

The Planning Commission meeting was called to order by Chair Campbell at 7:02 p.m. at the Community Meeting Room, 100 Village Center Drive Suite 150, City of North Oaks. Chair Campbell acknowledged Commissioner Nancy Reid was absent. Also present were City Administrator Melinda Coleman, Building Inspector Greg Schmit, Videographer Kevin Scattum and Administrative Assistant Linda Hanson.

Approval of Agenda

Commissioner Joyce Yoshimura-Rank moved to approve the agenda. The motion was seconded by Commissioner Katy Ross and passed unanimously.

Approval of Minutes

With one correction to the spelling of a resident's name, Commissioner Dick Hara moved to approve the Minutes from the February 12, 2013 Planning Commission meeting. The motion was seconded by Commissioner Bob Wilson and passed unanimously.

New Business

1. Variance 13-03, 11 Woodhill Lane, ISTS, Jerry Carlson, Lee Homes

Building Inspector Greg Schmit described the need for two variances for this property in order to construct a single family dwelling. One variance asked for a reduction of 1,000 square feet to the required 10,000 square feet for sewage treatment. The second requested an allowance for an encroachment of 22 feet into the required 30 foot south property line setback for the installation of a sewage treatment system.

The Staff is supportive of this variance due to the practical difficulties of this property. It is a smaller property and there is no way to make the lot larger. The back and side portions are covered with wetlands and are unable to meet the 10,000 square foot requirement. The applicant is proposing a two story, 4 bedroom home with a compact footprint. The plan for the home is up to the setback in the front and one side allowing for the maximum space for the septic system. The designer has submitted two designs for this property. The Staff believes this would be the minimum variance needed to address the practical difficulties on this parcel.

Commissioner Wilson asked about the tanks being used. They would be the same set if a second system was needed. The tanks are completely concrete sealed. Commissioner Wilson asked about the second system if needed. It could end up closer to the property line, but this is not an uncommon request in a situation like this. This is an older lot and by today's standards would now be considered sub-standard. The two site requirement is met with this variance. The current ordinance allows up to a 4,000 Floor Area Ratio on the older lots and this home will be 3,752.

Chair Campbell stated that he felt this was a good plan since the tanks could be used for a second system if needed in the future.

Commissioner Dick Hara made the motion to recommend to the North Oaks City Council Variance 13-03, 11 Woodhill Lane to allow a reduction of 1,000 square feet to the required 10,000 square feet for sewage treatment, and, to allow an encroachment of 22 feet into the required 30-foot south property line setback to allow for the installation of a sewage treatment plan be approved with the following conditions: 1. The home design shall not exceed four potential sleeping rooms and 2. The building footprint and location of the areas reserved for sewage treatment shall be as shown on the survey prepared by Acre Land Surveying originally dated May 15, 2013. Commissioner Katy Ross seconded the motion and it passed unanimously

2. PUD 13-02 Charley Lake Preserve: Preliminary Plat, PUD Zoning, and Variance Request

Paul Pearson, City Engineer Representative from MFRA

Mr. Pearson presented the updated plan submitted by Pentom. He reviewed the memo sent to the Planning Commission on May 23rd, 2013 explaining the description of the request that all plans are in order and stating that all conditions must be met in order to be approved by the City Council. This includes the following:

- A. Rezoning of the property from RSM to RSM-PUD
- B. Approval of the Charley Lake Preserve Planned Development Agreement (PDA) and Development Plans
- C. Approval of the Charley Lake Preserve Final Plat
- D. Approval of the Charley Lake Preserve Developer's Agreement
- E. Approval of the Utility Services Agreement with the City of Shoreview

The City Council will review the plan at the next Council Meeting on June 13th, 2013. This will be an on-going process until final approval is made. The plans are 99% complete at this time with a few final details to finalize. One is the calculations for water pressure to make sure the water system will function well.

