

**North Oaks Planning Commission Meeting Minutes
North Oaks City Council Chambers
January 30, 2020**

CALL TO ORDER

Chair Azman called the meeting of January 30, 2020, to order at 7:00 p.m.

ROLL CALL

Present: Chair Mark Azman. Commissioners Jim Hara, Stig Hauge, Nick Sandell, Sara Shah, and Joyce Yoshimura-Rank, City Council Liaison Rick Kingston

Staff Present: Administrator Kevin Kress, Recording Secretary Deb Breen, City Planner Bob Kirmis, and City Attorney Bridget Nason, City Engineer Larina DeWalt

Absent: Commissioner Dave Cremons

Others Present: Videographer Maureen Anderson.

A quorum was declared present.

APPROVAL OF AGENDA

Chair Azman requested the order of the East Oaks site review be listed alphabetically. Azman commented North Oaks Company will give a big picture of the entire plan, then Commissioners will review by site A–F. The City Attorney will also review what a Concept Plan means under ordinance.

**MOTION by Hauge, seconded by Yoshimura-Rank, to approve the agenda as amended.
Motion carried unanimously.**

CITIZEN COMMENTS

Tom Watson, 45 East Pleasant Lake Road, served on City Council from 1991 to 2009, and four terms as Mayor. He was actively involved in creation of the Planned Development Agreement (PDA) and feels sites within North Oaks are now being overdeveloped. He suggests that Planning Commission ask the North Oaks Company for a tree inventory, as we have some of the oldest Oaks in Ramsey County and feels that should be taken in consideration.

APPROVAL OF MINUTES from December 3, 2019

Commissioner Yoshimura-Rank inquired about a statement in Section “d” that states “Met Council cannot force North Oaks to provide affordable housing.” Attorney Nason indicated that this isn’t the exact language she would suggest be put in the Comprehensive Plan, but that there should be a reference to the affordable housing requirement in the plan. The statement is an accurate transcription of what was said in the prior meeting.

MOTION by Shah, seconded by Yoshimura-Rank, to approve the minutes from December 3, 2019.

Motion carried unanimously.

BUSINESS ACTION ITEMS

a. 2040 Comprehensive Plan Update and Recommendation

- Administrator Kress stated Staff’s recommendation is for City Council to send to the Planning Commission the previously submitted Comprehensive Plan draft with revisions

which include: reclassification from Suburban to Emerging Suburban Edge, making technical changes to correct those mentioned in Met Council incomplete letter, and add language acknowledging that the City has considered the high density/affordable housing goals for the City and choose to be non-compliant.

- Upon approval by Planning Commission of final language, the plan would go back up to Council. Not complying with the recommended density request would mean that North Oaks would not qualify for Met Council grants which our Community has not needed in the past. Commissioner Shah noted that the recommendation is a result of a subcommittee meeting, and meeting with Met Council. She also referenced a prior condition that Planning Commission made in May 2019 to send the Comprehensive Plan to Council, dependent upon the dwelling counts. Administrator Kress stated the Council plans to have a work session within next 2 weeks to solidify the housing counts, which would then be added to the plan.
- Administrator Kress clarified that the Suburban vs. Emerging designation is defined by 5 to 1 vs. 3 to 1 ratio of required units per acre, which more appropriately reflects North Oaks.
- Attorney Nason stated that it is necessary to add in language to acknowledge the existence of affordable housing goals, otherwise it will continue to be deemed incomplete.
- Chair Azman asked City Staff to provide a version of the Comprehensive Plan with redlined changes when it is ready, for consideration of approval.

MOTION by Hauge, seconded by Sandell, to table the issue.

