



CITY OF NORTH OAKS

Regular Planning Commission Meeting

6 PM, Tuesday, April 14, 2020

VIA TELEPHONE OR OTHER ELECTRONIC MEANS ONLY

PURSUANT TO MINN. STAT. § 13D.021

**** Meeting has been changed to a Webinar. New Dial-in access is below****

**TO ATTEND BY TELEPHONE: DIAL 1-312-626-6799, Webinar ID: 836
004 639**

Or iPhone one-tap : US: +13126266799,,836004639#

**TO ATTEND ON-LINE [https://zoom.us/j/836004639?](https://zoom.us/j/836004639?pwd=REtkYIBWZDhiN2lKdWJNNG1YK0lyQT09)
[pwd=REtkYIBWZDhiN2lKdWJNNG1YK0lyQT09](https://zoom.us/j/836004639?pwd=REtkYIBWZDhiN2lKdWJNNG1YK0lyQT09)**

Password: 208546

MEETING AGENDA

1 Call To Order

2 Roll Call

3 Approval of Agenda

4 Business Action Items

4a. Public Hearing: Preliminary Plan/Preliminary Plat (Subdivision) Application: Nord Parcel
[Nord - Preliminary Plan Review Checklist.pdf](#)

[Nord - Preliminary Subdivision - Final.pdf](#)

[Nord Prelim Subd Exhibits.pdf](#)

[NOHOA - Nord Preliminary Plan Comments 4-7-20.pdf](#)

[NOHOA_NOC Trails - NORD 4-10-20.pdf](#)

4b. Discussion/Action: Preliminary Plan/Preliminary Plat (Subdivision) Application: Nord Parcel

5 Adjourn

Preliminary Plan * Requirement	Source	
	Ordinance 93/ Chapter 152 (Subdivision Ordinance)	Ordinance 94/ Chapter 151 (Zoning Ordinance)
Address all of the standards and requirements of the Zoning Ordinance (94)(Chapter 151)		X
Address all of the standards and requirements of the Subdivision Ordinance (93) (Chapter 152)	X	
Address all of the standards and requirements of the PDA	X	
Proof that the preliminary plan is consistent with the approved Master Development Plan **		X
Proof that the preliminary plan is consistent with the PDA		X
Factors for Consideration When Reviewing Preliminary Plan		
Consistency with approved Master Development Plan		X
Consistency with Agreed Upon PDA		X
Impacts on existing and anticipated traffic		X
Parking (n/a)		X
Pedestrian and vehicular movements		X
Ingress and egress		X
Building location, height, and size (n/a)		X
Architectural and engineering features (n/a)		X
Landscaping		X
Lighting (n/a)		X
Provisions for utilities		X
Site grading and drainage		X
Green space		X
Loading and unloading areas (n/a)		X
Signage		X
Monuments		X
Screening		X
Lot coverage		X
Other related matters		X
Uses in conformity with underlying zoning district		X

<p>Compliance with additional PUD zoning standards:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Overall density is consistent with Comprehensive Plan <input type="checkbox"/> Overall density is consistent with the approved PDA, subject to any approved density transfer provisions <input type="checkbox"/> Compliance with any PDA-imposed performance standards (including performance standards found in amended Appendix 1 related to setbacks, etc.) <input type="checkbox"/> Complies with Gross Density requirements for RSL/RSM zoning District 		
<p>Preliminary plan is in conformance with the City’s Comprehensive Plan</p>	<p>x</p>	
<p>PDA Requirements:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The Development Site will be developed in accord with the PUD controls*** <input type="checkbox"/> The Final Plan shall conform in material respects to the PDA, East Oaks Project master Development Plan, and Preliminary Plan. (5.3) 		

*=Preliminary Plan is defined in the Subdivision Ordinance as follows:

Preliminary Plan: A map or drawing at a scale of 100 feet to an inch delineating showing correctly the boundaries of the subdivision; boundaries, layout and size to the nearest tenth of an acre of the lots therein; streets, parks, playgrounds, and other such land locations; north point and scale; existing topographical features, including contours and other physical aspects such as drainageways, wetlands, and tree areas, and the proposed changes to such features. Also included shall be a separate map of the City showing the location of the proposed subdivision within the City. (Ord. 93, Sec. 5.21/152.005)

**=The Master Development Plan is defined in City Code Section 151.005 as follows: “Plans as required in § 151.056(B)(1)(a).” the “East Oaks Project Master Development Plan” is defined in the PDA as “all those plans, drawings, and surveys identified on the attached Exhibit B, and hereby incorporated by reference and made a part of and including this Planned Development Agreement.”

***= “PUD Controls” are defined as the PDA, the PUD Ordinance, East Oaks Project Master Development Plan, Final Plan, Subdivision Ordinance, and Zoning Ordinance.

Note: Per Section 5.1 of the PDA, “the procedure and substance, including financial assurance, of approval for each Development Site shall be subject to compliance with this Planned Development Agreement, the Subdivision Ordinance, the Zoning Ordinance, and the Development Contract for the Development Site.”



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PLANNING REPORT

TO: North Oaks Planning Commission

FROM: Bob Kirmis, City Planner
Larina DeWalt, City Engineer
Bridget Nason, City Attorney

DATE: April 14, 2020

RE: North Oaks - East Oaks Planned Unit Development
Nord Preliminary Plan (Subdivision)

FILE NO: 321.02 - 20.01

Date Application Determined Complete:	February 24, 2020
Planning Commission Meeting Date:	April 14, 2020
City Council Meeting Date:	TBD
120-day Review Date:	June 23, 2020

BACKGROUND

In December of 2019, the North Oaks Company (hereinafter “North Oaks Company,” “NOC,” or “Applicant”) submitted a concept plan for the subdivision of real property located primarily within the East Oaks Development Area and commonly referred to as Site C or the Nord Parcel, including a total of approximately 3.95 acres located outside of the East Oaks Development Area (the “excluded parcels”). The concept plan depicted the subdivision of the Nord Parcel into twelve (12) residential lots. At the January 30, 2020 and February 4, 2020 meetings of the North Oaks Planning Commission (the “Planning Commission”), the Planning Commission provided informal feedback to the North Oaks Company regarding the concept plan submittal for the Nord Parcel.

In February of 2020, the North Oaks Company submitted a formal application for preliminary plan/preliminary plat/subdivision approval for the Nord Parcel. At this time, the North Oaks Company is seeking approval for its application for preliminary plan and preliminary plat (subdivision) approval of the Nord Parcel. The subject 55-acre property is identified as “Site C” in the East Oaks Planned Development Agreement (PDA). Like

the previously reviewed concept plan, the preliminary plan (subdivision) calls for the creation of 12 lots upon the site, resulting in an average lot size of 4.6 acres (gross).

According to the 1999 East Oaks Planned Development Agreement (“Planned Development Agreement,” “East Oaks PDA,” or “PDA”), as subsequently amended, the portion of the proposed subdivision which is located within the East Oaks Development Area is zoned RSM - PUD, Residential Single-Family Medium Density. The portion of the proposed development property located outside of the East Oaks Development Area (the “excluded parcels”) are zoned RSL - Residential Single Family Low Density. Additionally, the eastern one-third of the site lies within the Shoreland Management District of Deep Lake, a designated “recreational development” lake.

