

The Planning Commission Meeting was called to order by Chair Katy Ross at 7:01 p.m. at the Community Meeting Room, 100 Village Center Drive Suite 150, City of North Oaks. Also present were Commissioners David Pfuhl, Nancy Reid, Bob Turkington and Paul Lesieur. City Administrator Mike Robertson, Administrative Assistant Mary Belden and Videographer Maureen Anderson were also present. Commissioners Joyce Yoshimura-Rank and Kara Ries were absent.

Visitors: Mark Houge, President of North Oaks Company; Gary Eagles, Vice President of North Oaks Company; Bill Kaufman of Gonyea Homes.

Chair Ross introduced new commissioner David Pfuhl.

### **Approval of Agenda**

**Commissioner Reid moved to approve the Agenda. The motion was seconded by Commissioner Lesieur and passed unanimously.**

### **Public Hearing-Conditional Use Permit #17-01 – 6 Lake Court – Request for Greater than Allowable Building Height by Gonyea Homes.**

City Planner Ben Gozola reported that the applicants are asking for a CUP to allow four feet over the maximum height of 35 feet in the rear and side elevations for a house to be constructed at 6 Lake Court. They are still limited to two stories plus a basement by City ordinances. They meet the required 35 foot height limit in the front. This is allowed by the CUP process if they provide an additional two feet of setback over the required 30 feet for each foot over the maximum height. He noted that they have met this requirement with a 38 foot setback so he recommends approval of the CUP. Gozola said that a CUP is assumed to be allowed under State statutes and cannot be denied like a Variance can. He said that the burden of proof is on the City to show that any conditions are reasonable. Commissioner Reid asked if we have heard from any neighbors regarding this CUP and Administrator Robertson said no. Commissioner Turkington asked if there were any run off concerns and Gozola said no. Chair Ross opened the Public Hearing at 7:14 p.m. and asked for comments. Hearing none, Chair Ross closed the Public Hearing at 7:15.

Commissioner Lesieur expressed concerned that this house will look a little outsized because there is a rambler next to it. He stated that we should keep to the parameters that were changed last year. Robertson noted that this CUP process was not part of the changes made last year. It dates to the early 2000's. He said he spoke with a previous Planning Commissioner and was told this CUP process was approved when the City started to see a lot of walkout home applications that could not meet all the height requirements. Bill Kaufman of Gonyea Homes stated the reason this house is so tall is because of the walk out in back.

**Commissioner Reid made a motion to recommend the City Council approve the requested conditional use permit based on the findings of fact listed in the staff report and with the conditions listed with the staff report. Commissioner Turkington seconded the motion. The motion was approved by all with the exception of Commissioner Lesieur who abstained.**

### **Approval of Minutes**

**Commissioner Reid moved to approve the Minutes from the October 27, 2016 Planning Commission Meeting. The motion was seconded by Commissioner Lesieur and passed; Commissioner Pfuhl abstained.**

### **New Business**

#### **Review of Red Forest Way Subdivision - Phase 2B- North Oaks Company**

Administrator Robertson said that though it was not required to bring this subdivision in front of the Planning Commission because it had already received preliminary approval, he thought that since that approval was nine years ago that the Planning Commission should be informed of the next phase. City Planner Gozola presented and stated that all is consistent with the preliminary plan. Chair Ross asked about land locked drainage flow. Commissioner Reid asked about the lots in the area and which ones have been sold. Mark Houge of North Oaks Company addressed these questions, noting that all lots in Phase 2A had been sold. Gary Eagles explained about the work that has been done to date.

#### **Comprehensive Plan Update**

City Planner Gozola presented the transportation portion of the Comprehensive Plan. Commissioner Reid asked about the intersection of East Oaks and Centerville Road and what will happen on Centerville Road with the construction of Hy-Vee. Administrator Robertson explained that Ramsey County has said there would have to be a median running to the north entrance of Cub Foods and that there would have to be a traffic light at that intersection. At this point how that's paid for is not known. Chair Ross asked about a traffic light on Hodgson Road and Wildflower Way and it should be added to the Comprehensive Plan. Robertson suggested they add it to the plan. Chair Ross asked about the possibility that at some point all homes in North Oaks would need to convert to city water and sewer. Robertson said that would have to be ordered by the State and that is something that will not happen for a long time.

#### **Proposed Zoning Ordinance Changes**

Administrator Robertson presented on several proposed changes to the zoning ordinance and asked for feedback from the commissioners. These involved adding a requirement for 1<sup>st</sup> floor commercial space in multi-level townhome buildings, correcting a parking stall size error in the Commercial section, a change in requirements for Southpointe, a discussion of a need for performance bonds and a discussion of the noise ordinance. The Commission was in general agreement with the proposed changes and Robertson said he would set a Public Hearing for the next Planning Commission meeting.

#### **Proposed Housing Maintenance Ordinance**

Chair Ross said the Mayor has a proposed housing maintenance ordinance which Chair Ross emailed to all of the commissioners. The Mayor would like feedback from the commissioners on this. Chair Ross wants the commissioners to consider how do we enforce such an ordinance and how long do we enforce? She encouraged the commissioners to review the Mayor's proposed ordinance and send comments and questions in. Chair Ross also read comments from Commissioner Ries on this issue.

#### **City Update**

1. Commission appointments. Robertson reported that Commissioners Reid and Ries have been re-appointed to 3 year terms. Commissioner Pfuhl as appointed to fill out the rest of Dick Hara's term which will expire at the end of 2017.

- 2. West Rec CUP. Robertson reported that the City Council approved the re-aiming of the existing hockey rink lights. This was accomplished to the general satisfaction of the adjoining residents and the NOHOA members present.
- 3. Meeting Attendance. Robertson reported on a request from Council Member Long that all commissions be informed of the attendance policy. If you miss 3 meetings in a row, you may lose your position on the commission.
- 4. Recycling Update. Chair Ross said that 1632 carts have been distributed to residents so far. Lonnie Waddle has reported that there are 75 to 100 new recyclers now. Beginning on 2/27 garbage and recycling will be on the same day for the Waste Management customers.
- 5. Rental Update. Robertson reported that we have 12 confirmed rental properties to date. Two of those are awaiting inspections.

**Next Meeting**

The next Planning Commission Meeting is Thursday, March 30, 2017 at 7 p.m. at the Community Meeting Room, 100 Village Center Drive.

**Adjournment**

**On motion made by Commissioner Reid, seconded by Commissioner Lesieur and carried unanimously, the meeting was adjourned at 8:46 p.m.**

Attest:

Respectfully submitted,

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Chair Katy Ross

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Mary Belden  
Recording Secretary