



CITY OF NORTH OAKS

**Regular City Council Meeting
Thursday, July 14, 2022
7 PM, Community Meeting Room, 100 Village Center Drive
MEETING AGENDA**

Remote Access - Some or all City Council members may participate by telephone or other electronic means pursuant to Minn. Stat. §13D.021. Any person wishing to monitor the meeting electronically from a remote location may do so by calling the following Zoom meeting videoconference number:

1-312-626-6799, Webinar ID:

849 6106 8688 or by joining the meeting via the following link: <https://us02web.zoom.us/j/84961068688>.

Individuals wishing to monitor the meeting remotely may do so in real time by watching the livestream of the meeting on North Oaks Channel 16 and on the City's website. Due to the existing COVID-19 Health Pandemic, no more than five (5) members of the public may be in Council Chambers (Community Room, 100 Village Center Drive, MN) during the meeting. Once room capacity is met, anyone wishing to attend the meeting above the five (5) members of the public who may be present in the room during the meeting will be required to monitor the meeting remotely.

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. Citizen Comments - Members of the public are invited to make comments to the Council during the public comments section. Up to four minutes shall be allowed for each speaker. No action will be taken by the Council on items raised during the public comment period unless the item appears as an agenda item for action.

5. Approval of Agenda

6. Consent Agenda - These are items that are considered routine and can be acted upon with one vote.

6a. City Financials for June 2022

EFT: 000573E-000589E; Check #014431-014467

[June 2022 Checks EFT Issued.pdf](#)

[June 2022 Register Summary.pdf](#)

6b. Licenses for Approval:

Arborist: Xtreme Climbing Tree Service

Mechanical: Action Heating and Air, Boy's Mechanical DBA Service Today!; Condor Fireplace & Stone; Conway Mechanical; Custom Air, Heating, & AC Inc.; Flare Heating and Air Conditioning; Great West Mechanical; Hometown Heating and Cooling, LLP; J&A Mechanical LLC; J Dubs LLC; KB Service Company; McQuillan Brothers; Sabre Plumbing Heating & A/C, Inc.; Sunderland Plumbing, Inc.

6c. Hill Farm Historical Society Liquor License

[HFHS Liquor License Request 2022.pdf](#)

6d. Approval of City Council Meeting minutes of June 9, 2022

[06.09.2022 CC Minutes.pdf](#)

6e. Approve Resolution for 16 Sherwood Trail home height Conditional Use Permit

[2022-07-14 CC Packet 16 Sherwood Trail CUP Height.pdf](#)

[2022-07-14 Resolution for CUP.pdf](#)

6f. Approve Resolution for 38 Catbird Lane home height Conditional Use Permit

[2022-07-14 CC Packet 38 Catbird Lane CUP Height.pdf](#)

[2022-07-14 Resolution for CUP \(003\).pdf](#)

7. Petitions, Requests & Communications -

Deputy Mike Burrell Report

8. Unfinished Business

8a. Discussion and possible action on CLCA request to amend 2040 Comprehensive Plan

8b. Discussion and possible action on speeding in North Oaks and other traffic calming measures, update on Safety Forum

9. New Business

10. Council Member Reports

11. City Administrator Reports

12. City Attorney Reports

12a. Closed session pursuant to Minnesota Statutes, Section 13D.05, Subdivision 3(b) to discuss matters protected by the attorney-client privilege relating to the threatened lawsuit pertaining to the Lepoutre Family Revocable Trust's April 28, 2022 Comprehensive Plan Map Amendment Request

13. Miscellaneous

13a. City Forester Report - June 2022

14. Adjournment - *The next meeting of the City Council is Thursday, August 11, 2022.*

NORTH OAKS

07/14/22 11:21 AM

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***Check Detail Register©**

Cks 6/10/2022 - 7/14/2022

			Check Amt	Invoice	Comment
10100 Checking					
Paid Chk#	000573E	6/13/2022		ADP	
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN		\$113.58		06/09/22 PR
	Total ADP		\$113.58		
Paid Chk#	000576E	6/14/2022		Pittney Bows	
E 101-41300-210	OPERATING SUPPLIES		\$87.45		Lease
	Total Pittney Bows		\$87.45		
Paid Chk#	000577E	6/15/2022		Pittney Bows	
E 101-41300-210	OPERATING SUPPLIES		\$301.50		Postage
	Total Pittney Bows		\$301.50		
Paid Chk#	000578E	6/15/2022		Escrow	
G 801-22003	POOL FENCE ESCROW		\$19,875.00		Quinn Pool Check Returned
	Total Escrow		\$19,875.00		
Paid Chk#	000580E	6/20/2022		PAYROLL	
E 101-41300-101	WAGES - FULL TIME		\$7,540.82	06232022	Full time staff
E 101-41300-103	WAGES - PART TIME/TEMP		\$1,842.44	06232022	Part time Staff
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN		\$703.72	06232022	PERA (7.5%)
E 101-41300-122	FICA CONTRIBUTIONS		\$717.82	06232022	FICA
G 101-21701	FEDERAL TAXES PAYABLE		\$1,099.31	06232022	FWH
G 101-21701	FEDERAL TAXES PAYABLE		(\$1,099.31)	06232022	FWH
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN		(\$1,313.63)	06232022	PERA
G 101-21702	STATE TAXES PAYABLE		\$477.46	06232022	SWH
G 101-21702	STATE TAXES PAYABLE		(\$477.46)	06232022	SWH
	Total PAYROLL		\$9,491.17		
Paid Chk#	000581E	6/20/2022		P E R A	
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN		\$1,313.63	PP 06/23/22	PP 06/23/22
	Total P E R A		\$1,313.63		
Paid Chk#	000582E	7/5/2022		PAYROLL	
E 101-41300-101	WAGES - FULL TIME		\$7,540.82	070722	Full time staff
E 101-41300-103	WAGES - PART TIME/TEMP		\$1,676.83	070722	Part time Staff
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN		\$716.30	070722	PERA (7.5%)
E 101-41300-122	FICA CONTRIBUTIONS		\$730.66	070722	FICA
G 101-21701	FEDERAL TAXES PAYABLE		\$1,150.17	070722	FWH
G 101-21701	FEDERAL TAXES PAYABLE		(\$1,150.17)	070722	FWH
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN		(\$1,337.09)	070722	PERA
G 101-21702	STATE TAXES PAYABLE		\$492.37	070722	SWH
G 101-21702	STATE TAXES PAYABLE		(\$492.37)	070722	SWH
E 101-41300-132	CAR ALLOWANCE		\$333.33	070722	Car Allowance
	Total PAYROLL		\$9,660.85		
Paid Chk#	000583E	7/5/2022		ADP	
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN		\$113.58		06/23/22 PR
	Total ADP		\$113.58		
Paid Chk#	000584E	7/5/2022		P E R A	
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN		\$1,337.09	PP 07/07/22	PP 07/07/22

NORTH OAKS

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Cks 6/10/2022 - 7/14/2022

			Check Amt	Invoice	Comment
Total P E R A			\$1,337.09		
Paid Chk#	000585E	7/5/2022	PAYROLL		
E 101-41100-103	WAGES - PART TIME/TEMP		\$2,025.00	07012022	City Council
E 101-41100-103	WAGES - PART TIME/TEMP		\$435.00	07012022	Planning Commiselon
E 101-41300-122	FICA CONTRIBUTIONS		\$188.22	07012022	FICA
Total PAYROLL			\$2,648.22		
Paid Chk#	000586E	7/11/2022	ADP		
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN		\$139.89		07/07/22 PR
Total ADP			\$139.89		
Paid Chk#	000587E	7/12/2022	DEPARTMENT OF LABOR & INDUSTRY		
E 101-42400-451	BUILDING PERMIT SURCHARG		\$8,421.82		2nd Qtr Surcharge
Total DEPARTMENT OF LABOR & INDUSTRY			\$8,421.82		
Paid Chk#	000588E	6/30/2022	AUTHNET		
E 101-41300-210	OPERATING SUPPLIES		\$25.00		Monthly CC Fee
Total AUTHNET			\$25.00		
Paid Chk#	000589E	6/30/2022	Global Payments		
E 101-41300-210	OPERATING SUPPLIES		\$25.00		Monthly CC Fee
Total Global Payments			\$25.00		
Paid Chk#	014431	6/13/2022	HR GREEN, INC.		
E 101-41900-303	ENGINEERING SERVICES		\$1,000.00	153260	City & PC Meetings
E 101-41900-303	ENGINEERING SERVICES		\$1,000.00	153260	General Engineering
G 801-22018	EAST OAKS PUD ESCROW		\$4,868.80	153260	Island Field
G 801-22018	EAST OAKS PUD ESCROW		\$4,039.25	153260	Gate Hill
E 101-41900-303	ENGINEERING SERVICES		\$1,440.17	153260	North Oaks Golf Club
E 601-49550-335	AMERICAN RESCUE PLAN (AR		\$2,094.50	153260	Comp Utility Plan
E 601-49550-335	AMERICAN RESCUE PLAN (AR		\$2,205.50	153260	Water Loss Analysis
E 601-49400-330	SEWER & WATER MISC		\$247.00	153260	Asset Management Plan
E 101-41900-303	ENGINEERING SERVICES		\$47.97	153260	10 Sherwood CUP
E 101-41900-303	ENGINEERING SERVICES		\$247.00	153260	16 Sherwood CUP
E 101-41900-303	ENGINEERING SERVICES		\$2,840.50	153260	Nord Lots 1/2
E 101-41900-303	ENGINEERING SERVICES		\$247.00	153260	Surface Water Mgmt
E 101-41900-303	ENGINEERING SERVICES		\$3,581.50	153260	Safety/Speed Study - Rapp Farm
Total HR GREEN, INC.			\$23,659.19		
Paid Chk#	014432	6/13/2022	NINENORTH		
E 101-41420-300	PROFESSIONAL SERVICES		\$1,227.33	2022-099	May Services
Total NINENORTH			\$1,227.33		
Paid Chk#	014433	6/13/2022	Press Publications		
E 101-41100-350	PUBLISHING & ADVERTISING		\$89.10		Legal Notice- 16 Sherwood
Total Press Publications			\$89.10		
Paid Chk#	014434	7/14/2022	ANNIE IDEKER		
G 801-22003	POOL FENCE ESCROW		\$13,875.00		Pool Fence Escrow Release
Total ANNIE IDEKER			\$13,875.00		
Paid Chk#	014435	7/14/2022	City of Roseville		
E 101-41300-309	COMPUTER/INTERNET/GIS SU		\$2,490.18		IT Services - July 2022

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Cks 6/10/2022 - 7/14/2022

		Check Amt	Invoice	Comment
Total City of Roseville		\$2,490.18		
Paid Chk# 014436	7/14/2022 CIVICPLUS			
E 101-41300-430	MISC/WEBSITE/DOMAIN/OPG	\$2,468.43	232622	CivicReady Annual Fee
Total CIVICPLUS		\$2,468.43		
Paid Chk# 014437	7/14/2022 COMCAST			
E 101-41300-309	COMPUTER/INTERNET/GIS SU	\$450.71		Dark Fiber - June
Total COMCAST		\$450.71		
Paid Chk# 014438	7/14/2022 Connexus Energy			
E 101-43100-381	ELECTRIC UTILITIES	\$7.74		5919 Centerville
Total Connexus Energy		\$7.74		
Paid Chk# 014439	7/14/2022 Gopher State One-Call, Inc.			
E 101-42300-300	PROFESSIONAL SERVICES	\$98.55	2060636	Monthly Services - June
Total Gopher State One-Call, Inc.		\$98.55		
Paid Chk# 014440	7/14/2022 HR GREEN, INC.			
E 101-41900-303	ENGINEERING SERVICES	\$1,500.00	153946	CC & PC Mtgs
E 101-41900-303	ENGINEERING SERVICES	\$1,000.00	153946	General Services
G 801-22018	EAST OAKS PUD ESCROW	\$4,530.99	153946	Island Field
G 801-22018	EAST OAKS PUD ESCROW	\$2,902.25	153946	Gate Hill
E 101-41900-303	ENGINEERING SERVICES	\$821.16	153946	North Oaks Golf Club
G 801-22012	RED FOREST WAY II ESCROW	\$5,811.33	153946	Red Forest Way
E 601-49550-335	AMERICAN RESCUE PLAN (AR	\$1,456.27	153946	Water Loss Analysis
E 101-41900-303	ENGINEERING SERVICES	\$988.00	153946	16 Sherwood CUP
G 801-22020	NORD ESCROW	\$4,446.00	153946	Nord Lots 1/2 Review
E 101-41900-303	ENGINEERING SERVICES	\$1,976.00	153946	City Wide Traffic Calming
E 101-41900-303	ENGINEERING SERVICES	\$1,769.37	153946	Safety/Spped Study for Rapp Farm
Total HR GREEN, INC.		\$27,001.37		
Paid Chk# 014441	7/14/2022 Kelly & Lemmons, P.A.			
E 101-41600-315	LEGAL FEES - PROSECUTION	\$980.00		Prosecution Services - June
Total Kelly & Lemmons, P.A.		\$980.00		
Paid Chk# 014442	7/14/2022 KENNEDY & GRAVEN, CHARTERED			
E 101-41600-304	LEGAL FEES - GENERAL	\$3,306.00		General Legal Fees
E 101-41600-306	LAWSUIT	\$700.00		Gate Hill Lawsuit
Total KENNEDY & GRAVEN, CHARTERED		\$4,006.00		
Paid Chk# 014443	7/14/2022 LANDFORM PROFESSIONALS			
E 101-41910-300	PROFESSIONAL SERVICES	\$728.50	33069	Planning Services - May
E 101-41910-300	PROFESSIONAL SERVICES	\$2,301.00	33069	LePoutre
E 101-41910-300	PROFESSIONAL SERVICES	\$181.00	33069	12 Sherwood Trail
E 101-41910-300	PROFESSIONAL SERVICES	\$2,930.00	33069	NOHOA Re-zoning
E 101-41910-300	PROFESSIONAL SERVICES	\$378.00	33069	38 Catbird CUP
E 101-41910-300	PROFESSIONAL SERVICES	\$324.00	33069	Sherwood Trail
Total LANDFORM PROFESSIONALS		\$6,842.50		
Paid Chk# 014444	7/14/2022 LEONARD CARL PROF SERVICES			
E 101-42400-313	CONTRACT SERVICES	\$136,267.27	June 2022	June Permit & Plan Review
Total LEONARD CARL PROF SERVICES		\$136,267.27		

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Cks 6/10/2022 - 7/14/2022

			Check Amt	Invoice	Comment
Paid Chk# 014445	7/14/2022	Madison National Life			
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN		\$170.94		LTD & STD
	Total Madison National Life		\$170.94		
Paid Chk# 014446	7/14/2022	Marco, Inc.			
E 101-41300-210	OPERATING SUPPLIES		\$753.13		Copier Rental
	Total Marco, Inc.		\$753.13		
Paid Chk# 014447	7/14/2022	Metro Council Envir Srvc-Sewer			
E 602-49450-385	SEWER		\$5,300.01	June 2022	Monthly Sewer
	Total Metro Council Envir Srvc-Sewer		\$5,300.01		
Paid Chk# 014448	7/14/2022	METRO COUNCIL ENVIR SRVS-SAC			
E 602-49450-455	SAC FEES		\$206,652.60		2nd Qtr 2022 SAC Fees
	Total METRO COUNCIL ENVIR SRVS-SAC		\$206,652.60		
Paid Chk# 014449	7/14/2022	MN PEIP			
E 101-41300-131	HEALTH, DENTAL, LIFE, LTD IN		\$1,952.51		Coverage 08/01/22 - 08/31/22
	Total MN PEIP		\$1,952.51		
Paid Chk# 014450	7/14/2022	NINENORTH			
E 101-41400-300	PROFESSIONAL SERVICES		\$1,177.33	2022-127	June Services
	Total NINENORTH		\$1,177.33		
Paid Chk# 014451	7/14/2022	NYKANEN INSPECTIONS			
E 101-42400-313	CONTRACT SERVICES		\$5,488.80		Electrical Inspections - June
	Total NYKANEN INSPECTIONS		\$5,488.80		
Paid Chk# 014452	7/14/2022	OPG-3, INC.			
E 101-41300-309	COMPUTER/INTERNET/GIS SU		\$2,590.00	5885	Laserfiche Services
	Total OPG-3, INC.		\$2,590.00		
Paid Chk# 014453	7/14/2022	Peterson-Waddle Recycling			
E 101-43200-384	RECYCLING		\$23,805.92		Monthly services
E 101-43200-384	RECYCLING		\$350.00		Cart Delivery & Repair
E 101-43200-384	RECYCLING		\$921.80		Fuel Charge
E 101-43200-384	RECYCLING		\$150.00		Storage Rent
E 101-43200-384	RECYCLING		\$1,376.02		COVID 19 Volume Surcharge (July)
	Total Peterson-Waddle Recycling		\$26,403.74		
Paid Chk# 014454	7/14/2022	Premium Waters, Inc.			
E 101-41300-210	OPERATING SUPPLIES		\$32.43		Equipment & Water Service
	Total Premium Waters, Inc.		\$32.43		
Paid Chk# 014455	7/14/2022	Press Publications			
E 101-41100-350	PUBLISHING & ADVERTISING		\$49.50		Ordinance 139
	Total Press Publications		\$49.50		
Paid Chk# 014456	7/14/2022	Ramsey County Elections			
E 101-41400-300	PROFESSIONAL SERVICES		\$4,430.00	PRRRV-00189	Election Services
	Total Ramsey County Elections		\$4,430.00		
Paid Chk# 014457	7/14/2022	Ramsey County Sheriff			
E 101-42100-313	CONTRACT SERVICES		\$73,888.28		Police & CSO - July

NORTH OAKS

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Cks 6/10/2022 - 7/14/2022

			Check Amt	Invoice	Comment
Total Ramsey County Sheriff			\$73,888.28		
Paid Chk# 014458	7/14/2022	Ramsey County-Emergency Commun			
E 101-42100-313	CONTRACT SERVICES		\$1,585.33		911 Dispatch - June
E 101-42100-313	CONTRACT SERVICES		\$9.38		Fleet Support - June
E 101-42100-313	CONTRACT SERVICES		\$262.79		CAD Services - June
Total Ramsey County-Emergency Commun			\$1,857.48		
Paid Chk# 014459	7/14/2022	RECYCLE TECHNOLOGIES, INC			
E 101-43200-430	MISC/WEBSITE/DOMAIN/OPG		\$5,732.95	226140	Recycling Event 6/25/22
Total RECYCLE TECHNOLOGIES, INC			\$5,732.95		
Paid Chk# 014460	7/14/2022	REHDER FORESTRY CONSULTING			
E 101-46100-316	TREE PRESERVATION		\$1,769.79		June 2022 Forestry
Total REHDER FORESTRY CONSULTING			\$1,769.79		
Paid Chk# 014461	7/14/2022	ROADKILL ANIMAL CONTROL			
E 101-46100-318	NATURAL RESOURCES		\$119.00	June 2022	1 Dead Deer
Total ROADKILL ANIMAL CONTROL			\$119.00		
Paid Chk# 014462	7/14/2022	STAPLES			
E 101-41300-210	OPERATING SUPPLIES		\$79.32		Misc. Office Supplies
Total STAPLES			\$79.32		
Paid Chk# 014463	7/14/2022	SUSAN VIERGEVER			
G 801-22003	POOL FENCE ESCROW		\$13,875.00		Pool Fence Escrow Release
Total SUSAN VIERGEVER			\$13,875.00		
Paid Chk# 014464	7/14/2022	TIMESAVER OFF SITE SECRETARIAL			
E 101-41100-313	CONTRACT SERVICES		\$227.00		June Meetings
Total TIMESAVER OFF SITE SECRETARIAL			\$227.00		
Paid Chk# 014465	7/14/2022	U. S. Bank			
E 306-47000-611	BOND INTEREST		\$480.00	2025129	Debt Service Payment
Total U. S. Bank			\$480.00		
Paid Chk# 014466	7/14/2022	White Bear Township			
E 601-49400-383	WATER - WBT		\$4,450.00		15 Pondview Trall
E 601-49400-330	SEWER & WATER MISC		\$1,907.70		NOGC Lift Station & Hydrant Flushing
E 601-49400-383	WATER - WBT		\$191,350.00		1 Hill Farm Rd - Condos
E 601-49400-383	WATER - WBT		\$4,450.00		3 Pondview Trall
Total White Bear Township			\$202,157.70		
Paid Chk# 014467	7/14/2022	Xcel Energy			
E 101-41300-381	ELECTRIC UTILITIES		\$112.68		City 303585928 & 302708070
E 101-43100-381	ELECTRIC UTILITIES		\$97.28		Signals 303740120 & 303839695
E 101-43100-381	ELECTRIC UTILITIES		\$60.45		Street Lighting
E 406-43000-381	ELECTRIC UTILITIES		\$10.72		8 Poplar Ln Aeration
E 406-43000-381	ELECTRIC UTILITIES		\$56.39		7 Willow Rd 51-0572815-6
E 601-49400-381	ELECTRIC UTILITIES		\$49.36		24 Maycomb, 304471197
E 602-49450-429	MISC/LIFTSTATIONS		\$43.22		Liftstation #3, 302368925
E 602-49450-429	MISC/LIFTSTATIONS		\$20.17		Liftstation #1, 302860004
E 602-49450-429	MISC/LIFTSTATIONS		\$31.56		Liftstation #5, 302894636
E 602-49450-429	MISC/LIFTSTATIONS		\$41.46		Liftstation #2, 302953888

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Cks 6/10/2022 - 7/14/2022

		Check Amt	Invoice	Comment
E 602-49450-429	MISC/LIFTSTATIONS	\$60.08		Liftstation #9, 304097091
E 602-49450-429	MISC/LIFTSTATIONS	\$28.48		Liftstation #11, 304464164
E 602-49450-429	MISC/LIFTSTATIONS	\$88.82		Wilkinson Blvd, 304097283
E 602-49450-381	ELECTRIC UTILITIES	\$23.18		28 Osprey Ct, 304097160
	Total Xcel Energy	\$723.85		
	10100 Checking	\$828,908.51		

Fund Summary

10100 Checking	
101 GENERAL	\$334,037.87
308 LGWA DEBT	\$480.00
408 LGWA	\$67.11
601 WATER	\$208,210.33
602 SEWER	\$212,289.58
801 ESCROWS	\$73,823.62
	\$828,908.51