All lots are proposed to be served by individual septic systems and wells.

Attached for reference:

- Exhibit A: Site Location
- Exhibit B: Applicant Narrative
- Exhibit C: Project Summary
- Exhibit D: Concept Plan Feedback Summary (CC memo dated 2/13/20)
- Exhibit E: Existing Conditions
- Exhibit F: Preliminary Plan (Subdivision)
- Exhibit G: Septic Site Location Plans
- Exhibit H: Preliminary Plat / Easement Plan
- Exhibit I: Preliminary Grading Plan
- Exhibit J: Preliminary Utility Plan
- Exhibit K: Preliminary Landscape / Sign Plan
- Exhibit L: VLAWMO Comments
- Exhibit M: City Forester Comments

ISSUES AND ANALYSIS

In review of the preliminary plan (subdivision), the following planning and engineering comments are offered:

PLANNING COMMENTS (Bob Kirmis)

Concept Plan Review. At the January 30, 2020 and February 4, 2020 meetings of the Planning Commission, the Planning Commission provided informal feedback to the North Oaks Company LLC regarding a concept plan submittal for the “Nord” parcel. The intent of the concept plan review process was to provide informal feedback on various aspects of the plan which may be considered by the applicant as part of the plan refinement process. To be noted is that feedback which was provided on the concept plan is

considered advisory and non-binding. A summary of concept plan feedback provided by the Planning Commission is provided in the attached City Council memorandum dated February 13, 2020 (Exhibit D).

Scope of Preliminary Plan (Subdivision) Review. The intent of the of the preliminary plan (subdivision) review is two-fold. In this regard, the following determinations should be made.

Consistency with the East Oaks PDA

The preliminary plan/preliminary plat must be consistent with the approved master development plan and the East Oaks PDA, and likewise comply with all other applicable zoning ordinance and subdivision regulations. Section 2.1 of the East Oaks PDA lists the following as some of the purposes of the PDA:

- A. Modify the existing Zoning Ordinance and other City standards in order to provide for greater creativity and flexibility in environmental design that is provided for under the strict application of the existing Zoning Ordinance and standards while at the same time preserving the health, safety, order, convenience, prosperity, and general welfare of the City and its inhabitants.*
- B. Encourage the preservation and enhancement of desirable site characteristics and significant wildlife habitat, both terrestrial and aquatic.*
- C. Encourage a more creative and efficient use of the land.*
- D. Encourage a development pattern in harmony with the City's objectives for land use, overall residential density, environmental protection, habitat conservation, active and passive recreation, and diversity of residential and commercial opportunities to meet the changing needs associated with new demographic trends and a gradually aging population.*

As noted above, the preliminary plan/preliminary plat is required to be consistent with the approved master development plan and the East Oaks PDA, and Section 2.2 of the PDA further provides that preliminary plans “consistent with [the] PDA shall be approved by the Council.”

Compliance with regulations used to implement the East Oaks PDA

The preliminary plan/preliminary plat must also comply with the various development regulations imposed by the City’s Zoning Ordinance, Subdivision Ordinance and where applicable other City Code provisions.

If the Planning Commission is inclined to direct subdivision design changes which are not specifically required by the PDA or applicable ordinances, it is important to establish a justifiable basis to for such changes and to seek the agreement of the applicant to make such changes. In this regard, tangible findings should be established.

State statues provide that “a municipality must approve a preliminary plat that meets the applicable standards and criteria contained in the municipality's zoning and subdivision regulations unless the municipality adopts written findings based on a record from the public proceedings why the application shall not be approved.” Minn. Stat. § 462.358, subd. 3b.

Effect of Preliminary Plan (Subdivision) Approval. In consideration of the preliminary plan (subdivision) application, the Planning Commission should keep in mind that approval of the preliminary plan/preliminary plat, with or without conditions, essentially represents approval the final subdivision design. State statutes further provide that “following preliminary approval, the applicant may request final approval by the municipality, and upon such request the municipality shall certify final approval within 60 days if the applicant has complied with all conditions and requirements of applicable regulations and all conditions and requirements upon which the preliminary approval is expressly conditioned either through performance or the execution of appropriate agreements assuring performance.” Minn. Stat. § 462.358, subd. 3b.

While City Council consideration of a final plan/final plat will follow, it should be recognized as an implementation step following approval of a preliminary plan/preliminary plat.

Planned Development Agreement (PDA). The use and intensity of development upon the subject site is governed by the East Oaks PDA. The PDA is basically considered a “zoning contract” which supersedes the strict requirements of the City’s Zoning and Subdivision Ordinances.

The PDA stipulates that a total of 10 single family dwelling units are allowed upon the Nord site (Site C) with a potential 30 percent density bonus. In this regard, a maximum of 13 lots containing single family dwellings are allowed. The preliminary plan (subdivision) illustrates a total of 12 lots and dwelling units and is consistent with PDA requirements (specifically Exhibit B1 which directs future land use types and intensity).

The original East Oaks Master Plan (1999) calls for a total of 645 dwelling units within the East Oaks Development area. It has been determined by approval of Resolution Number 1378 by majority vote of the City Council that a total of 174 dwelling units remain (additional units are however, allowed via the conversion of 5.73 remaining commercial acres to residential units). If the Nord subdivision is approved, 162 dwelling units would

remain within the East Oaks Development Area (not counting potential commercial acreage conversions).

Comprehensive Plan. Land within the Nord Parcel, including the two parcels not included within the East Oaks Development Area, is guided for “Low Density Residential” use by the City’s existing 2030 and draft 2040 Comprehensive Plans (Land Use Plans). Such land use category allows for detached single family housing.

The Comprehensive Plan notes that, within the “Low Density Residential” land use category, a heavy emphasis should be placed upon the preservation and protection of the natural environment.

The Plan further notes that low density residential uses may be served by sanitary sewer facilities while others may be designed for on-site treatment of sewage.

Zoning. The Nord Parcel is zoned RSM - PUD, Residential Multiple Family Medium Density PUD, which makes an allowance for single family residential uses. To be noted however, is that the City’s current zoning map (dated 10/25/10) illustrates an RMM - PUD, Residential Multiple Family Medium Density zoning designation upon the Nord Parcel. Staff research has revealed that such designation is incorrect and that the current zoning of the development property identified as the Nord Parcel is actually zoned RSM-PUD.

The eastern one-third of the site lies within the Shoreland District of Deep Lake, a designated “recreational development” lake. Specifically, proposed Lots 1, 2 and a small portion of Lot 3 lie within the District.

Excluded Parcels. As part of concept plan review, two parcels of land, namely parcels V-284 and B-292 located along the south property line of the subject site, which lie within the boundaries of the proposed preliminary plan/preliminary plat (subdivision) are not included within the East Oaks Development Area subject to the East Oaks PDA. The City’s most recent zoning map incorrectly illustrates a R, Recreation zoning designation upon parcel V-284. However, staff research has revealed that such designation is incorrect and that the current zoning of both the excluded parcels is RSL, Residential Single Family - Low Density.

In review of City Ordinances and the PDA, Staff has not found any provisions which prohibit the combination of the two excluded parcels with the Nord site for development of the site as proposed in the preliminary plan/preliminary plat application.

