

Planning Commission Meeting
February 28, 2019
7:00 PM

Call to Order:

Chair Ross called the meeting to order at 7:06 pm.

Roll Call:

Present: Chair Katy Ross, Commissioners Nancy Reid, Joyce Yoshimura-Rank, Mark Azman, Stig Hauge, Sara Shah and Kara Reis.

Staff: City Administrator Mike Robertson and City Planner Bob Kirmis.

Absent: None

Approval of Agenda:

Commissioner Reid noticed that Deer management update had been dropped from the meeting agenda. Administrator Robertson said he'd provide that update as part of new business and also mentioned in that we needed to add the swearing in of the new planning commissioners.

Commissioner Ries moved to approve the revised agenda, seconded by Commissioner Reid. Motion approved unanimously.

Approval of Minutes:

Commissioner Yoshimura-Rank moved to approve the December 20, 2018 minutes, seconded by Chair Ries. Motion approved unanimously.

Swearing in of New Planning Commissioners:

Chair Ross officially swore in via oath the new planning commissioners: Mark Azman, Sara Shah, and Stig Hauge.

Chair Ross spoke about the responsibilities of the Planning Commissioners. Their role is to serve as an advisory committee to the City Council to research, advise and make recommendations to the City Council on applications made by property owners. They must also prepare the Comprehensive Plan, conduct public hearings, and review conditional use permits, variances and septic system requests.

2040 Comprehensive Plan Update

Commissioner Reis provided a status update of work on the 2040 Comprehensive plan. The City Council held a workshop prior to Planning commission meeting. The Planning Commission had reviewed the Comp plan for a year and passed it along to the City Council for approval. At the last City Council meeting, they

[Type text]

heard from former Mayor Watson and others that for past 2 decades they've been able to get a waiver on the higher density housing requirement. They have done further research with Mayor Watson and Attorney Peter Coyle, and the City Council is recommending the Comprehensive Plan go back to the Planning Commission for further review using the new information gained.

Tom Watson – 45 East Pleasant Lake Road

Former Mayor Watson reviewed the work done on the 1998 and 2008 comp plans. The Met Council approved the 1998 Comp Plan, even though there were a few things they didn't like. The Met Council wanted more areas for affordable housing, and at the time we received credit for dorms at the Good Shepherd. Watson shared additional suggestions for inclusion in the Comp Plan to help make the City's case.

Commissioner Azman asked Watson about his guidance for how we might compensate now that we do not have the Good Shepherd. Watson stated that Met Council will likely come back on this, and suggested we stay focused on our contributions, as opposed to what we have lost.

Commissioner Reis stated that Attorney Peter Coyle also helped the City push back against the Met Council on the 2008 Comp Plan and that he has also made some suggestions on what to include in the Comp Plan.

Commissioner Hauge made a motion for the Planning Commission to take back the review of the Comp Plan, Commissioner Ries seconded. Motion unanimously approved, with Chair Ross abstaining. As City Council liaison, she only votes to break a tie when needed.

Public Hearing - North Oaks Company East Oaks Concept Plan Review

North Oaks Company President Mark Hauge reviewed how the East Oaks PUD came to be. The North Oaks Company and the City spent considerable effort in 1999 negotiating an agreement on how best to develop the 1,650 acres of the remaining land in the northeast and east area of the City, allowing for housing to be spread out over thirteen individual neighborhoods. North Oaks Company has designated 880 acres of permanent open space, along with trails and easement. This includes 660 acres in a permanent conservation easement and another 220 acres as an Agricultural Conservation Area. North Oaks Company has set aside 54% of the total area as a permanent natural environment. This leaves 13 neighborhood areas to be developed and the Agreement described the types of density and what could occur there. There are 6 areas left to be developed, with the areas concentrated to allow more natural environment. The North Oaks Company

would like to begin work on both the Nord and Wilkinson South areas this summer.

Commissioner comments: Commissioner Azman asked about how many housing units were described in the North Oaks PDA. Mark Hauge stated that 645 were identified in the original PDA to be developed based on single family housing, and there was also discussion of an apartment in the northeast corner of the city. The housing types differ slightly than original plans, however the PDA outlines this flexibility between types of housing in order to trade off units.