Motion carried unanimously.

b. East Oaks Concept Plan Review

- Attorney Nason explained the process of plan approval, including three steps: 1) concept plan review, 2) preliminary plan/plat review, and 3) final plan / review. Concept plan needs: depiction of all development intentions, roads, projected traffic, building location, types and numbers of dwelling units, trails, size, grading plan, and more as detailed in Ordinance 129.
- Chair Azman mentioned City Council will review unit counts at a workshop next week. Attorney Nason provided a brief summary of her unit count analysis based on documentation provided to her. The last chart detailing unit counts was approved by City Council as Exhibit B5.1 as seen in the seventh amendment of the PDA, dated 6/10/10. The chart shows 178 units left to be developed within PDA not considering any conversion of commercial acres. North Oaks Company President Mark Houge clarified that they have submitted updated counts to the City each time development was submitted and can provide those documents.
- Mark Houge of North Oaks Company (NOC) noted they have provided additional information after meeting with City Staff, but the overall plans have not changed from what was detailed at Golf club presentation. He presented an overview of each location as follows.

Site C: Nord

This is 55 acres, zoned RSM PUD, PDA provides for 10 lots, with 13 density increase. Plan is for 12 lots: 10 accessing from Shoreview Road and 2 lots from Deep Lake Road. Lots minimum requirement is 1.1 acres; the plan calls for 1.9 acre to 6 acre lots. This site will have septic and

private wells. No wetland impact. Ramsey County has given approval with no turn lanes required. Proposed trail connections by lots 6 and 7 as well as near lots 1 and 2.

Site F: Anderson Woods

Two phases; 16 acres and 20 acres with RMH zoning. Total of 13 lots proposed. PDA allows for 13 with the density shift: 4 were used for Wilkinson Villas to North, 9 to be on the South half and accessed from Centerville Road opposite Anderson Road. This site will have sewer and water through White Bear Township. There will be a wetland impact for the road connection to the site, however they plan to use 4 acres of wetland credits they had been awarded from a prior wetland improvement project in the Conservation area. Ramsey County stated no turn lanes are anticipated. Trail connections are planned between lots 2 and 3 to the south, and near lots 5 and 6 to the north.

Site G: Gate Hills

Zoned RCM-PUD. 36 acres with 84 housing units proposed. PDA allows 68, with density shift allowed up to 88. They are proposing 84 twin homes and attached villas, with FAR not to exceed 37 ½ % of site; plan to be at half of that requirement. All accessed off of Road H2. Ramsey County mentioned might need a left and right turn lane as it is opposite H2 road. This site will have sewer and water through White Bear Township. Working with NOHOA on best location for trails. There is a trail running North from Gate Hill to Wilkinson Lake, would be looking at connecting on West, and continue South to Deer Hills and the Pines.

Site H: Island Fields

21 acres, RCM-PUD. 35 housing units, with density shift allowed up to 46. Proposing 3 story condominium with underground parking, which would fall well within height limits in PDA. There are 5.73 commercial acres remaining in this area they have not planned use for yet. May consider converting some commercial acres to residential for an additional condominium building depending on success of the first condo units. This site will have sewer and water through White Bear Township. Entrance would be South of H2 and across from Arrow facility so would need to work with Ramsey County on entrance. Looking at trail near existing farm road going North/South, connecting into Red Forest way trail on West. No wetland impact aside from accessing site across the ditch off Centerville Road, which is the only wetland crossing. Working with VLAWMO on access plan.

Site K: North Black Lake/Red Forest Way South area

60 acres, RSL-PUD. Proposed 34 additional lots, 64 allowed in PDA with possible 83 density shift. 34 new with + existing is 75, so within limits of density shift. All lots are 1.5 acres or greater. This site will have septic and private wells. Trails to connect West of Catbird Lane and to East from Island Field. On south side adjacent to Black Lake there will be trail that area; working with NOHOA on their preference.

- Mark Houge introduced Don Pereira, NOC Director of Conservation, who is helping guide the Company in their development efforts. He has prior conservation experience with DNR as Chief in charge of Fisheries, President of South Washington Watershed district, and appointed to the Great Lake Fisheries Council.