While Staff supports the integration of the excluded parcels within the proposed subdivision, it is important to recognize that the lot combinations would result in the creation of lots which hold two differing zoning designations (Lots 2-7). This condition is considered less than ideal from a planning standpoint. To address these concerns, staff

recommends amending the PDA to include the excluded parcels within the East Oaks Development Area and to rezone the excluded parcels to RSM-PUD. Alternatively, as part of the City's forthcoming Zoning Ordinance update, the two excluded parcels could be rezoned to RSM.

Site and Lot Access

Consistency with Conceptual Street and Access Plan. Unlike the preliminary plan for development of the Nord Parcel submitted in 2019, which included a cul-de-sac street extension from North Deep Lake Road, the submitted preliminary plan/preliminary plat (subdivision) illustrates a cul-de-sac street extension from the west via Sherwood Road. This proposed conceptual access location is consistent with the Conceptual Street and Access Plan - Exhibit B-2 of the East Oaks PDA.

Shared Driveway. Ten of the 12 proposed lots are proposed to be accessed via the Sherwood Road cul-de-sac. The applicant proposes to "reconfigure" the lots which presently exist along North Deep Lake Road and an existing farm access off of North Deep Lake Road, resulting in the access to Lots 1 and 2 via a shared driveway from North Deep Lake Road. While the PDA conceptually directs the configuration of the street within the subdivision, it does not include any language which explicitly prohibits private driveway access to North Deep Lake Road. As a condition of preliminary plan/preliminary (subdivision) approval, the City Council should determine if such proposed access "conforms in material respects" and is "consistent with" the Conceptual Road and Access Plan found in the PDA. Additionally, it is recommended that if found consistent, as part of the PDA amendment, Appendix 1 be amended to permit shared driveways within the RSM zoning district with no setback requirement from side lot lines.

Finally, in consideration of the proposed shared driveway access to Lots 1 and 2, the Lake Johanna Fire Department has recommended the following:

1. Signage be provided to clearly identify the shared driveway.
2. No parking be allowed on the shared portion of the driveway as necessary to maintain Fire Department vehicle/equipment accessibility.

Flag Lot. As part of concept plan review, Staff suggested that consideration be given to extending the proposed cul-de sac eastward to eliminate the proposed flag lot (Lot 4) and eliminate the proposed shared driveway condition. According to the applicant, an eastward extension of the proposed cul-de-sac (to access Lot 2) would likely result in negative environmental impacts, specifically additional tree removal and wetland mitigation. Additionally, the applicant has indicated that an eastward extension of the cul-de-sac would impact areas intended to be devoted to septic system drainfield sites.

The Lake Johanna Fire Department has indicated that the proposed flag lot (Lot 4) does not pose any “significant issues.” The Department has however, recommended that a “proper” turnaround (or hammerhead) be provided within the flag lot. In this regard, it is specifically recommended that the buildable area of Lot 4 (the flag lot) include a turnaround area (or hammerhead) and that the design of such turnaround area be subject to review and approval by the Lake Johanna Fire Department and City Engineer.

Lots

Configuration. The arrangement of lots illustrated on the preliminary plan (subdivision) is identical to that illustrated upon the previously reviewed concept plan. Lots 1 and 2 are proposed to receive access via an existing shared driveway along North Deep Lake Road while Lots 3 through 12 are proposed to be accessed via a cul-de-sac which intersects with Sherwood Road.

Lot Area. The RSM District imposes a minimum lot area requirement of 1.1 acre. Proposed lots range from 1.91 to 9.92 acres in size and exceed the minimum lot area requirement imposed in the RSM District as well as the 1.25 acre lot minimum for the RSL District.

As previously indicated, Lots 1, 2 and 3 lie within the Shoreland Management District of Deep Lake, a designated “recreational development” lake. In this regard, such lots must not be less than 43,560 square feet (1 acre) in area. All three lots exceed this requirement.

Lot Width. Neither the RSM nor the RSL Districts impose a minimum lot width requirement.

The Shoreland Management District provisions do, however, impose a minimum 150 lot width requirement (measured at the midpoint of the building line). Lots 1, 2 and 3, which lie within the Shoreland Management District, all exceed 150 feet in width.

Flag Lot. As part of the Planning Commission’s consideration of the concept plan, attention was drawn to proposed Lot 3 which is considered a “flag lot.” Flag lots are commonly discouraged or prohibited by communities to ensure a degree of lot width consistency (within subdivisions) and avoid confusion / obstacles related to emergency vehicle access. As previously indicated, flag lots presently exist in the City of North Oaks and are allowed under the City’s existing land use regulations.

In consideration of this matter, the applicant has stated that an eastward extension of the proposed cul-de-sac (to eliminate the flag lot) would likely result in negative environmental impacts, specifically additional tree removal and wetland mitigation.

Further, the applicant has indicated that an eastward extension of the cul-de-sac would impact areas intended to be devoted to septic system drainfield sites.

Unless a finding can be made that the proposed cul-de-sac raises public safety concerns, Staff considers the flag lot to be in conformance with the East Oaks PDA and applicable City ordinances.

Setbacks. The following minimum setbacks apply to principal structures upon the subject site:

PDA Requirements:

Principal Building to Roadway Easements:

Front-loaded garage:	20 feet
Home or side-loaded garage:	10 feet

Principal Building to Adjacent Structures:

Attached garage to attached garage:	12 feet
Attached garage to house:	20 feet
House to house:	24 feet

Wetlands: 30 feet

RSM District Requirements:

Lot Lines: 30 feet

Shoreland Management Requirements:

Structures to Ordinary High-Water Level (of Deep Lake): 75 feet

The submitted easement plan demonstrates an ability for principal structures to meet the aforementioned setback requirements.

Floor Area Ratio. Within the RSM – PUD and RSL Districts, a maximum floor area ratio of 12 percent is imposed (ratio of floor area of buildings to gross lot area). It is recommended that this floor area ratio requirement be imposed as a condition of preliminary plan (subdivision) approval.

Park Dedication. The proposed preliminary plan (subdivision) does not include any parkland dedication. Park dedication requirements for the development sites located

within the East Oaks Development area were previously satisfied by the developer via the following:

1. Open space easements
2. Conservation easements to the Minnesota Land Trust
3. Rough grading of park and trail areas and the construction of trails as depicted on the trail plan
4. Primary trail easements to NOHOA
5. Conveyance of open space as depicted on the Park and Open Space Plan to NOHOA

Trails. The Trail Map included in the East Oaks PDA (Exhibit B4) does not appear to illustrate a new trail segment through the subject site identified as a “Primary Trail” or a “Restricted Trail.”

As shown on the submitted preliminary plan (subdivision), a trail is proposed between Lots 6 and 7 which would connect to an existing trail to the south. The trail appears to provide a logical connection to the existing trail system. A second trail segment is proposed through the southern portion of Lot 2 and near the southern boundary of Lot 1 on the originally submitted plan. Since the original submission of the preliminary plan/preliminary plat, Staff is aware that the North Oaks Company and NOHOA have been working to reach agreement on a revised trail plan. Per the North Oaks Company, it has agreed with NOHOA on the creation of a new trail located within the Nord Parcel, with the new trail location shown on the document to be provided by the North Oaks Company.

As noted as part of the previous concept plan review, Staff recommends that trail locations illustrated on the preliminary subdivision application reflect received NOHOA input and be mutually agreed upon by the developer and NOHOA.

