



CITY OF NORTH OAKS

**Regular Planning Commission Meeting
Thursday, January 06, 2022
7 PM, Community Meeting Room, 100 Village Center Drive
MEETING AGENDA**

Remote Access - *Planning Commission members will 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: 875 8767 4475 or by joining the meeting via the following link: <https://us02web.zoom.us/j/87587674475>. 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

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

5. Approval of Agenda

6. Approval of Previous Month's Minutes

6a. Approval of Planning Commission Meeting minutes of September 30, 2021
[Planning Commission Minutes 9.30.2021 - Draft.pdf](#)

7. Business Action Items

7a. Public Hearing on a Conditional Use Permit for a home in excess of 35 feet in height located at 3 Eastview Lane.
Discussion and possible action on CUP.

7b. Continued Public Hearing on a Conditional Use Permit for a home in excess of 35 feet in height located at 6 Sherwood Trail. Discussion and possible action on CUP.

[6 Sherwood Trail - Guanzini - Elev for CUP - 1-3-22 Update.pdf](#)

[6 Sherwood Trail - 2021 CUP Application - North Oaks.pdf](#)

[6 Sherwood Trail - CUP Narrative.pdf](#)

[GH1258-Tract H RLS 634\(EAST PRESERVE\)-COS 010422 \(003\).pdf](#)

[Ramsey County Countours - Aerial.JPG](#)

[Ramsey County Countours.JPG](#)

[Staff Report 6 Sherwood Trail height updated kkjwm1-5-22.pdf](#)

8. Commissioner Report(s)

9. Adjourn

**North Oaks Planning Commission
Meeting Minutes
City of North Oaks Via Electronic Means and Community Room
September 30, 2021**

CALL TO ORDER

Chair Azman called the meeting of September 30, 2021, to order at 7:00 p.m.

Pursuant to Minnesota Statute 13D.021, the meeting was conducted with attendees and Commissioners participating both in the Community Room and via Zoom.

ROLL CALL

Present via electronic means: Chair Mark Azman Commissioners, Commissioners Nick Sandell, Joyce Yoshimura-Rank, Stig Hauge

Present in the Community Room: Commissioners David Cremons, Grover Sayre III,

Absent: Anne Conroy

Other Staff Present: City Administrator Kevin Kress City Engineer Tim Korby, Council Liaison Jim Hara

A quorum was declared present.

PLEDGE OF ALLEGIANCE

Administrator Kress led the Pledge of Allegiance.

CITIZEN COMMENTS

There were no citizen comments.

APPROVAL OF AGENDA

MOTION by Sayre, seconded by Cremons, to approve the agenda. Motion carried unanimously by roll call.

APPROVAL OF PREVIOUS MONTH'S MINUTES

a. Approval of August 5, 2021 Planning Commission Meeting Minutes

MOTION by Cremons, seconded by Sayre to approve the previous months minutes. Motion carried unanimously by roll call.

BUSINESS ACTION ITEMS

a. Public Hearing on Conditional Use Permit #21-12 for a home in excess of 35 feet in height for property located at 20 Evergreen Road. Discussion and possible action on CUP.

Chair Azman called the Public hearing to order at 7:06 p.m.

Administrator Kress stated the applicant on this project is looking to build a new home with a height in excess of 35 feet on a vacant lot. The subject parcel is 1.71 acre, zoned RSL, with the

request for a home height of 42 feet and inches at the highest elevation. The application meets conditions required for a CUP, the only item to note is grading near the bluff.

Engineer Morast of HR Green mentioned there is 1 grading item on the eastside of the property that is within the bluff setback. He mentioned they will work with the applicant on the grading to reduce or eliminate that grading possibly with extension of the landscaping wall. The 30-foot bluff setback exists to minimize potential impact within the Shoreland. The City ordinance requires 30 feet setback from bluffs, however it outlines there can be limited activity within the between the 20-30 foot farthest from the bluff.

- Cremons mentioned he'd be more comfortable with formal conditions to minimize disturbance near bluff being stated in the Resolution.
- Kress confirmed that the bluff ordinance is part of the Shoreland ordinance.
- Chair Azman mentioned the excess height is on corner of house with least impact to others.
- Colby Mattson, the designer speaking on behalf of the applicant, mentioned they have no problem leaving the contour back to the original location so there is no bluff impact. They have already made this change to the plans based on recommendation from City staff.
- They worked hard to keep to keep the roofline low, as they accommodated the desire to have a window egress in lower level basement bedroom. This is the cause of the excess height request.
- If approved, they plan to submit for permit shortly and then commence construction in 2021.
- Yoshimura-Rank asked whether there are both primary and secondary septic sites designated. The applicant confirmed that both septic areas are designed side by side without a variance required. They also noted they are working with arborist to keep as many large trees as possible.

Chair Azman called the Public hearing to order. MOTION by Yoshimura-Rank, seconded by Sandell, to open the public hearing at 7:20 p.m. Motion carried unanimously by roll call.

- There were no public comments.

MOTION to close the public hearing by Yoshimura-Rank, seconded by Hauge. Motion carried by roll call vote at 7:21 p.m.

- There were no further comments by Commissioners or staff.

MOTION by Yoshimura-Rank, seconded by Cremons, to approve the CUP application #21-12 for height in excess of 35 feet at the property located at 20 Evergreen Road, with bluff and other conditions as listed by City Staff. Motion carried unanimously by roll call.

Chair Azman noted that the recommendation for approval will go before the Council at their next meeting on October 14, 2021 for final consideration.

b. Public Hearing Conditional Use Permit #21-13 for a garage in excess of 1,500 square feet for property located at 3 Eastview Lane. Discussion and possible action.

Administrator Kress stated the applicant is looking for a two-stall garage in excess of 1,500 square feet, with total 1,900 square feet requested. This property is 1.40 acres with RSL zoning. This application meets conditions for CUP as outlined in the staff report and staff recommends approval.

Chair Azman called the public hearing to order at 7:25 p.m.

- Azman noted that they are just 400 square feet over the threshold, which is lower than other garage CUP applications in the past.
- Yoshimura-Rank asked what the square foot is of 1.4-acre lot. Kress stated it converts to 60,984 square feet.
- Applicant Ben Schmidt stated there is an existing house they will be tearing down. The new home will have slightly bigger garage, as they are looking to have additional space to store cars for their family of five.
- Azman noted that it appears the garage is well integrated into the visual of the home. He has no other questions.

MOTION by Sayre, seconded by Cremons, to open the public hearing/public comment portion at 7:30 p.m. Motion carried unanimously by roll call.

There were no public comments in person or submitted to Administrator Kress by the public.

MOTION by Hauge, seconded by Yoshimura-Rank, to close the public hearing/public comment time at 7:31 p.m. Motion carried unanimously by roll call.

- Yoshimura-Rank asked for clarification regarding the FAR ratio based on the size of the lot and home. Applicant Schmidt indicated that the FAR ratio is .1148 – within the total max allowed .12%.
- Administrator Kress displayed the FAR worksheet calculations.

There were no further comments by Commissioners.