Mayor Kara Ries

Jim Hara

Sara Shah

Thomas Watson

Rich Dujmovic

***Check Summary Register©**

Cks 6/10/2022 - 7/14/2022

Name	Check Date	Check Amt	
10100 Checking			
Paid Chk# 000573E ADP	6/13/2022	\$113.58	06/09/22 PR
Paid Chk# 000576E Pittney Bows	6/14/2022	\$87.45	Lease
Paid Chk# 000577E Pittney Bows	6/15/2022	\$301.50	Postage
Paid Chk# 000578E Escrow	6/15/2022	\$19,875.00	Quinn Pool Check Returned
Paid Chk# 000580E PAYROLL	6/20/2022	\$9,491.17	Full time staff
Paid Chk# 000581E P E R A	6/20/2022	\$1,313.63	PP 06/23/22
Paid Chk# 000582E PAYROLL	7/5/2022	\$9,660.85	Full time staff
Paid Chk# 000583E ADP	7/5/2022	\$113.58	06/23/22 PR
Paid Chk# 000584E P E R A	7/5/2022	\$1,337.09	PP 07/07/22
Paid Chk# 000585E PAYROLL	7/5/2022	\$2,648.22	City Council
Paid Chk# 000586E ADP	7/11/2022	\$139.89	07/07/22 PR
Paid Chk# 000587E Department of Labor & Industry	7/12/2022	\$8,421.82	2nd Qtr Surcharge
Paid Chk# 000588E AUTHNET	6/30/2022	\$25.00	Monthly CC Fee
Paid Chk# 000589E Global Payments	6/30/2022	\$25.00	Monthly CC Fee
Paid Chk# 014431 HR Green, Inc.	6/13/2022	\$23,659.19	City & PC Meetings
Paid Chk# 014432 Ninenorth	6/13/2022	\$1,227.33	May Services
Paid Chk# 014433 Press Publications	6/13/2022	\$89.10	Legal Notice- 16 Sherwood
Paid Chk# 014434 Annie Ideker	7/14/2022	\$13,875.00	Pool Fence Escrow Release
Paid Chk# 014435 City of Roseville	7/14/2022	\$2,490.18	IT Services - July 2022
Paid Chk# 014436 CIVICPLUS	7/14/2022	\$2,468.43	CivicReady Annual Fee
Paid Chk# 014437 COMCAST	7/14/2022	\$450.71	Dark Fiber - June
Paid Chk# 014438 Connexus Energy	7/14/2022	\$7.74	5919 Centerville
Paid Chk# 014439 Gopher State One-Call, Inc.	7/14/2022	\$98.55	Monthly Services - June
Paid Chk# 014440 HR Green, Inc.	7/14/2022	\$27,001.37	Island Field
Paid Chk# 014441 Kelly & Lemmons, P.A.	7/14/2022	\$980.00	Prosecution Services - June
Paid Chk# 014442 Kennedy & Graven, Chartered	7/14/2022	\$4,006.00	Gate Hill Lawsuit
Paid Chk# 014443 Landform Professionals	7/14/2022	\$6,842.50	NOHOA Re-zoning
Paid Chk# 014444 Leonard Carl Prof Services	7/14/2022	\$136,267.27	June Permit & Plan Review
Paid Chk# 014445 Madison National Life	7/14/2022	\$170.94	LTD & STD
Paid Chk# 014446 Marco, Inc.	7/14/2022	\$753.13	Copler Rental
Paid Chk# 014447 Metro Council Envir Srvc-Sewer	7/14/2022	\$5,300.01	Monthly Sewer
Paid Chk# 014448 Metro Council Envir Srvc-SAC	7/14/2022	\$206,652.60	2nd Qtr 2022 SAC Fees
Paid Chk# 014449 MN PEIP	7/14/2022	\$1,952.51	Coverage 08/01/22 - 08/31/22
Paid Chk# 014450 Ninenorth	7/14/2022	\$1,177.33	June Services
Paid Chk# 014451 Nykanen Inspections	7/14/2022	\$5,468.80	Electrical Inspections - June
Paid Chk# 014452 OPG-3, INC.	7/14/2022	\$2,590.00	Laserfiche Services
Paid Chk# 014453 Peterson-Waddle Recycling	7/14/2022	\$26,403.74	COVID 19 Volume Surcharge (Jul
Paid Chk# 014454 Premium Waters, Inc.	7/14/2022	\$32.43	Equipment & Water Service
Paid Chk# 014455 Press Publications	7/14/2022	\$49.50	Ordinance 139
Paid Chk# 014456 Ramsey County Elections	7/14/2022	\$4,430.00	Election Services
Paid Chk# 014457 Ramsey County Sheriff	7/14/2022	\$73,888.28	Police & CSO - July
Paid Chk# 014458 Ramsey County-Emergency Comm	7/14/2022	\$1,857.48	911 Dispatch - June
Paid Chk# 014459 Recycle Technologies, Inc.	7/14/2022	\$5,732.95	Recycling Event 6/25/22
Paid Chk# 014460 REHDER FORESTRY CONSULTI	7/14/2022	\$1,769.79	June 2022 Forestry
Paid Chk# 014461 ROADKILL ANIMAL CONTROL	7/14/2022	\$119.00	1 Dead Deer
Paid Chk# 014462 Staples Business Credit	7/14/2022	\$79.32	Misc. Office Supplies
Paid Chk# 014463 Susan Viergever	7/14/2022	\$13,875.00	Pool Fence Escrow Release
Paid Chk# 014464 Timesaver Off Site Secretarial	7/14/2022	\$227.00	June Meetings
Paid Chk# 014465 U. S. Bank	7/14/2022	\$480.00	Debt Service Payment
Paid Chk# 014466 White Bear Township	7/14/2022	\$202,157.70	NOGC Lift Station & Hydrant FI
Paid Chk# 014467 Xcel Energy	7/14/2022	\$723.85	28 Osprey Ct, 304097160
Total Checks		\$828,908.51	

***Check Summary Register©**

Cks 6/10/2022 - 7/14/2022

Name	Check Date	Check Amt
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_____		Mayor Kara Ries
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_____		Jim Hara
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_____		Sara Shah
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_____		Thomas Watson
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_____		Rich Dujmovic
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FILTER: None



July 7, 2022

City of North Oaks
Attn: Kevin Kress, City Administrator
100 Village Center Drive, Suite 230
North Oaks, MN 55127

Re: Request for Approval of Hill Farm Historical Society's Application for One Day Liquor License for 2022 Farm Fest

Dear Kevin:

Enclosed is the Hill Farm Historical Society's application for a one-day liquor permit for the 2022 Farm Fest, to be held on Sunday, September 11, 2022 from 3pm to 7 pm. As you know, HFHS sponsors Farm Fest in September each year. Attendees enjoy farm-related exhibits and music, and can purchase tickets for various activities (including petting zoo, butter making, games, and food and beverage purchases (including beer and wine sales). We also hold a silent auction fundraiser.

I understand that the City typically approves the license/permit application and will then send it to me (or will contact me so I can pick it up at your office). Once the application is approved, we will mail the Application for Liquor Liability Coverage to the Minnesota Joint Underwriters Association with the applicable fee, and will include a copy of this application with the liquor license application.

I also understand that the City usually waives the application fee. If this is not the case, please contact me so I can arrange with our treasurer to write a check for payment.

If you have any questions or require additional information, please contact me at 651.787.0883 or via email at denise.k.fleming@comcast.net. Thank you for your assistance.

Sincerely,

Denise Fleming
HFHS Board of Directors



Minnesota Department of Public Safety
 Alcohol and Gambling Enforcement Division
 445 Minnesota Street, Suite 1600, St. Paul, MN 55101
 651-201-7507 TTY 651-282-6555
**APPLICATION AND PERMIT FOR A 1 DAY
 TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization: Hill Farm Historical Society Date of organization: January 1, 1989 Tax exempt number: 41-1643145

Organization Address (No PO Boxes): 35 Hill Farm Circle City: North Oaks State: MN Zip Code: 55127

Name of person making application: Denise Fleming, President Business phone: 651.442.9901 Home phone: 651.787.0883

Date(s) of event: September 11, 2022 Type of organization: Microdistillery Small Brewer
 Club Charitable Religious Other non-profit

Organization officer's name: Denise Fleming, President City: North Oaks State: MN Zip Code: 55127

Organization officer's name: John Grant, Treasurer City: North Oaks State: MN Zip Code: 55127

Organization officer's name: Tami McNeil, VP City: North Oaks State: MN Zip Code: 55127

Location where permit will be used. If an outdoor area, describe.

At the historic Hill Farm site in North Oaks, Minnesota, where there are a number of historical buildings.

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.

Minnesota Joint Underwriting Association, recommended coverage.

APPROVAL

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

City or County approving the license _____ Date Approved _____

Fee Amount _____ Permit Date _____

Event in conjunction with a community festival Yes No _____

Current population of city _____ City or County E-mail Address _____

Please Print Name of City Clerk or County Official _____ Signature City Clerk or County Official _____

CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event
No Temp Applications faxed or mailed. Only emailed.
ONE SUBMISSION PER EMAIL, APPLICATION ONLY.
PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY CITY/COUNTY TO AGE.TEMPORARYAPPLICATION@STATE.MN.US

**North Oaks City Council
Meeting Minutes
North Oaks City Council Chambers
June 9, 2022**

1. CALL TO ORDER

Acting Mayor Watson called the meeting to order at 7:00 p.m.

2. ROLL CALL

Present: Council Members Rich Dujmovic, Jim Hara, and Tom Watson. Mayor Kara Ries and Sara Shah were absent.

Staff Present: Administrator Kevin Kress, Attorney Jim Thomson, Engineer Tim Korby, Engineer John Morast, Kendra Lindahl

Others Present: Videographer Kenny Ronnan

A quorum was declared present.

3. PLEDGE OF ALLEGIANCE

Member Watson led the Council in the Pledge of Allegiance.

4. CITIZEN COMMENTS

Anne Cremons stated she and her husband David have been neighbors in North Oaks for approximately 29 years and love living here. Tonight she is present to mention some very good friends of their family, Chris and Damien Lepoutre, and she is here to represent them as a friend and character witness. As long as the Cremons' have known the Lepoutres they have been very happy to be residents of North Oaks, very happy to live here, as well as ecologically, environmentally, and civically minded. Mr. Lepoutre is on the Environmental Resources Committee. About a year ago when they decided to downsize from a large home on Black Lake Road the Lepoutres had a vision of building a small, environmentally sensitive house and purchased lots 15 and 17 on North Deep Lake Road. Much later on the Lepoutres invited the Cremons to build a home on 15 North Deep Lake Road, however those plans have been abandoned because of construction costs. The Lepoutres discovered a sewer stub on their lot and would like to pursue hooking up to it at their own cost as they feel it would be more environmentally sensitive than digging up a 5,000 square foot area to put in a septic system. The Cremons' support that, as well as the forward-leaning ideas of solar power and a heat pump which could be a model for other development on those vacant lots. Ms. Cremons is simply here as a citizen to ask the City Council to consider this, she knows there has been some controversy around it, and she feels that it is not a big deal. She knows the Met Council must approve it and if there was a cost to it, she is sure the Lepoutres would maintain that cost. She thanked the City Council for their time and attention and once again asked for their consideration of the matter, noting the ground water affects everyone, utilities belong to everyone, and the more efficiently they can run those utilities and the more environmentally they can develop their lands, the better off they all are in the long run.

Brad Kunz, 9 North Deep Lake Road, is also present to comment on the Lepoutres application. He is directly across from the lots Mr. Lepoutre will be developing and although he was not present at the May 26, 2022 Planning Commission he listened to the recording. Frankly, he was disappointed on the Commissioners quick action on this application. One thing expressed during the meeting is that they were looking for additional information on the location of the pipe. They also seemed to be skeptical of the environmental benefit of going with sewer versus a septic system. Mr. Kunz is an environmental engineer and at different points in his career he has done sustainability assessments and noted the environmental impact of extending a pipe 150 feet to an existing connection versus decades of a sewer truck coming out every two years to do the pumping...there is no comparison as to which is more environmentally sensitive. As direct neighbors, it would be less disruptive in taking down trees and additional impact to create a septic field. Mr. Kunz said when he listened to the Planning Commission meeting he did not hear a specific rationale for denial, rather the rationale seemed to be “we don’t like it, they bought the property as-is, they should live with it.” He wishes there was more discussion and rather than taking a vote that night, they would have tabled it to collect additional information. Mr. Kunz suggests and requests the City Council consider their options and pull the item from the Consent Agenda for some additional discussion and asked if there are options to table it and ask the Planning Commission to reconsider.

Rick Topel, 16 North Deep Lake Road, is also across the street from the Lepoutre properties. He noted they share the wetland that goes underneath the road and the Houstons at 18 North Deep Lake Road feel the same way and do not have a problem with Mr. Lepoutre connecting to the sewer. All of their septic systems fail after so many years and need to be redone so they know the disadvantages of septic systems versus sewer. He stated they support Mr. Lepoutre’s venture in trying to get a variance.

Damien Lepoutre joined online and asked to share his screen. He stated he lived for eight years at Black Lake before purchasing the two lots they are talking about tonight where he will build an environmentally-friendly 3,500 square foot home and showed a drawing of the home on screen. He is speaking during Citizen Comments as they have put the item under Consent Agenda and shared that his project is very simple. He showed a slide with the lot, trail easement, existing trees, and the sewer connection which was put there in 2014 while Rapp Farms was being developed. Mr. Lepoutre noted the project is simple and demonstrated on screen where he would like to connect 180 feet of pipe to the sanitary sewer. He noted there would be no work on the side of the lot, no tree cutting, no visual impact, and the pipe is always on higher ground than the sanitary sewer stub as the house is higher so there is no way it can touch the wetlands. If Mr. Lepoutre puts in a septic system as the Planning Commission proposes that would be a high visual impact in plain sight of neighbors, they will have to dig 5,000 cubic feet to install the tank at 10 feet deep so all the water flow would change and run down from the highest point to the wetlands and in addition they would have 5,000 square feet of drainage field on the mound which will also pollute as the septic system just cleans human waste and organisms, not soap and other chemicals. His request is very simple as they can see that this site is not “served by sewer” but in looking back in history they see that Lot 1 was served by sewer in the Comprehensive Plan and showed a map of the draft in 2017. The problem is when North Oaks Company asked to change to septic systems and the City accepted it, at that time they took out the area that would have been served by the sewer connection. Mr. Lepoutre noted the area is served with a pipe and

one year ago he asked for the sewage connection and was told the City Council will not accept change of the proposed Comp Plan before its signature and that he should wait for the signature. He has now learned that the City Council worked on the same change at a larger scale for the Golf Course and he does not understand why it was not a problem for the City to ask for a change before the signature in that case. Once the Comp Plan was signed in January his request was considered by the City Council with one hour of discussion, no decision, and pressure on Staff not to work on it. Mr. Lepoutre was then asked to go through the Planning Commission and that Commission and the City Council now claim the City will not ask for this change even if it is minor because they have never done so. All cities, including North Oaks, have regularly asked for minor or major changes on their Comp Plans and at the same time the City is processing a major change request for Charley Lake. Mr. Lepoutre's request is just a minor change to correct an error and only clarify text and mapping contradiction. He noted this is in addition to the letter he sent today so the City Council can see it could have been a five minute "yes" one year ago or during the February City Council meeting or the Planning Commission. It is such a simple thing to change, it is a minor change, and he hopes the Council can change their Consent Agenda.

Member Watson asked if Mr. Lepoutre is willing to include his presentation slides so the City Council can include it in their materials.

Mr. Lepoutre replied in the affirmative.

Member Hara asked if lot 15 is part of the plan as they have only heard about hooking up 17.

Mr. Lepoutre stated today his request is just for 17 North Deep Lake Road because he does not know what he will do with lot 15. He wants to make sure that 15 will be as environmentally friendly as lot 17; he would prefer lot 15 to be connected to the sewer system, also.

5. APPROVAL OF AGENDA

Watson spoke with the City Attorney and City Administrator earlier and suggested that item 6e (Approve resolution denying Lepoutre request to amend 2040 Comprehensive Plan for proposed sewer connection) be moved to 9b under New Business because he heard there was quite a bit of activity this afternoon on the item. He has reviewed the file on this, but he has not read the Planning Commission minutes, and does not see any description of the findings to support the particular action. Chair Azman sent a note to the City Council a few days ago suggesting some improvement in the record. Watson does not see in one place the recitation of whatever number of findings were discussed and needs to see it outlined that would be supportive of the action the Planning Commission took because the decision is coming to the City Council. He noted they put people on the Planning Commission to do that work and he wants to see the record so the City Council can then make a decision as to whether they rely on it or whether they do not. Watson noted the City Council could refer it back to the Planning Commission and have them specifically focus on getting the recitation of the findings very specifically outlined and clarify some of the errors in references to ordinances and State law. This had to do with the prior City Council repealing and reorganizing the ordinance relative to the Planning Commission and they repealed several items that would prevent the City Council from amending ordinances and

perhaps even the Comp Plan. He does not want to “re-hear” the case but to more thoroughly prepare the record.

MOTION by Watson, seconded by Dujmovic, to approve the Agenda as amended with item 6e moved to New Business 9b. Motion carried unanimously by roll call.

6. CONSENT AGENDA

6a. Licenses for Approval: Mechanical: Bill Rascher Mechanical; Centraire Heating & AC; Custom Sheet Metal of Monticello; Homeworks Services; Jayhawk Mechanical; Northern Air Corp; Ron's Mechanical, LLC; Signature Mechanical; Summit Mechanical LLC; Woodland Stoves & Fireplaces Arborists: A + A Tree and Landscaping⁴

6b. Approval of Previous Month's Minutes from May 12, 2022 (Special City Council Minutes and regular City Council Minutes)

6c. City financials for the month of May 2022

EFT: 000563E - 000572E; Check #: 014397 - 014430

6d. Approve ordinance for NOHOA request to rezone parcels from RSL to Recreational

6e. Approve resolution denying Lepoutre request to amend 2040 Comprehensive Plan for proposed sewer connection

This item was moved to New Business item 9b.

6f. Approve 1st amendment to tenant sublease and 2nd amendment to tenant master lease for City Offices

MOTION by Hara, seconded by Dujmovic, to approve the Consent Agenda as amended. Motion carried unanimously by roll call.

7. PETITIONS, REQUESTS & COMMUNICATIONS

a. Deputy Pam Lee Report

Deputy Lee was not present.

8. UNFINISHED BUSINESS

a. Discussion and possible action on CLCA (Charley Lake Condominium Association) request to amend 2040 Comprehensive Plan

Administrator Kress met with CLCA and the City still needs to do a formal amendment with them. The question tonight is financing the project. There are four options: the City could pull a bond which Kress does not recommend, pull funds from the ARPA funding the City received, pull funds from the Enterprise Funds (water in this case), or have the City or CLCA finance directly with the bank. Staff would like direction from the City Council.

The Council discussed the item with Kress including the use of City funds and the repayment or assessment terms, the use of ARPA funds, assessments, ownership of the system, and term of repayment.

Jim Bowyer, representing CLCA, stated the financing is what is holding this issue back. At the previous Council meeting it was noted that each meeting on engineering details is incurring costs and CLCA does not have an escrow account to cover it so they need action very soon to go ahead. They have requested help on the financing for all the reasons Kress has discussed. The pressing issue is financing the go-ahead from the Council to move forward this fall with the project before costs rise further. They discussed ownership, escrow, who owns the account, and CLCA would also like an answer on that as soon as possible.

Administrator Kress noted without this project there is nothing saying the City could not perform this connection and leave it as a stub until they want to connect to incur some financing build-up.

The Council discussed financing options, ARPA funds, inflation, interest rates, ownership, assessments, and other areas within North Oaks that may need a similar connection in the future. They agreed they like the idea and now need to sit down and formally work through the documents.

Administrator Kress stated in the interim they can put a couple of drafts together and it may be a good workshop item for July so they can have things there and ready to move forward.

b. Discussion and possible action on speeding in North Oaks and other traffic calming measures, update on Safety Forum

Member Dujmovic thanked those involved in the presentations at the Safety Forum, noting they heard from the community about several issues. The least controversial issue is to engage with the community and see how they feel about traffic calming options as there are multiple designs of which one or two fit best with the community. Trail crossings and frequent speeding areas seem to be areas people would be open to some of the traffic calming. He shared there is a meeting next week with North Oaks Home Owners Association (NOHOA) Safe Roads Safe Communities group and Member Dujmovic will be attending.

The Council discussed areas within the City where there are narrow shoulder areas, noted many people who walk along roads, as well as construction traffic, high speeds, signage and striping, crosswalks, and the lack of people stopping at stop signs.

Member Hara noted he does see the Sherriff out more and if she is writing tickets he thinks that is a helpful path. He thinks the City should do something.

Administrator Kress asked about putting temporary speed bumps in some areas where they have received complaints.

Member Watson asked about the difference between what they would do on an arterial road versus a neighborhood road.

Engineer Morast noted they would take into account the geometrics as they would not want to put a speed hump or raised traffic calming effort on a down- or up-hill location due to the ice in the winter. Trail crossings are an ideal place to look at enhancing safety and reduced speed which could include signage or a pinch point or bump-out where the road narrows but the driving lane does not which helps traffic calm.

Member Dujmovic wants to be sure they collaborate with NOHOA and he will bring all of this to them the following week and share that the City engineers have been engaged to look at site possibilities, stripes, signage, or physical changes. He noted NOHOA has its own engineers, as well.

The Councilmembers continued the discussion.

MOTION by Dujmovic, seconded by Hara, to instruct engineering Staff to look at the top five best ideas for striping, signage, physical traffic calming additions, or other recommendations.

FRIENDLY AMENDMENT by Hara to add “with specific location.” Amendment accepted by Dujmovic. Motion carried unanimously by roll call.

9. NEW BUSINESS

a. Discussion and possible action on JPA with White Bear Township and letter received

Watson wants the residents of the community to understand they will see this topic appear from time-to-time. The letter in the packet from Attorney Chad Lemmons is to put the City on notice that as of May 2, 2024 White Bear Township will no longer be part of the JPA to supply water. Some communities are taking steps now with 24 months ahead of them. When Member Watson, Mayor Ries, and Administrator Kress met with the White Bear Township Board they learned regarding water consumption that it is 81 gallons per capita. In previous periods the per capita was 110 gallons. White Bear Township is looking at a 75 gallon per capita for residential homes and 90 gallons per capita for commercial/industrial. The DNR came in with a recommendation of 51 gallons per capita. This means White Bear Township will be enforcing some conservation measures such as lawn sprinkling. Watson asked if they implement some conservation measures, why wouldn't North Oaks follow their lead on some of those things.

Member Dujmovic suggested a public forum for North Oaks residents who might be impacted by this to help them understand and not be surprised that there may be conditions along with this.