The final trail plans should be developed in concert with NOHOA Staff as they will be responsible for acceptance and maintenance of the trails.

Tree Preservation. While both the City’s Comprehensive Plan and the East Oaks PDA clearly highlight the preservation of natural resources as a primary community objective, City ordinances do not impose specific tree preservation requirements on new residential subdivisions.

As part of concept plan review for the Nord site, the Planning Commission expressed a desire to ensure the preservation of significant trees. Specifically, it was suggested that the City Forester review the received development plans, conduct an in-person inspection of the site and provide a report to the Planning Commission.

In response, the applicant expressed an intent to work with the City Forester regarding potential impacts in areas of the subject site where initial grading activities are anticipated (primarily the proposed roadway corridor). The City Forester's comments are attached hereto as Exhibit M.

Signage. Included with the preliminary plan (subdivision) application materials is a preliminary entrance monument sign plan (attached as Exhibit K). According to the PDA, monuments to identify development sites are permitted if they conform to the following standards:

1. *Not exceed 8 feet in height as measured from the finished grade.*
2. *Not extend into adjacent road easement.*
3. *Not obstruct the view of oncoming traffic.*
4. *Include landscaping around the base consisting of shrubs, flowers, and ornamental trees, notwithstanding the provisions of Section 151.034 of the Ordinance.*
5. *No exposed neon lighting on sign.*
6. *Designed to be compatible with adjacent building architecture.*
7. *The sign face shall not exceed 80 square feet for each side of the sign.*

The PDA also indicates that, notwithstanding the foregoing standards, deviations from the standards regarding the final location of a monument may be approved by the City.

While the proposed monument sign appears to meet the preceding PDA requirements, additional detail (sign and setback dimensions) is necessary to make a final determination. As a condition of final subdivision approval, it is recommended that the proposed monument sign meet the preceding PDA requirements.

PDA Amendment. It is recommended that the East Oaks PDA be formally amended as previously discussed.

ENGINEERING COMMENTS (Larina DeWalt)

Engineering comments below are based on a cursory review of preliminary plans. A comprehensive plan review will be completed with final construction plans.

Street System

1. The proposed street design will adhere to City standards provided comments herein are addressed with the final construction plans.
2. The preliminary plan identifies a 24-foot wide bituminous paved surface with a 2-foot-wide gravel shoulder and a 2-foot-deep ditch section on each side of the street. A cul-de-sac is proposed at the end of the street. The following comments are offered related to the proposed street system:

- a. Verification from Ramsey County confirming location of proposed street access should be provided with final construction plans. Confirmation should address location compliance with County recommendations for sight distance and adherence to minimum distances from vertical and horizontal curves on Sherwood Road.
- b. The Lake Johanna Fire Department has previously indicated that streets which are 32-feet-wide or less need to be posted “No Parking Fire Lane” on one side of the road. Staff recommends that the applicant contact the Fire Marshall to review and discuss the proposed site design to determine which side of the street should be identified as the fire lane.
- c. The applicant’s engineer shall submit a pavement design with the final construction plans, in accordance with Geotechnical recommendations. The design shall be completed in accordance with the MnDOT Flexible Pavement Design as outlined in the Road Design Manual. The street section shall be designed for a minimum 7-ton design and a 20-year design life.
- d. Proposed bituminous shall be placed in two lifts. The final lift shall be placed one construction season after the utilities have been installed within the street limits
- e. A revised Traffic Impact Memorandum, prepared by Westwood, was submitted and identifies potential impacts associated with the 12 proposed residential lots shown in the Nord concept plan. According to industry standard Trip Generation calculations and preliminary discussions with Ramsey County Engineering, it appears that the county volume guideline for warranting a turn lane along Sherwood Road, or signalization at the intersection will not be exceeded. It is assumed that only a side street stop condition will be required. Confirmation from Ramsey County will be provided with application review and approval of Street Access Permit.
- f. The two residential lots proposed to be accessed via a shared drive off Deep Lake Road will have minimal impact on traffic in the existing roadway system. Details of shared driveway condition and any potential required grading design for lot access shall be reviewed as part of final construction plans and individual home building permit application reviews.
- g. Details of tie in at Sherwood road shall be included with final construction plans.

Sanitary Sewer

- The proposed residential units are to be served by individual septic treatment systems (ISTS). All lots appear to comply with requirements for primary and

secondary ISTS locations within suitable soil areas. Final locations and design for ISTS will be reviewed as part of each individual Building Permit Application review.

Water Supply

- The proposed residential units are to be served by a private well for each unit. Private well locations shall be reviewed as part of each individual Building Permit Application review.

Surface Water Management and Site Grading Design

1. The proposed storm water management and drainage system and site grading design shall conform to the requirements of the City of North Oaks Surface Water Management Plan, dated February 2018. This includes volume control, rate control and water quality requirements to mitigate new impervious areas. A storm water management report, outlining the design analysis for the site, including exhibits and calculations shall be submitted for review and approval with the final construction plans.
2. Details of stormwater basin design, including typical cross sections and details for outlet structures shall be included in the final construction plans.
3. Staff recommends that the 100-year high water elevation for all site surface water features, including wetlands, be determined and shown on the final grading plan. These high-water elevations should be reviewed as a part of the building permit review process for the adjoining lots.
4. Identify the emergency overflow locations and elevations (EOF) on the final grading plan for wetlands, based on actual field topographic survey information. These EOF elevations should be reviewed as a part of the building permit review process for each adjoining lot.
5. Riprap will not be required at the inlet end of proposed culverts, unless the velocity of the flow at the inlet requires this type of erosion protection.
6. Proposed turf or vegetation in drainage swales adjacent to roadway shall be reviewed and approved by NOHOA.
7. A copy of Report of Geotechnical Exploration for Nord Development Road and Utilities, dated February 21, 2020, prepared by American Engineering Testing, Inc. has been provided. Report indicates soil boring locations, including ground water conditions at locations which align with proposed road and utilities. The applicant's Geotechnical Engineer shall provide a recommended separation from the basement floor to the estimated groundwater surface elevation for each proposed lot as well as be updated with final construction plans to include infiltration rates

and design recommendations for the proposed infiltration basin based on applicable borings.

8. A drain tile system shall be provided on the street subgrade surface at the street low points, per Geotechnical report, if poorly draining subgrade soil type exists. The drain tile shall extend to the ditch section to drain. If installed, rodent screens shall be provided at the outlet.
9. The preliminary grading plan illustrates proposed longitudinal slopes of approximately 1 percent in the street ditch section in a few locations. In areas where the ditch will be maintained by the homeowner, a drain tile system is recommended to be installed in ditch sections with proposed slopes less than 2 percent, if the existing soil condition is not free draining.
10. A 2-foot separation shall be shown from the edge of the shoulder to the finished grade around the perimeter of the cul-de-sac on the final construction plan. The 2-foot separation shall be provided at 8 feet from the edge of the shoulder.
11. A 10-foot maintenance bench shall encompass the stormwater ponds and shall be shown on the final grading construction plan.
12. A grading plan for each "custom" lot shall be submitted with each building permit application. Proposed grades around the perimeter of the proposed homes shall meet the requirements of the state building code. Staff recommends that a minimum driveway slope of 3 percent, and a maximum of 10 percent. Details of proposed driveway sections over drainage ditch with proposed culverts shall be included in plans for building permit review to ensure grading and drainage plan is maintained.
13. Final grading plan should include high point elevations, grade breaks, typical slopes and drainage arrows.
14. Final construction plans shall include locations and details for all proposed site sedimentation and erosion control BMPs, including plans for temporary stormwater management BMPs and protection of permanent BMPs during construction.
15. The proposed storm sewer and site grading final design and construction plans shall be reviewed and approved by the City Engineer and VLAWMO.