Staff Review and Commentary

Site C: Nord Site

- Bob Kirmis, City Planner reviewed the staff memo. It referenced the prior subdivision preliminary application in which Nord was denied due to inconsistency to street/ access with the PDA, as well as not having a defined trail route. Road access has now been primarily shifted to Sherwood which is consistent with PDA, with 2 of the 12 lots coming from N. Deep Lake with a shared driveway. In current conversation with developers about extension of cul-de-sac which could have negative impact on wetland, tree removal and drain field sites. North Deep Lake Road isn't prohibited by PDA but Planning Commission and Council should consider whether it is consistent with what is in PDA. Lot 3 is a flag lot accessed by private drive, which is generally discouraged by planners due to lot width and emergency vehicle access to the home. The City does not prohibit them and there are some in the city. Exhibit A in the meeting packet is an alternative concept plan which extends the cul-de-sac, improving emergency vehicle access. Moving the 2nd lot to access via Sherwood Road. In regard to the trail, staff recommends agreement with NOHOA prior to preliminary subdivision proposal or Public Hearing.
- City Engineer Larina DeWalt of Sambatek highlighted that since no detailed construction documents are required with Concept review, the focus is on consistency with PDA. They find it is consistent with ordinances and developers have provided traffic info, grading, stormwater, etc. as required. There is no proposed wetland impact which has changed from last proposal. The alternative concept plan with extension of culdesac, as alternative to flag lot, was created by the City Engineer and provided to the Developers for consideration to alleviate stormwater ponding, wetland impact, emergency access. The North Oaks Company engineer responded back to the City Engineer with reasons why they believe the proposed culdesac plan would also have impacts.
- Citizen Comment: Franny Skanser Lewis, 3 Red Maple Lane—Ms. Lewis sent City Staff and Planning Commissioners an analysis yesterday documenting why they believe the plan is inconsistent with the PDA. Highlights include: the trail that has historically run along the parcel is very different than what was in PDA. Their concern is that both NOHOA and City are in line with what a meaningful trail is within PDA agreement. The trail is key to connect residents in North and West parts of the communities to access the Conservancy area. She feels that the road and driveway placement will key off that trail, and PDA verbiage allows for trail alterations to accommodate natural topography.
- Commissioner Sandell inquired about the wetland impact that she has referenced, as both NOC and Engineers do not note an impact in the Nord area. City Engineer DeWalt clarified that the current North Oaks proposal has zero wetland impact. Commissioner Sandell noted that trails and wetlands seem to be prime concern and focus of community.
- Citizen Comment: Frank Williams, 80 Rapp Farm—He is a resident of the central part of Rapp Farm and has used the trails for many years. Appreciate attention to wetlands and trails as this effects Rapp Farm residents as well.
- Citizen Comment: Don Nightingale, 11 Nord Circle—Reemphasize PUD planned for a connector trail which has been used for years and believes the proposed plan eliminates the connector trail. Was originally planned for 10 lots, now it is 12 lots. Concerned about the extra 2 lots and suggests eliminating an extra lot could reduce some of the concerns with the flag lot.

- Citizen Comment: Rachel Maher, 91 Rapp Farm Boulevard—Ms. Maher mentioned that the trail curves up to Northern side and had been shown on Ramsey county website since the 1940's. One of the few things remaining from original North Oaks. The trail is still heavily used by skiers, foot traffic and snowshoes. The current trail going North conveniently continues into Poplar park in Ramsey County open space. She is disappointed that the new trail brings it along a roadway.
- Citizen Comment: Carla Coons, 9 N. Deep Lake Road—Regarding the flag shaped lot, it seems that either option to extend cul-de-sac would cross over trails. Welcomes more study on the trails.
- Mark Houge responded by recognizing there has always been a farm road where the trail is being referenced. In 1999, NOC and City marked out trail plan, with miles of trails to be put in the conservation area. The connector trail mentioned was to be the trail easement running along south but is unclear why NOHOA has not maintained trails along the easements noted at that time. At the Southeast corner of Nord, there is an immediate connection. Mr. Houge mentioned that the Company has allowed people to use the private property farm road even though it does not conform to the actual easements, and perhaps they should not have allowed this.
- Exhibit B4 to the PDA is the Map. Chair Azman referenced primary trails, and restrictive trails noted. The Nord trail is not shown as a primary trail. Commissioner Shah defers to staff as to whether it is consistent with the community but encourages us to look at needs of community as we can. Question as to legally if we disagree with the map. Commissioner Yoshimura-Rank asked if we can put in easements to create a trail that the people like and use. Commissioner Hara suggested since lots 1 & 2 are larger and surrounded by wetlands, if it may be possible to create an easement along the back of those lots.
- Citizen Comment: Kathy Emmons, 20 Duck Pass Road—As NOHOA president, they value hearing from NOC and Residents. Mentioned they are at a rock and impasse between what to PDA really says and reality. They are on the way to doing that, and their intent is to have the trail plan in place before the Preliminary plans are presented. They need to finish work with their subject matter experts to come up with viable solutions.
- Chair Azman asking for input on having 2 lots with access from N. Deep Lake. Mr. Houge responded that concept plan from PDA has always had a lot off of Deep Lake Road. Tract on East end of Nord KK-589 was identified by a different legal description in PDA. V-284 ended up as extra strip of land was preserved, they are open to putting that in with the lots identified. Staff will look internally at these options.
- Commissioner Sandell doesn't have a concern with the proposal and feels like if it's a slight deviation that is a benefit to the community is a "win." Chair Azman would like to see some form of tree survey as may have been done in past. Mr. Houge responded that they have made extraordinary efforts to preserve valued trees and nature and would not like to get into the business of counting trees. He also noted that while the Company has ensured two septic sites available on each lot, the potential homeowner could change location of the home which