Attorney Thomson noted the judicial case is still going on and the judge issued a supplemental order saying nothing in her previous order was intended to impose a 55 gallon limit. Attorney Thomson noted the proposal by the DNR has not been implemented. He thinks it is still a story that is unfolding and if the ultimate end is an amendment to the JPA by which the City agrees to implement whatever conservation efforts that the Township implements as a condition of participating, that may be a workable solution.

The Councilmembers discussed next steps, community awareness and education, and what areas of the City would be affected.

b. Approve resolution denying Lepoutre request to amend 2040 Comprehensive Plan for proposed sewer connection

Member Watson noted this was moved from the Consent Agenda and as touched on earlier they would be sending the item over to the Planning Commission, not to re-hear the case, but to flush out the details on the findings supporting their motion and looking at references and details in the motion itself, as well as making sure they have the ordinance code and citations to State law correct. This would occur at the June Planning Commission meeting.

MOTION by Hara, seconded by Dujmovic, to table the matter and refer it back to the Planning Commission for additional consideration of the findings. Motion carried unanimously by roll call.

10. COUNCIL MEMBER REPORTS

Member Hara spent extraordinary amounts of time getting the lease done and acknowledged that Member Watson did a marvelous job getting it to the finish line. The City now has a place to conduct business at a favorable rate. He noted getting out of North Oaks on the east and west sides during morning and evening rush hours is getting more challenging and dangerous. Making a left-hand turn is difficult and he suspects there may be an accident there. As part of the traffic study, perhaps they incorporate both of those intersections.

Member Dujmovic thanked Members Watson and Hara for their hard work on the lease agreement. He noted many people are interested in the contract with Ramsey County and he thinks the Council may want to look at the contract at a workshop to discuss options and expectations. Member Dujmovic took the Natural Resources Commission (NRC) proposal in regards to a climate statement, revised it after the last City Council meeting, circulated it, received feedback from Member Shah, and now he would like the Council and the NRC to take a look and give thoughts. He noted they have many smart people in the community and they do not need to use alarming language or intimidate or scare anyone. Some of the language was divisive or controversial and Member Dujmovic tried to make it as unifying as possible, noting he would like to focus it within the community of North Oaks and not being beholden to another entity. He is very open to deletion, rewriting, or recreating what he wrote.

Member Watson had an inquiry from a resident involved in the Lake Gilfillan augmentation project and there is some desire to extend it to Teal Pond. He shared history of people putting 2x4 boards across the culverts to keep the water in Lake Gilfillan which does not allow the water into Teal Pond. Those on the Teal Pond side were happy to remove the boards and watch the water come into the pond... Watson noted this went on for years and people even put padlocks on these things. Low and behold the padlocks would be cut and he noted apparently some of this is still going on. The idea is that this project would be extended to some of the residents for a fee but needs some modifications.

Administrator Kress noted the area gets pretty technical which is why he asked Attorney Thomson to take a look at it. His understanding is that the City owns all the equipment to augment the lake but other than that the lake association is responsible for everything outside of that.

Member Watson is also working with the Fire Board on the long-range plan (a 10-20 year future plan) to address the fact that the north ends of Arden Hills, Shoreview, and North Oaks have some limitations in terms of response times due to long distances. Work is being done on that and Watson noted fire departments are moving more to full-time employed firemen and duty crews. He shared the VLAWMO (Vadnais Lakes Area Water Management Organization) meeting is coming up and there is a grant for NOHOA from VLAWMO to deal with the remodeling at the entrance regarding the two ponds. Member Watson also noted the photos the other Councilmembers saw of the carp removal and noted there were a lot of carp.

11. CITY ADMINISTRATOR REPORTS

Administrator Kress has had a discussion with NOHOA about diseased trees, hazard trees, and whose responsibility hazard trees are as the City does not have an ordinance. He noted he has been working with Lake Johanna on some FMLA education on who is eligible as well as helping to redraft some personnel policies and other things missing internally within the organization. Administrator Kress has been working on many different things with the City Planner including church signage requests and a NOHOA request to go industrial and add fencing to help shield noise and dust. He noted they are also working on the laser-fiche software to understand how the scanning software works, receiving some bids for paint and carpet in the Chambers upstairs and downstairs, and he noted the 4th of July is on a Monday and asked the City Council if there is opposition to closing the Friday before, as well.

Member Dujmovic feels Staff has worked pretty darn hard on a bunch of ridiculous requests and he is all for it.

Member Watson noted Friday is a half day right now and he is okay with it.

Administrator Kress noted Juneteenth and does not know if it is a Federal holiday but many cities are closing for it. He is not necessarily encouraging that North Oaks closes for it.

Attorney Thomson stated it is not at the State level yet but some cities are declaring it.

Administrator Kress also noted the recycling event coming up on June 25 at Southpoint.

Engineer Korby shared today the North Oaks Company asked the City to reduce their letter of credit. He does not know what the policy is in reducing a letter of credit before construction is done.

Administrator Kress noted they must show the percentage of work performed, then they go back to the City Council who agrees or disagrees to determine whether they completed 50% of the

work and then would reduce the letter by 50%. He has been encouraging them to give one letter of credit rather than 4 or 5 so there is no need to lower the letter of credit all the time.

Member Watson asked for caution moving forward as this is another element of the Company’s complaint. Second, in checking with Stephanie Marty, she has provided the Company with various amounts of detail on ledgers on a regular basis only to have staff from the Company show up and ask for that same information more than once.

The Councilmembers and Administrator Kress discussed the letter of credit versus cash on hand and history of letters of credit in the City.

Attorney Thomson clarified a letter of credit is not money held in escrow but is a separate bank document and it is fairly common for cities to reduce those if they come in and show proof that there is, for example, only \$50,000 more work to be done.

Engineer Korby shared they are also working on leak detection around Charley Lake and with Council permission would like to ask residents if they can enter their houses to look at their meter and where the meter is connected. He believes the issue with the misreading of the water and misreading of one million gallons of water in the summer is either the meter, the size of the meter, or where the meter is connected in comparison to where the irrigation water goes in or out.

Member Hara noted someone may have connected their irrigation ahead of the meter.

12. CITY ATTORNEY REPORTS

None.

13. MISCELLANEOUS

Watson shared the NRC meets on June 16 at 6:00 p.m., Planning Commission will meet on June 30 at 7:00 p.m., and the next City Council meeting is on July 14 at 7:00 p.m.

14. ADJOURNMENT

MOTION by Hara, seconded by Dujmovic, to adjourn the meeting at 9:02 p.m. Motion carried unanimously by roll call.

Kevin Kress, City Administrator

Kara Ries, Mayor

Date approved _____

PLANNING REPORT

TO: North Oaks City Council
FROM: Kendra Lindahl and John Burbank, City Planners
Kevin Kress, City Administrator,
Jim Thomson, City Attorney,
Tim Korby and John Morast City Engineers
DATE: July 1, 2022
RE: 16 Sherwood Trail - Conditional Use Permit
Home greater than 35 feet in height

Date Application Submitted	May 27, 2022
Date Application Determined Complete:	May 27, 2022
Planning Commission Meeting Date:	June 30, 2022
City Council Meeting Date:	July 14, 2022
60-day review Date:	July 26, 2022

BACKGROUND

Brad and Anna Holschuh have requested the approval of a conditional use permit to allow the construction of a new home at 16 Sherwood Trail (parcel # 063022140020) to be greater than 35 feet in height.

The subject 5.05-acre site is zoned RSM-PUD, Residential -Single Family Medium Density in the East Preserve (NORD) Development. Within this district, homes greater than 35 feet are subject to the conditional use permit (CUP) standards and process in Title 1051.050(D)(7) (conditional uses), Title 151.076 (CUP review criteria) and Title 151.079 (CUP Procedures).

The grading on the site to dig the basement and the proposed final grade for the new home disturbs 437 cubic feet of earth; however, it is mostly located in the exemption area. Title 151.027(D) (Land Reclamation) requires a conditional use permit for disturbances of earth greater than 100 cubic yards outside of an area within 25 feet of the building, driveway and parking pad. Less than 100 cubic yards will be disturbed in this area (approximately 41 cubic yards) and a conditional use permit is not required.



p 651-792-7750
f 651-792-7751



northoaks@northoaksmn.gov
www.northoaksmn.gov



100 Village Center Drive, Suite 230
North Oaks, MN 55127

The applicant wishes to construct a home with basement lookout windows and resulting side and rear elevations with a height of 40.5 feet at the highest elevation where 35 feet is allowed.

Attached for reference:

- Exhibit A: Site Location
- Exhibit B: Applicant Narrative
- Exhibit C: Building Elevation
- Exhibit D: Civil Plans
- Exhibit E: Resolution Approving Height CUP

PLANNING COMMISSION REVIEW

The Planning Commission held a public hearing on June 30th. Other than the applicant and owner, there was no one present to speak on this item. The Commission voted 6-1 to recommend approval of the conditional use permit for building height.

ISSUES AND ANALYSIS

Property Description. As shown on the submitted survey, The parcel is currently vacant and is legally described as Tract C, Registered Land Survey (RLS) 634 (East Preserve), City of North Oaks, County of Ramsey, State of Minnesota. The Zoning Ordinance defines building height as “*the vertical distance from grade as defined herein to the top ridge of the highest roof surface*” and building elevation as “*a side view of the building representing the structure as projected geometrically on a vertical plane parallel to its chief dimension.*”

Evaluation Criteria 1. In consideration of conditional use permit applications to allow for a home greater than 35 feet in height, Section 151.050(D)(7) (conditional uses) of the Zoning Ordinance states that certain criteria must be considered. Such criteria, as well as a Staff response, is provided below:

- a. The front elevation of the building does not exceed 35 feet in height at any point.**



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Staff Comment. The proposed front elevation does not exceed 35 feet in height from grade at any point as dimensioned on sheet A3.2 which is attached. This condition has been satisfied.

b. The building height at any other elevation does not exceed 45 feet.

Staff Comment. The proposed side and rear elevation maximum is 40.5 feet, as dimensioned on sheet 1 of 14 which is attached. This condition has been satisfied.

c. The environmental and topographical conditions of the lot prior to building development are naturally suited to the design of a building with an egress or walkout level

Staff Comment. Based on the review of the plans, topography, site and the Ramsey County interactive property maps and contours, the site and the proposed home appears conducive to the site's natural layout. The applicant did provide test pit excavation information to ensure that groundwater would not be a problem with construction. Three test pits were excavated 15-17 feet deep and no groundwater was observed in any test pits.

Prior to construction, the City will review all erosion control measures to ensure that the construction project does not adversely affect the surrounding environment. The City Engineer will make periodic site visits during construction to ensure all erosion control measures are fully complied with. This condition has been satisfied.

d. Buildings shall be limited to a basement and 2 full stories. Finished areas within the roof structure will be considered a full story.

Staff Comment. The proposed home is 2 full stories with a lookout basement. There was a Commissioner question at the Planning Commission about whether a finished basement constitutes a story and the Commission confirmed that a finished lookout basement does not constitute a full story. A basement is defined in the Zoning Ordinance as "A floor level of a building or structure that has less than an average of 50% of the perimeter walls exposed above the lowest grade". This condition has been satisfied.

e. Any time the side or rear elevations of a building exceed 35 feet in height within 50 feet of adjacent lot lines, the building shall be setback an additional 2 feet from the adjacent setback line for each foot in height above 35 feet.

Staff Comment. The proposed side and rear elevation maximum is 40 feet 6 inches. The proposed building height is 5 feet 6 inches greater than the allowable 35-foot building height. For every foot above 35 feet, an additional 2 feet of setback is required. This would require all building setbacks to be an additional 11 feet, or 41 feet versus the required 30-foot setbacks. The proposed setbacks are well in excess of the required 41-foot setbacks. This condition has been satisfied.

Section 151.083 related to cost responsibility is complied with.

Staff Comment. This condition has been satisfied.

Evaluation Criteria 2. In consideration of conditional use permit applications to allow for a home greater than 35 feet in height, Title 151.076 (CUP review Criteria) of the Zoning Ordinance states that certain criteria must be considered. Such criteria, as well as a Staff response, is provided below:

(1) Relationship of the proposed conditional use to the Comprehensive Plan;

Staff Comment. The 2040 Comprehensive Plan identifies this site to be in a Low Density Single Family Land Use District, which anticipates single family homes. This condition has been satisfied.

(2) The nature of the land and adjacent land or building where the use is to be located.

Staff Comment. The new home will sit on a platted lot of record that was previously deemed appropriate for single family residential use. This condition has been satisfied.

(3) Whether the use will in any way depreciate the area in which it is proposed.

Staff Comment. The proposed home is of similar to other homes in the area and will blend with the neighborhood in a positive way. This condition has been satisfied.

(4) The effect upon traffic into and from the land and on adjoining roads, streets, and highways;

Staff Comment. During the platting process for the subdivision traffic impacts were vetted and the single family residential use was not deemed to have a negative

impact on surrounding roads above normal background traffic growth that accompanies new development. This condition has been satisfied.

(5) *Whether the use would disrupt the reasonable use and enjoyment of other land in the neighborhood;*

Staff Comment. The proposed request for a building height variance is not out of character with other single family homes of the neighborhood. This condition has been satisfied.

(6) *Whether adequate utilities, roads, streets, and other facilities exist or will be available in the near future.*

Staff Comment. The subdivision is served by adequate public infrastructure that would not be impacted any differently than if a shorter home was constructed. This condition has been satisfied.

(7) *Whether the proposed conditional use conforms to all of the provisions of this chapter.*

Staff Comment. This condition has been satisfied.

The effect upon natural drainage patterns onto and from the site.

Staff Comment. Final grading on the site will work with existing contours and drainage patterns. This condition has been satisfied.

(8) *Whether the proposed use will be detrimental to or endanger the public health, safety, comfort, convenience, or general welfare of the neighborhood or the city.*

Staff Comment. The additional height requires additional setback distances which decrease impacts on adjacent land uses. This condition has been satisfied.

(9) *Whether the proposed use would create additional requirements at public cost for public facilities and services and whether or not the use will be detrimental to the economic welfare of the neighborhood or city; and*

Staff Comment. The construction of a taller house would not put any additional burdens on the public than if a shorter single family home was constructed. This condition has been satisfied.

(10) Whether the proposed use is environmentally sound and will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, land, or the general welfare because of excessive production of traffic, noise, smoke, fumes, wastes, toxins, glare, or odors.

Staff Comment. Beyond initial construction activity, the proposed use and height request should not be deemed detrimental to the environment or surrounding area. This condition has been satisfied.

Evaluation Criteria 3. In consideration of conditional use permit applications to allow for a conditional use permit, **Title 151.079** (CUP review Criteria) of the Zoning Ordinance states that certain procedures must be followed when reviewing an application, a Staff response, is provided below:

Staff Comment. The City follows the procedural guidelines for processing Conditional use permit applications. The requirements of this title have been met for this application.

ACTION

Move to approve the resolution approving the conditional use permit for a 40.5-foot building height where 35 feet is permitted at 16 Sherwood Trail, as recommended by the Planning Commission.

cc: Jennifer Otto, Builder
Gretchen Needham, NOHOA



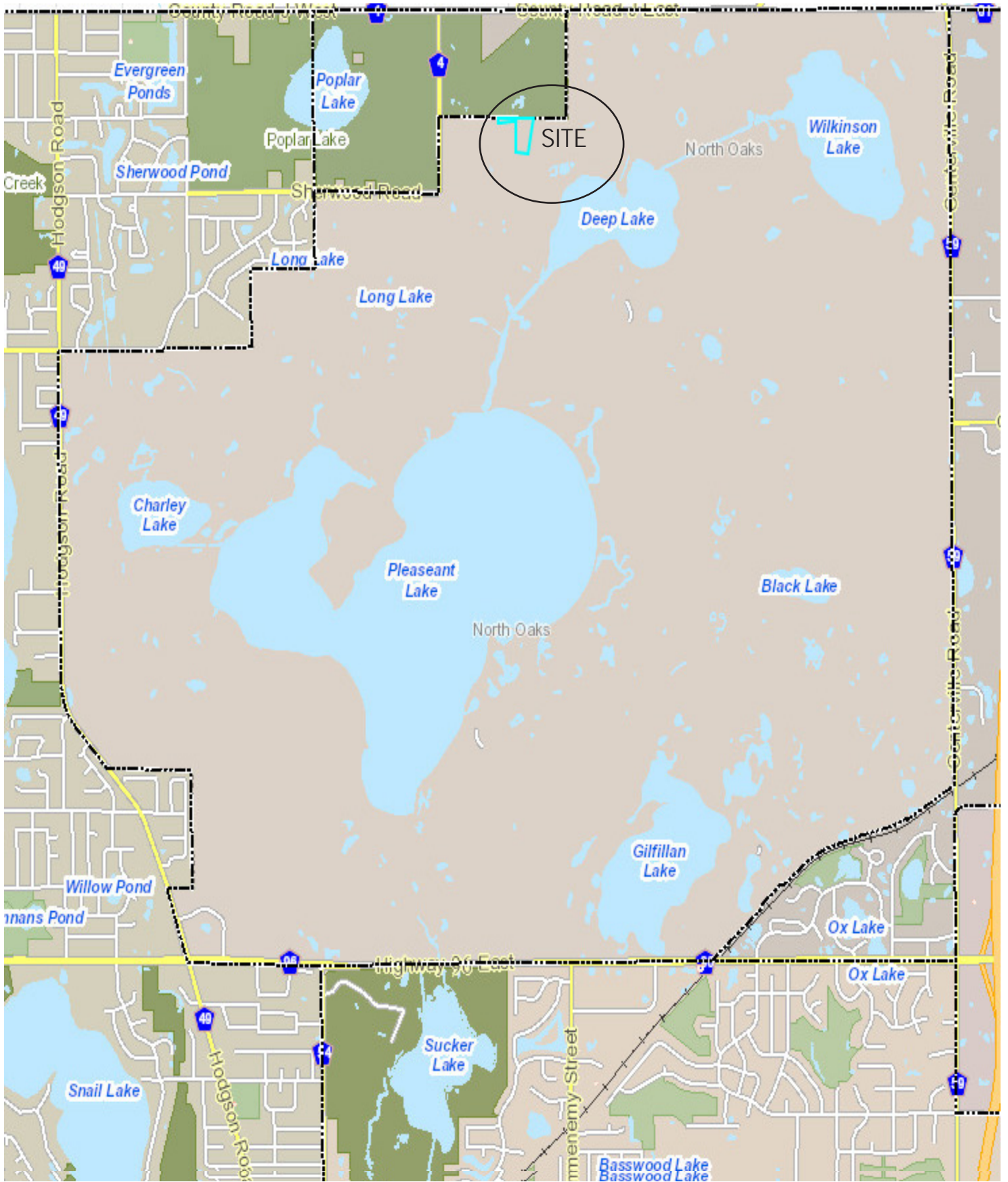
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100 Village Center Drive, Suite 230
North Oaks, MN 55127



Conditional Use Permit Cover Letter – Tract C, RLS No. 634 16 Sherwood Trail

May 27, 2022

To Whom it may concern:

Brad & Anna Holschuh, future residents of 16 Sherwood Trail, along with their builder representative Gonyea Homes, Inc., respectfully request a Conditional Use Permit as it relates to the maximum allowable building height in the RSM-PUD district of the East Preserve (NORD) Development in the City of North Oaks. The current ordinance as written in the Development Guidelines, or Appendix 1 to the Planned Development Agreement between North Oaks Land Company and the City of North Oaks, allows for a maximum building height of 35 feet for principal and attached accessory buildings; and in lots suited for walkout homes 45 feet at the back and on the sides measured from the lowest finished grade established by the City approved grading plan, and otherwise measured consistent with the Zoning Ordinance.

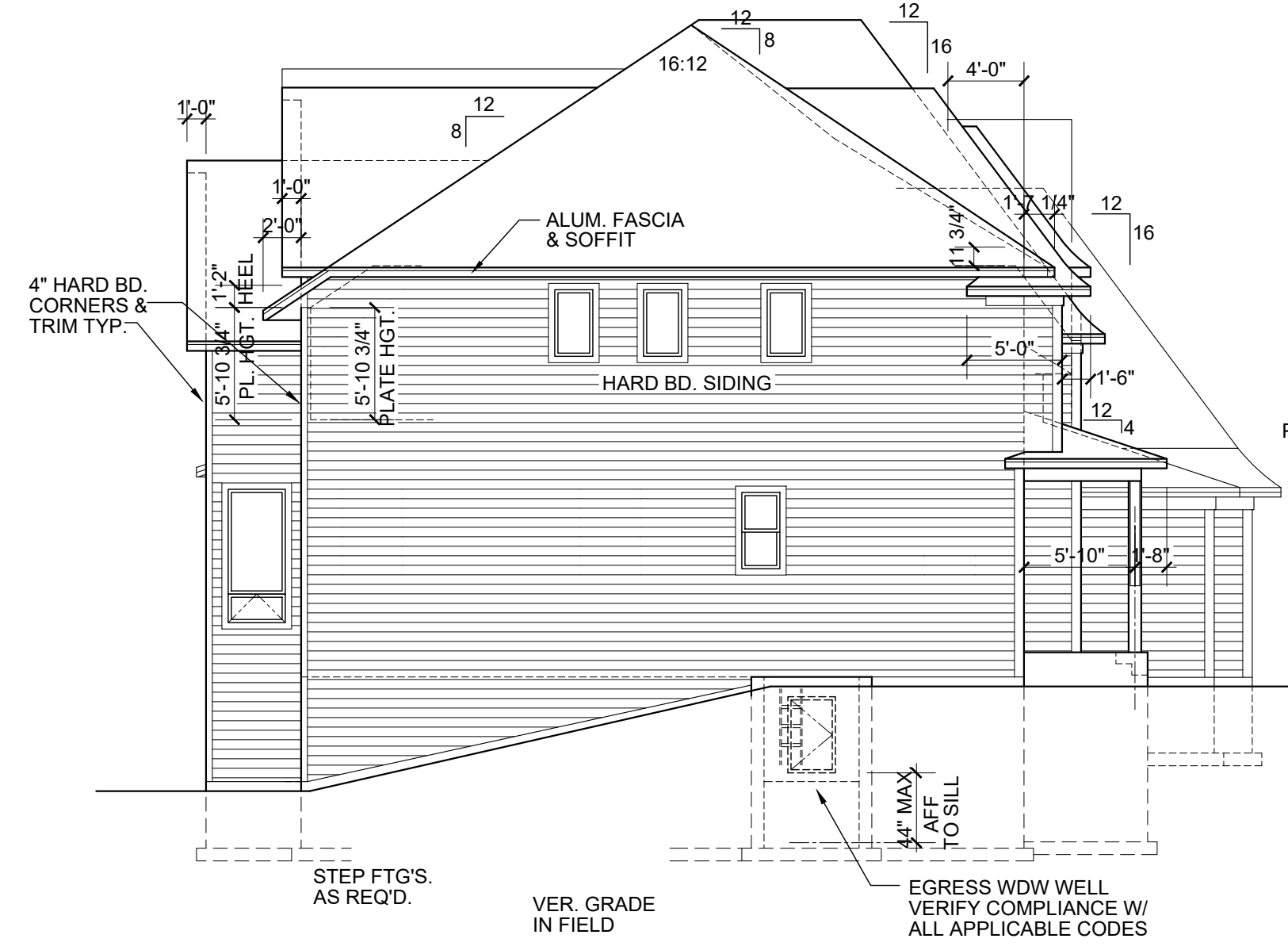
As required for a Conditional Use Permit application, this home does meet the following criteria:

- The front elevation of the building does not exceed 35 feet in height at any point.
- The building height at any other elevation does not exceed 45 feet. In this instance, the overall building height at the lookout is 40'-6" from finished grade.
- The environmental and topographical conditions of the lot prior to building development are naturally suited to the design of a building with a look-out.
- Buildings shall be limited to a basement and 2 full stories. Finished areas within the roof structure will be considered a full story.
- Anytime the side or rear elevations of a building exceeds 35 feet in height within 50 feet of the adjacent lot lines, the building line shall be setback an additional 2 feet from the adjacent setback line for each foot in height above 35. With the rear look-out building height of 40'-6", it is required that the side setback be increased by an additional 11', for a 41' side yard minimum setback. In this instance, our setbacks are 79.3', 103.9', & 73.8'.

