

**North Oaks Planning Commission Meeting Minutes
North Oaks City Council Chambers
December 3, 2019**

CALL TO ORDER

Chair Azman called the meeting of December 3, 2019, to order at 7 p.m.

ROLL CALL

Present: Chair Azman. Commissioners Hara, Hauge, Sandell, Shah, and Yoshimura-Rank.

Staff Present: Administrator Kress, Recording Secretary Needham, City Planner Kirmis, Sanitary Inspector Humpal, and City Attorney Nason

Others Present: Videographer Anderson.

A quorum was declared present.

APPROVAL OF AGENDA

MOTION by Hara (adding an item to approve 2020 Planning Commission meetings), seconded by Yoshimura-Rank, to approve the agenda as amended.

Motion carried unanimously.

APPROVAL OF MINUTES

MOTION by Yoshimura-Rank, seconded by Shah, to approve the minutes as amended (corrected a misspelling of a name and incorrect date).

Motion carried unanimously.

NEW BUSINESS

a. Consider Variance 19-07 — ISTS, 16 East Pleasant Lake Road, 13.5 from the Front Yard Setback

MOTION by Hauge, seconded by Shah, to open a public hearing to consider Variance 19-07. The hearing was opened.

Sanitary Inspector Humpal explained that the proposed primary site for the septic system would encroach 13.5 feet within the 30-foot setback. This proposed location is the most viable site for the septic system, and it is suggested by the Sanitary Inspector that the Planning Commission approve the variance request.

Bob Michels of Michels Homes spoke on behalf of the homeowners and was available for any questions.

Krista Wolter of 7 Skillman Lane spoke on behalf of the variance being approved. She is excited to see multiple generations living in North Oaks and the neighborhood being revitalized.

Chair Azman called three times for comment.

MOTION by Yoshimura-Rank, seconded by Shah, to close the hearing. The hearing was closed.

MOTION by Shah, seconded by Hara, to approve Variance 19-07 with the conditions that the installation is completed by January 1, 2021 and as per the design dated September 29, 2019 by Mark Tradewell.

Motion carried unanimously

b. Consider Variance 19-08 — ISTS, 15 Ridge Road, Primary Site 20 Feet into the Front Yard Setback and Secondary Septic Site 50 Feet into North Oaks Golf Club property

Sanitary Inspector Humpal gave an overview of the proposed primary and secondary ISTS sites; the primary would encroach 20 feet into the 30-foot setback, and the secondary would sit entirely within the North Oaks Golf Club property.

Attorney Nason confirmed that an easement agreement would need to be worded in such a way to protect the secondary site from any disturbance.

Adam Price of Custom Homes spoke on behalf of the homeowners and was available for questions.

MOTION by Yoshimura-Rank, seconded by Hauge, to approve Variance 19-08 with the conditions that a recorded easement allowing 5,000 square feet of North Oaks Golf Club land for the secondary ISTS site; that the installation of the primary site is completed by December 31, 2020; and that the system is located per the design dated September 19, 2019 by Tradewell Soil Testing.

Motion carried unanimously

c. Consider Proposed Conditional Use Permit (CUP) — 26 Evergreen Road, Garage Space in Excess of 1,500 Feet

MOTION by Yoshimura-Rank, seconded by Shah, to open a public hearing to consider a CUP at 26 Evergreen Road. The hearing was opened.

Planner Kirmis explained that the proposed construction for a home at 26 Evergreen Road would include two attached garages, the combined total of which totals 2,636 square feet. The main concern for staff is that the applicant adheres to exterior lighting requirements when lighting the garages and associated driveways. City Staff recommends approving the CUP.

Peter Eskuche of Eskuche Design is the home's designer and spoke on behalf of the homeowner and was available for questions.

Chair Azman called three times for comment.

MOTION by Hara, seconded by Yoshimura-Rank, to close the public hearing to consider a CUP at 26 Evergreen Road. The hearing was closed.

MOTION by Hara, seconded by Shah, to approve the CUP at 26 Evergreen Road.

Motion carried unanimously

d. Review of the Comp Plan Meeting with Met Council Staff by City Planner

Planner Kirmis explained that Metropolitan Council Staff asked for some changes and data requests from the City of North Oaks, and City Staff then had a meeting with Met Council to outline what those revisions should be.

Met Council wants the City to meet or exceed the forecasts laid out in Table 5. Affordable housing needs to be done, according to Met Council, at eight units per acre. Met Council cannot force North Oaks to provide affordable housing; they can ask that we set aside a possible area for high-density residential development.