MOTION by Cremons, seconded by Sayre to approve Conditional Use Permit application #21-13 for 3 Eastview Lane for excess garage space to accommodate a garage of 1,900 square feet, with conditions as listed by City Staff. Motion carried unanimously by roll call.

Chair Azman noted for the applicant, this recommendation for approval will be presented the City Council at the October 14th meeting for their consideration.

COMMISSIONER REPORTS

- Commissioner Cremons mentioned the proposed public wetland ordinance on the agenda for the City Council. He asked if the Planning Commission will have any formal role to provide commentary on this.
- Council Liaison Hara mentioned this originated during a meeting with the DNR last summer, in which they suggested that the City consider having a wetland ordinance. City engineer modeled the draft ordinance after Minnetonka. The public hearing at the Council meeting is the first discussion for feedback, and then next steps will be considered.
- Cremons would like to see the Natural Resources Commission and Planning Commission consider having a formal discussion within those two bodies to provide feedback to the Council on the ordinance, as this could have direct impact on their review of future applications that come before them.
- Administrator Kress mentioned that residents should remind neighbors to keep their garage doors closed and take safety precautions.

Chair Azman noted that the next meeting of the Planning Commission will be on October 28th, 2021.

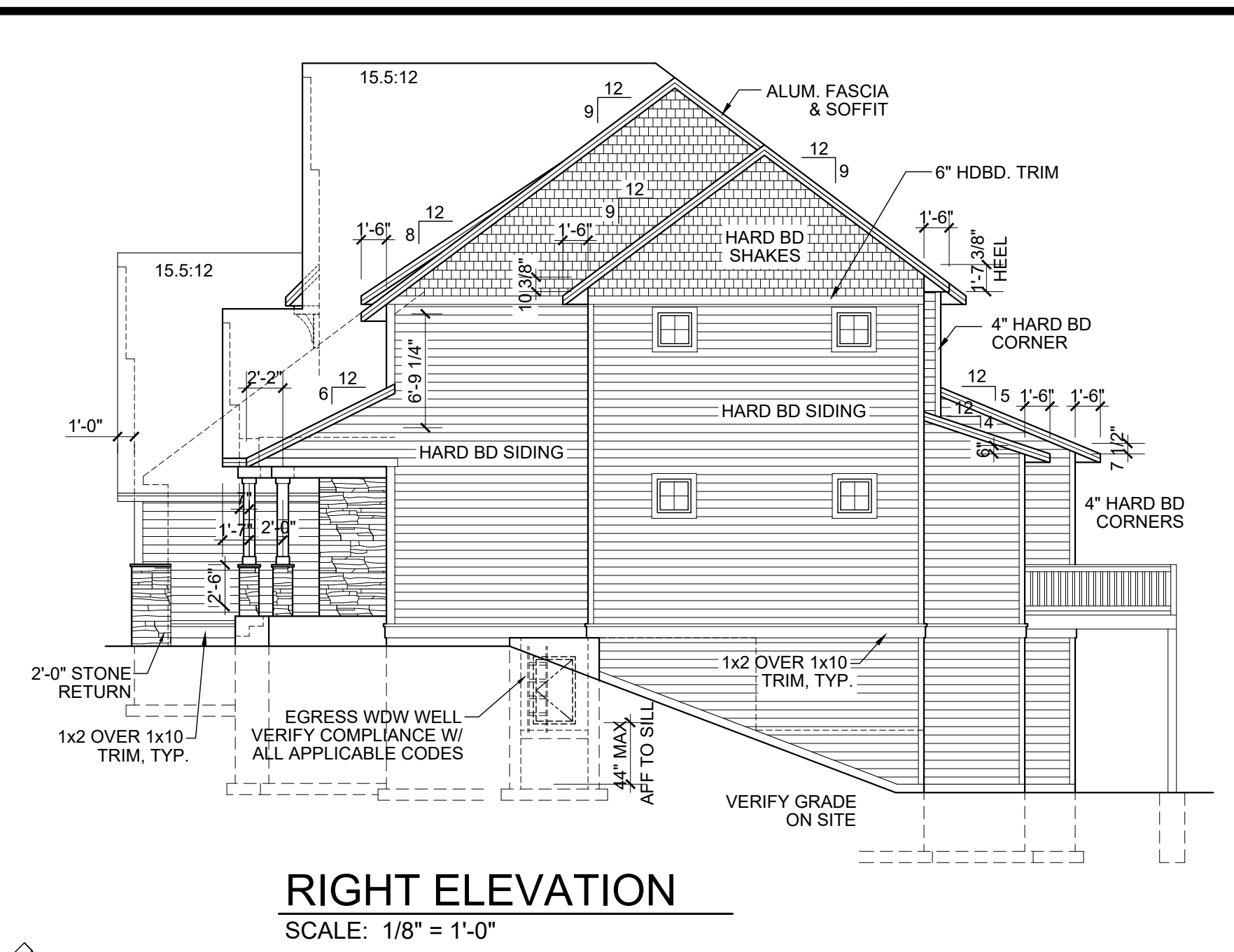
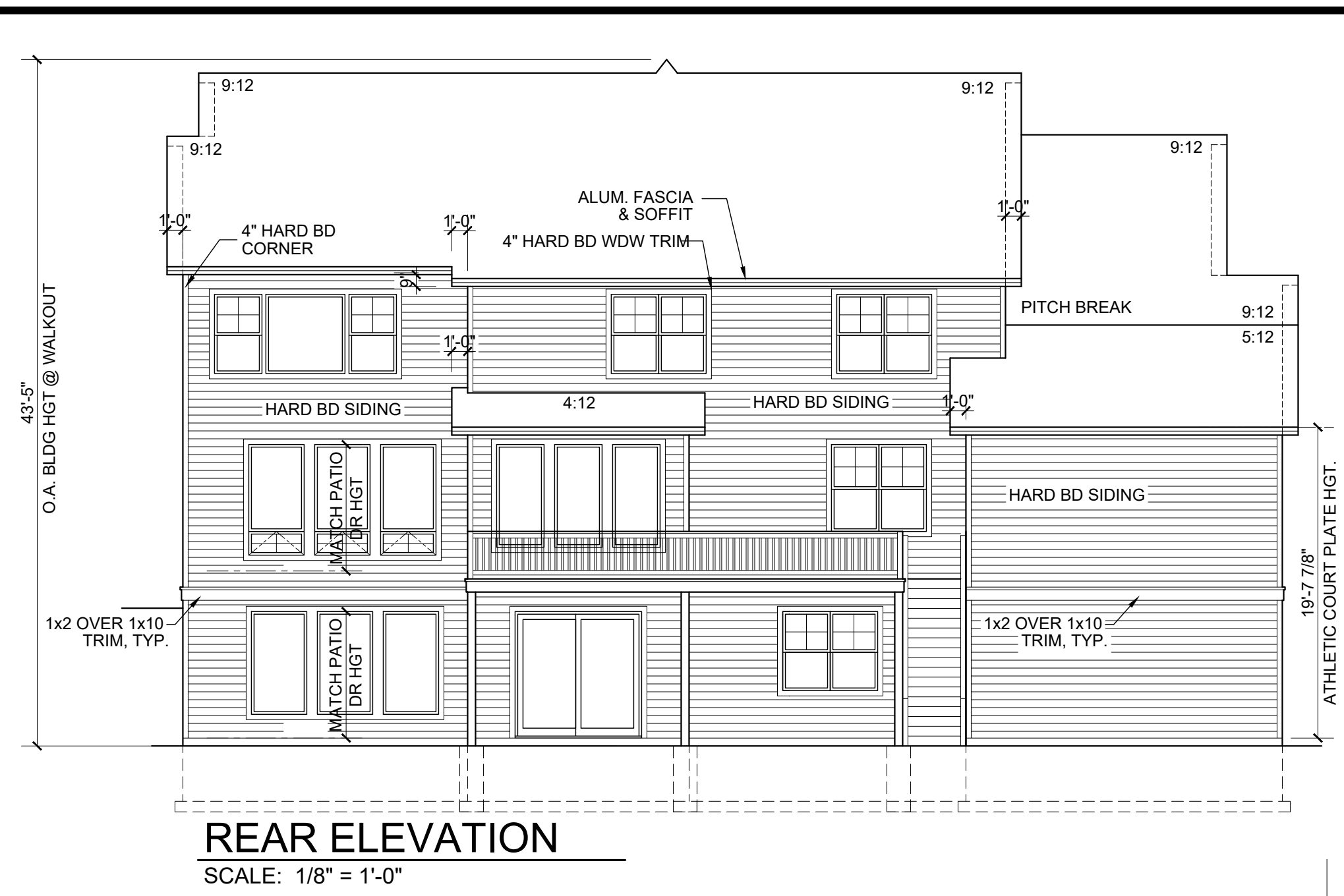
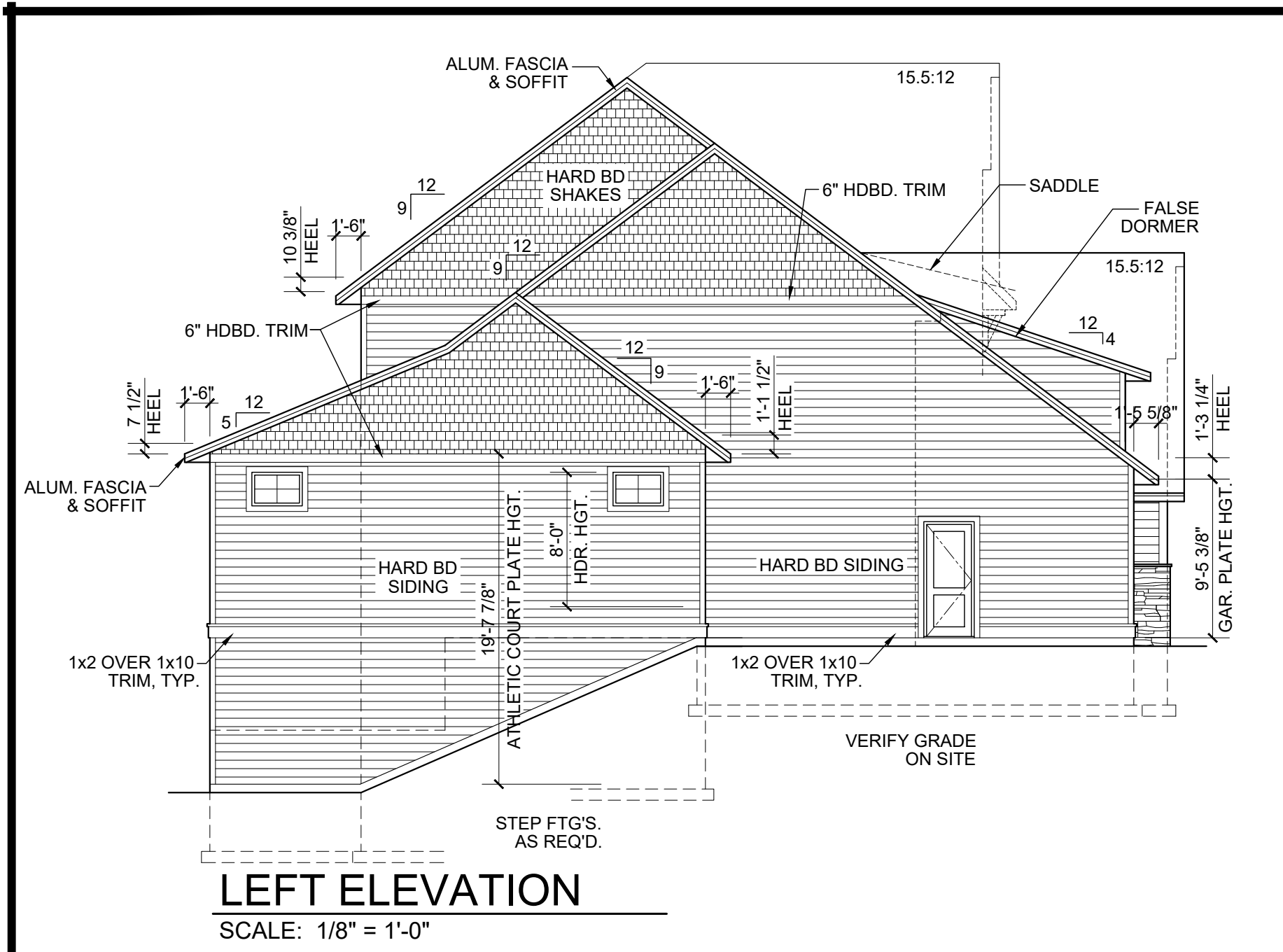
ADJOURN

