



DEEPHAVEN PLANNING COMMISSION MEETING MINUTES

TUESDAY, MAY 19, 2026

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

PRESENT: Commissioners Preston Ahrens, Kendall Carlson, Patrick Donlin, Jerome D'Alessandro, Dan Goodrich and Chair Mike Petersen

ABSENT: Commissioner Kjell Nafstad

OTHERS PRESENT: Planning Director Pat Smith and City Council Liaison Tom Erdmann

1. APPROVAL OF MINUTES Minutes of April 21, 2026

Motion by Chair Petersen, seconded by Commissioner Goodrich, to approve the minutes of April 21, 2026, with one edit. Motion carried 6/0.

2. PUBLIC HEARINGS

- a) Conditional Use Permit to Exceed the Hardcover Limit for a Swimming Pool and an Addition to the House at 19160 Azure Road

Smith presented the staff report. The property owners, Matt and Sarah Pavek, are proposing to build a swimming pool and an addition onto the house located at 19160 Azure Road that would increase the hardcover from 24.5% to 35%.

To mitigate the hardcover over the 25% maximum hardcover limit, the applicants are proposing an infiltration trench in the northwest corner of the site and a second infiltration trench in the southwest corner of the property. Both infiltration trenches have been placed to retain the maximum the amount of stormwater. The resulting effective hardcover is 21.96%.

Commissioner Donlin asked about the contour lines of the proposed grading plan. Matt Pavek, applicant, addressed the Planning Commission and said the contour lines are a half-foot as opposed to two feet as is normal. Matt Pavek said he is trying to save all the trees that he can and will be installing additional trees but does not have a landscape plan yet.

Commissioner Carlson asked about stormwater drainage to Azure. Smith stated that the City Engineer is requiring the applicant provide drainage calculations to demonstrate that the curb along Azure will be able to handle the volume of stormwater draining off the site. Councilmember



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Erdmann asked about the non-conforming shed. Smith said variance and CUP requests give the Planning Commission and City Council the opportunity to make any non-conforming site improvements conforming if needed. Chair Petersen said the Planning Commission has not asked applicants to bring non-conforming improvements into conformance.

Matt Pavek said he bought the house from an aunt and uncle who lived there for 30 years. Matt Pavek said the shed is relatively new, and is hoping to keep it.

Councilmember Erdmann asked if it is typical for the Planning Commission and City Council to approve a Conditional Use Permit application when the City Engineer is requesting information from the applicant. Smith stated the City Engineer would not recommend approval of a land use application if he had concerns the proposed development would have negative impacts on neighboring properties.

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

Commissioner Carlson said she appreciates that the existing house is being preserved and the stormwater drainage is being improved.

Commissioner Goodrich is a little worried that the hardcover is being increased to 35%. Chair Petersen said the Planning Commission did discuss a possible cap on the hardcover limit, but nothing was approved. Chair Petersen asked Smith to add a cap on the hardcover limit to the 2027 agenda. Councilmember Erdmann suggested this year if possible.

Commissioner Goodrich asked if any of the neighbors beside to the neighbor to the west contacted staff. Smith said no.

Motion by Commissioner Carlson, seconded by Commissioner Ahrens, to accept the recommendation and findings of staff and recommend the City Council approve a conditional use permit to increase the hardcover to 35% for an addition to the house located at 19160 Azure Road, as presented. Motion carried 6/0.

b) Site and Building Plan Review

Smith presented the staff report. Section 1310.09 of the Zoning Ordinance outlines the process for reviewing site plans in commercial districts. Because staff is recommending establishing Public and Institutional zoning districts, the site plan section should be amended to



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include building and site plan review of new buildings and significant expansions in the Public and Institutional zoning districts as well.

The proposed ordinance is more specific in what triggers a building and site plan review by the Planning Commission and City Council:

- Constructing a new building in the commercial, public or PUD zoning districts
- Expanding an existing building by more than 10% in the commercial, public or PUD zoning districts.
- Changing the use of a building in a commercial, public or PUD zoning district that results in more parking spaces being required.

Councilmember Erdmann asked about the 10% expansion. Smith stated that the City Council and Planning Commission could remove that provision.

The Planning Commission discussed the need for requiring landscape islands. Smith stated that is a typical city requirement to break up expansive parking lots. Trees in parking lots help shade parked cars and helps absorb stormwater. Chair Petersen is concerned about adding more regulations that are not needed.

Chair Petersen asked about the maximum of 25% of any one tree species. Smith stated that is a common provision to ensure diversity in case a tree species develops a disease in the future. Chair Petersen stated Deephaven has many more trees that would offset any one site from being impacted by a tree species developing a disease in the future. Commissioner Carlson said if this is a typical requirement that commercial developers work with, then she is fine with adding it to Deephaven's zoning ordinance.

Commissioner Goodrich asked if the landscape requirements are the same for single-family homes. Smith stated that the site and building plan ordinance only pertains to multi-family, commercial, public and institutional uses.

Councilmember Erdmann appreciates the landscape requirements for commercial developments. Smith said that staff is recommending changes to the ordinance that is more specific and that developers understand what the standards are and are not vague. Commissioner Carlson said she understands making these changes for the commercial developments but would not want to see the landscaping requirements for single-family developments.



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The Planning Commission asked Smith to research the landscaping requirements of Wayzata, Excelsior and other smaller communities around Lake Minnetonka.

Chair Petersen opened the public hearing. Chair Petersen continued the public hearing to the June 16th Planning Commission meeting.

3. DISCUSSION ITEMS

None

4. LIAISON REPORT

Councilmember Erdmann presented the Liaison Report. The City Council approved the land use applications that the Planning Commission recommended approval. He updated the Planning Commission on the Fire Department. An acting-chief is in place. Five miles of streets are going to be repaved. A lot of utility construction is being installed – gas and cable. Looking at a new warming house at city hall park.

5. ADJOURNMENT

Motion by Commissioner Donlin to adjourn the meeting at 8:23 p.m. Motion seconded by Commissioner Carlson. Motion carried 6/0.

Respectfully submitted,

Patrick Smith
Planning Director