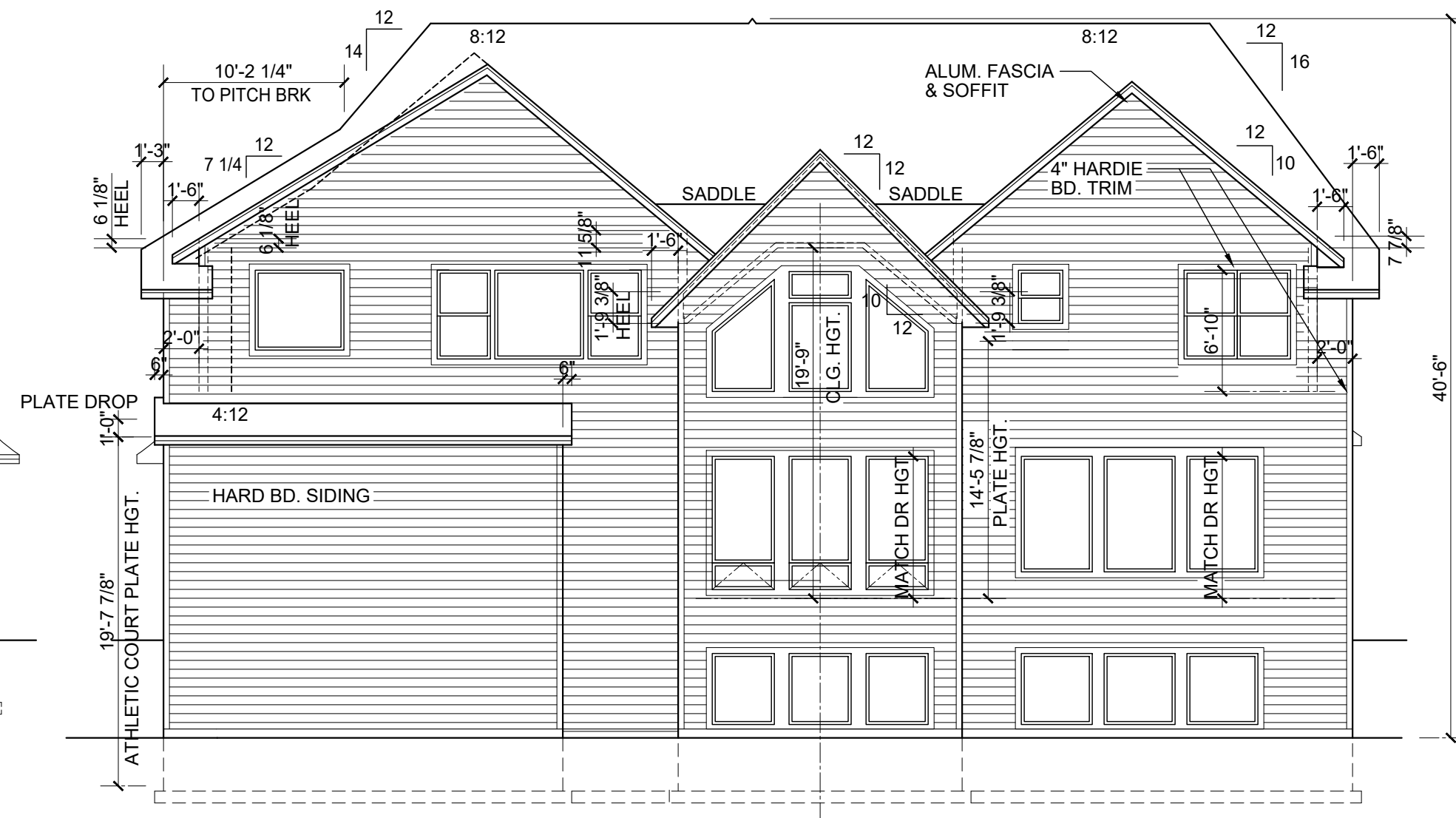
Thank you for your consideration,



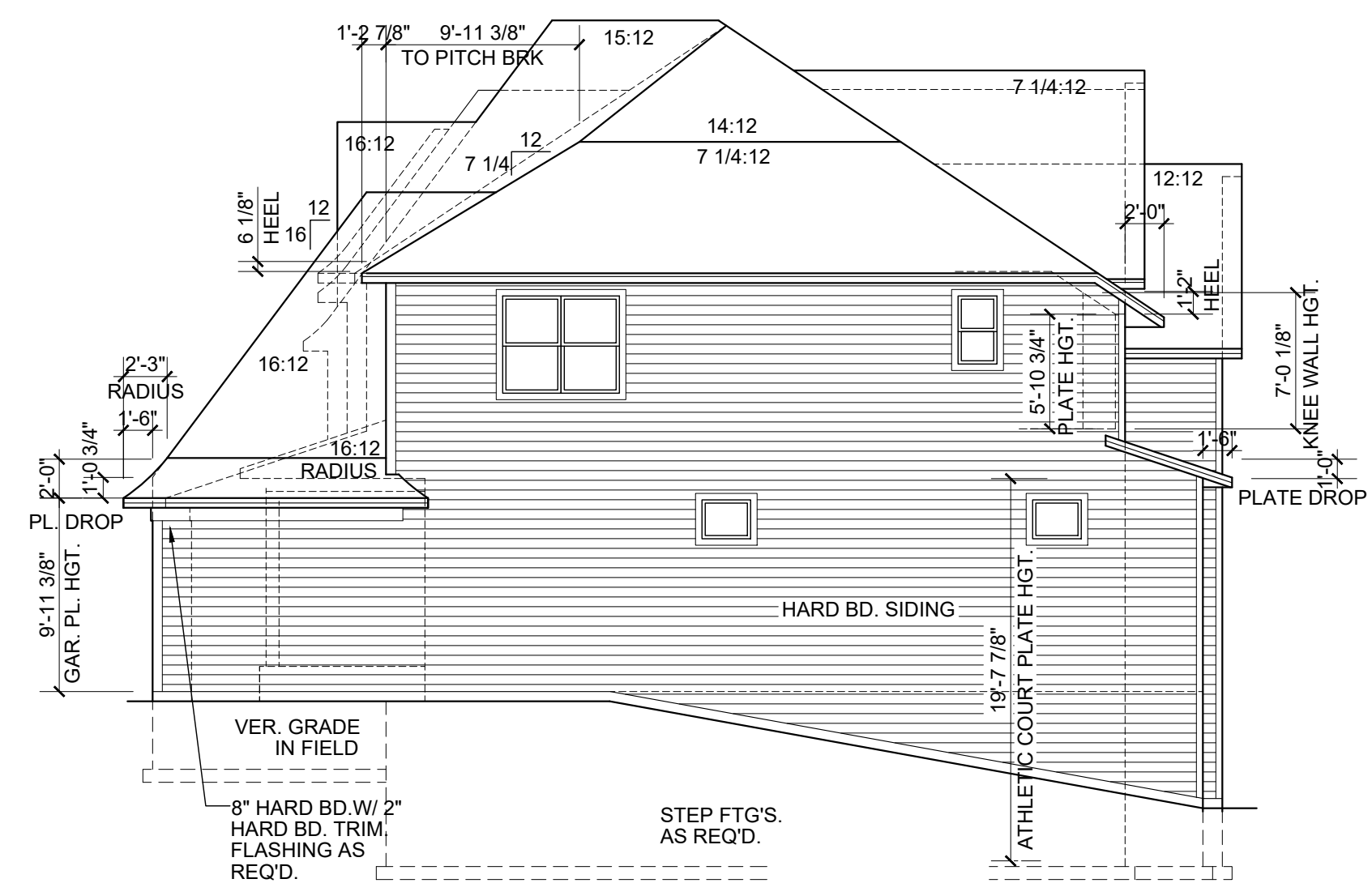
Jennifer Otto
Architectural Designer
Gonyea Homes Representative



LEFT ELEVATION
SCALE: 1/8" = 1'-0"



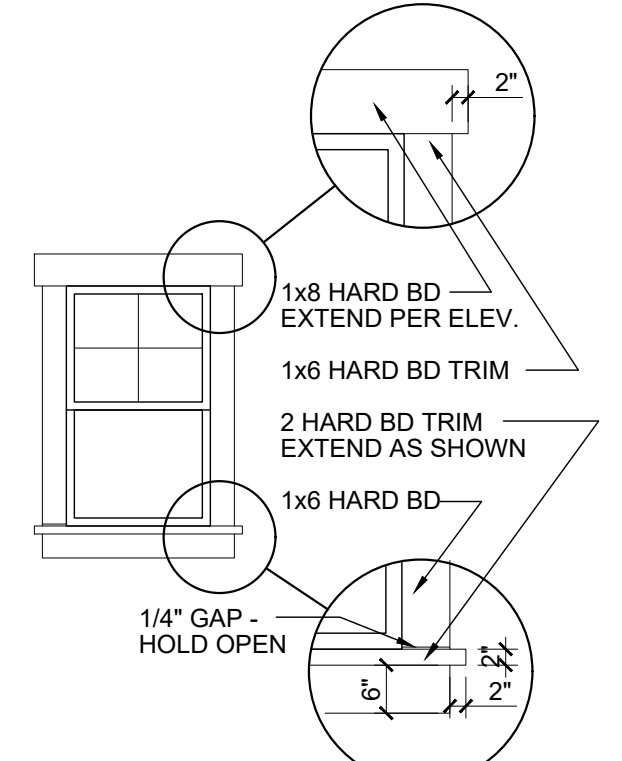
REAR ELEVATION
SCALE: 1/8" = 1'-0"



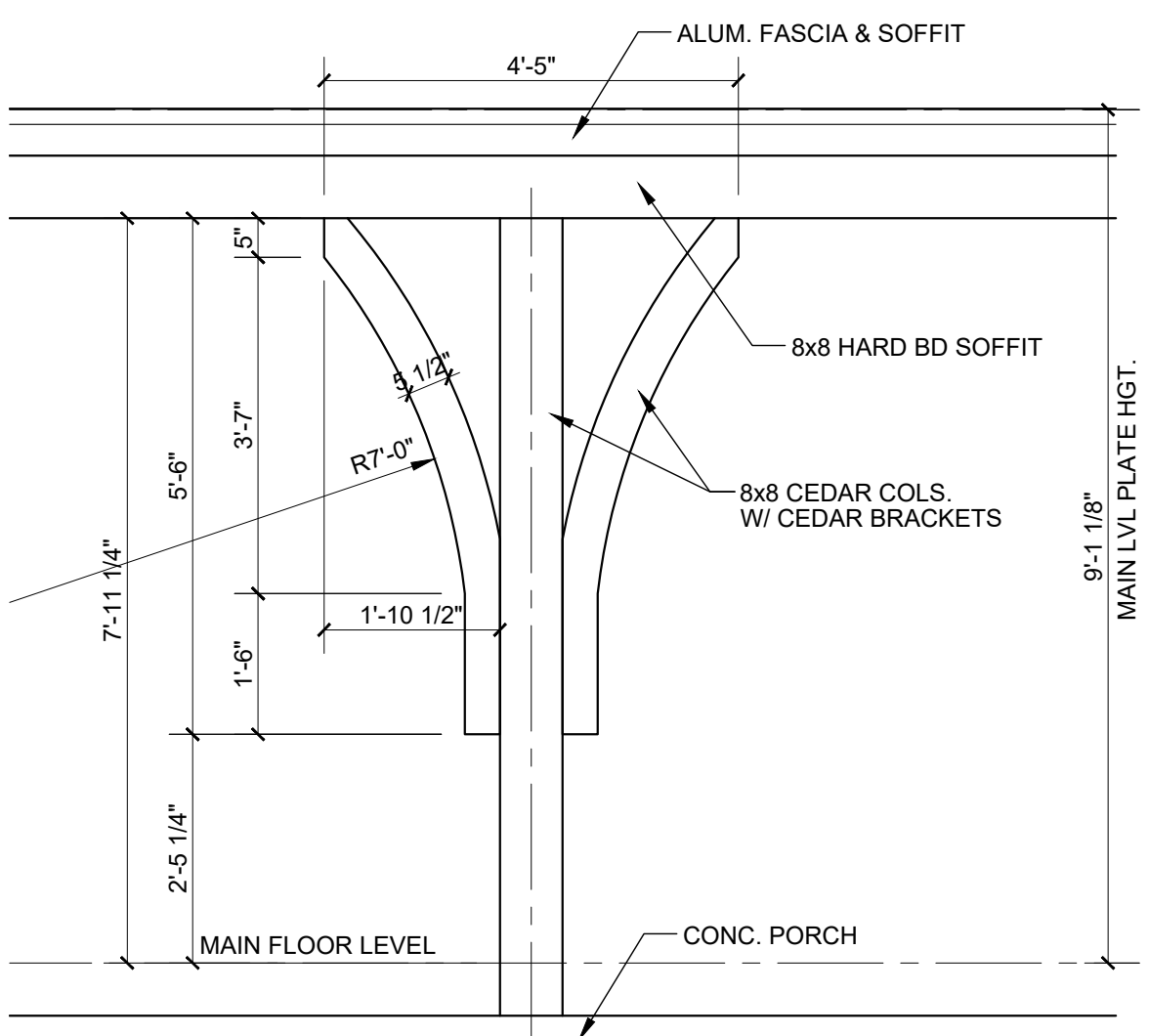
RIGHT ELEVATION
SCALE: 1/8" = 1'-0"

INDEX OF SHEETS

NO.	DESCRIPTION
1	ELEVATIONS
2	LOWER FLOOR PLAN
3	MAIN FLOOR PLAN
4	UPPER FLOOR PLAN
5	BUILDING SECTION & ROOF PLAN
6	BUILDING SECTIONS
7	BUILDING SECTIONS
8	BUILDING SECTIONS
9	CONSTRUCTION DETAILS
10	FIREPLACE OPTIONS
11	SCREEN PORCH & DECK DETAILS
12	ELECTRICAL - LOWER
13	ELECTRICAL - MAIN
14	ELECTRICAL - UPPER

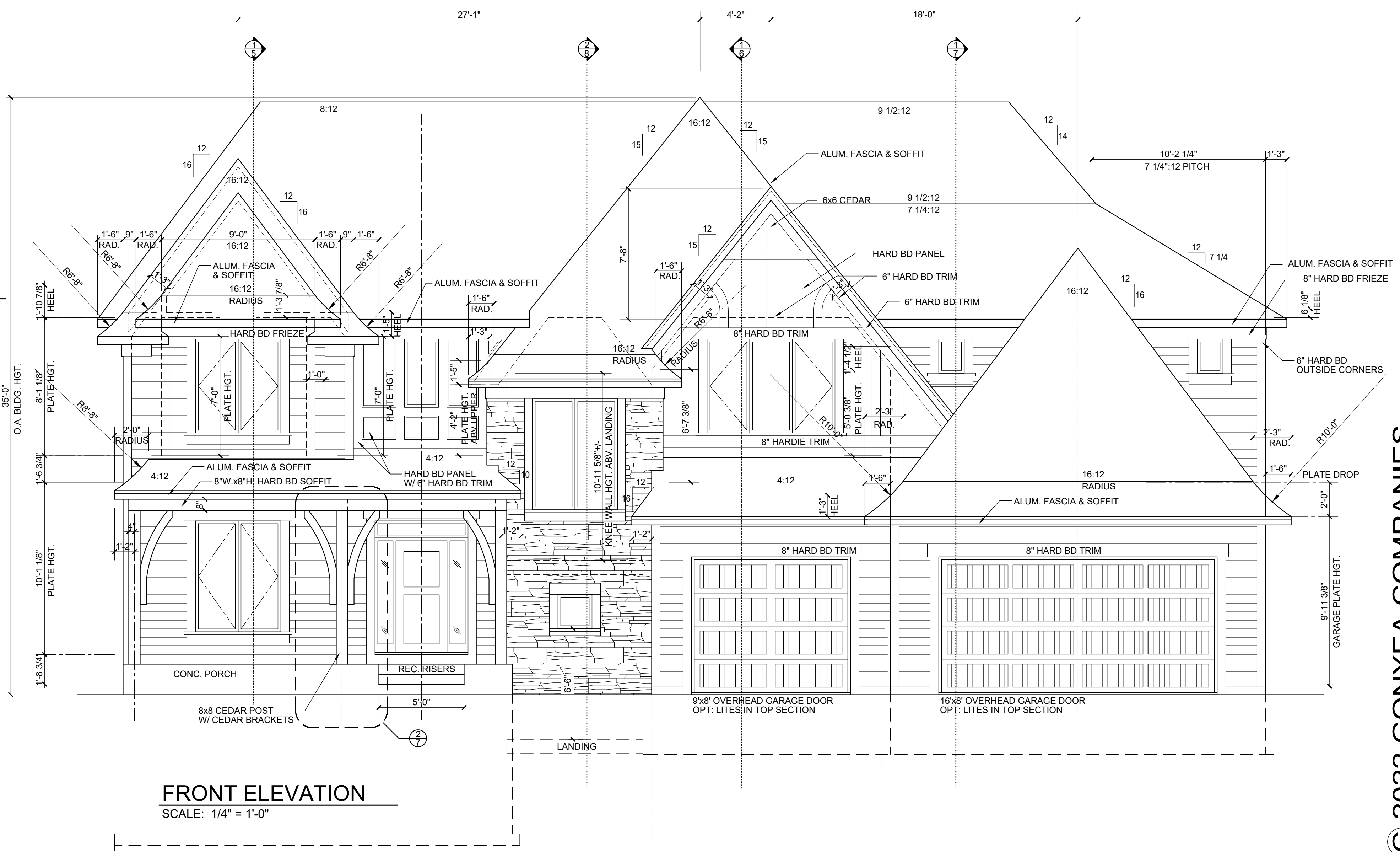


TYP. FRONT WDW. TRIM
SCALE: 1/4" = 1'-0"



ENL'G FRONT COLUMN
SCALE: 1/2" = 1'-0"

- NOTES:**
- ELEVATION IS ARTIST RENDERING ONLY. ACTUAL ELEVATION MAY VARY
 - ALL OVERHANGS: DEPTH SHALL BE 1'-6" TYPICAL UNLESS NOTED OTHERWISE
 - ALL RAKES: DEPTH SHALL BE 1'-0" TYPICAL UNLESS NOTED OTHERWISE
 - ALUMINUM FASCIA & SOFFIT ALL SIDES
 - HARD BD SIDING, PANELS & HD. BD. SHAKES / STONE: FRONT ONLY OR AS INDICATED. HARD BD. SIDING ELSEWHERE
 - FINAL GRADE TO BE DETERMINED ON SITE BY OTHERS
 - ALL EXTERIOR GLAZING TO BE LOW - E
 - WINDOW MANUFACTURER: PELLA ENCOMPASS
 - O.S.B. ENTIRE EXTERIOR OF HOUSE



FRONT ELEVATION
SCALE: 1/4" = 1'-0"

ST. CROIX - ELEV. E

G
GONYEA COMPANIES
1000 BOONE AVENUE N. SUITE 400
GOLDEN VALLEY, MN 55427
OFFICE: 763-432-4500
FAX: 763-432-4501
BUILDER LICENSE #2459

S
STONEGATE BUILDERS
A DIVISION OF GONYEA COMPANIES

REVISION RECORD

1	4-28-22
2	5-3-22
3	5-17-22 jro

© 2022 GONYEA COMPANIES

HOLSCHUH RESIDENCE
LOT 3 - TRACT C of RLS No.634 - EAST PRESERVE
16 SHERWOOD TRAIL
NORTH OAKS, MN 55127

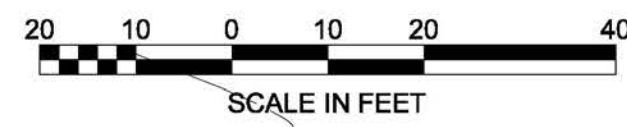
PROJECT

FOUNDATION	1615
FINISHED SQUARE FEET	
BASEMENT	1303
FIRST	1617
SECOND	2313
ATHLETIC CT	528
TOTAL	5761

PROJECT NO.
GH1338

SHEET
1 OF 14

N89°04'57"W 727.59



DESCRIPTION OF PROPERTY SURVEYED

Tract C, REGISTERED LAND SURVEY NO. 634, according to the recorded plat thereof, Ramsey County, Minnesota.

GENERAL NOTES

- 1) Site Address: 16 Sherwood Trail, North Oaks, Minnesota 55127
2) Flood Zone Information: This property appears to lie in Zone X (Areas outside the 1-percent annual chance floodplain, areas of 1% annual chance sheet flow flooding where average depths are less than 1 foot, areas of 1% annual chance stream flooding where the contributing drainage area is less than 1 square mile, or areas protected from the 1% annual chance flood by levees. No Base Flood Elevations or depths are shown within this zone. Insurance purchase is not required in these zones.) per Flood Insurance Rate Map, Community Panel No. 27123C0030G, effective date of June 4th, 2010.
3) Parcel Area Information: Gross Area: 217,905 s.f. - 5.00 acres
Roadway Easement Area: 2,196 s.f. - 0.050 acres
Lot Area To Roadway Easement: 215,709 s.f. - 4.95 acres
4) Principal Structure Setbacks - Front: 30 feet from roadway easement
Side: 30 feet
Rear: 30 feet
5) Utilities: We have shown the location of utilities to the best of our ability based on observed evidence together with evidence from the following sources: plans obtained from utility companies, plans provided by client, markings by utility companies and other appropriate sources. We have used this information to develop a view of the underground utilities for this site. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary. Also, please note that seasonal conditions may inhibit our ability to visibly observe all the utilities located on the subject property.