Mr. Pearson explained that the Planning Commission's charge is to review the plan presented and make recommendations on things that may need further consideration and communicate to the Council if the plans are ready for final approval.

A digital file of the final plans will need to be submitted to the City. The local street signs will need to be placed as construction is completed. A private property sign will need to be placed at the entry points as well. All permits will be required and will be submitted to the City.

Chair Campbell asked for clarification on some of the details that still need to be done. Mr. Pearson stated that sheet numbers and typos on the plan need to be fixed and details regarding the lift station and a vent that needs to be relocated so that the lift station is more accessible. The details are minor and can be worked out.

Commissioner Hara asked about the new lane that will be created for entry into the development. Ryan Bloom the engineer from Pentom stated that there will be a new right turn lane into the development and then at the South access there will be a dedicated left turn lane for those coming from the North which will widen Hodgson Road almost up to the North entrance. No future improvements for Hodgson are planned for at least ten years. Ramsey County believes that the traffic does not warrant any improvements at this time.

City Administrator Coleman gave additional comments. One of the conditions given by the City was to have the City Forester, Mark Rehder approve any landscape plan so that it meets the City standards, preserves the shoreland, and controls the invasive species. Mr. Rehder did a detailed report which broke the area into four sections. One is heavily wooded, one is shoreland, one is the buffer between the existing homes on the east, and one other area is closer to the middle school. He did a very comprehensive review of the submitted plans. Due to the presence of Oak wilt the developer will need to make sure that no pruning or removal of the trees takes place at the wrong time. This report will be shared with the Natural Resource Commission to make sure all issues are addressed.

Chair Campbell asked if the Joint Powers of Agreement document on the water utility was approved yet by the City of Shoreview. Ms. Coleman stated that it was done at their May Council meeting and she is waiting for the final document. The Development Agreement covers a financial guarantee that all improvements will be made and gives all the details of the plan. It covers the streets, trails, sanitary sewer, water, erosion control and the requirement for the development to have a homeowner's association and also a Declaration of Covenants, Conditions and Restrictions. This will also include a plan for maintenance of all systems. One outstanding item is who will maintain the lift station and the sewer and water lines. Shoreview is not interested in doing this.

The next item is a decision about the trail system depending on if the development becomes part of NOHOA. If they do not, the trail will not be connected to the current trail system in North Oaks.

The Council will not be able to approve the final plan until a decision is made concerning the maintenance issue. Also the Development Agreement will need to be completed to assure all financial guarantees, although that is typically handled after the final plans are approved.

Ms. Coleman stated that the Commission is free to pass on any concerns or suggestions to the Council before final approval.

Commissioner Hara asked about the contract for maintaining services and what happens if the party contracted decides to withdraw from the contract. Ms. Coleman explained that they would have to give a notice allowing time for a new contract to be negotiated.

Commissioner Katy Ross asked when they would decide if they would become part of NOHOA. Ms. Coleman explained that there would be a sub association until this is decided and then if they joined NOHOA, the trail issue would be decided. The sub association would take care of the trails and improvements until the decision to join NOHOA was decided. Chair Campbell asked if they were not part of NOHOA what they would do for architectural oversight. The City can ask in the Development Agreement to see the Covenants and Declarations are submitted by the Developer to provide his architectural standards. If the City is concerned with the standards, we can suggest additional language to protect the architectural integrity of the community. The City cannot require a certain type or number of builders, but the homes will be priced in the \$500,000 to \$600,000 range and should fit the community.

City Council Member Bruce Ackerman had a question for Ms. Coleman. He wanted to make sure that the Council will have input into the Development Agreement. Ms. Coleman explained that typically the final plan and final plat approval is done first and then the Development Agreement will be signed as a separate document. He also questioned the trees and size of the trees and who will oversee this process. Ms. Coleman explained that this will be monitored by the City Forester to make sure all materials indicated on the plans are planted. The Commission is not approving anything at this point, but is giving opinions on the plan at this time. Ms. Coleman stated that the plan will be on the June 13th Council Agenda and may or may not be approved that night depending on if all concerns are addressed.

