

**North Oaks Planning Commission
Meeting Minutes
City of North Oaks Via Electronic Means and Community Room
January 6, 2021**

CALL TO ORDER

Chair Azman called the meeting of January 6, 2021, to order at 7:00 p.m. He apologized for the conflict with the annual NOHOA meeting taking place as this a continuation from last weeks meeting.

Pursuant to Minnesota Statute 13D.021, the meeting was conducted with attendees and Commissioners participating via Zoom.

ROLL CALL

Present via electronic means: Chair Mark Azman, Commissioners Joyce Yoshimura-Rank, Stig Hauge, Anne Conroy, David Cremons, Grover Sayre III, Nick Sandell
Other Staff Present: City Administrator Kevin Kress, City Engineers Tim Korby and John Morast, City Attorney Jim Thompson, City Council Liaisons Jim Hara and Tom Watson
A quorum was declared present.

BUSINESS ACTION ITEMS

a. Continued Public Hearing on Conditional Use Permit #21-16 for home with height in excess of 35 feet for property located at 6 Sherwood Trail. Discussion and possible action.

Representative Jennifer Otto from Gonyea Homes, on behalf of the purchaser of the property, presented the updated documentation with further dimensions. She noted they have adjusted the pitch to ensure the front height meets the threshold under 35 feet. The building was also shifted on the site to ensure they make the back-height dimension under regulations. She confirmed that the updated rear elevation is 43.5 feet.

Chair Azman inquired about the standards to submit CUP in the Nord Section. City Attorney Thomson stated the purchaser of the lot has the right to apply for CUP, even if there may be further discussion with Council regarding the PDA.

City Administrator Kress reviewed the new staff report.

- Engineer Morast reviewed environmental and topographical conditions are 34.8 inches, rear 43.5 inches which are in conformance. Side yard setback requirement is 48.8, and the plan calls for 48.4 feet so the conditions are met. In the rear lot set back there is over 100 feet.
- Tim Korby discussed the city requirement as relates to wetlands, that the lowest floor of new building shall be constructed at least 3 feet above the 100-year high water mark. They looked at the proposed 916 basement elevation, the adjacent waterbody to the east

is 917. He suggests having Geotech doing a new soil boring and then can figure out exactly what the ground level elevation is and ensure it is above that elevation.

- Chair Azman asked if it is 7c on the staff report. This is for protection of the homeowner that they be able to head this off before the possibility of basement flooding.
- Korby confirmed that the lowest basement elevation of the home would need to be at 920 feet for this not to be an issue.
- The current water levels are showing at 917 to the east, 902.4 to the west, 911.4 to the North.
- Korby stated that they recommended the developer put in ground water monitoring 6 months ago. NOC put in monitoring for sites 1 and 2 only.
- Jen Otto confirmed that their boss has been with North Oaks Company today, and they are also looking at the soil borings. This is the best location for equipment purposes and they will continue conversations with the developer for resolution.
- Watson stated similar issues have come up before on Peterson, and West Black Lake.
- Sayre feels like need to be sure there is an engineered solution.
- The 60 days deadline is January 22, if 60-day extension requested it would be March 22nd however they could submit as soon as ready and meet again.
- Attorney stated that City can move forward on own the 60 days extension. Would need applicant approval to have a 120 extension.
- Planners asked if it would be possible to proposition condition that must meet basement elevation requirement.
- Chair Azman asked City Staff about 7c) the topographical conditions of the lot, if they need to be are naturally suited to the design of a walkout building or can be altered.
- Morast looked at Site plan, original application / RLS and Ramsey County GIS website – the result was the staff comments. The lot is pie shaped, 920 elevation. Metadata is from 2020, the aerial data from 1943 to 2003 shows no grading or contour changes on that site. That is the natural contour of the land. There is a 3 ½ -4% grade on the lot which is conducive to a walkout structure.
- Hara stated he has walked the home the lot and seems the stake is labeled 920 elevation. He is concerned about the pool.
- Otto confirmed that the garage floor 924.9 elevation to get adequate slope at the driveway. Basement elevation is 916.5.
- Azman recommends extending the 60 days, and hopefully getting information prior to the next January PC meeting.
- Attorney recommends opening the public hearing to hear any citizen comments, then can close the public hearing and table the item.
- Lot purchaser Amanda Guanzini has been looking at this property since February of 2021. Appreciates the information coming to light, and appreciates consideration as it's been a long road.
- Watson mentioned there are 3 keys for Council: life, health and safety. Recommends extending this issue 60 days and appreciates the valuable information coming from this meeting that may impact the homeowner and surrounding wetlands.

MOTION by Hauge, seconded by Conroy, to open the public hearing. MOTION carried unanimously at 8:18 p.m.

- **Franny Skanser-Lewis, 3 Red Maple Lane**, wanted to thank Stig for his service. Wanted to thank commission for the comfort of no decision made at the last meeting and decision made to review additional information. She stated that personally would like to see an approval in place that did not come with conditions, especially ones as big as the water table. She confirmed that while 350 feet of abutters were notified as required, she believes the wetland also abuts several other homes will also see this home. Would like notifications to go all those within sightlines. In speaking in neighbors, their consensus was if they can't see it they aren't as concerned. But if height, placement, removal of brush would cause a sightline impact they would like to ensure it is done properly. If there is a significant impact in the design of the house in comparison to those around it, she would like to ensure it is minimized with tree coverage.
- **Leanne Saveriede, xxxxx**, has a question if there is a City ordinance regarding lighting. Kress responded the lighting ordinance states that it needs to be downcast or shaded, and NOHOA also may have even stricter lighting standards. She noted she would prefer dimmer lights to preserve dark sky, stars and wildlife in the area.

There were no other public comments in person or submitted to Administrator Kress by the public.

MOTION by Cremons, seconded by Sayre, to close the public hearing/public comment to Thursday, January 6th at 8:33 p.m. Motion carried unanimously by roll call.

There were no further comments by Commissioners.

Chair Azman recommended to put it on the January 27, 2021 meeting.

Korby confirmed they are simply trying to avoid problems later. Attorney Thomson indicated that the Commission can always decide to allow public to speak at later meeting at their discretion.

Kress indicated the future meeting will like be a combination of in person and zoom, whatever is comfortable for each Commissioner.

ADJOURN

MOTION by Yoshimura-Rank, seconded by Sandell, to adjourn the meeting. Motion carried unanimously by roll call. Meeting ended at 8:40 p.m.

Kevin Kress

Kevin Kress, City Administrator

Mark Azman

Mark Azman, Chair

Date approved 1/27/2022