Small Utilities

1. All small utilities including, but not limited to gas, telephone, electric shall be placed underground in accordance with the provisions of all applicable City ordinances.
2. All utilities to be located in the floodplain shall be flood proofed in accordance with the building code or elevated above the flood protection elevation.

Wetlands

1. Wetland impacts, mitigation, and conformance to WCA requirements shall be reviewed by VLAWMO as the LGU.
2. VLAWMO shall also determine the required width of buffer strips along the perimeter of wetlands, and the proposed ponds. The final construction plans shall identify the buffer limits and any LGU requirements for buffer protection.
3. City has requested Applicant to submit a transaction history of wetland impacts, restoration and banked credits for all East Oaks developments to date. Transaction history should also include proposed impacts with associated method of mitigation for remaining East Oaks PUD sites.
4. Any additional wetland delineation requirements shall be confirmed with VLAWMO as the LGU.

Signage

1. Local street signage, including necessary stop condition signage, meeting City of North Oaks standards shall be posted at proposed intersection.
2. It is recommended that reflectors be installed at end of cul-de-sac until Lots 3 and 4 are developed.
3. The final construction plans shall identify proposed street signage, including buffer strip signage if required by VLAWMO.
4. Fire lane signage shall be provided in accordance with the requirements of the Lake Johanna Fire Department.

Easements

1. Easements for roadways, drainage swales, utilities, ponds, wetlands, etc. shall be dedicated on the final RLS as shown in the preliminary plan/preliminary plat and shall be determined to be sufficient for all necessary site drainage, utility and roadway access and maintenance.
2. A 25-foot road easement shall be dedicated along the northerly side of North Deep Lake Road on the affected properties as shown on proposed easement plan.
3. The proposed easements for utilities shall be a minimum of 20 feet and be centered on the utility.

4. A 20-foot drainage easement shall be provided along the center of the drainage swale between wetlands 4 and 5; and between wetlands 5 and 5A. A drainage and utility easement shall be added between wetlands 5A and 5B.
5. Conservation easements shall be provided to cover the buffer strip areas, if required by VLAWMO. The easement documents shall conform to the requirements of VLAWMO.
6. Ramsey County should be contacted to confirm roadway easement is sufficient or if the County would like Sherwood Road right-of-way dedicated as part of the subdivision.

Permits

- Copies of all required and approved permits (MPCA, VLAWMO, Ramsey County etc.) shall be provided to the City Engineer upon receipt from each agency.

Other Engineering Comments

1. Final proposed location for potential trail along North Deep Lake Road shall conform to MnDOT recommendations for clear zone requirements for applicable speed limit.
2. All final construction plans shall include applicable plan legends to facilitate comprehensive plan review.
3. Diligence in plan review prior to submittal of final construction plans to resolve Preliminary plan typos and inconsistencies.
4. Please remove all gender specific pronoun references on the preliminary engineering plans.
5. Ensure all primary plan features are adequately dimensioned and proposed dimensions are consistent with application narrative.
6. Existing conditions plan shall include field verification dates for topographic survey.
7. Proposed trail connection across Lots 1 & 2 from the Existing Trail Easement appears to cross/conflict with proposed shared access driveway for Lots 1 & 2. Details of this crossing/conflict should be included in final construction plans.

CONCLUSION

The Planning Commission is being asked to review and provide recommendation to the City Council on the preliminary plan/preliminary plat (subdivision) applications for subdivision of the Nord site along with two adjacent, excluded parcels.

If the Planning Commission finds that the submitted plans are consistent with the approved East Oaks PUD Master Development Plan and East Oaks PDA and demonstrate an ability to meet applicable requirements of the City's Zoning, Subdivision and Shoreland Ordinances, the Commission should recommend approval of the plans, subject to any recommended conditions, to the City Council.

If the Planning Commission finds that the submitted plans are not consistent with the approved East Oaks PUD Master Development Plan and East Oaks PDA and do not meet applicable requirements of the City's Zoning, Subdivision and Shoreland Ordinances, the Commission may recommend denial of the request with findings of fact as to the specific reasons for such recommendation.

PLANNING COMMISSION OPTIONS

In consideration of the preliminary subdivision application, the Planning Commission has the following options:

- A) Recommend approval**, with conditions, based on the applicant's submission, the contents of this report, public testimony and other evidence available to the Planning Commission.
- This option should be utilized if the Planning Commission finds the proposal adheres to all City Code requirements and previously approved East Oaks PDA and Master Development Plan provisions.
 - Approval at this time means that, upon City Council approval, the applicant can proceed to final plans with assurances that final subdivision approval will be granted provided all conditions are met.
- B) Recommend denial** based on the applicant's submission, the contents of City Staff reports, received public testimony and other evidence available to the Planning Commission.
- This option should only be utilized if the Planning Commission can specifically identify one or more provisions of the City Code or East Oaks PDA that are not being met by the preliminary plan (subdivision) proposal.

C) Continue the matter to request for further information from staff or the applicant or to continue the public hearing. Additional requested information should be specifically identified by the Planning Commission.

STAFF RECOMMENDATION

Based on the preceding review, it is the opinion of Staff that the submitted preliminary plan/preliminary plat (subdivision) application is consistent with the East Oaks PDA and the Master Development Plan and will, with conditions, comply with regulations used to implement the PDA.

Therefore, Staff recommends of approval of the proposed Nord preliminary plan/preliminary plat (subdivision) application subject to the fulfillment of the following conditions:

1. The following conditions shall be satisfied related to the proposed shared driveway to Lots 1 and 2:
 - A. Signage be provided to clearly identify the shared driveway. The type, size and location of such signage shall be subject to City approval.
 - B. No parking be allowed on the shared portion of the driveway as necessary to maintain Fire Department vehicle/equipment accessibility.
2. The buildable area of Lot 4 (the flag lot) include a turnaround area (or hammerhead). The design of such turnaround area shall be subject to review and approval by the Lake Johanna Fire Department and City Engineer.
3. Floor area ratios within the subdivision shall not exceed 12 percent (ratio of floor area of buildings to gross lot area).
4. The following minimum setbacks shall be satisfied:

Principal Building to Roadway Easements:

Front-loaded garage:	20 feet
Home or side-loaded garage:	10 feet

Principal Building to Adjacent Structures:

Attached garage to attached garage:	12 feet
Attached garage to house:	20 feet
House to house:	24 feet

