

**North Oaks Planning Commission
Meeting Minutes
City of North Oaks Community Meeting Room
July 27, 2023**

1. CALL TO ORDER

Chair Cremons called the meeting to order at 7:00 p.m.

2. ROLL CALL

Present: Chair David Cremons, Commissioners Bob Ostlund, Stig Hauge, Grover Sayre III, and Joyce Yoshimura-Rank, City Council Liaison Mark Azman

Absent: Nick Sandell, Scott Weins

Staff Present: Administrator Kevin Kress, City Attorney Bridget Nason, City Planner Kendra Lindahl (via Zoom)

Others Present: Videographer Kenny Ronnan

A quorum was declared present.

3. PLEDGE OF ALLEGIANCE

Chair Cremons led the Council in the Pledge of Allegiance.

4. CITIZEN COMMENTS

There was no one present in the room, or online wishing to make comments.

5. APPROVAL OF AGENDA

MOTION by Hauge, seconded Yoshimura-Rank, to approve the agenda as submitted.

Motion carried unanimously.

6. APPROVAL OF PREVIOUS MONTH'S MINUTES

a. Approval of June 22, 2023 Minutes

MOTION by Yoshimura-Rank, seconded by Hauge, to approve the Planning Commission Meeting Minutes of June 22, 2023. Motion carried unanimously.

7. BUSINESS ACTION ITEMS

a. Continued Public Hearing on amendments to City Code Chapters 34 and 151, Planning Commission composition and Comprehensive Plan. Discussion and possible action on amendments.

Chair Cremons this is a continuation of the June 22, 2023 Public Hearing regarding proposed amendment City Code Title III Chapter 34 regarding Planning Commission Composition and responsibility, and City Title 15, Chapter 151 regarding Comprehensive Plan amendment and Planning Commission actions.

The proposed amendments were reviewed and updated by a committee subgroup which consisted of Chair Cremons, Administrator Kress, Council Liaison Azman, Attorney Nason and Planner Lindall.

MOTION by Hauge, seconded by Yoshimura-Rank, to open the public hearing at 7:04 p.m. Motion carried unanimously.

There were no members of the public in the Community Room or on zoom. No comments by the public.

MOTION by Yoshimura-Rank, seconded by Hauge, to close the public hearing at 7:06 p.m. Motion carried unanimously.

- Chair Cremons noted the Chapter 34 has 1 letter changed. Chapter 151 has more significant formatting changes, not necessarily in substance.
- Attorney Nason detailed there were a number of proposed revisions made to Chapter 151. The first is to establish 3 new sections: 151.84, 151.85 and 151.86 which detail the Planning Commissions role in adoption of the Comprehensive Plan and Comp plan amendments. Added under a new heading in zoning ordinance titled Comprehensive Plan.
- There were also revisions to sections .079 and .078 to provide additional clarification for the process for requesting CUP, zoning ordinances or zoning map amendments, and appeals. It clarifies the process for those types of requests and clarifies the role of the Board of Adjustments and Appeal. It includes that City Council as the “Board of Appeals” has the ability to timely hear any appeal or dispute from a claim of an error made by the zoning administrator in the interpretation or application of that Chapter. There is also language about the notice of such hearings, and that the decision of the Board of the Appeals and Adjustments is final, subject only to judicial review in a Court of competent jurisdiction.
- Administrator Kress handed out an update to the draft ordinance to all Commissioners. The only change from what was published in the package was reorganization of items, grammatical and numbering for clarity. There is no new substantive verbiage change.
- Commissioner Ostlund felt it is important to see officially recognized that Roberts Rules of Order are to be followed during Planning Commission meetings.
- Chair Cremons noted that last month’s meeting, it was thought updates may be needed in the zoning Ordinance 152. It was found the current rules address those concerns and there is no need for further revisions at this time.