MOTION by Hauge, seconded by Yoshimura-Rank, to adjourn the Planning Commission meeting at 7:42 p.m. Motion carried unanimously by roll call.

Kevin Kress, City Administrator

Mark Azman, Chair

Date approved _____



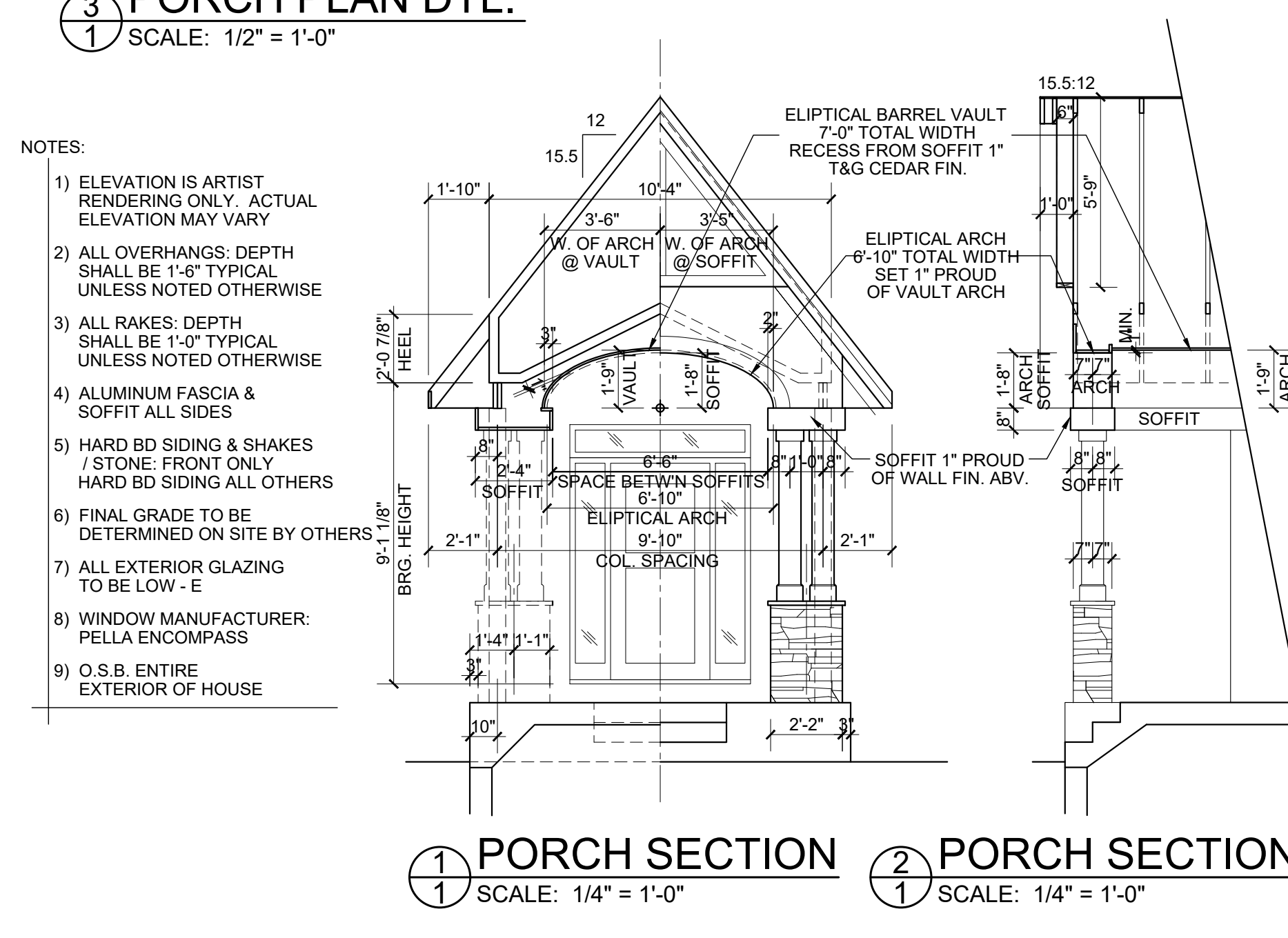
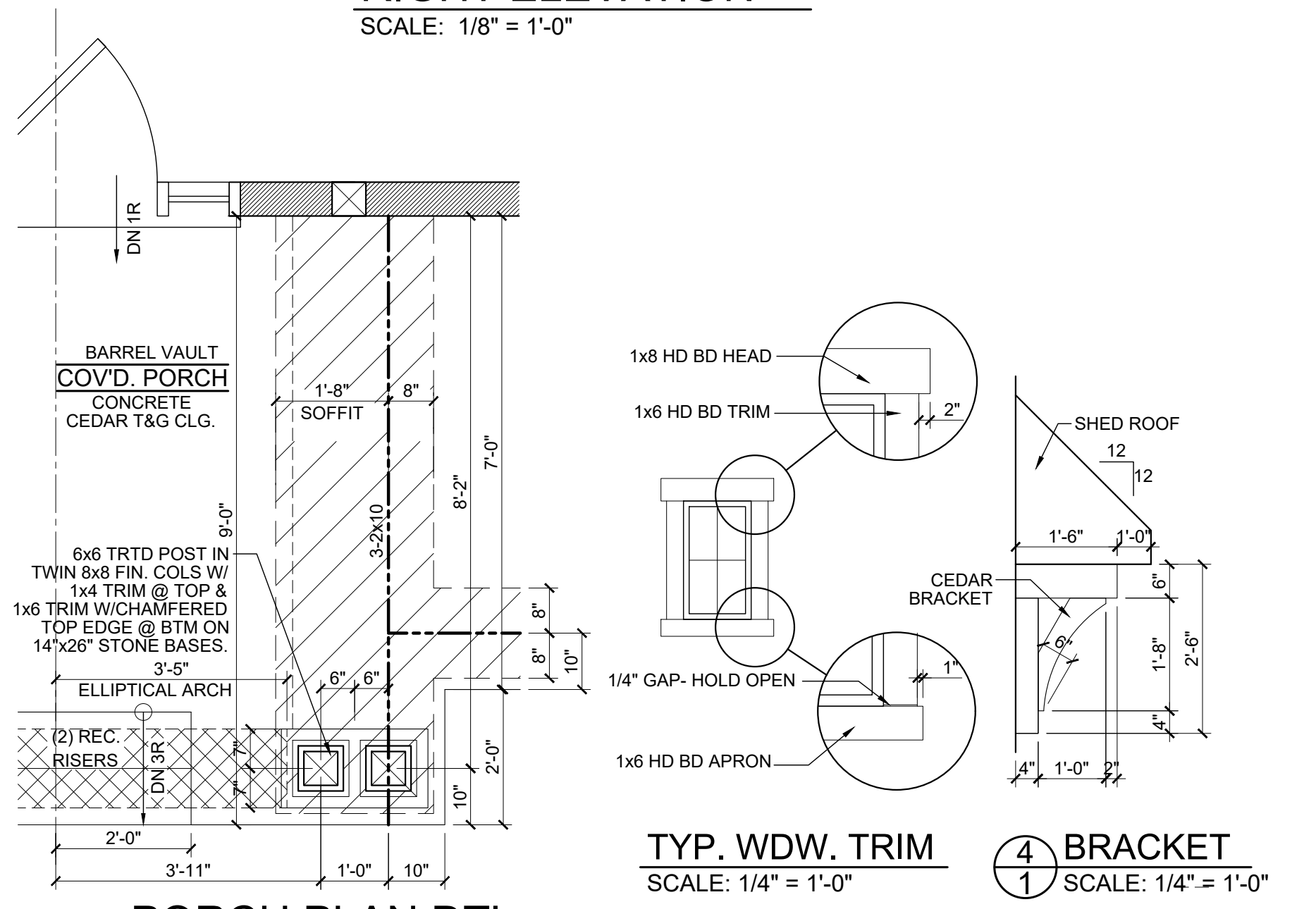
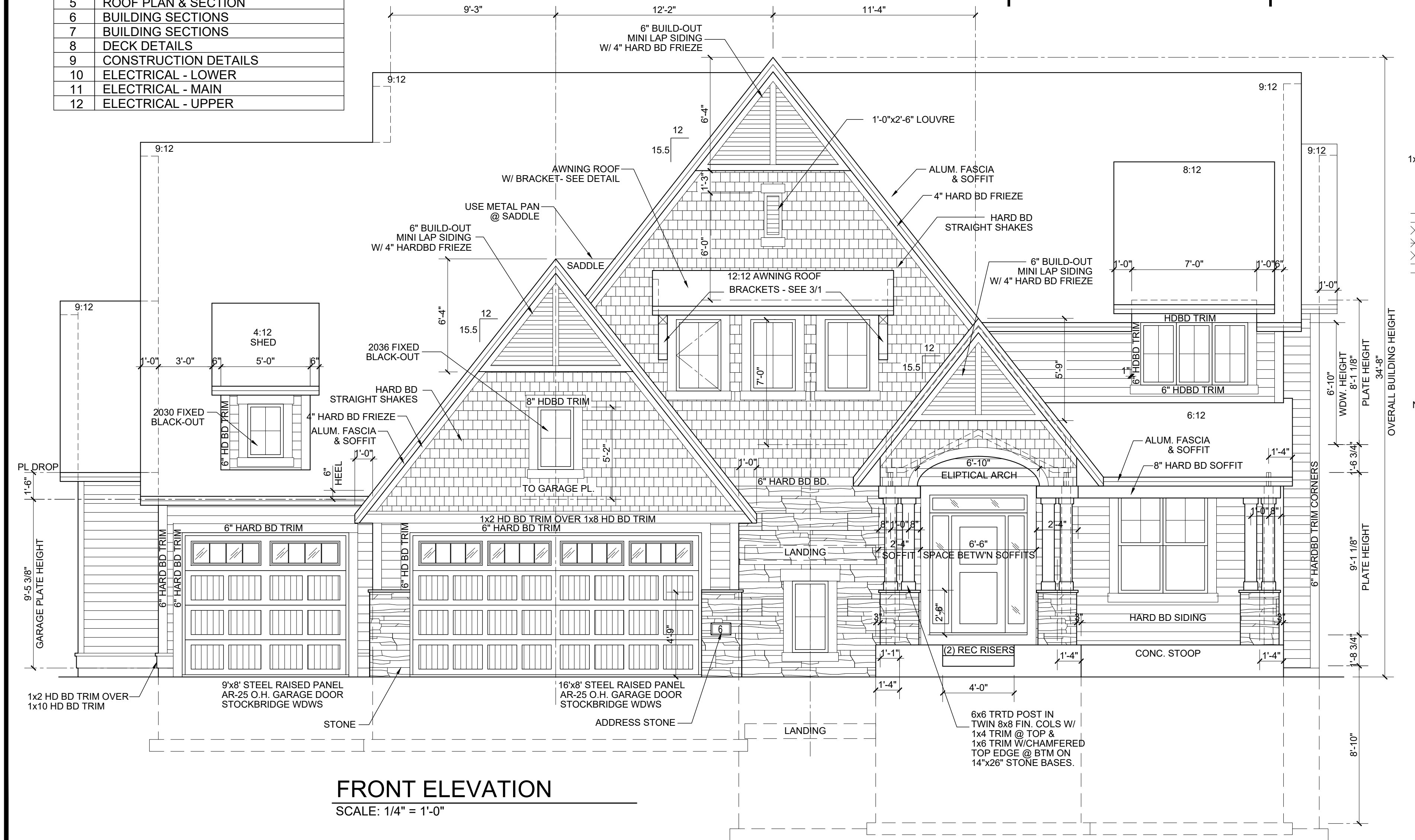
INDEX OF SHEETS