Wetlands: 30 feet

Lot Lines: 30 feet

Structures to Ordinary High-Water Level (of Deep Lake): 75 feet

5. The plans be amended to reflect the proposed final trail developed in concert with NOHOA.
6. The proposed monument sign shall satisfy the following conditions:
 - A. Not exceed 8 feet in height as measured from the finished grade.
 - B. Not extend into adjacent road easement.
 - C. Not obstruct the view of oncoming traffic.
 - D. Include landscaping around the base consisting of shrubs, flowers, and ornamental trees, notwithstanding the provisions of Section 151.034 of the Ordinance.
 - E. No exposed neon lighting on sign.
 - F. Designed to be compatible with adjacent building architecture.
 - G. The sign face shall not exceed 80 square feet for each side of the sign.
7. The East Oaks PDA be formally amended to accomplish the following:
 - A. Address the excluded parcel issue. In this regard, the East Oaks PDA be amended such that the legal description for the Nord site (Site C) incorporate the two excluded parcels (parcels V-284 and B-292).
 - B. Address the performance standards for the proposed shared driveway for Lots 1 and 2.
8. The applicant recognizes that, as part of the City's forthcoming Zoning Ordinance update, the rezoning of the two excluded parcels (parcels V-284 and B-292) to RSM will be considered by the City.
9. The developer shall enter into a subdivision development agreement with the City (the form of which shall be acceptable to the City) and post all necessary securities required by it and pay all required fees and costs including all City planning, engineering, and legal fees.
10. Verification from Ramsey County confirming location of proposed street access shall be provided with final construction plans. Confirmation shall address location compliance with County recommendations for sight distance and adherence to minimum distances from vertical and horizontal curves on Sherwood Road.
11. Fire lane signage shall be provided, as necessary, in accordance with the requirements of the Lake Johanna Fire Department.

12. Local street signage, including necessary stop condition signage, meeting City of North Oaks standards shall be posted at proposed intersection.
13. The final construction plans shall identify proposed street signage, including buffer strip signage, if required by VLAWMO.
14. The applicant's engineer shall submit a pavement design with the final construction plans, in accordance with Geotechnical recommendations. The design shall be completed in accordance with the MnDOT Flexible Pavement Design as outlined in the Road Design Manual. The street section shall be designed for a minimum 7-ton design and a 20-year design life.
15. Details of cross-section and tie-in at Sherwood road shall be included with final construction plans.
16. Individual Building Permit Application review shall include the following: Final locations and designs for ISTS; private well locations; 100-year high water elevations and Stormwater emergency overflow (EOF) locations and elevations; and detailed grading plans meeting state building code.
17. The proposed storm water management and drainage system and site grading design shall conform to the requirements of the City of North Oaks Surface Water Management Plan, dated February 2018. This includes volume control, rate control and water quality requirements to mitigate new impervious areas. A storm water management report, outlining the design analysis for the site, including exhibits and calculations shall be submitted for review and approval with the final construction plans.
18. Details of stormwater basin design, including typical cross sections and details for outlet structures shall be included in the final construction plans.
19. 100-year high water elevations for all site surface water features, including wetlands, shall be determined and shown on the final grading plan.
20. Emergency overflow locations and elevations (EOF), for all site surface water features, including wetlands shall be shown on the final grading plan based on actual field topographic survey information and stormwater management plan design.
21. Riprap shall not be required at the inlet end of proposed culverts, unless the velocity of the flow at the inlet requires this type of erosion protection.
22. The Report of Geotechnical Exploration shall be updated with final construction plans to include infiltration rates and design recommendations for the proposed infiltration basin. Applicant's Geotechnical Engineer shall provide a recommended

separation from the basement floor to the estimated groundwater surface elevation for each proposed lot.

23. A drain tile system shall be provided on the street subgrade surface at the street low points, per Geotechnical report, if poorly draining subgrade soil type exists. The drain tile shall extend to the ditch section to drain. If installed, rodent screens shall be provided at the outlet.
24. In areas where the proposed ditch section will be maintained by the homeowner, a drain tile system shall be installed where proposed slopes are less than 2 percent, if the existing soil condition is not free draining, or per Geotechnical recommendations.
25. A 2-foot separation shall be shown from the edge of the shoulder to the finished grade around the perimeter of the cul-de-sac on the final construction plan. The 2-foot separation shall be provided at 8 feet from the edge of the shoulder.
26. A 10-foot maintenance bench shall encompass all stormwater basins and shall be shown on the final grading construction plan.
27. All applicable recommendations of the City Forester shall be satisfied.
28. Final grading plan shall include high point elevations, grade breaks, typical slopes and drainage arrows.
29. Final construction plans shall include locations and details for all proposed site sedimentation and erosion control BMPs, including plans for temporary stormwater management BMPs and protection of permanent BMPs during construction.
30. The proposed storm sewer and site grading final design and construction plans shall be reviewed and approved by the City Engineer, and VLAWMO.
31. All small utilities including, but not limited to gas, telephone, electric shall be placed underground in accordance with the provisions of all applicable City ordinances.
32. All utilities to be located in the floodplain shall be flood proofed in accordance with the building code or elevated above the flood protection elevation.
33. Wetland impacts, mitigation, and conformance to WCA requirements shall be reviewed by VLAWMO as the LGU.
34. VLAWMO shall determine the required width of buffer strips along the perimeter of wetlands, and the proposed ponds. The final construction plans shall identify the buffer limits and any LGU requirements for buffer protection.

35. The applicant shall submit a transaction history of wetland impacts, restoration and banked credits for all East Oaks developments to date for City review and determination of consistency with control documents. Transaction history shall include proposed impacts, as detailed on final construction plans for current application, with associated method of mitigation. Transaction history shall also include assumed impacts for all remaining East Oaks PUD sites.
36. Final construction plans shall include statement of trail design narrative which will detail no planned grading impacts for proposed trail locations. If boardwalk segments are proposed, these locations shall be detailed with specifications on final construction documents.
37. Any additional wetland delineation requirements shall be confirmed with VLAWMO as the LGU and provided as part of final construction plans.
38. Easements sufficient for all necessary site drainage, utility and roadway access and maintenance for roadways, drainage swales, utilities, ponds, wetlands, etc. shall be included as part of final construction documents and be dedicated with the final RLS.
39. A 25-foot road easement shall be dedicated along the northerly side of North Deep Lake Road as a part of the RLS process as shown on proposed easement plan.
40. The proposed easements for utilities shall be a minimum of 20 feet and be centered on the utility.
41. A 20-foot drainage easement shall be provided along the center of the drainage swale between wetlands 4 and 5; and between wetlands 5 and 5A. A drainage and utility easement shall be added between wetlands 5A and 5B.
42. Conservation easements shall be provided to cover the buffer strip areas, if required by VLAWMO. The easement documents shall conform to the requirements of VLAWMO.
43. Ramsey County shall be contacted to confirm that the proposed roadway easement is sufficient or if the County would like Sherwood Road right-of-way dedicated as part of the subdivision. Written correspondence shall be provided to the City.
44. Copies of all required and approved permits, including but not limited to MPCA, VLAWMO, Ramsey County, shall be provided to the City Engineer upon receipt from each agency.
45. Final proposed location for potential trail along North Deep Lake Road shall conform to MnDOT recommendations for clear zone requirements for applicable speed limit.