in turn could impact the trees. The proposed road off Sherwood is currently being surveyed, and they are clearing path for rig to take soil samples required for preliminary plans.

- Commissioner Houge asked for the Company's estimated build schedule. Mr. Houge responded they plan to bring the Preliminary plans back to the Commission by February asking for decision and would like to build all 10 lots by late summer. It was mentioned that City Engineer Sambatek's map dated April 11, 2018 show that they were to be served by city sewer and water. Mr. Houge responded they looked at connecting to Rapp Farm, but the topography and gravity of land doesn't allow this. White Bear Township would need to take this on and they don't want to manage this. Fire Hydrant water access would be a dead-end connection and with large lots it is not recommended by White Bear for a water quality standpoint. Therefore, septic and well is proposed.
- Liaison Kingston asked for the North Oaks Company's perspective on the trails. Mark Houge indicated they have worked with NOHOA, engineers, residents and there is no obvious place to put it. They made a big commitment to trails in the conservation area previously, with the consideration they could create lots in Nord without a trail going through middle. The practical reality is trying to find a happy solution for everyone. Engineer DeWalt confirmed that her comments are high level and consistent with what they would like to see with all Preliminary plans.

Site F: Anderson Woods:

- Planner Kirmis reviewed the staff memo and noted the access is from Centerville Road. PDA illustrates access provided from 2 points on Centerville road which is different than the single point shown in the concept plan. Staff feels a single point of access is preferable given the number of units to be developed and asks Commission to provide consideration on this issue. They also suggest that some of side lot lines be tweaked to have a better useable lot line and build area.
- Engineer DeWalt stated that conceptually the plan works and would be served by water and sewer. Lots at end of cul-de-sac will need to be served by gravity pump in order to be served. NOC would have to provide a stub at the cul-de-sac location for the home to pump out and connect to the stub. Alternative is septic or raising the home site. It is standard industry practice to address these type home elevations, so this is not unusual. There is a proposed .19-acre wetland impact, but it will not impact the drainage pattern. The plan also doesn't warrant any changes to Centerville Road.
- Commissioner Hauge inquired if any consideration yet given to the type bridge that would be put in place to accommodate water to pass. Engineer DeWalt believes it is a flat high point with water going North and South, not through, so no water would need to pass under the bridge.
- Citizen Comment: Franny Skanser-Lewis, 3 Red Maple Lane—She understands PUD allows for flexibility and density; however, she doesn't believe the EAW considered the density. Would like to see the higher C shape remain, and not cross wetlands.
- Commissioner Shah asked about original road pattern and wondered if security should be a consideration. Chair Azman feels the revised road layout coming from Anderson Road may

be preferable. Engineer DeWalt mentioned that there are guidelines in place for wetland mitigation and expects the applicant to work within guidelines. She feels the impact .19 acres is small number. Overall in PDA, .35 wetland is allowed and she would like the developer to provide full detail of where impact has taken place to date so they can make an overall evaluation.