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

NOTE:
INSTALL KICK-OUT FLASHING FOR STONE EXTERIOR

NOTE:
BUILDING WRAP & TAR PAPER EXTERIOR IN PROPER FORM

NOTE:
INSTALL TWO - MEMBRANE TAR PAPER BACKING UNDER ALL ROCK, STONE, AND STUCCO PRODUCTS



- 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 & SHAKES / STONE: FRONT ONLY HARD BD SIDING ALL OTHERS
 - 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

ITASCA - ELEV. B

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	5-14-21 jo
2	6-6-21 PERMIT
3	7-6-21 jo
4	7-22-21 yz
5	8-09-21 yz
6	8-12-21 FINAL STRUCT.
7	8-31-21 yz
8	9-13-21 yz
9	12-21-21 jb
10	1-3-22 jo

© 2021 GONYEA COMPANIES

GUANZINI RESIDENCE
LOT 8 - BLOCK 1 - EAST PRESERVE
6 SHERWOOD TRAIL
NORTH OAKS, MN 55127

PROJECT

FOUNDATION	1561
FINISHED SQUARE FEET	
BASEMENT	1289
FIRST	1561
SECOND	1703
ATHLETIC CT	580
TOTAL	5133

PROJECT NO.
GH1258

SHEET
1 OF 12

No. _____

CITY OF NORTH OAKS, MINNESOTA
APPLICATION FOR CUP, VARIANCE, APPEAL, AMENDMENT, PLAN REVIEW

Location of Property: (address) 6 Sherwood Trail

Legal Description of Property: Tract H RLS 634

Fee Owner: Gonyea Homes 1000 Boone Ave N, Ste 400
Name Address

Golden Valley Mn 55427 763-452-6235
City State Zip Contact Number/s

Signature of Fee Owner: Jennifer Otto Date 11-23-21

Applicant: _____
(if different from owner) Name Address

_____ jotto@gonyeahomes.com
City State Zip Contact Numbers/s Email Address

Signature of Applicant: _____ Date _____

Type of Request: *(Please circle correct request)*

CONDITIONAL USE PERMIT

(as provided for in Chapter 151.076 of Code of Ordinances)

VARIANCE

APPEAL

AMENDMENT

BUILDING / SITE PLAN REVIEW

OTHER

Please attach **fifteen (10)** copies of detailed written and graphic material fully explaining the proposed request and include the reason for the request, present zoning classification and existing use of the property.

(For office use)

Application received with \$450 application fee (or per [fee schedule](#)) on _____ Check # _____ Amt # _____
Escrow (per [fee schedule](#)) received on _____ Check # _____ Amt # _____

Date for review of completeness fifteen (15) business days from initial receipt _____

* If application is deemed incomplete, **written** notice must be sent to the applicant by above date stating the items that need to be submitted for the application to be deemed complete.

Deadline for action sixty (60) days from initial receipt _____

Extended deadline _____

** City may extend the review period by up to sixty days from the end of deadline for action only if applicant is notified in **writing** prior to the end of the initial sixty (60) day review period. The deadline may be extended beyond sixty days with applicant’s approval.

Conditional Use or Amendment request - Public Hearing date _____

Planning Commission action:

Approval or disapproval on _____ with conditions _____

City Council Action:

Approval or disapproval on _____ with conditions _____

Variance, Appeal, Building/Site Plan Review, Other

Action of Board of Adjustment and Appeals:

Approval or disapproval on _____

Bond Required _____

Bond Received on _____

APPLICANT RESPONSIBILITY FOR PAYMENT

As authorized in Chapter 151.083 of the Ordinance Code, an applicant will be responsible for full reimbursement of incurred costs to the City of North Oaks. (A copy of this section of the Ordinance is available upon request**)

A typical process for reviewing a zoning action may include the following: City employee help in explaining the application process, City employee receipt of completed application and proper scheduling on appropriate agenda, one legal notice for a public hearing (if applicable), written notice to abutting property owners (if applicable), generation of a staff report, presentation of the staff report to the Planning Commission and presentation of the staff report and Planning Commission recommendation to the City Council.

