

The Planning Commission Meeting was called to order by Chair Campbell at 7:00 p.m. at the Community Meeting Room, 100 Village Center Drive Suite 150, City of North Oaks. Also present were Commissioners Dick Hara, Nancy Reid, Bob Wilson, Joyce Yoshimura-Rank and Commissioner/City Council Liaisons Gregg Nelson and Katy Ross. City Administrator Michael Robertson, Administrative Assistant Linda Hanson, and Videographer Maureen Anderson were also present.

Approval of Agenda

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

Approval of Minutes

Commissioner Bob Wilson moved to approve the minutes from the September 25, 2014 Planning Commission meeting. The motion was seconded by Commissioner Katy Ross and passed unanimously.

New Business

1. Public Hearing for Proposed Zoning Amendment 14-11

Change Allowable Building Height

Change Building Height Definition

Change Grade Definition

Administrator Robertson reviewed the staff report on the request to amend the Zoning Ordinance to increase the Allowed Building Height in Residential Districts from 35 feet to 42 feet. This request came from several builders in North Oaks and they feel this change would address the desire for higher ceilings and provide for a wider variety of home designs. Builders would also like to see a change in the definition of Grade to be measured from the elevation of the garage slab rather than 5 feet from the building.

Staff's preferred recommendation would be to change the Allowed Building Height Front Elevation definition so that it is measured to the mid-point of the roof rather than to the highest point of the roof surface. Staff also recommends changing the definition of Grade to what is currently used in the State Building Code which reads "The lowest point of the finished surface of the ground as measured on each building elevation". Staff does not recommend any change to the Allowed Building Height of 35 feet, but instead recommends a change in how Allowed Building Height is measured. Builders have indicated they are satisfied with these changes.

Chair Campbell opened the Public Hearing at 7:08 P.M.

Jim Christiansen, 1 Red Forest Lane

As a builder, Jim expressed how hard it is today to comply with the current Code. Most new homeowners want higher ceilings, with the average now being 10 feet. He is happy there are still some height restrictions and he feels these changes will help.

With no other comments, Chair Campbell closed the Public Hearing at 7:10 P. M.

Commissioner Reed asked if the Architectural Standards Committee (ASC) would still have the right to refuse plans if the design was too extreme. Administrator Robertson said yes they would. Chair Campbell stated that the proposed changes sound reasonable and would meet the needs of both the builders and new homeowners. Commissioner Yoshimura-Rank agreed, saying the Conditional Use Permit process remains for anyone seeking extra height. **Commissioner Hara made the motion to recommend to the North Oaks City Council that a change to the Grade Definition, Section 151.005 Definitions (Grade) to read, "The lowest point of the finished surface of the ground as measured on each building elevation". The motion was seconded by Commissioner Reid and passed unanimously.**

Commissioner Reid moved to recommend to the North Oaks City Council a change to Section 151.005 Definitions (Building Height) to read, "The vertical distance from grade as defined herein to the mid-point of the roof grade." With a second from Commissioner Yoshimura-Rank, the motion passed unanimously.

Commissioner Reid made a motion to deny changing Section 151.050 (D) (7) (a & e) and 151.050 (G) at the Front Elevation from 35 feet to 42 feet. The motion was seconded by Commissioner Ross and passed unanimously.

Commissioner Ross made the motion with a second from Commissioner Yoshimura-Rank to deny approval of changing Section 151.050 (D) (7) (b) for Other Elevations from 45 feet to 52 feet. The motion carried unanimously.

Commissioner Rank with a second from Commissioner Ross moved to deny changing Section 151.005 Definitions (Grade) to read, "The lowest point of the finished surface of the ground at the garage slab." The motion passed unanimously.

- 2. Public Hearing for Proposed Conditional Use Permit #14-15, 5 Red Forest Heights Allow additional 6 feet, 3 inches in building height. Owner Mary Anne Kowalski**
Mary Anne Kowalski has requested a CUP to construct a single family home on a vacant lot at 5 Red Forest Heights that exceeds the allowable building height of 35 feet. At the highest point the home would be 41 feet 3 inches. Under the CUP process, Mrs. Kowalski must increase the setback two feet for every additional foot in building height, so she has provided a side yard setback of 42 feet, 6 inches. Or 12 feet, 6 inches more than the required 30 feet.

Administrator Robertson noted that under the proposed Zoning Ordinance amendment that was just recommended for approval, the CUP would not be needed. He said that the applicant was seeking approval of the CUP because she was uncertain whether the Council would approve the proposed Zoning Ordinance Amendment and she wanted to start construction this fall. Staff recommended approval of the CUP with conditions because the applicant met all of the criteria for approval.

At 7:22 Chair Campbell opened the Public Hearing.

Jim Christiansen, 1 Red Forest Lane

Jim Christiansen, builder for Ms. Kowalski, stated that he would like to proceed with requesting the CUP. He has met all the requirements and would like to begin work.

Sue Danielson, 11 Red Forest Way

Ms. Danielson explained to the Commissioners that she lives across the street from the back yard of this property. She wanted to clarify if the additional setback would be required if the amendment to the Zoning Ordinance is approved. It was explained that this would eliminate the need for additional setback. She was given a copy of the proposed site plan to review.

With no further comments Chair Campbell closed the Public Hearing at 7:26 P.M.

Commissioner Hara asked the size of the lot. Jim Christiansen said 1.8 acres.

Commissioner Nelson moved to recommend to the North Oaks City Council that CUP 14-15 to allow Mary Anne Kowalski to construct a single family home on the vacant lot at 5 Red Forest Heights that exceeds the allowable building height of 35 feet by an additional six feet three inches at its highest point be approved based on the Staff Review and Findings of Fact with the following conditions:

- 1. The project construction shall match the plans provided by Bruce W. Schmitt & Associates.**
- 2. All site Best Management Practices for erosion and sediment control are implemented.**

The motion was seconded by Commissioner Reid and passed unanimously.

3. Set Next Planning Commission Meeting

Administrator Robertson said the next regular Planning Commission meeting falls on Thanksgiving and an alternate date is needed.

On a motion made by Commissioner Ross and seconded by Commissioner Reid the November Planning Commission Meeting was moved to December 2nd, 2014. The motion carried unanimously.

4. Commissioner Terms

In December the terms of Commissioners Bill Campbell, Joyce Yoshimura-Rank, Bob Wilson, and Dick Hara will end. Commissioner Wilson stated he would like to retire from the Commission. Commissioner Hara stated he would like to stay on and Commissioner Yoshimura-Rank and Chair Campbell want more time to decide.

Next Meeting

The next Planning Commission Meeting is **Tuesday, December 2, 2014** at 7 p.m. at the Community Meeting Room, 100 Village Center Drive

Adjournment

On motion made by Commissioner Ross, seconded by Commissioner Reid and carried unanimously, the meeting was adjourned at 7:34 p.m.

Attest:

Respectfully submitted,

Chair Bill Campbell

Linda Hanson
Recording Secretary