EXHIBIT D

Proposed Elevations - LO
Proposed Garage Floor Elevation = 920.2
Proposed Top of Foundation Elevation = 920.5
Proposed Top of Lookout Opening Elevation = 914.5
Proposed Basement Floor Elevation = 911.8



Hardcover
Lot Area To Roadway Easement = 215,709 S.F.
Roadway Easement Area = 2,196 S.F.
Gross Lot Area = 217,905 S.F.
House Area = 2,685 S.F.
Driveway Area = 7,628 S.F.
Roadway Area = 1,525 S.F.
Front Walk Area = 108 S.F.
Stoop Area = 160 S.F.
Total Area = 12,106 S.F.
Coverage = 5.6%



SURVEY LEGEND

Table with 3 columns of symbols and their corresponding descriptions for various survey features like monuments, manholes, valves, and fences.

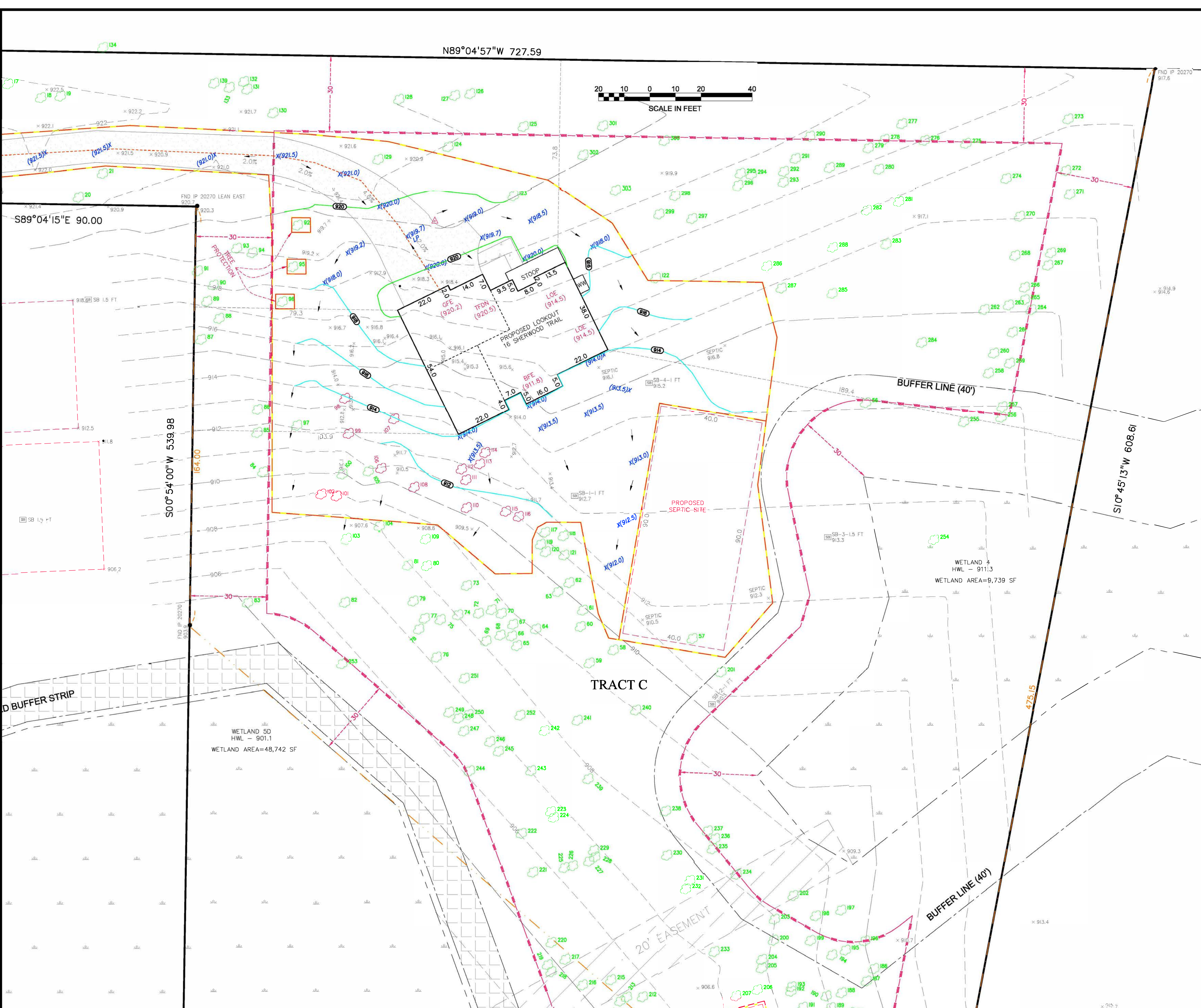


Table with columns: FIELD CREW, NO., BY, DATE, REVISION. Includes entries for JD, DRAWN, BRV, CHECKED, DLS, DATE, and 11/17/21.

USE (INCLUDING COPYING, DISTRIBUTION AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
Dated this 15th day of December, 2021.
Daniel L. Schmidt, PLS
schmidt@sathre.com

SATHRE-BERGQUIST, INC.
150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000
WWW.SATHRE.COM

TWP:30-RGE.22-SEC.06
Ramsey County
NORTH OAKS, MINNESOTA

CERTIFICATE OF SURVEY
PREPARED FOR:
GONYEA HOMES

FILE NO.
31202-801
1
2

DESCRIPTION OF PROPERTY SURVEYED

Tract C, REGISTERED LAND SURVEY NO. 634, according to the recorded plat thereof, Ramsey County, Minnesota.

GENERAL NOTES

- 1) Site Address: 16 Sherwood Trail, North Oaks, Minnesota 55127
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4) Principal Structure Setbacks - Front: 30 feet from roadway easement
Side: 30 feet
Rear: 30 feet
5) Utilities: We have shown the location of utilities to the best of our ability based on observed evidence together with evidence from the following sources: plans obtained from utility companies, plans provided by client, markings by utility companies and other appropriate sources. We have used this information to develop a view of the underground utilities for this site. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary. Also, please note that seasonal conditions may inhibit our ability to visibly observe all the utilities located on the subject property.

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Proposed Garage Floor Elevation = 920.2
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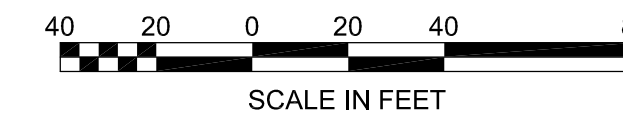


Table with 7 columns: Tree #, Species, DBH, Condition, Stems, Heritage, Notes. Lists various trees like Oak, Ash, Cherry, Aspen with their respective measurements and health status.

Table with 7 columns: Tree #, Species, DBH, Condition, Stems, Heritage, Notes. Continues the list of trees from the previous table.

SURVEY LEGEND

Legend symbols and descriptions for various survey features including monuments, utilities, and structures.

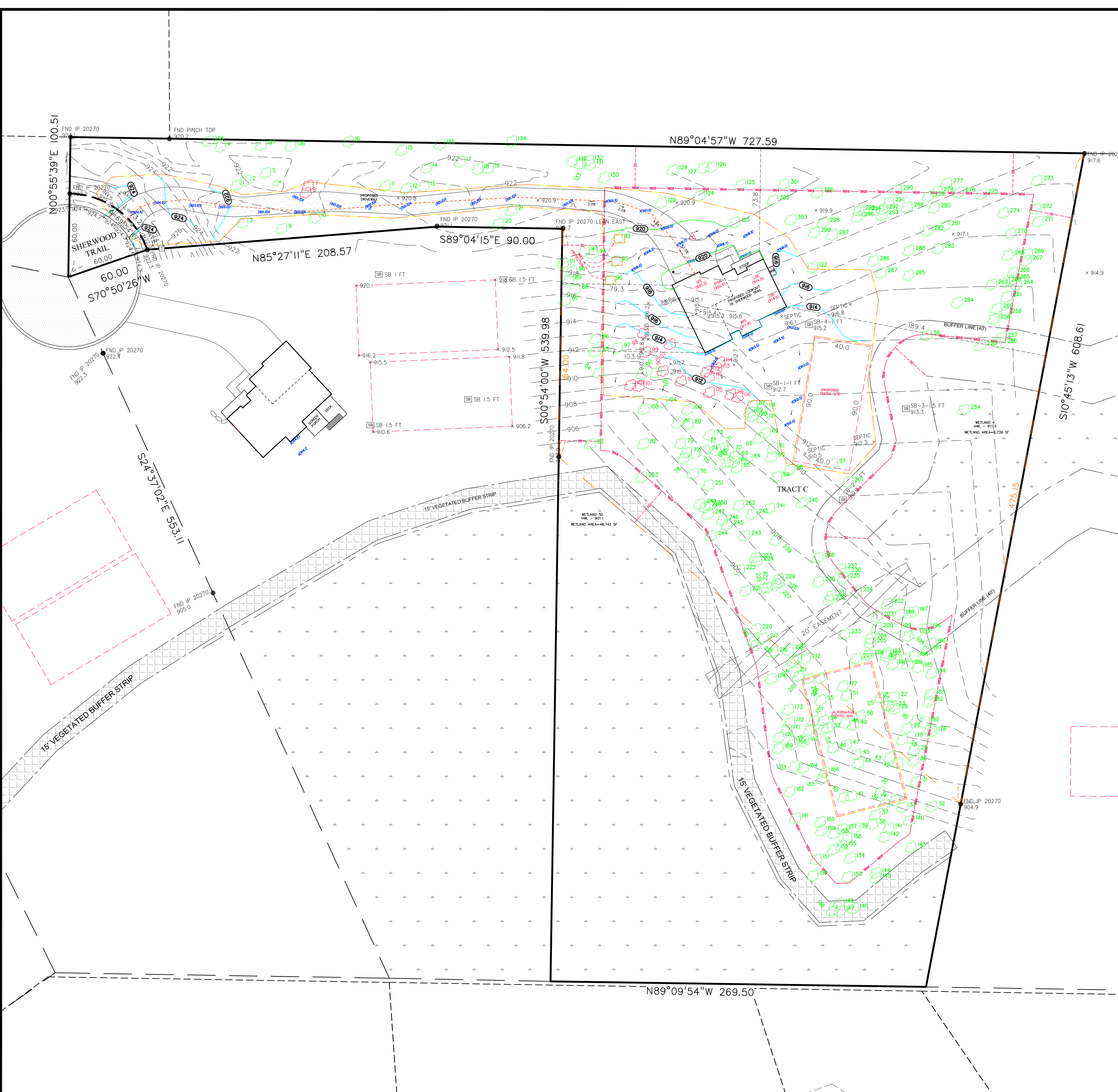


Table with columns: FIELD CREW, NO., BY, DATE, REVISION. Lists survey details and revisions.

USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION.

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
Daniel L. Schmidt, PLS
schmidt@sathre.com

SATHRE-BERGQUIST, INC. logo and contact information: 150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

TWP:30-RGE.22-SEC.06
Ramsey County
NORTH OAKS, MINNESOTA

CERTIFICATE OF SURVEY
PREPARED FOR: GONYEA HOMES
FILE NO. 31202-801

**CITY OF NORTH OAKS
RAMSEY COUNTY, MINNESOTA
RESOLUTION NO. ____**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO
CONSTRUCT A HOME IN EXCESS OF 35 FEET IN HEIGHT FOR PROPERTY
ADDRESS 16 SHERWOOD TRAIL**

WHEREAS, an application for a Conditional Use Permit has been submitted by Brad and Anna Holschuh and Gonyea Homes, the owner of the real property described below, to allow for the construction of a home in excess of 35 feet in height on real property located at 16 Sherwood Trail, North Oaks, Ramsey County, Minnesota, legal described on the attached **EXHIBIT A**; and

WHEREAS, a Conditional Use Permit is required for a home in excess of 35 feet in height; and

WHEREAS, the request has been reviewed against the relevant requirements of North Oaks Zoning Ordinance Sections 151.050 and 151.076, regarding the criteria for issuance of a Conditional Use Permit, and meets the minimum standards, is consistent with the Comprehensive Plan, is in conformance with the Zoning Ordinance, and does not have a negative impact on public health, safety, or welfare; and

WHEREAS, a public hearing concerning the Conditional Use Permit was held before the North Oaks Planning Commission in accordance with Minnesota Statutes, Section 462.357, subd. 3, on June 30, 2022 at which hearing the Planning Commission voted 6-1 to recommend approval of the Conditional Use Permit application, subject to certain conditions.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH OAKS, that a Conditional Use Permit to allow for a home in excess of 35 feet in height, is approved subject to the following conditions:

1. The home shall be constructed in accordance with the plan sets received on May 27, 2022.
2. The proposed home shall meet all required setbacks and other zoning standards prior to the issuance of a building permit.
3. The conditions of Title 151.027(D)2 shall be satisfied before the issuance of a building permit. The building plan application shall contain an erosion and sediment control plan.
4. No soil stockpiling or vehicular activity shall be permitted in the planned SSTS locations.
5. Tree disturbance should be strategically completed, and remaining trees abutting construction disturbance areas shall have tree protection barriers installed at the dripline.

6. Erosion control shall be in place prior to the beginning of construction.
7. Plans shall be approved by the Building Official prior to the beginning of construction.
8. Any outstanding fees shall be paid prior to the issuance of a building permit.
9. Compliance with comments of other City Staff.

BE IT FURTHER RESOLVED that the City Clerk, Deputy City Clerk, or City Attorney are hereby authorized and directed to record a certified copy of this Resolution with the Ramsey County Registrar of Titles.

Adopted by the City Council of the City of North Oaks this 14th day of July, 2022.

By: _____
Kara Ries
Its: Mayor

Attested:

By: _____
Kevin Kress
Its: City Administrator

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

Real property located in Ramsey County, Minnesota legally described as follows:

Tract C, Registered Land Survey No. 634, Ramsey County, Minnesota.

PID: 063022140020

Torrens Property

**CITY OF NORTH OAKS
RAMSEY COUNTY, MINNESOTA
RESOLUTION NO. 1464**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO
CONSTRUCT A HOME IN EXCESS OF 35 FEET IN HEIGHT FOR PROPERTY
ADDRESS 16 SHERWOOD TRAIL**

WHEREAS, an application for a Conditional Use Permit has been submitted by Brad and Anna Holschuh and Gonyea Homes, the owner of the real property described below, to allow for the construction of a home in excess of 35 feet in height on real property located at 16 Sherwood Trail, North Oaks, Ramsey County, Minnesota, legal described on the attached **EXHIBIT A**; and

WHEREAS, a Conditional Use Permit is required for a home in excess of 35 feet in height; and

WHEREAS, the request has been reviewed against the relevant requirements of North Oaks Zoning Ordinance Sections 151.050 and 151.076, regarding the criteria for issuance of a Conditional Use Permit, and meets the minimum standards, is consistent with the Comprehensive Plan, is in conformance with the Zoning Ordinance, and does not have a negative impact on public health, safety, or welfare; and

WHEREAS, a public hearing concerning the Conditional Use Permit was held before the North Oaks Planning Commission in accordance with Minnesota Statutes, Section 462.357, subd. 3, on June 30, 2022 at which hearing the Planning Commission voted 6-1 to recommend approval of the Conditional Use Permit application, subject to certain conditions.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH OAKS, that a Conditional Use Permit to allow for a home in excess of 35 feet in height, is approved subject to the following conditions:

1. The home shall be constructed in accordance with the plan sets received on May 27, 2022.
2. The proposed home shall meet all required setbacks and other zoning standards prior to the issuance of a building permit.
3. The conditions of Title 151.027(D)2 shall be satisfied before the issuance of a building permit. The building plan application shall contain an erosion and sediment control plan.
4. No soil stockpiling or vehicular activity shall be permitted in the planned SSTS locations.
5. Tree disturbance should be strategically completed, and remaining trees abutting construction disturbance areas shall have tree protection barriers installed at the dripline.

6. Erosion control shall be in place prior to the beginning of construction.
7. Plans shall be approved by the Building Official prior to the beginning of construction.
8. Any outstanding fees shall be paid prior to the issuance of a building permit.
9. Compliance with comments of other City Staff.

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By: _____
Kara Ries
Its: Mayor

Attested:

By: _____
Kevin Kress
Its: City Administrator

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

Real property located in Ramsey County, Minnesota legally described as follows:

Tract C, Registered Land Survey No. 634, Ramsey County, Minnesota.

PID: 063022140020

Torrens Property

PLANNING REPORT

TO: North Oaks City Council
FROM: Kendra Lindahl and John Burbank, City Planners
Kevin Kress, City Administrator
Jim Thomson, City Attorney
Tim Korby and John Morast, City Engineers
DATE: July 1, 2022
RE: 38 Catbird Lane - Conditional Use Permit
Home greater than 35 feet in height and Grading

Date Application Submitted	May 25, 2022
Date Application Determined Complete:	May 25, 2022
Planning Commission Meeting Date:	June 30, 2022
City Council Meeting Date:	July 14, 2022
60-day review Date:	July 24, 2022
120-day review Date:	September 22, 2022

BACKGROUND

Luke Kothman of Hendel Homes has requested approval of a conditional use permit to allow the construction of a new home at 38 Catbird Lane (parcel # 0530224430004) to be greater than 35 feet in height and to grade more than 100 cubic yards. Exhibit A is the site Location Map.

The subject 2.11-acre site is zoned RSL-PUD, Residential -Single Family Low Density in the Red Forest Development. Within this district, homes greater than 35 feet are subject to the conditional use permit (CUP) standards and process in Title 1051.050(D)(7) (conditional uses), Title 151.076 (CUP review criteria) and Title 151.079 (CUP Procedures).

The grading on the site to dig the basement and the proposed final grade for the new home disturbs 1,559 cubic yards of earth. Title 151.027(D) (Land Reclamation) requires a conditional use permit for disturbances of earth greater than 100 cubic yards outside of



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North Oaks, MN 55127

an area within 25 feet of the building, driveway and parking pad. It appears that most of the grading will occur within this area and a conditional use permit may not be required.

The applicant wishes to construct a home with basement lookout windows and resulting side and rear elevations with a height of 42 feet and 11 inches at the highest elevation where 35 feet is allowed. The applicants narrative is attached as Exhibit B.

Attached for reference:

- Exhibit A: Site Location
- Exhibit B: Applicant Narrative
- Exhibit C: Certificate of Survey dated 05/18/2022
- Exhibit D: Cut Fill Graphic
- Exhibit E: Elevations and Floor Plan
- Exhibit F: Proximity Distance Map
- Exhibit G: Public Comments
- Exhibit H: Resolution approving CUP for building height

PLANNING COMMISSION REVIEW

The Planning Commission held a public hearing on June 30th. Other than the applicant, there was no one present to speak on this item.

The Commission voted 6-0-1 to recommend approval of the conditional use permit for building height.

The applicant did not provide grading information as required by ordinance. The Planning Commission voted 7-0 to table the grading conditional use permit to the July meeting to allow the applicant time to gather the required information. If the applicant can show that less than 100 cubic yards of fill will be moved outside of an area within 25 feet of the building, driveway and parking pad, they may withdraw the conditional use permit request.





ISSUES AND ANALYSIS

Property Description. As shown on the submitted survey attached as Exhibit C, the parcel is currently vacant and is legally described as Tract F Registered Land Survey (RLS) 604, City of North Oaks, County of Ramsey, State of Minnesota. The Zoning Ordinance defines building height as *“The vertical distance from grade as defined herein to the top ridge of the highest roof surface”* and building elevation as *“A side view of the building representing the structure as projected geometrically on a vertical plane parallel to its chief dimension.”*

Evaluation Criteria 1. In consideration of conditional use permit application to allow for a home greater than 35 feet in height, Section 151.050(D)(7) (conditional uses) of the Zoning Ordinance states that certain criteria must be considered. Such criteria, as well as a Staff response, is provided below:

- a. The front elevation of the building does not exceed 35 feet in height at any point.***

Staff Comment. The proposed front elevation does not exceed 35 feet in height from grade at any point as dimensioned on sheet A3.2 which is attached. This condition has been satisfied.

- b. The building height at any other elevation does not exceed 45 feet.***

Staff Comment. The proposed side and rear elevation maximum is 42 feet 11 inches, as dimensioned on sheet A3.2 which is attached. This condition has been satisfied.

- c. The environmental and topographical conditions of the lot prior to building development are naturally suited to the design of a building with an egress or walkout level***

Staff Comment. Based on the review of the plans, topography, site and the Ramsey County interactive property maps and contours, the site and the proposed home appears conducive to the site’s natural layout. In addition, the City will review all erosion control measures to ensure that the construction project does not adversely affect the surrounding environment. The City Engineer will make periodic site visits during construction to ensure all erosion control measures are fully complied with. This condition has been satisfied.

- d. Buildings shall be limited to a basement and 2 full stories. Finished areas within the roof structure will be considered a full story.***

Staff Comment. The proposed home is 2 full stories with a basement. This condition has been satisfied.

- e. Any time the side or rear elevations of a building exceed 35 feet in height within 50 feet of adjacent lot lines, the building shall be setback an additional 2 feet from the adjacent setback line for each foot in height above 35 feet.***

Staff Comment. The proposed side and rear elevation maximum is 42 feet 11 inches. The proposed building height is 7 feet 11 inches greater than the allowable 35-foot building height. For every foot above 35 feet, an additional 2 feet of setback is required for all setbacks. This would require an additional 16 feet, or 46 feet versus the required 30-foot setbacks. The proposed setbacks are well in excess of the required 46-foot setbacks. This condition has been satisfied.

Staff Comment. This condition has been satisfied.

Evaluation Criteria 2. In consideration of conditional use permit applications to allow for a home greater than 35 feet in height, Title 151.076 (CUP review Criteria) of the Zoning Ordinance states that certain criteria must be considered. Such criteria, as well as a Staff response, is provided below:

(1) Relationship of the proposed conditional use to the Comprehensive Plan;

Staff Comment. The 2040 Comprehensive Plan identifies this site to be in a Low Density Single Family Land Use District, which anticipates single family homes. This condition has been satisfied.

(2) The nature of the land and adjacent land or building where the use is to be located.

Staff Comment. The new home will sit on a platted lot of record that was previously deemed appropriate for single family residential use. This condition has been satisfied.

(3) Whether the use will in any way depreciate the area in which it is proposed.