City reimbursement policy: An applicant can withdraw their request at any time during the review process, however the application fee is non-refundable. Any remaining escrow deposit that is not needed to pay incurred costs to the date of application removal will be refunded to the applicant within sixty days.

I acknowledge that I have read and fully understand the above statements.

Jennifer Otto

Applicant’s Signature

Date 11-23-21

**** § 151.083 FEES.** (A) To defray the administrative costs of processing applications for conditional uses, amendments, variances, or appeals, a nonrefundable base fee, as established by the city from time-to time, per application shall be paid by all applicants when the application is filed. (B) (1) In order to defray any additional cost over and above the normal processing of an application for a conditional use, an amendment, a variance, an appeal, or in determining the adequacy of off-street parking, loading, unloading, and service entrances, or when an amended plan must be reviewed by the city, the applicant shall reimburse the city for the costs the city may incur in employing the services of engineers, attorneys, and/or other professional consultants in connection with the application. (2) An initial deposit, as established by the city from time to time, may be requested by the Zoning Administrator for these services. (3) If this amount does not cover all the costs, the applicant will be so advised and full reimbursement hereunder shall be made whether the application is approved or denied. (C) A nonrefundable fee, as established by the city from time to time, for each certificate of occupancy shall be paid when the application is filed. (Ord. 94, § 8.9, passed 2-11-1999; Am. Ord. passed 11-24-1999; Am. Ord. passed 7-24-2001; Am. Ord. passed 10-22-2002; Am. Ord. passed 4-1-2003; Am. Ord. passed 12-23-2003)

Conditional Use Permit Cover Letter – Tract H, RLS No. 634 6 Sherwood Trail

November 23, 2021

To Whom it may concern:

Gonyea Homes, Inc., builder representative of Steven & Amanda Guanzini, respectfully requests a Conditional Use Permit as it relates to the maximum allowable building height in the RSL-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. While we feel that the design of this home meets the above stated building height requirements of 35' allowable at the front and 45' allowable at the sides and rear of a walkout, due to the ambiguity of the language of the ordinance, we were instructed it is in our best interest to apply for a Conditional Use Permit to keep the project moving and receive the building permit.

Furthermore, for a Conditional Use Permit, this home also meets the following criteria:

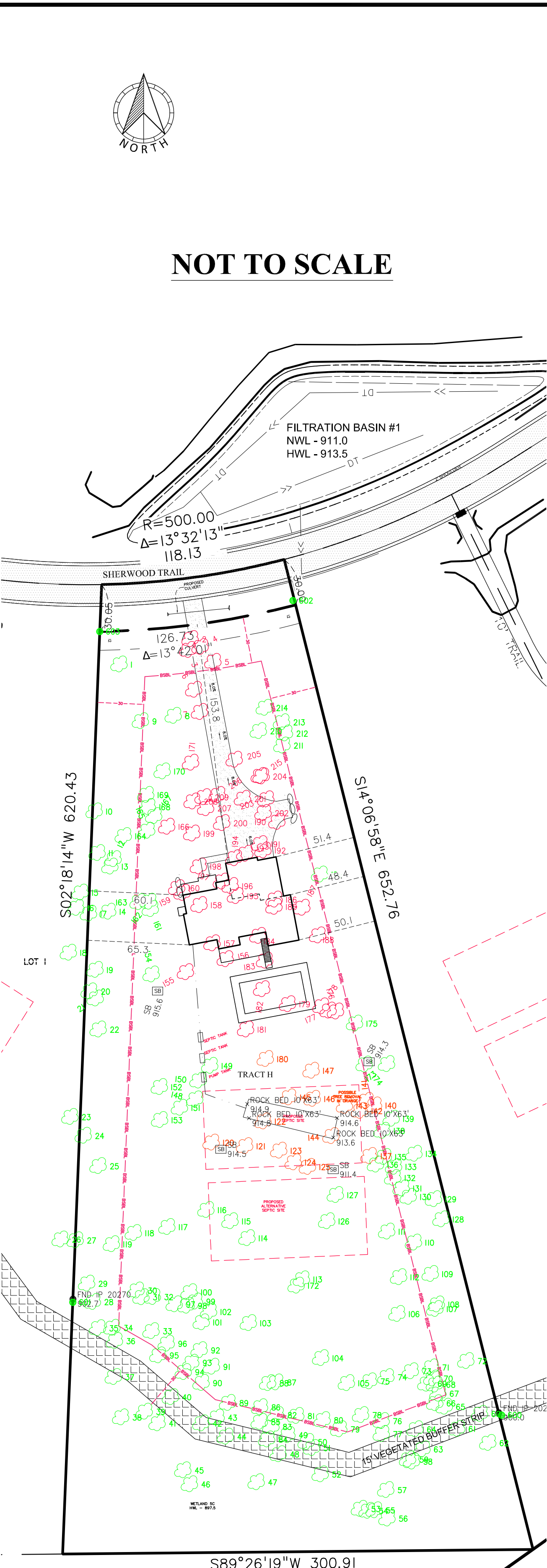
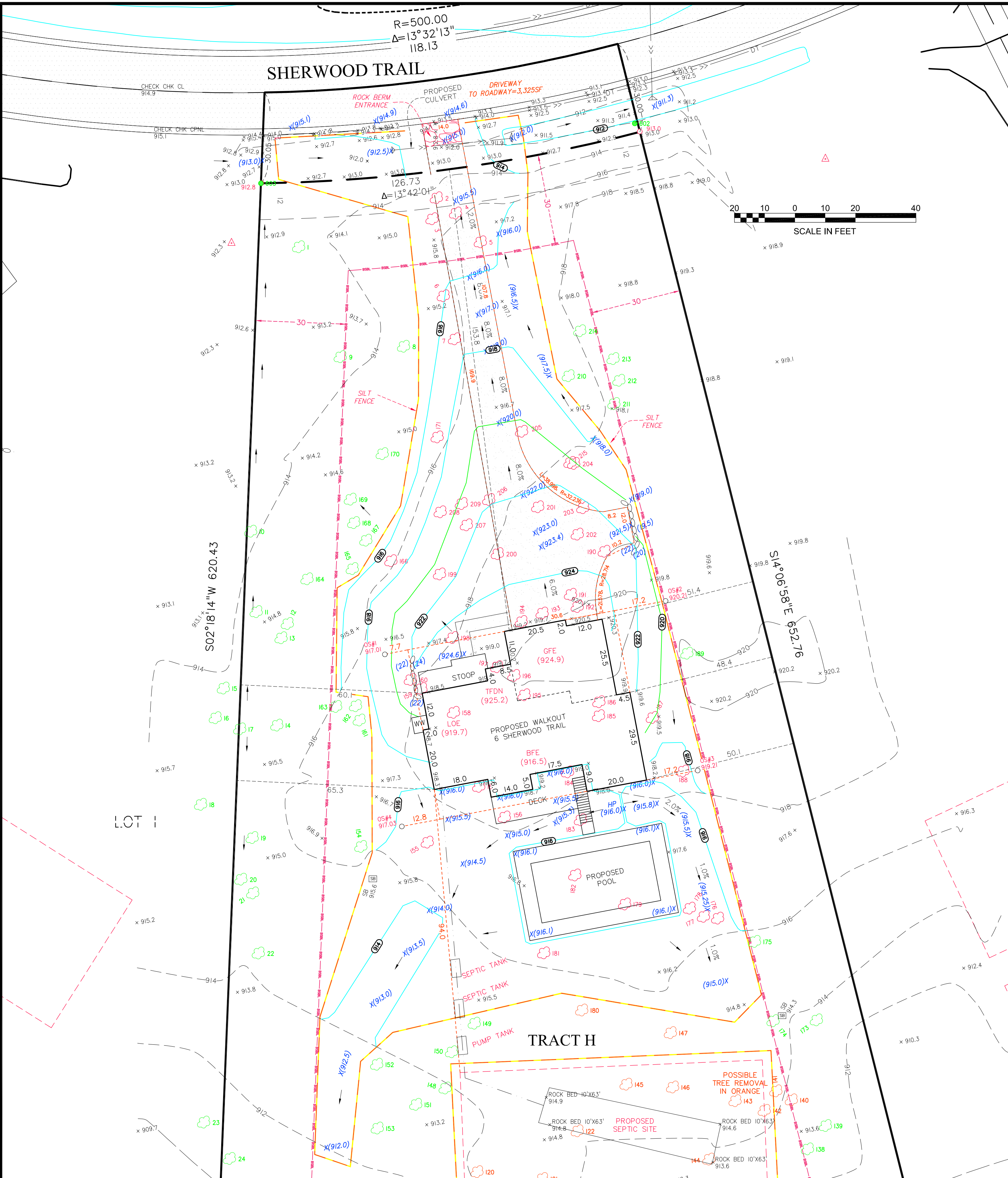
- The front elevation of the building does not exceed 35 feet in height at any point
- The building height at any other elevation does not exceed 45 feet
- The environmental and topographical conditions of the lot prior to building development are naturally suited to the design of a building with an egress or walkout level
- 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.