Commissioner Hauge asked when the Planning Commission could expect to see the remaining final plans. Mark Hauge stated they were hoping to dovetail into one presentation the Gate Hill, Island Field and Red Forest South areas hopefully in March or April for the Planning Commission.

Commissioner Shah stated that the East Oaks agreement was a 30-year agreement with the original plan set to be completed in 2029. She asked what happens if they are not completed by that deadline. Mark Hauge stated it is his understanding the agreements could become null and void if not executed by that deadline.

Commissioner Shah asked how they came up with the suggested demand for different style housing choices. Mark Hauge stated realtor trends, demographics, etc. show that single women are now the largest group of home buyers. He mentioned that he has a report he could share with the planning commission on this topic. Commissioner Azman asked Mark Hauge about whether the current proposed plans would require an update to the Environmental assessment Worksheet (EAW). Mark Hauge thought that since there was no change in the overall number of units there was no need for a new EAW.

Commission Reid asked the North Oaks Company what they were required to review before the Planning Commission. Mark Hauge stated that the Agreement requires that they come to the Planning Commission and City with preliminary subdivision plans for public review and comment. Then they could begin grading work and come back to City with changes to the final plan due to any issues found onsite.

Administrator Robertson mentioned that the 1998 agreement contract between City and North Oaks Company allows development of these area. So those residents asking for no development at all cannot be accommodated. What type of development is under the control of the City through the East Oaks PUD

[Type text]

Agreement and the City's ordinance controls. He also noted that open space has already been designated in the PUD agreement and that that will not change.

Public Hearing – Concept plan review re: Nord, Gate Hills, Island Field and Anderson Woods Developments

With no further Planning Commission comments Chair Ross opened the public hearing for comments on the Concept plan at 7:54 p.m.

Tom Wood – 1 Black Oak Road

He was concerned about how the new developments, primarily Rapp Farm and Charley Lake, have had an impact on older North Oaks home values. The home values of existing North Oaks homes are the same or dropping as trying to compete with these brand new developments. He asked the Planning Commission to consider existing home owners.

Rich Dujmovic – 15 Black Lake Road

He shared his review of the 1999 East Oaks Agreement. The Agreement stated that there would be 645 housing units and 21 acres of commercial. He noted that the Agreement allowed transfers of development rights but limited each separate piece of land to no more than a 50% increase over the original amount of housing units allowed.

He reviewed each neighborhood, the number of homes built and the number proposed to be built. He noted that over 300 housing units were built in the Waverly Gardens' buildings which is well over the original 110 units allotted to that piece of land. He said that if all of the Waverly Gardens housing is included that most of the 645 housing units have been built.

He also indicated that in the 1998 EAW the Red Forest area housing units are identified as large septic lots without a road connection to the rest of North Oaks.

Lisa Dujmovic – 15 Black Lake Road

Her concern is that North Oaks Company is looking to build 244 additional units, and based on their calculations they feel there might be less than 100 units left to build. She asked the Planning Commission to consider the scale and scope of what is being requested.

George Brushaber – 3 Black Lake Court

He is very concerned for safety and security if there is a new entrance. It would create increased traffic on Red Forest Way, Catbird Lane, Bent Tree Road and

[Type text]

Black Lake Road. It would increase the possibility of non-residents entering the community. He feels people are already avoiding the Centerville and Hiway 96 intersection and cutting through North Oaks on East Oaks Road. He asked the Planning Commission to take the time, care and deliberation in consideration of the proposals.

Heidi Froles - 2 Bent Tree Lane

She is concerned with increased traffic coming through her street in regards to security and safety.

Wayne Lindblad - 2 Aspen Lane

He said if the Nord parcel is developed it would double the amount of traffic on his street. He asked if Nord parcel could be accessed by a road from County Road J? He would like to make sure it stays a cul-de-sac if it is built. Administrator Robertson stated County Road J is outside of North Oaks so the City could restrict any access to City streets from it.

Manny Steil – 25 Robb Farm Road.

