

**North Oaks Planning Commission
Meeting Minutes
City of North Oaks Community Meeting Room
August 31, 2023**

1. CALL TO ORDER

Chair Cremons called the meeting to order at 7:01 p.m.

2. ROLL CALL

Present: Chair David Cremons, Commissioners Bob Ostlund, Stig Hauge, Joyce Yoshimura-Rank, Nick Sandell, Scott Weins, City Council Liaison Mark Azman

Absent: Grover Sayre III

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 Cremons, seconded Sandell, to approve the agenda as submitted. Motion carried unanimously.

6. APPROVAL OF PREVIOUS MONTH'S MINUTES

a. Approval of July 27, 2023 Minutes

There were no changes noted.

MOTION by Yoshimura-Rank, seconded by Sandell, to approve the Planning Commission Meeting Minutes of July 27, 2023. Motion carried unanimously.

7. BUSINESS ACTION ITEMS

a. Public Hearing- Consider Conditional Use Permit for property located at 12 Columbine Lane for a garage exceeding 1,500 Square feet

- Kendra request to add additional stalls. Home built 1985 and expanded in 1987 to add swimming pool. Shoreland districted zoned RSL, and is not a riparian lot. Pool is a legal non-conforming structure.

- Septic site is to the North of the home, garage addition is to the south so there is no impact to septic site. Non-conforming lot as it doesn't show 2 septic sites, and it was not required to at that time.
- Garage addition to add 1 stall to south side, there is a slight step. Adding of 367 for the existing 908 square foot garage.
- Plans are consistent with code.
- Applicant Pat Henry stated extra room is for a garage and motorcycles. The extra garage space will be 7 feet from the well, with the building official stating 3 feet is the minimum. So it is good.
- Yoshimura-Rank stated it is a reasonable request.

MOTION by Hauge, seconded by Yoshimura-Rank, to open the public hearing at 7:09 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 Hauge, seconded by Yoshimura-Rank, to close the public hearing at 7:09 p.m. Motion carried unanimously.

MOTION by Yoshimura-Rank, seconded by Hauge, to approved the CUP 23-5 for excess garage space at 12 Columbine Lane with the conditions listed by staff. Motion carried unanimously.

7b. Discuss Ordinance amending Chapter 151 of the City Code Regarding Sign Definitions and Signs in the RSM-Residential Single-Family Medium Density District

- Planner Lindall stated that Peace United Methodist Church came to the July City Council meeting to request allowance of a digital sign. Council directed Staff to proceed in reviewing an ordinance amendment. A sub-committee met to discuss the sign ordinance and bring it to the Planning Commission. The Shoreview signage ordinance was used as template and tweaked for North Oaks. Key points that would need to be met to allow digital signage:
 - Minimum lot size 3.5 acres,
 - Frontage on arterial or collector street
 - Display message is a minimum of 8 seconds (no flashing or animation)
 - Limit sign lighting to the hours of 6 a.m. – 11 p.m.
 - Max sign area of 32 sq. ft (with only 16 sq. ft. may be electronic message board)
 - Regulations must be consistent for all with the same zoning. This would impact about 22 parcels total which are primarily churches and schools, as well as a few in common open spaces.
 - Goal tonight is to get feedback from Planning Commission, and then bring to Council at the September meeting.
 - The overall sign ordinance for standard signs was also strengthened.

- Commissioner Hauge asked if Shoreview has been notified that we are looking to allow digital messaging. Kress stated the Shoreview City Manager is aware of what we are considering.
- Administrator Kress noted that the same vendor that did the sign at Incarnation Church is doing this one, and it doesn't seem intrusive. They would also ask for the Peace United sign be shifted out of the easement as their current plan showed.
- If our ordinance is changed to allow digital, Attorney Nason stated that Incarnation Church could apply for an after the fact permit to bring them into compliance since there is no permit on file for their current digital sign.
- Liaison Azman asked if there are any resident lots this new ordinance would apply to, that are not in NOHOA. It was thought the residential lots in question are part of NOHOA.
- Commissioner Ostlund wanted to make sure there was light density requirement and dimmer controls. Kress confirmed this technology is planned.
- City Planner Lindall stated the next step is for Planning Commission is to approve the draft, publish the Notice of Hearing for September 28th, if approved move onto Council, and publish ordinance in paper. The applicant would then apply for CUP.
- Administrator Kress stated Peace Church would potentially apply in the late fall with goal of Spring installation.
- The Commission felt the subcommittee did a good job drafting the ordinance, and that it clearly defines size, brightness and timing of the sign lights.
- A public hearing will take place on September 28th regarding the proposed Ordinance amendments.
- Any additional comments or corrections should be sent to Administrator Kress.