MOTION by Hauge, seconded by Yoshimura-Rank, to amend Title 15, Chapter 151 ordinance as set forth in materials presented to Planning Commission. Motion carried unanimously.

Attorney Nason state the revisions to Chapter 34 seeks to clarify the following:

- PC consists of 7 voting members of the residents of the members of North Oaks
- City Council may appoint a City Council Liaison, who is a non-voting member and does not count in PC quorum

- Chapter 34.07 clarifies that if a Planning Commission member fails to attend 3 consecutive regularly scheduled meetings without being excused by the Planning Commission Chair, actions can be taken by the Planning Commission Chair to request replacement of that position by City Council.
- Clarifies the role of PC commission and what its powers and duties are as a planning body for the City.
- Chair Cremons asked if the Planning Commission actively reviews Comprehensive plan every 2 years. Administrator Kress stated it is reviewed as needed. The Comprehensive Plan must be reviewed and adopted every 10 years. The Met Council gives notice 4 years out, with draft completed 2 years prior with goal to be adopted by 10-year mark.
- Chair Cremons asked if a Planning Commission written report requirement to Council has been completed at the end of each year. Administrator Kress stated that everything the Planning Commission does goes to the City Council and it would be redundant to submit a report. Commissioner Hauge suggested the verbiage to submit report to City Council may be unnecessary. Liaison Azman suggested the report date be changed to February of each year. In reality, City staff would likely provide this year end recap.
- Section C line 5 (Section 34.06)– adjust to state “at the request of City Council by February 1st of each year.” Section D line 2 – adjust to state “at request of City Council the Planning Commission shall submit a written report of expenditures by February 1st”
- Administrator Kress noted that the City Council sees a complete list of expenditures each month. He also suggested that “City” and “Chair” be capitalized throughout.

MOTION by Hauge, seconded by Yoshimura-Rank to approve proposed amendments to City Code Title III, Chapter 34 as identified in the Planning Commission materials, with modification to 34.06 C & D to: add language regarding “at request of City Council”, report due date updated from January 1 to February 1, and “City” and “Chair” to be capitalized throughout. Motion carried unanimously.

8. COMMISSIONER REPORT(S)

- Commissioner Ostlund asked if any new tours have been scheduled of development sites. Administrator Kress will follow up with the North Oaks Company to schedule a tour for Planning Commissioners.
- Commissioner Yoshimura-Rank asked if there have been any technical issues, since some of the detail in the amendments hasn't been there since 2019. Council Liaison Azman stated there is nothing in the past that they are expecting to be challenged at this point, and it is now corrected going forward.
- Chair Cremons noted they would next like to address the Conditional Use Permit (CUP) and Variance ordinances to ensure they are still serving the City well. The key issues are excess height and excess garage space CUP process, and if it is still necessary for these items to go through full Planning Commission review process which costs residents a significant amount of money and time. Septic Variances also come up frequently, however this may still be important enough they should still be coming through Planning Commission.
- Chair Cremons noted that Peace United Methodist church is looking to put in a digital sign, and Incarnation is looking to put in ground solar panel – neither of which are

currently allowed by Ordinance. Kress stated the plan is to run it through Planning Commission next month with goal end of September to be noticing for public.

- Hauge suggested that the City connect with other Cities that have already addressed these issues to see examples of how they have been addressed.
- Kress stated that a subgroup to review solar, signage, home height, garage ordinances would work well as a smaller group, and then to bring back to Planning Commission for discussion.

9. ADJOURN

Administrator Kress stated the next Planning Commission meeting would be August 31st.

MOTION by Hauge, seconded Cremons, to amend the annual calendar to move the Planning Commission meeting from August 24th to August 31st.

MOTION by Yoshimura-Rank, seconded by Ostlund, to adjourn the Planning Commission meeting at 7:35 p.m. Motion carried unanimously by roll call.

Kevin Kress

Kevin Kress, City Administrator

David Cremons

David Cremons, Chair

Date approved 8/31/2023