Going forward, would it be possible for the language deemed ambiguous to be cleaned up and/or rewritten so that it is clear and concise for the future as this affects every walk-out lot out in the development. Having to apply for a Conditional Use Permit each time because the language is difficult to interpret is costly & time consuming.

Thank you for your consideration,



Jennifer Otto
Architectural Designer



DESCRIPTION OF PROPERTY SURVEYED

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

GENERAL NOTES

- Site Address:** 6 Sherwood Trail, North Oaks, Minnesota 55127
- 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.
- Parcel Area Information:** Gross Area: 131,193 s.f. ~ 3.012 acres
Roadway Easement Area: 3,673 s.f. ~ 0.084 acres
Lot Area To Roadway Easement: 127,520 s.f. ~ 2.927 acres
- Principal Structure Setbacks:** Front: 30 feet from roadway easement
Side: 30 feet
Rear: 30 feet

Please note that the general restrictions for the subject property may have been amended through a city process. We could be unaware of such amendments if they are not in a recorded document provided to us. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site.

- 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.

Proposed Elevations - WO

Proposed Garage Floor Elevation = 923.9
 Proposed Top of Foundation Elevation = 924.2
 Proposed Top of Lookout Opening Elevation = 918.7
 Proposed Basement Floor Elevation = 915.5

Hardcover

Lot Area To Roadway Easement = 127,520 S.F.
 Roadway Easement Area = 3,673 S.F.
 Gross Lot Area = 131,193 S.F.
 House Area = 2,943 S.F.
 Roadway Area = 3,325 S.F.
 Driveway Area = 1,682 S.F.
 Front Walk Area = 103 S.F.
 Pool Area = 700 S.F.
 Stoop Area = 180 S.F.
 Deck Area = 406 S.F.
 Total Area = 9,339 S.F.
 Coverage = 7.1%

Offset Irons
 (elevation are to the top of pipe)
 OS #1=917.01 OS #2=920.21
 OS #4=917.03 OS #3=919.21

Tree #	Species	DBH	Condition	Stems
185	Ash, green	9.5	Healthy	2
186	Oak, pin	22.0	Healthy	1
187	Ash, green	16.0	Healthy	1
188	Ash, green	8.0	Healthy	1
189	Oak, white	20.0	Healthy	1
190	Ash, green	6.0	Healthy	1
191	Hickory	9.0	Healthy	1
192	Hickory	12.0	Healthy	1
193	Ash, green	9.0	Healthy	1
194	Ash, green	17.0	Healthy	1
195	Ash, green	10.0	Healthy	1
196	Ash, green	10.0	Healthy	1
197	Ash, green	10.0	Healthy	1
198	Oak, white	15.0	Healthy	1
199	Ash, green	10.0	Healthy	1
200	Ash, green	14.0	Healthy	1
201	Ash, green	13.0	Healthy	1
202	Ash, green	15.0	Healthy	1
203	Ash, green	11.0	Healthy	1
204	Ash, green	14.0	Healthy	1
205	Ash, green	15.0	Healthy	1
206	Ash, green	7.5	Healthy	1
207	Ash, green	6.0	Healthy	1
208	Ash, green	7.5	Healthy	1
209	Elm, American	8.5	Healthy	1
210	Ash, green	15.0	Healthy	1
211	Ash, green	12.0	Healthy	1
212	Ash, green	4.0	Healthy	1
213	Ash, green	12.5	Healthy	1
214	Ash, green	13.5	Healthy	1
215	Ash, green	7.0	Healthy	1