Staff Comment. The proposed home is similar to other homes in the area and will blend with the neighborhood in a positive way. This condition has been satisfied.

(4) The effect upon traffic into and from the land and on adjoining roads, streets, and highways;

Staff Comment. During the platting process for the subdivision traffic impacts were vetted and the single family residential use was not deemed to have a negative impact on surrounding roads above normal background traffic growth that accompanies new development. This condition has been satisfied.

(5) Whether the use would disrupt the reasonable use and enjoyment of other land in the neighborhood;

Staff Comment. The proposed request for a building height variance is not out of character with other single family homes of the neighborhood. Exhibits D-G are building elevation and Floor Plan detail sheets, AND Exhibit H is a proximity distance map to surrounding neighbors. This condition has been satisfied.

(6) Whether adequate utilities, roads, streets, and other facilities exist or will be available in the near future.

Staff Comment. The subdivision is served by adequate public infrastructure that would not be impacted any differently than if a shorter home was constructed. This condition has been satisfied.

(7) Whether the proposed conditional use conforms to all of the provisions of this chapter.

Staff Comment. This condition has been satisfied.

(8) The effect upon natural drainage patterns onto and from the site.

Staff Comment. Final grading on the site will work with existing contours and drainage patterns. This condition has been satisfied.

(9) Whether the proposed use will be detrimental to or endanger the public health, safety, comfort, convenience, or general welfare of the neighborhood or the city.

Staff Comment. The additional height requires additional setback distances which decrease impacts on adjacent land uses. This condition has been satisfied.



- (10) Whether the proposed use would create additional requirements at public cost for public facilities and services and whether or not the use will be detrimental to the economic welfare of the neighborhood or city; and**

Staff Comment. The construction of a taller house would not put any additional burdens on the public than if a shorter single family home was constructed. This condition has been satisfied.

- (11) Whether the proposed use is environmentally sound and will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, land, or the general welfare because of excessive production of traffic, noise, smoke, fumes, wastes, toxins, glare, or odors.**

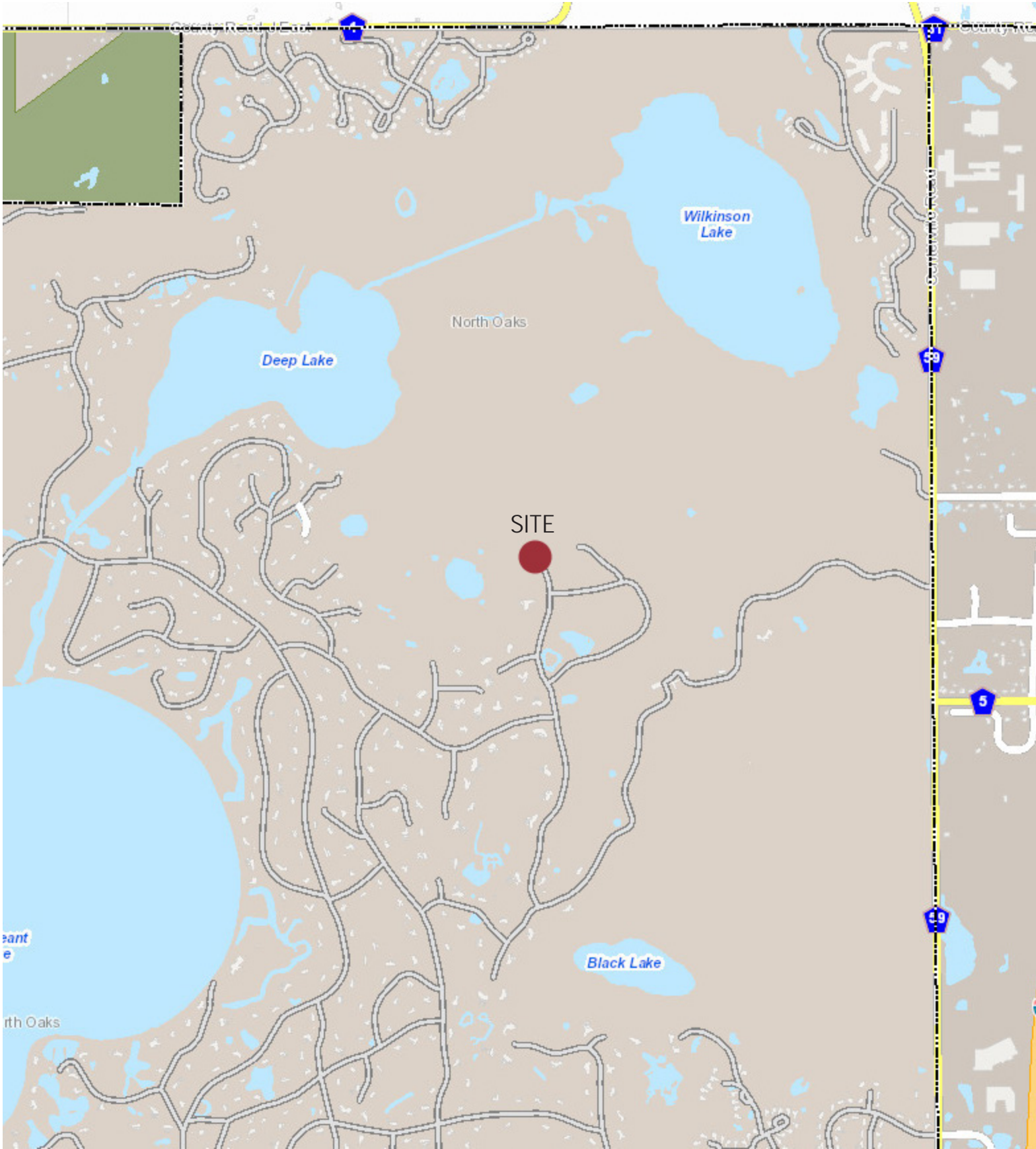
Staff Comment. Beyond initial construction activity, the proposed use and height request should not be deemed detrimental to the environment or surrounding area. This condition has been satisfied.

ACTION

Move to approve the resolution approving the conditional use permit for a 42-foot 11-inch building height where 35 feet is permitted at 28 Catbird Lane, as recommended by the Planning Commission.

cc: Luke Kothman, Builder
Roberta Colotti, NOHOA







We are requesting a conditional use permit for a proposed new home at the address 38 Catbird Lane. This is a new construction residential home.

Height

- The grade at the front of the house is 3.5' lower than the grade at the curb and 4.5' lower from the center of the Cul-De-Sac. This will make the house appear shorter in height when viewed from the front/road.
- Visibility of the rear/basement will be obstructed on all sides by either trees or earth, therefore making the visible portion of the building less than the 35' requirement. To view the entire height structure, one would need to be standing on property, on the back property lines of the adjacent lots, or in the wetland. No other house would be able to view 43.8' of this structure from their home or standing within 50' from their home.
- 151.050 paragraph 7 line E regarding a minimum distance of 35' from the setback will not be violated. Our proposed distance is from the left setback is 55.'5 and 108.5' from the right setback.
- The aesthetics of this house would be greatly compromised if the roof was flattened to conform with the 35' height requirement.
- The design of this house is in line with many of the other existing home of this size in the development. In our opinion, a flattened roof would be more out of character for the neighborhood than what we are proposing.
- Due to the specific grades, this house cannot be lowered into the ground any more than what we're proposing. There's already an 8% negative slope on the driveway, anymore than that would be a safety hazard.

Soils

- We also intend to move more than 100 cubic yards of soil to complete construction of the home. We're waiting for soils testing to be completed before we'll know what that amount is.

Luke Kothman | Project Manager
15250 Wayzata Blvd.
Wayzata, MN 55391
952.404.7204 Office
952.913.2111 Cell
LKothman@hendelhomes.com

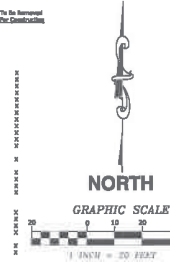
CERTIFICATE OF SURVEY

~for~ HENDEL
~of~ 38 CATBIRD LANE REGISTERED LAND SURVEY NO. 618
NORTH OAKS, MN

EXHIBIT C

TREE INVENTORY

Tree #	Species	DBH	Height	Condition	Notes
1	Quercus alba	12.0	25.0	R	
2	Quercus alba	11.0	22.0	R	
3	Quercus alba	10.0	20.0	R	
4	Quercus alba	9.0	18.0	R	
5	Quercus alba	8.0	16.0	R	
6	Quercus alba	7.0	14.0	R	
7	Quercus alba	6.0	12.0	R	
8	Quercus alba	5.0	10.0	R	
9	Quercus alba	4.0	8.0	R	
10	Quercus alba	3.0	6.0	R	
11	Quercus alba	2.0	4.0	R	
12	Quercus alba	1.0	2.0	R	
13	Quercus alba	1.0	2.0	R	
14	Quercus alba	1.0	2.0	R	
15	Quercus alba	1.0	2.0	R	
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98	Quercus alba	1.0	2.0	R	
99	Quercus alba	1.0	2.0	R	
100	Quercus alba	1.0	2.0	R	



- ### LEGEND
- DENOTES IRON MONUMENT FOUND AS LABELED
 - DENOTES CABLE PEDESTAL
 - DENOTES ELECTRICAL BOX
 - DENOTES EXISTING SPOT ELEVATION
 - DENOTES EXISTING CONTOURS
 - DENOTES PROPOSED CONTOURS
 - DENOTES BUILDING SETBACK LINE
 - DENOTES RETAINING WALL SURFACE
 - DENOTES PROPOSED ELEVATION
 - DENOTES DIRECTION OF DRAINAGE
 - DENOTES WOOD HUB/METAL SPIKE AT 11 FOOT OFFSET (UNLESS OTHERWISE NOTED)
 - DENOTES SALT FENCE

- ### TREE DETAIL
- DENOTES ELEVATION
 - DENOTES TREE TAG #
 - DENOTES TREE TO BE REMOVED

(3 FOOT PAVED WALL WALKOUT BASEMENT)

PROPOSED ELEVATIONS

TOP OF WALL = 953.3
GARAGE FLOOR = 954.9
LOWEST FLOOR = 946.5
TOP OF FOOTING = 946.3

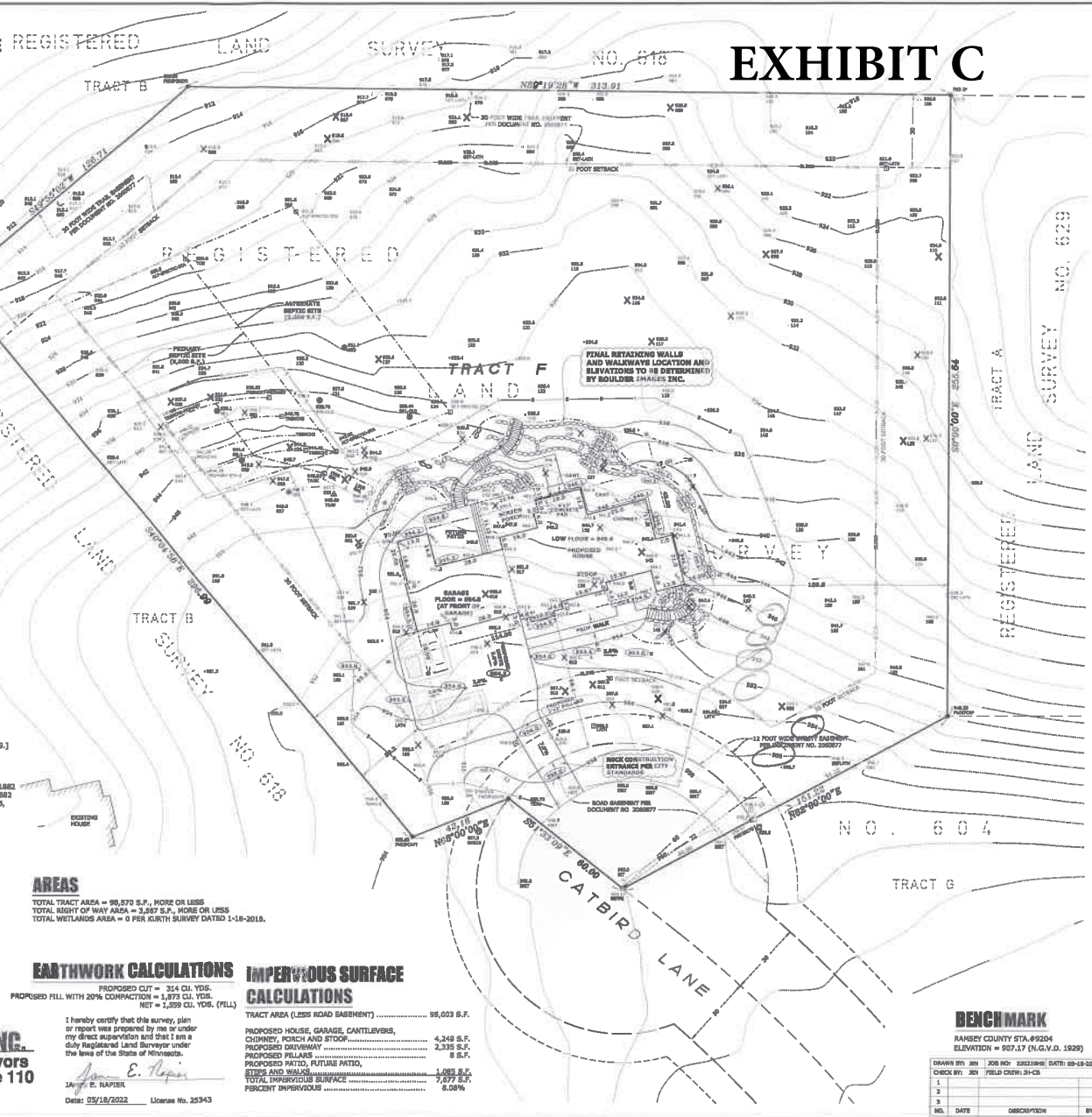
PROPERTY DESCRIPTION

[DESCRIPTION PER RAMSEY COUNTY CERTIFICATE OF TITLE NO. 618649.]
Tract F, Registered Land Survey No. 604

Subject to the rights of the Board of Water Commissioners of the City of Saint Paul as set forth in the following Instruments: Deed dated June 1, 1882 recorded in Book 103 of Deeds on Pages 527-528; Deed dated June 1, 1882 recorded in Book 103 of Deeds on Pages 429-430; Deed filed January 28, 1935 recorded in Book 948 of Deeds on Page 201; Deed and Agreement dated July 12, 1951 recorded in Book 1411 of Deeds on Page 45.

- ### NOTES
- Field survey was completed by E.G. Rud and Sons, Inc. on 05/04/2022.
 - Setbacks shown are on an Ramsey County Coordinate System.
 - Record ID Number: 05-10-22-43-0006.
 - Curb areas are shown at the top and back of curb.
 - Due to field work being completed during the winter season there may be improvements in addition to those shown that were not visible due to snow and ice conditions characteristic of Minnesota winters.
 - This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to reversion upon receipt of a current title commitment or an attorney's title opinion.
 - Builder to verify house dimensions, sewer depth and foundation depth.
 - Driveways are shown for graphic purposes only. Final driveway design and location to be determined by contractor.
 - Retained grade adjacent to home shall be 0.5 feet below top of block except at driveway and patio.
 - Tree Inventory by Davey Resource Group, Inc.
 - Septic Design by other.

E.G. RUD & SONS, INC.
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel. (651) 361-8200 Fax (651) 361-8701
www.egrud.com



AREAS

TOTAL TRACT AREA = 96,870 S.F., MORE OR LESS
TOTAL RIGHT OF WAY AREA = 3,387 S.F., MORE OR LESS
TOTAL WETLANDS AREA = 0 PER CURTIS SURVEY DATED 1-18-2018.

EARTHWORK CALCULATIONS

PROPOSED CUT = 314 CU. YDS.
PROPOSED FILL WITH 20% COMPACTION = 1,973 CU. YDS. (FILL)

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

John E. Napier
JAN E. NAPIER
Date: 05/18/2022 License No. 25343

IMPERVIOUS SURFACE CALCULATIONS

TRACT AREA (LESS ROAD EASEMENT) 95,003 S.F.

PROPOSED HOUSE, GARAGE, CATTLELEYS, CHIMNEY, PORCH AND STOOD	4,249 S.F.
PROPOSED DRIVEWAY	2,335 S.F.
PROPOSED PATIO, FUTURE PATIO, STEPS AND WALKS	1,085 S.F.
TOTAL IMPERVIOUS SURFACE	7,670 S.F.
PERCENT IMPERVIOUS	8.08%

BENCHMARK

RAMSEY COUNTY STA. #9204
ELEVATION = 957.17 (N.G.M.D. 1929)

DRAWN BY: JEN	JOB NO: 20230308	DATE: 05-18-2022	
CHECK BY: JEN	FIELD CREW: 34-35		
1			
2			
3			
NO.	DATE	DESCRIPTION	BY

GRADING EXHIBIT

~for~ HENDEL
 ~of~ 38 CATBIRD LANE REGISTERED LAND SURVEY NO. 618
 NORTH OAKS, MN

TREE INVENTORY

Tree Tag	Species	DBH	Height	Condition	Notes	To be Removed
1	Black Cherry	15	1	S		
2	Northern Pin Oak	15	1	S		
3	Northern Pin Oak	17	1	S		
4	White Oak	22	1	S		
5	Black Cherry	22	1	S		
6	Black Cherry	22	1	S		
7	Black Cherry	22	1	S		
8	Black Cherry	22	1	S		
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144	Black Cherry	22	1	S		
145	Black Cherry	22	1	S		
146	Black Cherry	22	1	S		
147	Black Cherry	22	1	S		
148	Black Cherry	22	1	S		
149	Black Cherry	22	1	S		
150	Black Cherry	22	1	S		
151	Black Cherry	22	1	S		
152	Black Cherry	22	1	S		
153	Black Cherry	22	1	S		
154	Black Cherry	22	1	S		
155	Black Cherry	22	1	S		
156	Black Cherry	22	1	S		
157	Black Cherry	22	1	S		
158	Black Cherry	22	1	S		
159	Black Cherry	22	1	S		
160	Black Cherry	22	1	S		

NORTH

GRAPHIC SCALE
 1 INCH = 20 FEET

LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES CABLE PEDESTAL
- DENOTES ELECTRICAL BOX
- DENOTES EXISTING SPOT ELEVATION
- DENOTES EXISTING CONTOURS
- DENOTES PROPOSED CONTOURS
- DENOTES BUILDING SETBACK LINE
- DENOTES BITUMINOUS SURFACE
- DENOTES PROPOSED ELEVATION
- DENOTES DIRECTION OF DRAINAGE
- DENOTES WOOD HUB/METAL SPIKE AT 11 FOOT OFFSET (UNLESS OTHERWISE NOTED)
- DENOTES SILT FENCE

TREE DETAIL

- DENOTES ELEVATION
- DENOTES TREE TAG #
- DENOTES TREE TO BE REMOVED

PROPOSED ELEVATIONS

TOP OF WALL = 955.3
 GARAGE FLOOR = 954.8
 LOWEST FLOOR = 946.6
 TOP OF FOOTING = 946.3

PROPERTY DESCRIPTION

[DESCRIPTION PER RAMSEY COUNTY CERTIFICATE OF TITLE NO. 615649.]
 Tract F, Registered Land Survey No. 604
 Subject to the rights of the Board of Water Commissioners of the City of Saint Paul as set forth in the following instruments: Deed dated June 1, 1882 recorded in Book 102 of Deeds on Pages 557-558; Deed dated June 1, 1882 recorded in Book 103 of Deeds on Pages 429-430; Deed dated January 26, 1935 recorded in Book 948 of Deeds on Page 208; Deed and Agreement dated July 12, 1951 recorded in Book 1411 of Deeds on Page 46.

NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 04/04/2022.
- Bearings shown are on an Ramsey County Coordinate System.
- Parcel ID Number: 05-30-22-43-0004.
- Curb shots are taken at the top and back of curb.
- Due to field work being completed during the winter season there may be improvements in addition to those shown that were not visible due to snow and ice conditions characteristic of Minnesota winters.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Builder to verify house dimensions, sewer depth and foundation depth.
- Driveways are shown for graphic purposes only. Final driveway design and location to be determined by contractor.
- Finished grade adjacent to home shall be 0.5 feet below top of block except at driveway and patio.
- Tree Inventory by Davey Resource Group, Inc.
- Septic Design by others.

AREAS

TOTAL TRACT AREA = 98,570 S.F., MORE OR LESS
 TOTAL RIGHT OF WAY AREA = 3,567 S.F., MORE OR LESS
 TOTAL WETLANDS AREA = 0 PER KURTH SURVEY DATED 1-18-2015.

EARTHWORK CALCULATIONS

PROPOSED CUT = X CU. YDS.
 PROPOSED FILL WITH 20% COMPACTION = X CU. YDS.
 NET = X CU. YDS. (X)

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

PRELIMINARY
 JAMES E. NAPZER
 Date: 05/18/2022 License No. 25343

IMPERVIOUS SURFACE CALCULATIONS

TRACT AREA (LESS ROAD EASEMENT) 95,003 S.F.
 PROPOSED HOUSE, GARAGE, CANTILEVERS, CHIMNEY, PORCH AND STOOPT 4,249 S.F.
 PROPOSED DRIVEWAY 2,335 S.F.
 PROPOSED PILLARS 8 S.F.
 PROPOSED PATIO, FUTURE PATIO, STEPS AND WALKS 1,085 S.F.
 TOTAL IMPERVIOUS SURFACE 7,677 S.F.
 PERCENT IMPERVIOUS 8.08%

BENCHMARK

RAMSEY COUNTY STA. #9204
 ELEVATION = 907.17 (N.G.V.D. 1929)

DRAWN BY:	JEN	JOB NO:	22020908	DATE:	05-18-2022
CHECK BY:	JEN	FIELD CROW:	24-CR		
NO.	DATE	DESCRIPTION	BY		
1					
2					
3					

E.G. RUD & SONS, INC.
 Professional Land Surveyors
 6776 Lake Drive NE, Suite 110
 Lino Lakes, MN 55014
 Tel. (651) 361-8200 Fax (651) 361-8701
 www.egrud.com

EXHIBIT D

ron
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Consultants:

Revisions
No. Date
Description

Builder:
HENDEL
15250 WAYZATA BLVD.
WAYZATA, MN 55391
PHONE: (952) 484-7284

Date 5/17/2022
Project Lewis
No.
Drawn By: RLB

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Signed:

License #
Project Name:

**LEWIS
RESIDENCE
by HENDEL
HOMES**

38 Catbird Lane
North Oaks, MN
55127

Sheet Title:
COVER SHEET AND
ROOF PLAN

PERMIT SET

Sheet
Number:

A1.0

LICENSE:

Please read carefully. This license contains terms by which you are bound if you use this plan.