Commissioner Hauge asked what the legal ramifications would be of ignoring Met Council requests. System statement came to North Oaks in 2015 stating that North Oaks would need to provide 44 units of affordable housing; no challenge to this system statement was issued. If an area for high-density development is added into the Comp Plan, that would supersede the City's current Zoning Ordinance.

Chair Azman promoted that the first step is to outline a plan within a workshop. Commissioner Hauge recommended taking time to research all the options. Commissioner Shah asked for action items to be given to City Staff; she asked for a definition of "affordable housing"; if Staff can reach out to the former mayor of Falcon Heights, who is now on Met Council, for advice; investigate where the 142 affordable housing units are that Met Council has on their website for North Oaks.

MOTION by Hauge, seconded by Yoshimura-Rank, to prepare a presentation in a report format for next steps for response to the Met Council at the January 30, 2019 Planning Commission meeting.

Motion carried unanimously

e. Discussion of Legal Issues Related to Planning Commission Authority by City Attorney

Attorney Nason reviewed a memo she sent on November 25, 2019. Items discussed were the requirement for a concept plan by developers within the East Oaks PDA; when and how zoning and subdivision applications are deemed complete; and how the terms of the PDA are applied to future developments within the PDA.

f. North Oaks Company— East Oaks Concept Plans Informal Review

Chair Azman expressed concerns that the preliminary concept plans submitted to the City from North Oaks Company are incomplete. Commissioner Shah echoed concerns that the maps in the packet are incomplete.

Mark Houge of North Oaks Company presented preliminary concept plans for the East Oaks development. He stated the Company's belief that concept plans are not mandated to be submitted. Mr. Houge started with Exhibit B1 showing the six parcels for development. Island Field is a 21-acre site zoned residential/commercial mixed use; based on input from the community, this area is slated for condominiums. There will be a private entrance off Centerville Road. This scheme complies with the PDA's apportion of 35 units, plus a 30% increase, for a total of 46 total units. 5.73 commercial acres are still available for use, but no specific use is currently defined. The condominium building would be three stories over enclosed parking. Mr. Houge plans to have meetings for focus groups in the future.

The next map showed Red Forest Way South, which would have 34 homes on 1.5-to-3-acre lots to be built in two phases. They would have well and septic. Building is hoped for in 2021.

Commissioner Shah asked if these plans were different from the ones presented to residents at the Golf Club in October, and Mr. Houge responded that they are indeed the same plans.

Gate Hill would comprise 85 housing units with an entrance off Centerville Road. They would be a combination of twin homes and detached homes, 2600–3000 square feet for each home.

Anderson Woods would have an entrance off of Centerville Road and would comprise 6 lots.

Nord parcel will have an entrance off Sherwood Dr. for 10 lots and two lots will be off of Deep Lake Road. These lots are 1.8 to 8 acres and will have well and septic. Trails will connect with exiting NOHOA trails. The east-west trail connection will be maintained either by existing trail easements or through a new designation with NOHOA.

Franny Skamser Lewis, 3 Red Maple Lane, has concerns about Anderson Woods and Nord, the entrances and the trails; she will be happy to share details at an appropriate time.

Commissioner Shah asked about next steps for plans submitted from the NOC. Chair Azman suggested combining the concept plan and preliminary plan reviews into one meeting. Planner Kirmis suggested that meetings with the developer before a preliminary plan is submitted is best, going forward. Attorney Nason mentioned that the City's Ordinance 129 stipulates a concept plan is reviewed by Council but the wording doesn't specify in what order those plans need to be submitted. Commissioner Shah is concerned there be 15 days to review the plans to determine if they are complete.

Mark Houge stated that NOC agrees there needs to be sufficient time for City Staff to review documents they submit.

A formal resolution for the 2020 regular Planning Commission Meetings schedule will be created for consideration at January's meeting.

MOTION by Yoshimura-Rank, seconded by Hauge, to direct City Staff to present a resolution to adopt the 2020 regular Planning Commission Meetings schedule for consideration at their next meeting in January.
Motion carried unanimously.

Next Planning Commission Meeting: Thursday, January 30, 2020

ADJOURN:

MOTION by Hauge, seconded by Yoshimura-Rank, to adjourn the Planning Commission meeting at 10:45 p.m.
Motion carried unanimously.

Kevin Kress

Kevin Kress, City Administrator

Gregg Nelson

Gregg Nelson, Mayor

Date approved_____