SURVEY LEGEND

<ul style="list-style-type: none"> ● CAST IRON MONUMENT ○ IRON PIPE MONUMENT SET ○ IRON PIPE MONUMENT FOUND ⊗ DRILL HOLE FOUND ⊗ CHISELED "X" MONUMENT SET ⊗ CHISELED "X" MONUMENT FOUND ⊗ REBAR MONUMENT FOUND ⊗ PK NAIL MONUMENT SET ⊗ PK NAIL MONUMENT FOUND ⊗ PK NAIL W/ ALUMINUM DISC ⊗ SURVEY CONTROL POINT ⊗ CABLE TV PEDESTAL ⊗ ELECTRIC TRANSFORMER ⊗ ELECTRIC MANHOLE ⊗ TELEPHONE MANHOLE ⊗ ELECTRIC OUTLET ⊗ YARD LIGHT ⊗ A/C UNIT ⊗ FIBER OPTIC MANHOLE ⊗ FIRE DEPT. HOOK UP ⊗ FLAG POLE ⊗ FUEL PUMP ⊗ FUEL TANK ⊗ PROPANE TANK ⊗ GAS METER ⊗ GAS VALVE ⊗ GAS MANHOLE ⊗ GENERATOR ⊗ GUARD POST ⊗ HAND HOLE ⊗ MAIL BOX 	<ul style="list-style-type: none"> ⊗ PIEZOMETER ⊗ POWER POLE ⊗ GUY WIRE ⊗ ROOF DRAIN ⊗ LIFT STATION ⊗ SANITARY MANHOLE ⊗ SANITARY CLEANOUT ⊗ STORM MANHOLE ⊗ STORM DRAIN ⊗ CATCH BASIN ⊗ FLARED END SECTION ⊗ A/C UNIT ⊗ ELECTRIC TRANSFORMER ⊗ ELECTRIC MANHOLE ⊗ TELEPHONE MANHOLE ⊗ TELEPHONE PEDESTAL ⊗ UTILITY MANHOLE ⊗ UTILITY PEDESTAL ⊗ UTILITY VAULT ⊗ WATERMAIN MANHOLE ⊗ WATER METER ⊗ WATER SPIGOT ⊗ WELL ⊗ MONITORING WELL ⊗ CURB STOP ⊗ GATE VALVE ⊗ HYDRANT ⊗ IRRIGATION VALVE ⊗ POST INDICATOR VALVE ⊗ SIGN ⊗ SOIL BORING 	<ul style="list-style-type: none"> ⊗ WOE WALKOUT ELEVATION ⊗ FFE FIRST FLOOR ELEVATION ⊗ GFE GARAGE FLOOR ELEVATION ⊗ TFE TOP OF FOUNDATION ELEV. ⊗ LOE LOWEST OPENING ELEV. CONCRETE BITUMINOUS BUILDING SETBACK LINE CABLE TV CONCRETE CURB CONTOUR EXISTING CONTOUR PROPOSED GUARD RAIL DRAIN TILE ELECTRIC UNDERGROUND FENCE FIBER OPTIC UNDERGROUND GAS UNDERGROUND OVERHEAD UTILITY TREE LINE SANITARY SEWER STORM SEWER TELEPHONE UNDERGROUND RETAINING WALL UTILITY UNDERGROUND WATERMAIN TRAFFIC SIGNAL RAILROAD TRACKS RAILROAD SIGNAL RAILROAD SWITCH SATELLITE DISH WETLAND BUFFER SIGN
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FIELD CREW	NO.	BY	DATE	REVISION
AT	1	BRV	11/12/2021	REVISED SURVEY
DRAWN	2	BRV	1/4/2022	REVISED HOUSE LOCATION
CHECKED				
DLS				
DATE				
05/28/21				

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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 7th day of July, 2021.

Daniel L. Schmidt
 Daniel L. Schmidt, PLS
 schmidt@sathre.com
 Minnesota License No. 26147

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

TWP:xxx-RGE.xx-SEC.xx
 Ramsey County
**NORTH OAKS,
 MINNESOTA**

CERTIFICATE OF SURVEY

PREPARED FOR:
GONYEA HOMES

FILE NO.
 31202-754
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PLANNING REPORT

TO: North Oaks Planning Commission
FROM: Kevin Kress, City Administrator, Jim Thomson, City Attorney, Tim Korby,
City Engineer, Bob Kirmis, City Planner
DATE: January 4, 2022
RE: 6 Sherwood Trail - Conditional Use Permit
Home in excess of 35 feet in height

Date Application Submitted	November 23, 2021
Date Application Determined Complete:	November 23, 2021
Planning Commission Meeting Date:	December 30, 2021
City Council Meeting Date:	January 13, 2022
60-day review Date:	January 22, 2022
120-day Review Date:	March 23, 2022

BACKGROUND

Ms. Otto has requested the approval of a conditional use permit to allow the construction of a new home at 6 Sherwood Trail which is in excess of 35 feet.

The subject 3.01-acre site is zoned RSL-PUD, Residential Single-Family Low Density. Within RSL Districts, homes in excess of 35 feet are subject to conditional use permit processing.

The applicant wishes to construct a home with side and rear elevations in excess of 35 feet at a total of 43 feet and 5 inches at the highest elevation.

Attached for reference:

Exhibit A: Site Location
Exhibit B: Applicant Narrative
Exhibit C: Grading, Drainage and Erosion Control Plan

Exhibit D: Site Plan

Exhibit E: Building Elevation

ISSUES AND ANALYSIS

Property Description. As shown on the submitted survey, one individual parcel of land is illustrated which is presently unoccupied shown as Tract H RLS 634.

City Zoning Ordinance defines building height as “BUILDING HEIGHT. The vertical distance from grade as defined herein to the top ridge of the highest roof surface.” City Zoning Ordinance defines building elevation as “BUILDING ELEVATION. A side view of the building representing the structure as projected geometrically on a vertical plane parallel to its chief dimension.”

Evaluation Criteria. In consideration of conditional use permit applications to allow for a home greater than 35 feet in height, Section 151.050(D)(7) 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 is 34 feet and 8 inches from grade. 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 43 feet 5 inches. 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 our engineering review of the plans, topography, site and the Ramsey County interactive property maps and contours, the site generally slopes towards the south from the 920-elevation high point on the property (approximately where the house is situated) at approximately 3.5% - 4%. Based on these reviews, the proposed home appears conducive to the site’s natural layout. Based on the site’s location of wetlands, the ground water elevation in the proximity of the house needs to



be established to confirm a three-foot separation to the basement elevation in compliance with the City's Surface Water Management Plan. 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.

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 43 feet 5 inches. The current home setbacks on the east side are 51.1, 48.4, and 50.1 feet. The proposed building height of 43' 5" is 8.42' above the 35' threshold, requiring a minimum setback of 46.8'. Therefore, the setbacks are within the requirement, including two that exceed 50'. The current rear setback is well over 100 feet. This condition has been satisfied

f. Section 151.083 related to cost responsibility is complied with.

Staff Comment. This condition has been satisfied.

STAFF RECOMMENDATION

Based on the preceding review, Staff recommends approval of the requested conditional use permit to allow for a home located at 6 Sherwood Trail in excess of 35 feet subject to the following conditions:

1. The home shall be constructed in accordance to plan sets received 1-4-22.
2. The proposed home shall meet all required setbacks and other zoning standards prior to the issuance of a building permit.
3. Soil borings need to be performed to determine ground water elevation for basement elevation.

4. Plans shall be approved by the Building Official prior to the beginning of construction.
5. Any outstanding fees shall be paid prior to the issuance of a building permit.
6. Comments of other City Staff.

PLANNING COMMISSION OPTIONS

In consideration of the conditional use permit application, the Planning Commission has the following options:

- A) Recommend approval**, with conditions, based on the applicant's submission, the contents of this report, public testimony and other evidence available to the Planning Commission.
- This option should be utilized if the Planning Commission finds the proposal adheres to all City Code requirements or will do so with conditions.
 - Approval at this time means that, upon City Council approval, the applicant can construct the home, as proposed, subject to the satisfaction of all imposed conditions.
- B) Recommend denial** based on the applicant's submission, the contents of City Staff report, received public testimony and other evidence available to the Planning Commission.
- This option should only be utilized if the Planning Commission can specifically identify one or more provisions of City Code that are not being met by the conditional use permit proposal.
- C) Table** the request for further study.
- This option should be utilized if the Planning Commission feels the proposal is appropriate and should move forward, but that certain design aspects need to be amended and brought back before a recommendation for approval can be given.

cc: Jennifer Otto, Builder
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