46. Construction details and grading cross-section for the interconnection of proposed trail with the shared access of Lots 1 & 2 shall be included in final construction plans.
47. Consideration of any comments received from the Vadnais Lake Area Water Management Organization.
48. Consideration of any comments received from the Department of Natural Resources.
49. Comments of other City Staff.

cc: North Oaks Mayor and City Council
Kevin Kress, City Administrator
Mikeya Griffin, NOHOA Executive Director North Oaks Company
Jenifer Sorensen, Department of Natural Resources
Stephanie McNamara, Vadnais Lake Area Water Management Organization
Mark Houge and Gary Eagles, North Oaks Company



MAP 12: East Oaks Planned Unit Development

The East Oaks Planned Unit Development (PUD), approved in 1999, authorized a master plan for development on the City's remaining acreage in compliance with the 1999 Comprehensive Plan as amended. The lands within the PUD will continue to develop per the approved PUD over the next twenty years.

Current and future neighborhoods that are part of the East Oaks PUD include:

- 1) Peterson Place (Wildflower)
- 2) East Preserve
- 3) Nord
- 4) Rapp Farm
- 5) East Wilkinson
- 6) Anderson Woods
- 7) Gate Hill
- 8) Island Field
- 9) Red Forest
- 10) The Pines
- 11) Ski Hill
- 12) South East Pines

 Developed and Undeveloped Land or Protected Open Space

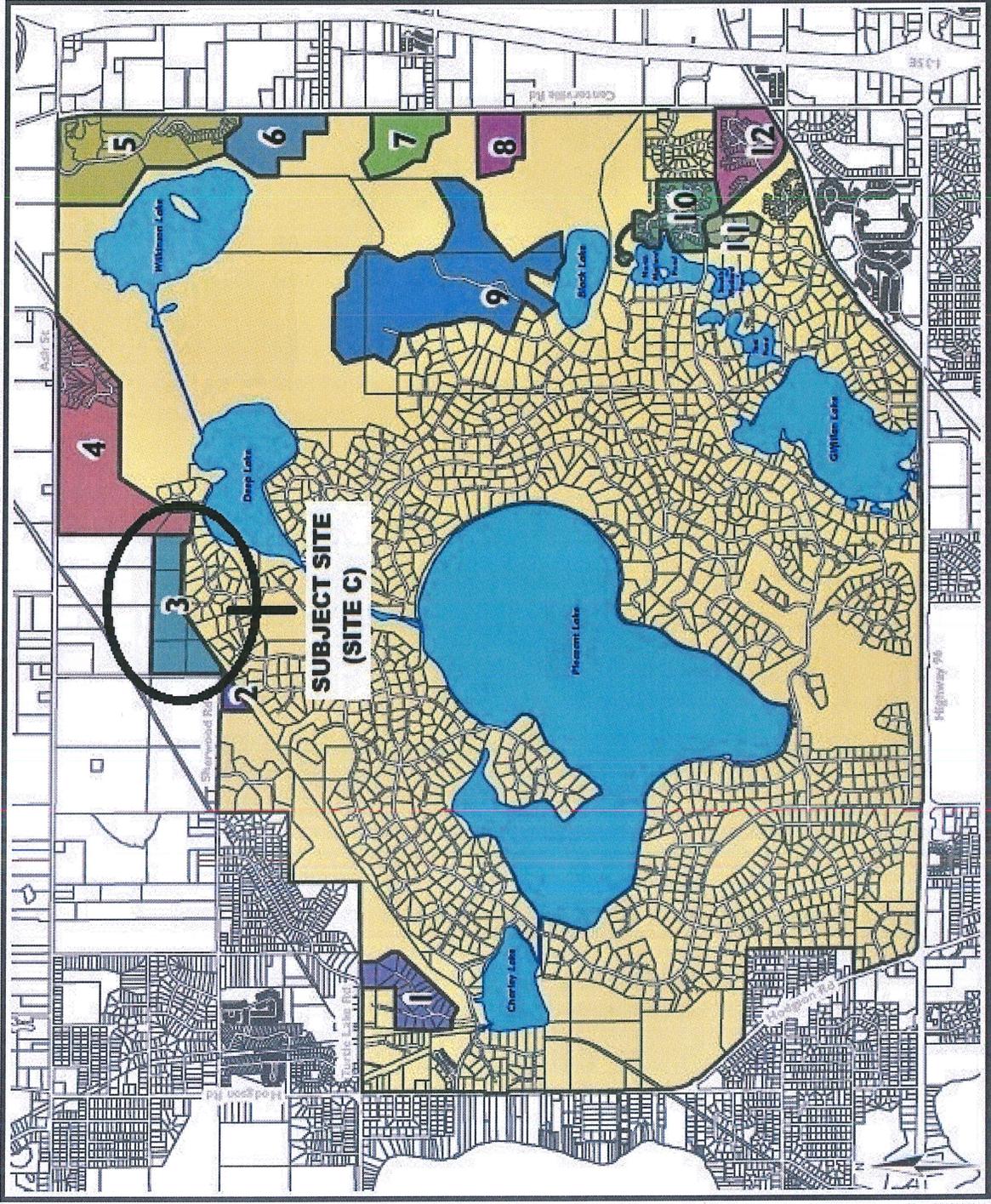


Exhibit A: Site Location



February 5, 2020

Mr. Kevin Kress
 City Administrator
 City of North Oaks
 100 Village Center Drive, Suite 150
 North oaks, Minnesota 55127

Re: Site C – Nord Development
 Preliminary Plan –Subdivision Application

Dear Kevin,

Attached you will find the application for Preliminary Plan approval to subdivide Site C – Nord, including all items outlined in the submittal requirements of the East Oaks Planned Unit Development Agreement, dated February 11, 1999 (PDA).

North Oaks Company LLC (Company) submitted its current Concept Plans for the remaining development sites of the Subject Property in the PDA, including Nord, Anderson Woods, Gate Hill, Island Field and Black Forest Way on December 3, 2019 and again on January 30, 2020.

Please consider this a request for the City Staff to review the application for Preliminary Plan approval for the subdivision of Site C - Nord (SITE), confirm it is complete, proceed to review and comment, publish for a public hearing regarding same at the February 27, 2020 Planning Commission Meeting, at which time the Company requests the Planning Commission recommend City Council approve the subdivision of SITE at its next meeting.

The SITE is zoned RSM-PUD and the Company proposes subdividing the SITE into 12 single-family lots. Each lot will be served with natural gas, electric, and communication systems. Each individual homeowner will install septic systems and wells.

Enclosed you will find the following documents:

- Sheet 1 – Existing Conditions, dated January 23, 2020
- Sheet 2 – Preliminary Plan, dated January 23, 2020
- Sheet 2A – Septic Site Location Plan, dated January 23, 2020
- Sheet 2B – Septic Site Location Plan, dated January 23, 2020
- Sheet 3 – Preliminary Easement Plan, dated January 23, 2020
- Sheet 4 – Preliminary Grading Plan, dated January 23, 2020
- Sheet 5 – Preliminary Utility Plan, dated January 23, 2020
- Sheet 6 – Preliminary Landscape Plan, dated January 23, 2020
- Floor to Area Worksheet, dated January 22, 2020

The primary access to the SITE will be from Sherwood Road. A 28' wide street (typical rural section) will be constructed to serve the westerly 10 lots, extending from Sherwood Road to the proposed cul-de-sac in the center, approximately, of the SITE. In addition, the two existing lots on the east end of the Site will be reconfigured and access will continue to be from an existing shared driveway at Deep Lake Road. The Company met with representatives of Ramsey County Engineering,

consulted with Westwood Engineering, and the preliminary review indicates no turn lanes or other improvements to Sherwood Road or Deep Lake Road will be required, see attached memo from Westwood.