Hendel Homes is granted the right to construct one and only one home based on the plan. This right is not transferable. You may not sell or otherwise transfer the plan to another, or allow another to use or copy the plan.

This plan is protected under federal copyright laws. Use of the plan in a manner inconsistent with this license is a violation of U.S. copyright

Before construction begins, thoroughly review this plan, verify all dimensions, and report to the Architect any errors, omissions or questions for clarification.

These plans indicate building systems, materials and standards that are specific to Hendel Homes. Ron Brenner Architects, LLC, may not be held responsible for such standards, construction means or methods, costs, workmanship, quality of materials or equipment utilized in the construction.

Sheet List	
Sheet Number	Sheet Name
A1.0	COVER SHEET AND ROOF PLAN
A2.1	LOWER LEVEL FLOOR PLAN
A2.2	MAIN LEVEL FLOOR PLAN
A2.3	SECOND LEVEL FLOOR PLAN
A3.1	EXTERIOR ELEVATIONS
A3.2	EXTERIOR ELEVATIONS
A4.1	BUILDING SECTIONS
A4.2	BUILDING SECTIONS
A4.3	BUILDING SECTIONS
A4.4	BUILDING SECTIONS
A5.1	FOUNDATION DETAILS
A5.2	MISCELLANEOUS EXTERIOR DETAILS
S2.1	LOWER LEVEL STRUCTURE
S2.2	MAIN LEVEL STRUCTURE
S2.3	MAIN LEVEL STRUCTURE
S2.4	SECOND LEVEL STRUCTURE
S2.5	C.ONCRETE DETAILS
S2.6	FRAMING DETAILS
S2.7	2ND FLOOR FRAMING ADDENDUM

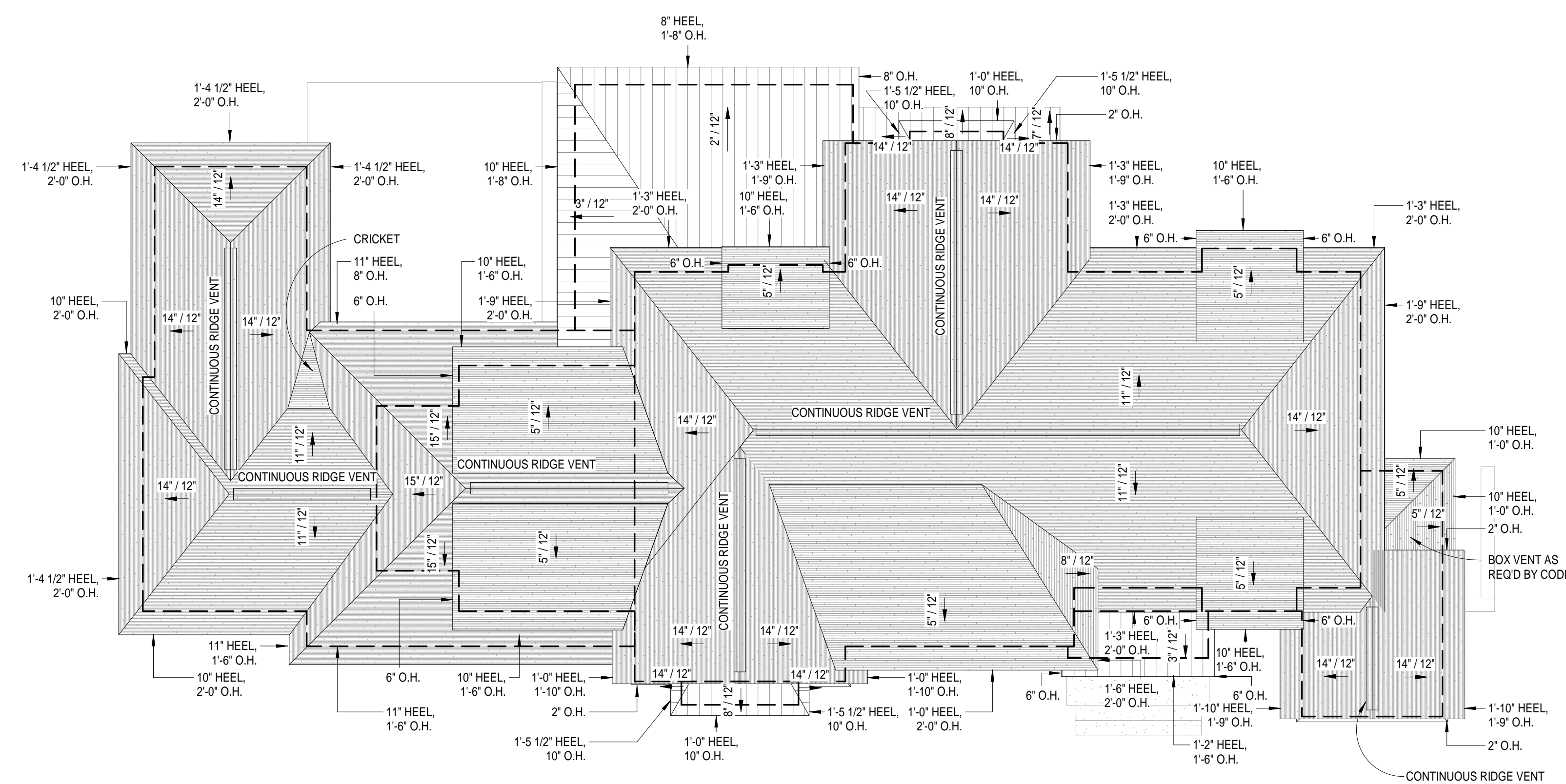
Building Overall Areas			
Name	Area	Level	Type
CONDITIONED			
Lower Level			
LOWER LEVEL	1799 SF	Lower Level	CONDITIONED
	1799 SF		
Main Floor			
MAIN LEVEL	2406 SF	Main Floor	CONDITIONED
	2406 SF		
Second Floor			
BONUS	413 SF	Second Floor	CONDITIONED
SECOND LEVEL	2170 SF	Second Floor	CONDITIONED
	2583 SF		
CONDITIONED	6788 SF		
UNCONDITIONED			
Lower Level			
MECHANICAL	598 SF	Lower Level	UNCONDITIONED
	598 SF		
Main Floor			
FRONT PORCH	46 SF	Main Floor	UNCONDITIONED
GARAGE	1270 SF	Main Floor	UNCONDITIONED
SCREEN PORCH	386 SF	Main Floor	UNCONDITIONED
	1702 SF		
UNCONDITIONED	2301 SF		
Grand total	9088 SF		



LEWIS RESIDENCE
by
Hendel Homes

ROOF PLAN NOTES:

- TYPICAL ROOFING SYSTEM SHALL BE AS FOLLOWS: ASPHALT ROOF SHINGLES, ROOFING FELT / SELF ADHERED ROOFING UNDERLAYMENT OVER ROOF SHEATHING.
- METAL ROOFING SHALL BE AS FOLLOWS:
- ROOFING FELT SHALL BE UL RATED 30 LB ASPHALT SATURATED ORGANIC FELT.
- TYPICAL SELF ADHERED ROOFING UNDERLAYMENT SHALL BE W.R. GRACE "ICE AND WATER SHIELD". INSTALL AT FOLLOWING LOCATIONS: 1) ALONG EAVES EXTENDING A MINIMUM OF 36" HORIZONTALLY UP ROOF BEYOND THE INSULATED WALL LINE, 2) 36" SHEET WIDTH ALONG GABLE (RAKE) ENDS, 3) 36" SHEET WIDTH AT VALLEYS, 4) 36" SHEET WIDTH AT ROOF/WALL INTERSECTIONS, 5) ALL AROUND CHIMNEYS, SKYLIGHTS AND OTHER ROOF PENETRATIONS, 6) COMPLETELY AT ALL ROOFS LESS THAN 4:12 PITCH, 7) 36" SHEET AT ROOF PITCH TRANSITIONS, 8) OTHER AREAS AS REQUIRED BY CODE.
- INSTALL CONTINUOUS W.R. GRACE "ULTRA" SELF ADHERED ROOFING UNDERLAYMENT UNDER FLAT SOLDERED SEAMED COPPER WHERE METAL PANS ARE INDICATED. IF FIELD SEAMING IS PERFORMED PLACE 2 LAYERS ROOFING FELT UNDER SEAM LOCATIONS TO PROTECT UNDERLAYMENT.
- INSTALL PREFINISHED METAL DRIP FLASHING ALONG ALL EAVES AND RAKE ENDS TO HAVE MINIMUM 6" FLANGE ONTO ROOF SURFACE.
- INSTALL PREFINISHED METAL VALLEY FLASHING WITH 1" V-CRIMP, 12" MINIMUM UP EACH SIDE OF VALLEYS OR WEAVE SHINGLES AT VALLEYS
- INSTALL PREFINISHED METAL FLASHING AT ROOF PITCH TRANSITIONS.
- INSTALL PREFINISHED METAL STEP FLASHING ALONG ROOF / WALL INTERSECTIONS AND ALONG ROOF / CHIMNEY INTERSECTIONS.
- CONFORM WITH "SMACNA" ARCHITECTURAL SHEET METAL MANUAL, 5TH ADDITION, 1993 WITH ADDENDUM NO. 1 OCTOBER 31, 1997 FOR ALL METAL ROOFING, FLASHING AND ROOF PENETRATION SYSTEMS
- RIDGE VENTS TO BE HIGH PROFILE, PLASTIC TYPE, SHINGLE OVER VENT SYSTEM (COR-A-VENT V400 SERIES OR EQUAL). INSTALL CONTINUOUSLY ALONG RIDGES.
- INSTALL ROOF TO WALL VENTS (COR-A-VENT ROOF-2-WALL VENT OR EQUAL) WHERE INDICATED ON DRAWINGS.



1 Roof Plan
A1.0 1/8" = 1'-0"

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C

EXHIBIT E

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Date: 5/17/2022
Project: Lewis
No.:
Drawn By: RLB

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the State of Minnesota.
Signed:

License # _____
Project Name:

**LEWIS
RESIDENCE
by HENDEL
HOMES**

38 Catbird Lane
North Oaks, MN
55127

Sheet Title:
**LOWER LEVEL
FLOOR PLAN**

PERMIT SET

Sheet Number:

A2.1

TYPICAL PLAN NOTES:

GENERAL FRAMING INFORMATION
ALL WOOD FRAMING TO COMPLY WITH APPLICABLE STATE AND LOCAL BUILDING CODES AND THE NATIONAL DESIGN SPECIFICATIONS FOR WOOD CONSTRUCTION PUBLISHED BY THE NATIONAL FOREST PRODUCTS ASSOCIATION (NFPA).

THESE PLANS INDICATE CONCEPTUAL TRUSS CONFIGURATIONS AND LOADING CONDITIONS. ALL FLOOR AND ROOF TRUSSES INDICATED ON THESE PLANS ARE TO BE DESIGNED AND ENGINEERED BY THE MANUFACTURER LICENSED TO PRACTICE WITHIN THE STATE OF THIS PROJECT. PRIOR TO CONSTRUCTION VERIFY ALL POINT LOAD AND BEARING CONDITIONS AND COORDINATE POSTS AND BEARING REQUIREMENTS WITH THE BUILDER. NOTIFY ARCHITECT / ENGINEER OF ANY DISCREPANCIES FROM THESE PLANS. FOLLOW MANUFACTURER'S RECOMMENDATIONS AND REQUIREMENTS FOR AND FURNISH ALL BLOCKING, STIFFENERS, BRACING, FASTENERS, HARDWARE, ETC. NECESSARY FOR INSTALLATION.

PROVIDE DOUBLE TOP PLATE AT FLOOR TRUSSES. ELIMINATE UPPER PLATE AT MUDSET TILE FLOORING AREAS TO ALLOW FOR MUDDING AND ALIGNMENT WITH ADJACENT FINISH FLOORS.

UNLESS NOTED OTHERWISE, EXTERIOR WALLS (INCLUDING GARAGE WALLS) TYPICALLY TO BE 2X6 CONSTRUCTION. INTERIOR WALLS TYPICALLY TO BE 2X4. INTERIOR WALLS WITH POCKET DOORS TO BE 2X6 CONSTRUCTION. POCKET DOORS TO BE CUSTOM FABRICATED WITH TIMBERSTRAND ENGINEERED FRAMING. CABINET WALLS AND BALLOON FRAMED WALLS SHALL BE FRAMED WITH TIMBERSTRAND.

PLAN DIMENSIONS ARE TYPICALLY TAKEN TO OUTSIDE OF WALL SHEATHING AT EXTERIOR WALLS AND TO CENTER LINES OR FACE OF STUD AT INTERIOR WALLS.

COLUMN SIZES SHALL NOT EXCEED CRUSHING STRENGTH OF THE PLATES THEY BEAR ON. SIZE AS REQUIRED, UTILIZE SQUASH BLOCKING OR BEAR DIRECTLY ON FOUNDATION.

USE PRESERVATIVE TREATED COLUMNS, BEAMS, PLATES, MISC. FRAMING MEMBERS AS REQUIRED BY CODE AND AS CALLED OUT IN PLANS.

WHERE WOOD FRAMING SIZES ARE INDICATED, MANUFACTURER TO VERIFY GRADE AND SPACING REQUIRED TO MAINTAIN MINIMUM L/480 DEFLECTION.

ALL FLOOR BEAMS TO BE SET FLUSH WITH FLOOR FRAMING UNLESS INDICATED OTHERWISE.

ALL ROOF BEAMS TO BE DROPPED UNLESS NOTED OTHERWISE.

DROPPED FLOOR BEAMS OR ROOF BEAMS SHALL BE 12" MAXIMUM DEPTH UNLESS INDICATED OTHERWISE.

SILL PLATES SHALL BE 2X6 MINIMUM. ANCHOR BOLTS SHALL BE 1/2" MIN. DIAMETER (U.N.C.) CAST IN PLACE WITH 7" EMBED. ANCHOR BOLTS SHALL HAVE 2" DIAMETER X 0.125" THICK WASHERS TIGHTENED AND COUNTERSUNK 1/4" INTO THE TOP OF THE SILL PLATE. SPACING SHALL BE 48" O.C. WITH A MINIMUM OF TWO BOLTS PER PIECE WITH BOLT LOCATED NO MORE THAN 12" OR LESS THAN 4" FROM EACH END OF EACH PIECE.

AT TILED FLOOR AREAS USE MUDSET METHOD AND DROP TOP OF TRUSSES TO ACCOMMODATE REQUIRED THICKNESS.

WINDOW DESIGNATIONS ON PLANS INDICATE MARVIN CLAD ULTIMATE SERIES MODEL NUMBERS. VERIFY ROUGH OPENING SIZES WITH WINDOW MANUFACTURER.

SHEATHING:
ALL EXTERIOR WALLS TO HAVE CONTINUOUS PLYWOOD WALL SHEATHING. EACH PANEL OF SHEATHING SHALL BE IDENTIFIED WITH THE APPROPRIATE GRADE - TRADEMARK OF THE AMERICAN PLYWOOD ASSOCIATION.

PROVIDE 1/8" SPACE AT EDGES AND ENDS OF EACH SHEET OR AS REQUIRED BY THE MANUFACTURER.

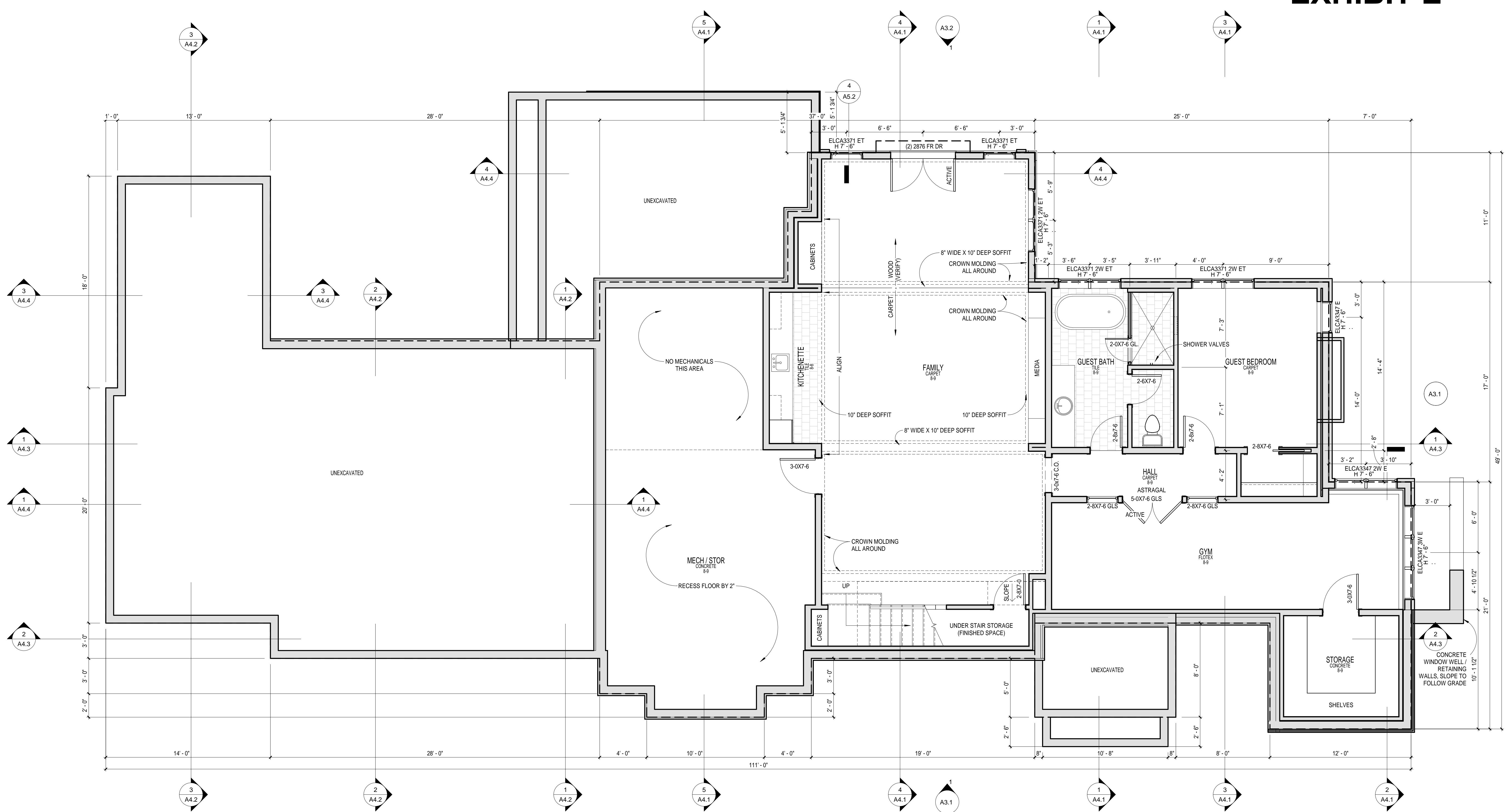
GRADE AND TYPE SHALL BE AS FOLLOWS:
ROOF SHEATHING: 4020 APA RATED SHEATHING EXPOSURE 1
EXTERIOR WALL: 2416 APA RATED SHEATHING EXPOSURE 1
FLOORS: 4824 APA RATED SHEATHING EXPOSURE 1 (T&G)

WALL SHEATHING TO BE ATTACHED WITH 0.113" DIAMETER NAILS AT 8" O.C., EDGE, 12" O.C. FIELD.

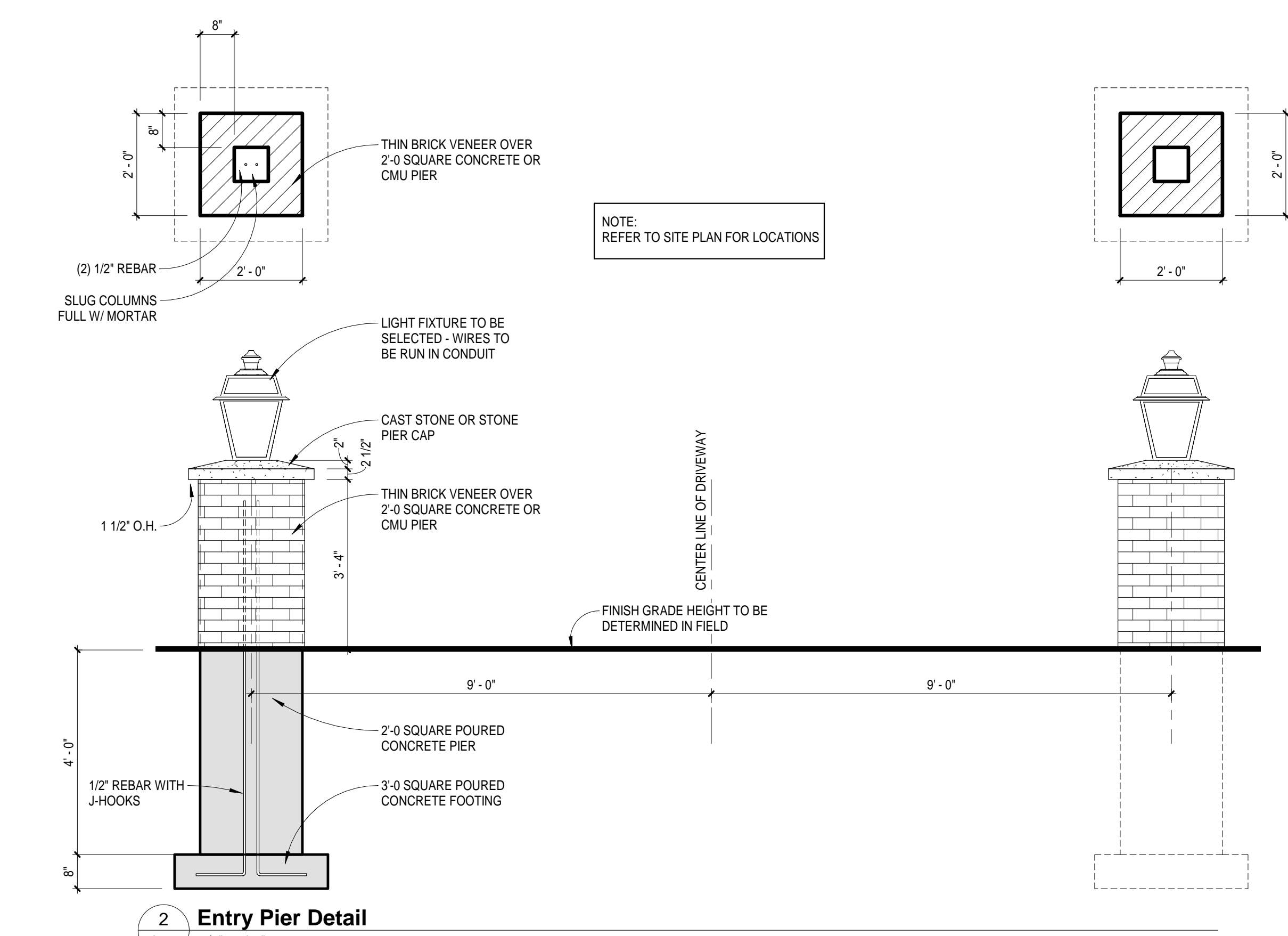
ROOF SHEATHING TO BE ATTACHED WITH 0.113" DIAMETER NAILS AT 8" O.C., EDGE, 12" O.C. FIELD. PROVIDED 8" O.C. NAILING TO ALL MEMBERS IN LINE WITH SHEAR WALLS. EDGE FASTENERS SHOULD BE PLACED 3/8" FROM PANEL EDGES AND ENDS OR AS REQUIRED BY THE MANUFACTURER.