He thanked all the previous speakers and the Planning Commission for their work. He appealed to the North Oaks Company to maintain the original vision for the community. He feels density adds traffic and with it safety and security issues.

Leanne Savereide – 4 Red Maple Lane

She wanted to emphasize that a trail needs to be in place on the Nord parcel to connect from that area to other areas of North Oaks. She has reviewed the wetland documentation, and believes that the Nord road should come in via Sherwood Road to alleviate traffic, instead of North Deep Lake Road.

Don Nightingale – 11 Nord Circle

He believes the Planning Commission should postpone any decision on Nord parcel until the trail issue is resolved. The easement was never transferred to NOHOA shows a trail that NOHOA never build. He is not proposing that a new trail needs to follow same line, but just to keep a trail in place that is away from the road and is remote. He also feels that Lot 7 of the proposed parcel is partially in wetlands and should be closely reviewed.

Sevario Montario - 2 Red Forest Lane

They have 2 small children and dogs and will be unable to walk off their property if a road is open to Centerville due to traffic. He feels a traffic study should be done

before this is accepted. Commissioner Reis asked Administrator Robertson if a traffic study had been done. He said no but the City could request one.

Dan Lewis – 2 Black Lake Court

He is concerned about opening the area to increased traffic on roads that are twisted and curvy and not built for that volume.

Guy Rydberg – 3 Catbird Lane

He feels that allowing smaller lots near them will ruin the property values of the Red Forest Way area. The proposed 20 acres of open space between them will not offset the look and feel of the new smaller lots. He would like any new lots to follow the building standards of the Red Forest Way area.

Jim Peyton – 4 Catbird Lane

Noted that everyone is here to try and protect the uniqueness of North Oaks and preserve our property values.

Tom Watson – 45 East Pleasant Lake Road

He suggests that the Planning Commission extend the approval timeframe from 60 days to 120 days so that they see the big picture of what is proposed in all the remaining locations.

Ursula Kuhrmeyer – 8 Long Lake Trail.

She is looking at buying a Red Forest parcel and asked the North Oaks Company whether the 60 new houses are set in stone and whether it is imminent. Mark Houge said the plan is to complete the designs for each of the areas first and then proceed forward with the approval and build process.

Sara Roedl – 1 Red Forest Way

She specifically sought out low density, nature, security and the safety of limited entrances to the community when she moved here. She says there is a market for low density homes and that's what should be built in this area.

Jim Christianson – 2 Blue Flag Court

He objects to more through roads and humbly asking the planning commission to really think about what development comes next for our community.

Mike Simon – 20 Sunset Lane

He asks everyone to look at what is required for high density – large streets, curb and gutter, streetlights, etc. North Oaks has none of that and is made for low density housing.

Paul Olson – 14 Peterson Place

Asked if the wetlands can be disturbed. Administrator Robertson stated are there State guidelines for disturbing wetlands. Some within North Oaks are protected. Those that are not would fall under the requirement to be replaced if disturbed.

Kris Nielsen – 7 Preserve Trail

He asks that the trails be maintained and that North Oaks be kept at low density. He is grateful to Planning Commission for their work.

Susan Hinrichs – 55 East Pleasant Lake Road

She asked Chair Ross if they had ability to delay the vote and look into the issues raised by residents.

Planning Commission Comments: Chair Ross asked Administrator Robertson if there is any action that must be taken at this time. Robertson stated that we can extend the review period for an additional 60 days. The application date was January 18, 2019, so that would mean a decision would be needed by mid-May. If no action was taken by that time then the application would automatically be considered approved.

Commissioner Ries suggested the City get clarification on the housing unit counts and what is allowed in the proposed neighborhoods. Commissioner Yoshimura-Rank stated that ability to have the entire plan would be valuable. Commissioner Reid asked Robertson about a safety or road study. He stated that a road study would be based on the current proposal and could be required.

Commissioner Shah suggested that the Comp Plan review be completed prior to any vote on the developments, however the 1999 East Oaks PDA states its content supersedes the Comp plan. Commissioner Azman stated he didn't believe that we could force the North Oaks Company to submit proposals for all the areas at once and is also concerned that the timing will not synch up based on time needed for Comp Plan review and the application deadline. Commissioner Azman asked that the North Oaks Company have time to respond to some of the citizen comments. Commissioner Azman asked about Exhibit B4 which appears to show a Nord Trail. Administrator Robertson said that is a trail easement.

