

**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

Kevin Kress, City Administrator

mark Azman

Mark Azman, Chair

Date approved 12/30/2021