- Commissioner Yoshimura-Rank pointed out EAW aerial map from 1998 that showed only 6 lots and wondered if that was due to wetland impact. NOC Houge referenced the 2nd road in the PUD coming from South which would have major impact to wetland. The current concept plan is a much better solution in consideration for environment. Commissioner Shah asked if Anderson Lane was already there in 1998, and it was noted it was. She also inquired about size of cul-de-sac and allowance for bus turnaround. Engineer DeWalt stated the cul-de-sac is 100 feet which is big enough for bus and firetrucks.
- Citizen Comment: Tom Watson, 45 East Pleasant Lake Road—Mr. Watson wished to respond to Commissioner Shah's inquiry on additional entrances, and desire to maintain privacy and trails. He suggested that Commissioners be cautious of opening access to our 28 miles of trails, as well as being aware of other White Bear development in the area. Important to be aware of hunting allowed in White Bear area that is in backyard of some of the homes. He also noted the tree inventory is a fair request, as essence of North Oaks is based on environment and topography.

Site G: Gate Hill

- Planner Kirmis highlighted notes from the staff memo. Internal loop street is planned to access twin home lots, with a staff concern of ability to provide on street parking. Suggested clusters of guest parking. Staff recommends NOC provide Commissioners sample building types and elevations for townhomes for Commission to provide feedback. The concept plan doesn't illustrate trails and encourages NOC and NOHOA to work together. Staff would like Fire Department to provide feedback on the proposal, with emergency vehicle access through the single access point.
- Engineer DeWalt noted in regard to traffic impacts, it is likely Ramsey County will require signal or turn lane along Centerville Road. No wetland impact illustrated, and they expect that preliminary plans include detail on stormwater plans include utility easement detail as to how it will be managed in the future.
- Citizen Comment: Rich Dujmovic, 15 Black Lake Road—All lots described today include land owned by the lot owner which includes ½ roadway, driveway and garage footprint with taxes based on this. County tax records establishes ownership by NOC or Presbyterian homes of excess of 21 acres in area E. Amendment 7 reflects 15.27 acres for this area. If the Company and Presbyterian homes pay taxes on 21 acres, it could be assumed that this is what has been developed. Would like these numbers to be reviewed to see where the error is and taken into consideration as plan for new homes. He would also like to see the access to trails considered as a valued asset as part of NOHOA and City discussions. Chair Azman asked Mr. Dujmovic to present his findings to Council as well. Commissioner Houge would like the Company to consider street parking and a children's playground in this area.

- Mr. Houge responded the intended audience for Gate Hill is anyone and open to variety of price points. The large area in the center of development could be recreation area, but NOHOA would need to be part of that discussion. Building style would depend on builder chosen but likely no less than \$450,000. Will bring back renderings, look at off street parking, and possibly add pockets of 3-4 cars for visitors. They expect a sub-homeowner association would serve the new 180 -190 residents. Tree screening is planned to discourage a visual of the development and possibly even a gate if NOHOA desired. Liaison Kingston asked if Ramsey County has identified if a signal or stop sign was under discussion.
- Attorney Nason recommended to meet again to complete the review of the final two sites prior to the February Council Meeting. It was determined based on participant schedules to reconvene on Tuesday, February 4, 2020 at 5 p.m.

MOTION by Chair Azman, seconded by Hauge, to adjourn the Planning Commission meeting to meet again on Tuesday, February 4, 2020 at 5:00 p.m.
Motion carried unanimously.

c. Review of I-35E/County Road J Information – Postponed to next meeting

Next Regular Planning Commission Meeting: Thursday, February 27, 2020

ADJOURN:

MOTION by Commissioner Hauge, seconded by Commissioner Yoshimura-Rank, to adjourn the Planning Commission meeting at 10:05 p.m.
Motion carried unanimously.

Kevin Kress

Kevin Kress, City Administrator

Mark Azman

Mark Azman, Chair

Date approved: 2/27/2020