Dan Herbst, Pentom

Dan re-introduced Cory Meyer, Landscape Architect and Planner and Ryan Bloom engineer and LEAD certified. Mr. Herbst went over the phasing plan showing a phase one and two. He showed the park area which will be a tot lot with a gazebo, swing, and benches. The trail system would connect to this park.

He pointed out that all specs are given for the streets, pipes, sewer system, lift station, and cul-de-sacs. The grading system is also shown with the walk out lots shown. He stated that the demolition of existing buildings will take place in 60 to 80 days and at the same time units will be begin to be built. The landscape plan also lists in details all trees planned and the size and species of each tree.

Mr. Herbst thanked the Commission as well as the Council, Staff including Ms. Coleman and Ms. Geier, and Paul Pearson, and Ben Gozola from MFRA. He also acknowledged the cooperation he had working with Ramsey County, the City of Shoreview Staff and City Manager and Public Works Director, the Fire Marshall with Lake Johanna, the Chippewa Middle School, and Dale Reed, the Public Works Director with White Bear Township. He stated that none of the conditions are a problem, but that some of the items must be completed after the land is developed. He is also meeting with Dale Powers in hopes of becoming members of NOHOA. If he does not get approval for membership into NOHOA, there would be a sub association. All other details that the City Attorney David Magnuson had have now been cleared up including the Joint Powers Agreement with Shoreview. By next week he is prepared to give the City all the documentation needed including a

draft document with the Articles, Bi-laws, Covenants and a complete set of architectural standards.

He is following a plan to get final approval for this development, then select a builder or builders, and meet with NOHOA to begin the process to hopefully become a part of NOHOA.

The Joint Powers Agreement with the White Bear Township would require a 2 year cancellation to terminate this agreement.

Commissioner Bob Wilson asked about the use of one builder. Mr. Herbst stated that he is currently looking at two larger builders and has also met with a group of custom builders. Commissioner Marty Long also stated that North Oaks is a community of custom homes. City Administrator Coleman stated that the City can request architectural standards be submitted and discussed but cannot dictate who builds the homes. City Attorney Magnuson does have other documents that do follow architectural standards which could be used as a model for this development. Commissioner Long asked what the development might look like. Mr. Herbst stated that there will be ramblers, looks outs, and custom homes on the lots with a lot of trees.

Commissioner Joyce Yoshimura-Rank asked what would take place once this plan is approved. Mr. Herbst explained that they would begin with the grading being careful to preserve as many trees as possible. Then they would move on to the sanitary sewer, lift station, water main, storm sewer, streets and finally landscaping. She also asked which area would get started first as there are two phases planned. Ms. Coleman stated that the first phase would be primarily where the current buildings now stand.

Mr. Herbst also stated that White Bear Township did help him with the lift station design and they are interested in this Joint Powers agreement to manage the sewer system. The details should be worked out soon.

Chair Campbell asked if there would be a sales management office and Mr. Herbst replied that a model home would be built with a sales office. He also asked for clarification on the drawings which showed the phase one portion only and then using ovals to show the area needed for phase two. Chair Campbell also wanted to clarify if the simulation for adequate turn around space for emergency vehicles was complete. Mr Herbst stated it was and that the cul-de-sacs needed to be made a little bigger as requested by the Fire Chief Tim Boehlke.

Chair Campbell stated that the development looked very nice and should work well once the details are worked out.

No action by the Planning Commission was needed at this time.

Next Meeting

Thursday, June 27 at 7 p.m. at the Community Meeting Room, 100 Village Center Drive

Adjournment

On motion made by Commissioner Katy Ross, seconded by Commissioner Joyce Yoshimura-Rank and carried unanimously, the meeting was adjourned at 8:15 p.m.

Attest:

Respectfully submitted,

Bill Campbell, Chair

Linda Hanson
Recording Secretary