FLOOR SHEATHING TO BE GLUED AND ATTACHED WITH 0.113" DIAMETER NAILS @ 6" O.C. EDGE, 12" O.C. FIELD.

SPICE ALL SHEATHING ON A COMMON MEMBER SO AS TO PROPERLY TRANSFER SHEAR FORCES.
ALL SHEATHING NAILING TO BE COMMON WIRE OR GALVANIZED NAILS.



1 Lower Level
A2.1 1/4" = 1'-0"



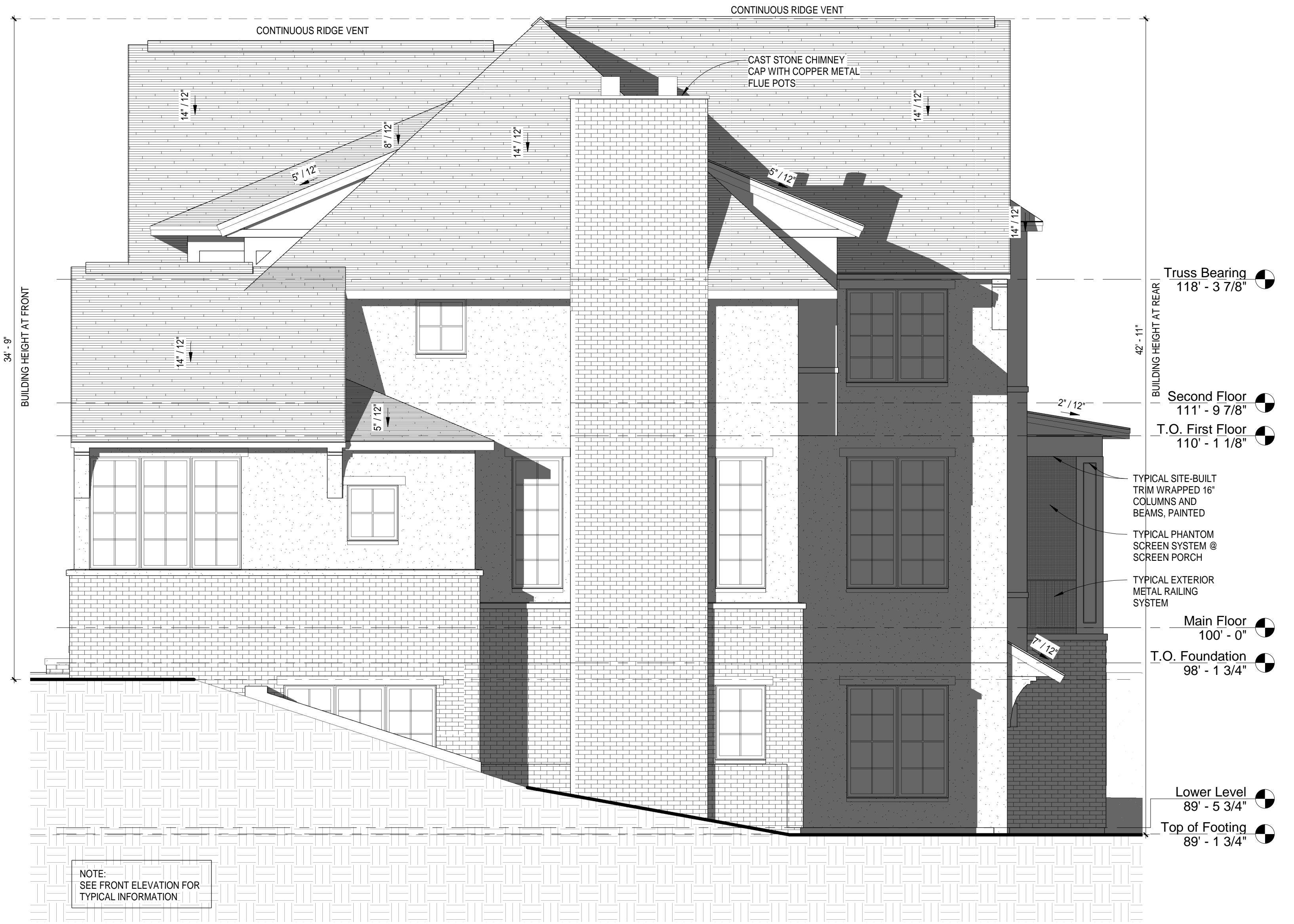
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EXTERIOR ELEVATION NOTES:

- TYPICAL ROOFING TO BE FIBERGLASS ASPHALT SHINGLES. SEE ELEVATIONS AND ROOF PLAN FOR NON-TYPICAL ROOFING MATERIALS AND LOCATIONS
- TYPICAL FASCIA TO BE 1 X 6 TRIM OVER 2 X SUBFASCIA. REFER TO DRAWINGS FOR OTHER FASCIA CONDITIONS.
- TYPICAL 2-PIECE FACIA TO BE 1X4 OVER 1X8 TRIM OVER 2X SUBFASCIA. REFER TO DRAWINGS FOR OTHER FACIA CONDITIONS.
- INSTALL CONTINUOUS METAL DRIP FLASHING ALONG TOP OF FASCIA EDGE AND BENEATH SHINGLES. SEE ROOF PLAN AND ROOF PLAN NOTES.
- ALL "TRIM" INDICATED ON PLANS AND NOTES TO BE "MIRATEC"-UNLESS NOTED OTHERWISE.
- INSTALL W.R. GRACE VYCOR SELF-ADHERED FLASHING AND SEALANT SYSTEM AROUND ALL WINDOW AND DOOR FRAMES. INSTALL ALL FLASHING ITEMS AND INTEGRATE WITH AIR / MOISTURE BARRIER PER MANUFACTURERS RECOMMENDATIONS.
- TYPICAL WINDOW AND DOOR TRIM TO BE AS FOLLOWS:
AT paneled siding 5/4 X 6 @ HEAD TRIM (WHERE NO CONTINUOUS TRIM) 5/4 X 6 @ JAMB TRIM
SLOPED CEDAR SILL CUT FROM 2X6 @ SILL AT STUCCO SIDING
5-1/2" HIGH CAST STONE UNTELS @ HEADER W/ 4-1/2" O.H.
2-5/8" SLOPED CAST STONE @ SILL, NO O.H.
- INSTALL CONTINUOUS METAL FLASHING AT ALL WINDOW AND DOOR HEADS AND AT ALL OTHER EXPOSED HORIZONTAL LEDGES
- WINDOWS TO HAVE SPECIAL MUNTIN PATTERNS AS INDICATED
- WHERE INDICATED EXTERIOR METAL RAILING SYSTEM TO BECUSTOM?
- WHERE INDICATED CORNER BOARDS SHALL BE 5/4 X 7 TRIM
- PANELED SIDING WHERE INDICATED TO BE FIBER CEMENT SHEET GOODS WITH 5/4 X 6 TRIM PIECES. INSTALL CONTINUOUS METAL FLASHING ALONG HORIZONTAL SEAMS.
- ALL FIBER CEMENT SIDING AND TRIM MATERIALS TO BE SMOOTH FINISH
- EXTERIOR COLUMNS TO BE SITE BUILT COLUMNS AROUND STRUCTURAL WOOD POST.
- EXTERIOR BEAMS TO BE WRAPPED WITH TRIM PER THE DRAWINGS.
- REFER TO DRAWINGS FOR ADDITIONAL NON-TYPICAL INFORMATION



1 Front Elevation
A3.1



3 Right Side Elevation
A3.1

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Consultants:

Revisions
No. Date
Description

Builder:
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15250 WAYZATA BLVD.
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PHONE: (952) 404-7204

Date 5/25/2022
Project Lewis
No.
Drawn By: RLB

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Signed:

License #
Project Name:

**LEWIS
RESIDENCE
by HENDEL
HOMES**

38 Catbird Lane
North Oaks, MN
55127

Sheet Title:
EXTERIOR
ELEVATIONS

PERMIT SET

Sheet Number:

A3.1

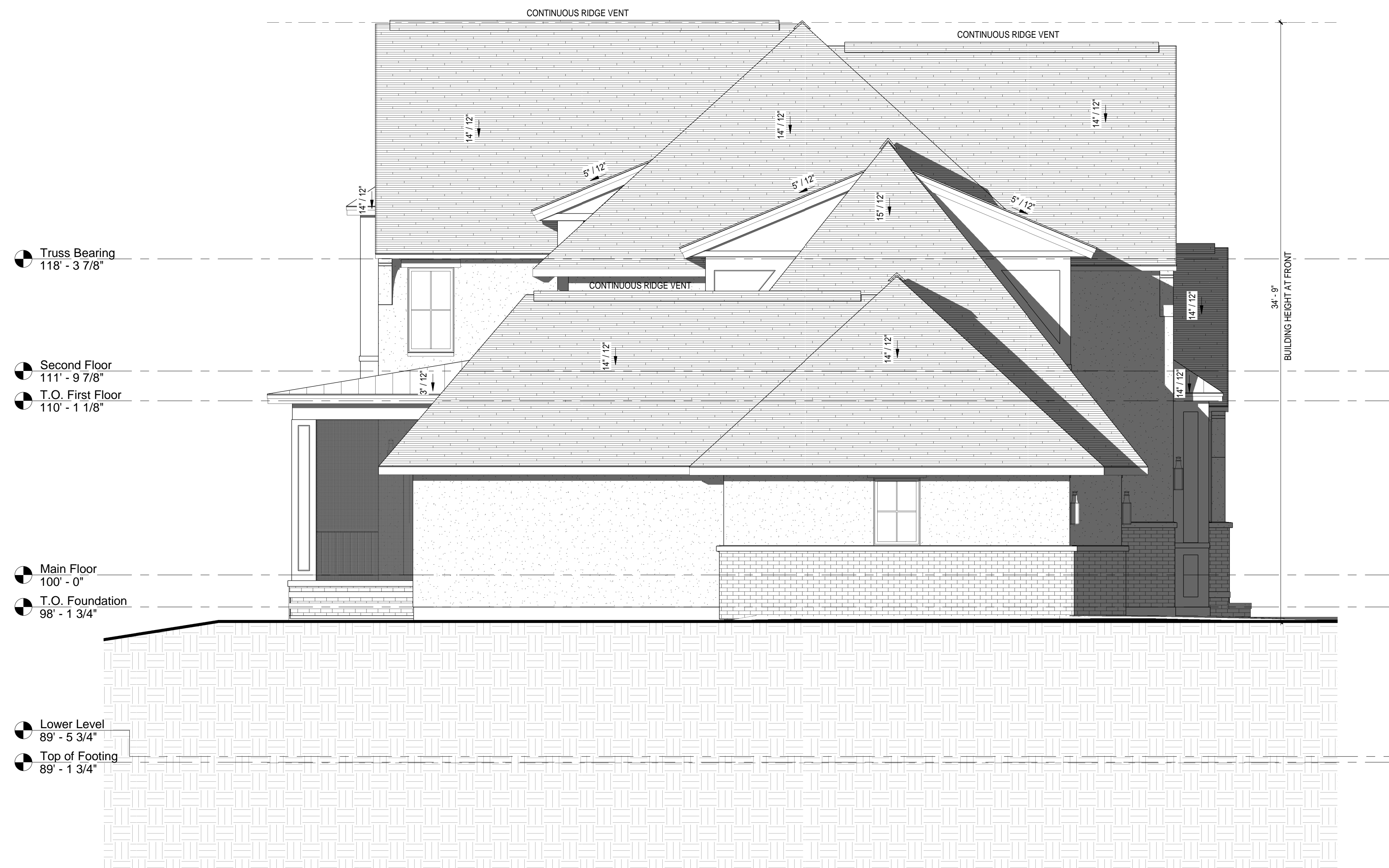
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- TYPICAL FASCIA TO BE 1 X 6 TRIM OVER 2 X SUBFASCIA. REFER TO DRAWINGS FOR OTHER FASCIA CONDITIONS.
- TYPICAL 2-PIECE FACIA TO BE 1X4 OVER 1X8 TRIM OVER 2X SUBFASCIA. REFER TO DRAWINGS FOR OTHER FACIA CONDITIONS.
- INSTALL CONTINUOUS METAL DRIP FLASHING ALONG TOP OF FASCIA EDGE AND BENEATH SHINGLES. SEE ROOF PLAN AND ROOF PLAN NOTES.
- ALL "TRIM" INDICATED ON PLANS AND NOTES TO BE "MIRATEC"-UNLESS NOTED OTHERWISE.
- INSTALL W.R. GRACE 1"X3" SELF ADHERED FLASHING AND SEALANT SYSTEM AROUND ALL WINDOW AND DOOR FRAMES. INSTALL ALL FLASHING ITEMS AND INTEGRATE WITH AIR / MOISTURE BARRIER PER MANUFACTURERS RECOMMENDATIONS.
- TYPICAL WINDOW AND DOOR TRIM TO BE AS FOLLOWS:
 AT PANEL SIDING
 5/4 X 6 @ HEAD TRIM (WHERE NO CONTINUOUS TRIM)
 5/4 X 6 @ JAMB TRIM
 SLOPED CEDAR SILL CUT FROM 2X6 @ SILL AT STUCCO SIDING
 5-1/2" HIGH CAST STONE LINTELS @ HEADER W/ 4-1/2" O.H.
 2-5/8" SLOPED CAST STONE @ SILL, NO O.H.
- INSTALL CONTINUOUS METAL FLASHING AT ALL WINDOW AND DOOR HEADS AND AT ALL OTHER EXPOSED HORIZONTAL LEDGES
- WINDOWS TO HAVE SPECIAL MUNTIN PATTERNS AS INDICATED
- WHERE INDICATED EXTERIOR METAL RAILING SYSTEM TO BECUSTOM?
- WHERE INDICATED CORNER BOARDS SHALL BE 5/4 X 7 TRIM
- PANELED SIDING WHERE INDICATED TO BE FIBER CEMENT SHEET GOODS WITH 5/4 X 6 TRIM PIECES. INSTALL CONTINUOUS METAL FLASHING ALONG HORIZONTAL SEAMS.
- ALL FIBER CEMENT SIDING AND TRIM MATERIALS TO BE SMOOTH FINISH
- EXTERIOR COLUMNS TO BE SITE BUILT COLUMNS AROUND STRUCTURAL WOOD POST.
- EXTERIOR BEAMS TO BE WRAPPED WITH TRIM PER THE DRAWINGS.
- REFER TO DRAWINGS FOR ADDITIONAL NON-TYPICAL INFORMATION



1 Rear Elevation
 A3.2 1/4" = 1'-0"



2 Left Side Elevation
 A3.2 1/4" = 1'-0"



Consultants:

Revisions
 No. Date Description

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**LEWIS
 RESIDENCE
 by HENDEL
 HOMES**

38 Catbird Lane
 North Oaks, MN
 55127

Sheet Title:
 EXTERIOR
 ELEVATIONS

PERMIT SET

Sheet Number:

A3.2

Map Ramsey



Kendra Lindahl, AICP

To: Kevin Kress
Subject: RE: Planning Commission Public Hearing Comment - 38 Catbird Lane - June 30th

From: Jonathan Pieronek <jonathan.pieronek@att.net>
Sent: Sunday, June 19, 2022 6:06 PM
To: Kevin Kress <KKress@northoaksmn.gov>
Subject: Planning Commission Public Hearing Comment - 38 Catbird Lane - June 30th

Caution: This email originated outside our organization; please use caution.

North Oaks Planning Commission,

We are the owners of 6 Cherrywood Lane and received mail correspondence regarding the public hearing on June 30th for 38 Catbird Lane.

We are supportive of the request for allowance of a home in excess of 35 feet in height.

Thank you,
Jon and Shannon Pieronek

From: [Steve McDaniels](#)
To: [Kendra Lindahl, AICP](#)
Subject: Good afternoon
Date: Thursday, June 23, 2022 9:34:59 PM

My name is Steve McDaniels. My wife Jan and I live at 37 Catbird Lane. I noticed there is a hearing (June 30) requesting a CUP for a height variance for the upcoming 38 Catbird Lane build. I don't know the specifics of this build situation. However, I am aware that the lot has a significant lower elevation to the north (rear of the home) which, in my opinion, lends itself to be a home with a walkout. I assume this is a primary reason for the request. We do not have an objection to the CUP in this circumstance.

Steve McDaniels

**CITY OF NORTH OAKS
RAMSEY COUNTY, MINNESOTA
RESOLUTION NO. ____**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO
CONSTRUCT A HOME IN EXCESS OF 35 FEET IN HEIGHT FOR PROPERTY
ADDRESS 38 CATBIRD LANE**

WHEREAS, an application for a Conditional Use Permit has been submitted by Hendel Homes, the owner of the real property described below, to allow for the construction of a home in excess of 35 feet in height on real property located at 38 Catbird Lane, North Oaks, Ramsey County, Minnesota, legal described on the attached **EXHIBIT A**; and

WHEREAS, a Conditional Use Permit is required for a home in excess of 35 feet in height; and

WHEREAS, the request has been reviewed against the relevant requirements of North Oaks Zoning Ordinance Sections 151.050 and 151.076, regarding the criteria for issuance of a Conditional Use Permit, and meets the minimum standards, is consistent with the Comprehensive Plan, is in conformance with the Zoning Ordinance, and does not have a negative impact on public health, safety, or welfare; and

WHEREAS, a public hearing concerning the Conditional Use Permit was held before the North Oaks Planning Commission in accordance with Minnesota Statutes, Section 462.357, subd. 3, on June 30, 2022 at which hearing the Planning Commission voted 6-0-1 to recommend approval of the Conditional Use Permit application, subject to certain conditions.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH OAKS, that a Conditional Use Permit to allow for a home in excess of 35 feet in height, is approved subject to the following conditions:

1. The home shall be constructed in accordance to plan sets dated and received on May 25, 2022.
2. The proposed home shall meet all required setbacks and other zoning standards prior to the issuance of a building permit.
3. The conditions of Title 151.027(D)2 shall be satisfied before the issuance of a building permit. The building plan application shall contain an erosion and sediment control plan.
4. No soil stockpiling or vehicular activity shall be permitted in the planned SSTS locations.
5. Tree disturbance should be strategically completed and remaining trees abutting construction disturbance areas shall have tree protection barriers installed at the dripline.

6. Erosion control shall be in place prior to the beginning of construction.
7. Plans shall be approved by the Building Official prior to the beginning of construction.
8. Any outstanding fees shall be paid prior to the issuance of a building permit.
9. Compliance with comments of other City Staff.

BE IT FURTHER RESOLVED that the City Clerk, Deputy City Clerk, or City Attorney are hereby authorized and directed to record a certified copy of this Resolution with the Ramsey County Registrar of Titles.

Adopted by the City Council of the City of North Oaks this 14th day of July, 2022.

By: _____
Kara Ries
Its: Mayor

Attested:

By: _____
Kevin Kress
Its: City Administrator

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

Real property located in Ramsey County, Minnesota legally described as follows:

Tract F, Registered Land Survey No. 604, Ramsey County, Minnesota.

PID: 053022430004

Torrens Property

**CITY OF NORTH OAKS
RAMSEY COUNTY, MINNESOTA
RESOLUTION NO. 1465**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO
CONSTRUCT A HOME IN EXCESS OF 35 FEET IN HEIGHT FOR PROPERTY
ADDRESS 38 CATBIRD LANE**

WHEREAS, an application for a Conditional Use Permit has been submitted by Hendel Homes, the owner of the real property described below, to allow for the construction of a home in excess of 35 feet in height on real property located at 38 Catbird Lane, North Oaks, Ramsey County, Minnesota, legal described on the attached **EXHIBIT A**; and

WHEREAS, a Conditional Use Permit is required for a home in excess of 35 feet in height; and

WHEREAS, the request has been reviewed against the relevant requirements of North Oaks Zoning Ordinance Sections 151.050 and 151.076, regarding the criteria for issuance of a Conditional Use Permit, and meets the minimum standards, is consistent with the Comprehensive Plan, is in conformance with the Zoning Ordinance, and does not have a negative impact on public health, safety, or welfare; and

WHEREAS, a public hearing concerning the Conditional Use Permit was held before the North Oaks Planning Commission in accordance with Minnesota Statutes, Section 462.357, subd. 3, on June 30, 2022 at which hearing the Planning Commission voted 6-0-1 to recommend approval of the Conditional Use Permit application, subject to certain conditions.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH OAKS, that a Conditional Use Permit to allow for a home in excess of 35 feet in height, is approved subject to the following conditions:

1. The home shall be constructed in accordance to plan sets dated and received on May 25, 2022.
2. The proposed home shall meet all required setbacks and other zoning standards prior to the issuance of a building permit.
3. The conditions of Title 151.027(D)2 shall be satisfied before the issuance of a building permit. The building plan application shall contain an erosion and sediment control plan.
4. No soil stockpiling or vehicular activity shall be permitted in the planned SSTS locations.
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6. Erosion control shall be in place prior to the beginning of construction.
7. Plans shall be approved by the Building Official prior to the beginning of construction.
8. Any outstanding fees shall be paid prior to the issuance of a building permit.
9. Compliance with comments of other City Staff.

BE IT FURTHER RESOLVED that the City Clerk, Deputy City Clerk, or City Attorney are hereby authorized and directed to record a certified copy of this Resolution with the Ramsey County Registrar of Titles.

Adopted by the City Council of the City of North Oaks this 14th day of July, 2022.

By: _____
Kara Ries
Its: Mayor

Attested:

By: _____
Kevin Kress
Its: City Administrator

EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY

Real property located in Ramsey County, Minnesota legally described as follows:

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