7c. Discuss Ordinance amending Chapter 151 of the City Code Regarding Solar

- Chair Cremons stated that Incarnation Church is looking to install ground mounted solar array in the large back parking lot. The current ordinance does not address ground solar and could be clearer on roof solar.
- Planner Lindall stated Incarnation Church came to the July Council meeting to request ground mounted array. Subcommittee looked at other models and made draft for review in the packet. Key points include:
 - Limits it to RSM district
 - Must be in side or rear yard
 - Requires a CUP application
 - Drafts standards to buffer from adjacent land uses
 - Clarifies language for building rooftop mounted signs
 - Solar structures must be 30 feet from property line
 - Arrays are limited to 12 feet tall
 - Ground mounted solar can not be more than ½ the building footprint
 - Church wanted in their parking lot, and draft ordinance encourages native landscaping, but does not require it.
- The church has reviewed and did not have any changes to the ordinance.
- There are a significant number of homes in the RSM district. More often residents go for roof mounted to save yard space, but this provision would not allow ground mounted solar.

- Commissioner Ostlund stated he has seen fencing with barb wire to keep others off solar panels.
- The angle of the array should help prevent snow build up.
- Commissioner Weins noted concern that students from Chippewa Middle school could get into it.
- It was questioned why they just didn't use roof mounted system.
- Azman recalled Incarnation stating they would need a huge new expensive roof that is strong enough to hold solar panels. They don't have the funds for that at this time, but a solar array will save them a lot of money over the long term – and help provide a funds for a new roof in the long-term future.
- There are 20 RSM lots that are 3 ½ acres or larger. With 10 acres or more there are 3 RSM lots. Incarnation is 11 acres.
- Due to the concern of a significant number of homes being allowed to put large ground solar in backyards, Chair Cremons and others were more comfortable adding a 10-acre minimum to the conditions.
- A public hearing will take place on September 28th regarding the proposed Solar Ordinance amendments.

7d. Discussion on CUP requirements for home height, and garages

- Chair Cremons noted that currently allowed are homes with front height limit of 35 feet, with up to up to 45 feet height in the back with CUP and conditions. There is also reference to environmental and topographical conditions to be naturally suited to the design of the building with an egress or walkout.
- Kress stated that as homes get redeveloped, there is ambiguity in this language. The “naturally suited” terminology appears to reference the 1950-60's original developments of empty lots. As homes are rebuilt nothing is “natural” conditions anymore.
- Could also change the language that requires an additional 2 feet of setback for each extra foot of height up to 45 feet. Should this be changed to a flat 10-15 setback increase if over 35 feet.
- The question is, does the Planning Commission need to review every home over 35 feet? If there is a mass grading site to allow walk-outs, Chair Cremons does not feel the owner has to come back again and request a CUP (like Red Forest Way). However, if there are current flat lots as part of neighborhoods, wants to be sure someone can not come in and dig large homes and change entire character.
- Commissioner Sandell would be in favor of being less restrictive than more restrictive to allow the homeowners more flexibility to building home if the conditions are right. There is now in place a calculation measurement that is difficult for home developers to discern.
- Chair Cremons noted the point of possible revisions is to determine if the applicants need to spend the extra money and time to go through the height CUP process.
- The additional 2 foot set back for each foot of height does need to be clarified to ensure the code is clear if the entire home needs to be setback, not just a corner of home that exceeds the 35 feet.
- Liaison Azman noted that we are seeing more homes with larger size garages that are integrated into the home. He feels there may be a compromise or ordinance adjustment that increases the allowed garage size, without over-shadowing the home.
- Chair Cremons noted if we went to 2,000 square feet as permitted, up to 3,000 with CUP review, four of the last seven permits would not have had to go through the CUP process.
- Commissioner Sandell asked how many items require a CUP in the City.
- Kress noted over 100 cubic yards also requires CUP. In the rebuilds, soil movement is not usually a problem, it is the removal of trees or impact on lake drainage that can be more impactful.
- There are 9 CUP's in the RSL district, and about 15-20 in the RCM district.

- Commissioner Sandell noted the importance of maintaining character of property, but that updates can be made that still encourages residents to want to live and rebuild in North Oaks.
- Liaison Azman noted that he likes that the current Septic variance process as often adjustments are made during the review and process.
- Discussions will continue within the Ordinance working subgroup and brought back for further discussion.

7e. **Discussion on touring new development sites on September 6th**

Administrator Kress noted there are also alternate dates available on 14th, 24, 28th during parade of homes that would allow them to go in more homes.

Commission preference is for September 6th at 5:00 p.m. Kress will confirm with North Oaks Company the date and the desire to view each development and a model home in each if possible.

8. COMMISSIONER REPORT(S)

- Commissioner Weins mentioned that he will be vacating his seat within the next 45 days, as he is moving out of the country to China.
- Once he is gone, Commission will discuss whether to fill the position for the last few months of 2023, or just wait until a fresh start of 2024.

9. ADJOURN

Chair Cremons stated the next Planning Commission meeting would be September 28, 2023.

MOTION by Hauge, seconded by Yoshimura-Rank, to adjourn the Planning Commission meeting at 7:30 p.m. Motion carried unanimously by roll call.

Kevin Kress, City Administrator

David Cremons, Chair

Date approved_____