[Type text]

Mark Hauge responded that there are existing trail easements in place on the south side of Nord parcel which could be used for a trail. They are also very grateful for the interest from the community and welcomed the feedback. They are happy to meet with anyone to discuss what is being proposed at any time and they agree with former Mayor Watson that Gate Hills, Island Field, and Anderson areas should be looked as a unit which what this concept plan review is for. He asked if the Nord proposal could move forward to its public hearing on Nord since it's straightforward and not related to the proposed developments on Centerville.

Rob Fitzer – 11 Hay Camp Road

Stated that Planning Commission should either reject the proposal and restart the clock or the North Oaks company could also withdraw the application and come back with a different plan.

Planning Commission comments: Chair Ross stated she would like to see the question surrounding the planned vs. projected housing numbers resolved. Commissioner Azman asked to confirm the concept plan is not subject to the 60-day timeline. Administrator Robertson said the concept plan requires no formal decision and is not subject to the 60-day rule.

Commissioner Shah asked if a new EAW needed to be completed. Commissioner Azman asked that we must request specific reasons for an EAW before we can agree to ask North Oaks Company to do another EAW. Mark Hauge agreed they should get clarity around the numbers and will bring it back to the Planning Commission next month.

City Planner Kirmis said typically an EAW is part of an engineering review and evaluation. Only when what was proposed is radically different than what was originally proposed would a new EAW be required. There may be possibility of an addendum to the existing EAW based on some of the proposed changes.

Commissioner Shah asked the North Oaks Company to ensure access to trails from the Nord parcel to the Northwest quadrant of the city to ensure trail access for this community. North Oaks Company stated they have not identified trails on the Nord proposal yet.

Lisa Dujmovic – 15 Black Lake Road

She emailed DNR in December. Becky at the DNR stated that if there are major changes to the plan is the only reason to have a new EAW.

[Type text]

Mike Scholin – 4 Black Lake Court

Asked if it would be possible to send a communication to all residents so they are aware of what is going on with the proposed development.

Administrator Robertson said that City weekly email blast has been sharing information and asked any residents that aren't signed up for this to sign up on the City of North Oaks webpage. The City web site and Facebook page also puts out information on this development. Public hearings posted using those media as well as in Shoreview press newspaper.

Chair Ross suggested that we leave the public hearing open on the concept plan. The North Oaks Company requested to close public hearing on overall concept plan, but leave open for preliminary plan review public hearings on the individual applications.

Cindy Nielsen – 7 Preserve Trail

She was very concerned about the trails being identified and doesn't believe anything should be put up for a vote until the residents are assured that trails will be connected. Their section is isolated except for the trail that takes them to the island, along the Nord Development and across to the Rapp Farm connection to the Wilkinson area. Wanted to emphasize the trails are huge concern.

Administrator Robertson and City Planner Kirmis said the process should be to complete review of the overall concept plan before hearing any preliminary plans for individual neighborhoods.

Commissioner Reid moved to continue the concept plan hearing until the March 28, 2019 Planning Commission meeting and to delay the individual parcel hearings until then, seconded by Commissioner Hauge and approved unanimously. Chair Ross abstained.

City Update:

Administrator Robertson provided a deer management update. Trapping has stopped with all the snow. Only 24 deer have been trapped or shot this year.

Administrator Robertson suggested a Planning Commission workshop regarding the Comprehensive Plan two weeks out. Chair Ross requested schedules be emailed to Robertson for him to schedule the workshop.

Commissioner Ries thanked Mayor Watson for his input and information shared on the Comprehensive Plan. Commissioner Yoshimura-Rank thanked the public for their attendance and interest in the project.

Adjournment:

Chair Ross asked for motion to close the meeting. Commissioner Hauge moved to adjourn at 10:02 p.m., seconded by Reis. The motion was approved unanimously.

Next Planning Commission meeting is Thursday March 28th, 2019.

Citizen Comments included as Addendums: