff Eaton, Doug Nagle, Cindy Hunt Webster, Bob Werneiwski, Josh Wilcox and Chair John Studer

ABSENT: None

OTHERS PRESENT: Planning Director Pat Smith and City Council Liaison Kent Carlson

1. APPROVAL OF MINUTES
Minutes of February 18, 2020

Motion by Chair Studer, seconded by Webster, to approve the minutes of February 18 with one correction on page two. Motion carried 7/0.

2. PUBLIC HEARINGS

a) **Public Hearing - Variance request of Matt and Kelly Allman to encroach into the front yard setback in conjunction with the construction of a new home at 19905 Lakeview Avenue**

Smith presented the staff report.

Chair Studer opened the public hearing.

Matt Allman, applicant, 19905 Lakeview Avenue, addressed the Planning Commission. Allman stated that the intent of the design of the new house is to be compatible with the neighborhood. Having it closer to the road reduces the length of the driveway and the hardcover.

Nate Wissink, 4245 Brunswick Ave, Streeter Custom Builder, addressed the Planning Commission. He mentioned he will forward more correspondence with neighbors for the public record.

Webster thanked the applicants for the proposed design. Currently the design is at 25% and would oppose increasing the hardcover in the future for a future swimming pool.

Studer stated that the City Engineer noted that existing drainage patterns will remain.

Elmer Baldwin, 19885 Cottagewood Ave, addressed the Planning Commission. Is concerned with construction parking. Mentioned he has not seen the proposed plans. Smith will email plans to Mr. Baldwin.

Chair Studer closed the public hearing.

Webster does not have any issues with the variance. Daly stated that the lot is good sized and was surprised that a variance is needed. Asked if the house could be moved backward to eliminate the need for the variance.

Wilcox likes the design but would not support a variance for a pool in the future. Is concerned with traffic for two construction projects across the street from each other.

Nagle likes the plan and is glad to see the garage is being removed. Addition of a pool may create significant drainage issues because the whole area is flat. Werneiwski likes the plan.

Motion by Webster to recommend approval of the front yard setback at 19905 Lakeview Avenue as proposed based on the findings listed in the staff report. Motion was seconded by Studer. Motion carried 7/0.

b) **Public Hearing - Variance requests of H/A Partners to encroach into the side yard setback, lake yard setback, and to exceed the impervious surface area in conjunction with the construction of a new house at 19875 Cottagewood Avenue**

Smith presented the staff report.

Wilcox asked about the infiltration swale and how much stormwater will be mitigated. Studer stated that the infiltration swale will store 156 cubic feet.

Webster is concerned with the stormwater runoff.

Cory Lepper, H/A Partners, 17746 Old Excelsior Blvd., applicant, addressed the Planning Commission. The net impervious will be down to 24.8%. Lepper is also including a gutter and hard pipe system that would drain directly into the infiltration swales. He cannot find a spot that exceeds three feet of cut or fill, contrary to the City Engineer's memo. Grading walls should not exceed the three-foot requirement.

Webster asked why the variances are needed. Webster would rather have the house moved closer to the front property line and farther from the Lake, and would rather have a narrower house and not be 5 feet from the side property line.

Nagle asked if they have a buyer. Lepper said no they do not. Lepper said a potential buyer wanted a pool, but did not work for this lot and would rather get the variances now in order to market the house.

Chair Studer opened the public hearing.

Elmer, Baldwin, 19885 Cottage Avenue, addressed the Planning Commission. Thanked Lepper for sending him the plans. Baldwin's property is adjacent to the subject property. Is opposed to any house significantly bigger than the existing house. Is concerned with a retaining wall that is will run along the property line.

Laura Baldwin, 19885 Cottage Avenue, addressed the Planning Commission. Is concerned that the house is too close to the fire lane.

Chair Studer closed the public hearing.

Eaton is not opposed to the lake setback as long as the house is aligned with neighboring homes. Eaton is pleased that the net impervious is below 25% with the mitigation. Nagle thinks the house is too big for this lot. Encroachments on all sides is disturbing. House is too big for neighboring houses. Nagle is not supportive of the variance requests.

Werneiwski believes the house is modest for the lot and works fine on this property. Daly thinks the house is too big for the lot. Would like validity from the city engineer on the three-foot difference.

Daly believes the property is unique with the two existing garages adjacent to the street. The proposal development would eliminate this dangerous condition. Is concerned with the five-foot setback request from the east property line.

Studer is concerned about the side yard setback. Is supportive of the lake yard setback because of the lake being at an angle. Studer stated that the garage is proposed to be three feet above the street level so the house will look taller than the other houses even though it meets the City's height limits. Studer stated that if the house is narrowed, the garage would dominate the street view. The variances are necessary to make these narrow lots work for modern houses, but would like to reduce the hardcover.

Webster stated that a five-bedroom house on this small lot does not work.

Motion by Studer to recommend approval of the lake yard setback and denial of the hardcover variance request and the side yard setback variance requests based on the size of the house being proposed for the subject site. Motion was seconded by Wilcox. Motion passed 4/3 with Webster, Werneiwski and Nagle voting nay.

c) **Public Hearing – Variance requests of Andrew and Kathryn Krejci to encroach into the side yard setback, lake yard setback, and to exceed the impervious surface area in conjunction with construction of a new house at 19880 Lakeview Avenue**

Smith presented the staff report. Wilcox asked about the process of managing storm water facilities. Studer stated that with stormwater mitigation the effective hardcover is going under 25%.

Drew Krejci, property owner, addressed the Planning Commission. He scaled back proposed plans because of recommendations from staff. Krejci stated there's no plans to renovate the boat house.

Chair Studer opened the public hearing. No one spoke. Chair Studer closed the public hearing.

Wilcox has a little concerned with the lakeside setback and the impervious surface area, but stormwater mitigation helps. Is concerned that the total hardcover signals that the house is too large for the site.

Daly supports the variance requests.

Webster asked about the use of permeable pavers.

Eaton understands the desire for having a patio adjacent to the house. Nagle would like to discuss the total hardcover requirements. Does not have issue with the patio. Webster is concerned about projects pushing farther into the lake yard setback and the total hardcover maximum.

Werneiwski has a little concern with the hardcover, but cannot fault the plans. Appreciates the owner remodeling the house instead of tearing it down. Studer appreciates the patio reduction from the original proposal.

Motion by Chair Studer to recommend approval of the side yard setback, lake yard setback, and to exceed the impervious surface area in conjunction with construction of a new house at 19880 Lakeview Avenue based on the findings listed in the staff report. Motion was seconded by Webster. Motion carried 7/0.

NEW BUSINESS

None

OLD BUSINESS

Studer brought up the total hardcover requirement. Councilmember Carlson stated that the City requires applicants to enter into a stormwater maintenance agreement that requires a review every five years. Stormwater has two components – quality and quantity. Deephaven doesn't have a regional stormwater system. The only way to improve water quality and quantity is to have these proposed mitigation measures.

LIAISON REPORT

Carlson presented the Liaison Report. He said that the Council discussed building new restrooms at the beach, vacation of property at Dale Street, and adding lifts to the City's slips.

ADJOURNMENT

Motion by Commissioner Eaton to adjourn the meeting. Motion seconded by Studer. Motion carried 7-0. The meeting adjourned at 9:02 p.m.

Respectfully submitted,
Patrick Smith
Planning Director