The site plan shows boxes on each lot that represent a one or two story single-family home with an approximate foundation size of 3000 square feet (SF). The actual location, height, and size of each future house will be determined by the homeowner and approved by the City's Building Official, and the Architectural Supervisory Committee (ASC) of North Oaks Home Owners' Association (NOHOA). The minimum lot size is 1.1 Acres, the approximate size of each lot is noted in the FAR worksheet.

The preliminary grading plan is attached, which illustrates minimal grading to build a street. Initial grading of the SITE will be limited to that required to install storm water, gas, electrical, communication systems, and construct the street. The elevation of the street generally follows the existing topography. No grading will occur south or east of the proposed street, except that required to build a home on each lot. Based on our preliminary review with Vadnais Lake Area Water Management Organization (VLAWMO), it agrees this is the most appropriate solution with no impacts to wetlands.

All lots will be created at one time, and the Company anticipates obtaining approval to enable the street to be complete summer of 2020.

Open space has been provided in other locations of the Subject Area, including the southwest corner of the SITE. During the Planning Commission meeting on January 30, 2020, it became apparent to the Company that the information about the status of and location of trails near the proposed Nord Development area need clarification. To that purpose, the Company offers the following additional information to the City Council, the Planning Commission and the community in general. Please consider this as part of the Company's discussion of the existing conditions and proposed development plan for the proposed Nord Development area.

In the mid-1970's, the Company received approval to develop certain lots along North Deep Lake Road and Red Maple Lane in the area immediately to the south of the current Nord development area. As part of the approval and recording process, trail easements were dedicated to the North Oaks Home Owners' Association on Tracts B, C, D, F, G, H, and I at the time the tracts were sold by the Company. On our overview visual of the Nord development area, you can see the trail location on the impacted lots.

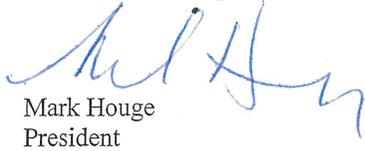
At the time of preparing documents for inclusion in the East Oaks Planned Development Agreement ("PDA"), the document attached to the Agreement and identified as Exhibit "B4" – Trail Map did not accurately identify the location of the existing NOHOA trail in the area south of the current proposed Nord development area. While it has been many years since entering into the original Agreement, one can look to Article 19.13 (x) for an understanding of the definition of "Existing NOHOA Trail Easements" for the purpose of the Agreement. To be an existing trail, the definition requires the previous conveyance by the Developer or its predecessors prior to the execution of the Planned Development Agreement. Applying this definition, the location of actual trails near the planned Nord Development area, the Exhibit "B4" Trail Map are on the seven tracts previously mentioned. Further, future trails contemplated under the Agreement and outlined on Exhibits "C1" Trail Conveyance Schedule and "C2" Temporary Trail do not include the Developer's dedication of future trail easements in the proposed Nord development area.

However, the Company has considered the benefit to the community of connecting the proposed Nord development area to the existing NOHOA trail system. You will note that between proposed lots 6 and 7 a trail connection is identified to connect to the trail area on Tract G of RLS 284 and again on proposed lots 1 and 2 connecting to the trail area on Tract B of RLS 284.

This development is envisioned to be a part of NOHOA and will not be served by a separate sub-association.

We look forward to presenting this plan to you and responding to your questions and comments.

Sincerely
North Oaks Company LLC,



Mark Houge
President

Enclosures

- cc: City Planner (w/encl.)
- City Engineer (w/encl.)
- City Attorney (w/encl.)
- Mikeya Griffin, NOHOA
- Gary Eagles, North Oaks Company LLC



NORTHWEST ASSOCIATED CONSULTANTS, INC.

4150 Olson Memorial Highway, Ste. 320, Golden Valley, MN 55422
Telephone: 763.957.1100 Website: www.nacplanning.com

MEMORANDUM

TO: North Oaks Mayor and City Council

FROM: Bob Kirmis, City Planner

DATE: February 13, 2020

RE: North Oaks - East Oaks Planned Development
Nord Concept Plan (Site C)

FILE NO: 321.02 - 19.09

INTRODUCTION

At the January 30, 2020 and February 4, 2020 meetings of the Planning Commission, the Commission provided informal feedback to the North Oaks Company LLC regarding a concept plan submittal for the "Nord" parcel located north of Deep Lake Road and East of Sherwood Road.

The subject 55-acre property is identified as "Site C" in the East Oaks Planned Development Agreement (PDA). The submitted concept plan calls for the creation of 12 lots upon the site, resulting in an average lot size of 4.6 acres (gross).

According to the East Oaks PDA, the City's RSM - PUD, Residential Single-Family Medium Density zoning district provisions apply to the subject property. Additionally, the eastern one-third of the site lies within the Shoreland Management District of Deep Lake, a designated "recreational development" lake.

The PDA also stipulates that a total of 10 single family dwelling units are allowed upon the subject site (Site C) with a potential 30 percent density bonus. In this regard, a maximum of 13 lots containing single family dwellings are allowed. The concept plan illustrates a total of 12 lots and dwelling units and is consistent with the PDA requirements.

All lots are proposed to be served by individual septic systems and wells.

The purpose of this memorandum is to summarize feedback provided by the Planning Commission in their review of the concept plan as well as to convey received citizen comments.

Please refer to the Staff memorandum dated January 30, 2020 for additional background information related to the concept plan submission.

DISCUSSION

Citizen Comments. Prior to the Planning Commission's discussion of the concept plan, an opportunity for citizen feedback was provided. In this regard, the following citizen comments were offered related to the Nord concept plan:

- Recognizing that an intent of the East Oaks PUD is to be sensitive to the environment, it was recommended that a tree inventory be provided by the developer as a means of preserving significant (hardwood) trees.
- It was suggested that the concept plan incorporate the historic trail location along the northern boundary of the wetland.
- Concern was raised related to wetland impacts which could result from the shared driveway intended to access Lots 1 and 2 and an easterly extension of the cul-de-sac (raised by Staff as a means to eliminate the proposed flag lot condition of Lot 3).
- A citizen expressed his appreciation that no wetland impacts are anticipated in the proposed subdivision.
- It was indicated that the concept plan should be modified to include a connector trail (possibly similar to the perceived "trail connection" which presently exists on the site) to be compliant with the PDA.
- It was suggested that the number of lots within the subdivision should be reduced from 12 to 10.
- In regard to the proposed flag lot (Lot 3), an opinion was expressed that a road and private driveway in the narrow portion of the lot would have similar impacts.
- It was suggested that further study of wetlands (and related impacts) within the subject site be conducted.
- As a point of information, a citizen advised the Planning Commission that Ramsey County allows hunting upon land located west of the proposed subdivision (west of Sherwood Road).

To be noted is that the preceding comments do not include written citizen comments which were received prior to the Planning Commission meeting.

Planning Commission Feedback. As a PUD concept plan, only informal, advisory feedback was provided by the Planning Commission and no formal action was taken. In consideration of the concept plan, the Planning Commission raised questions and provided feedback regarding the following:

January 30, 2020 Meeting:

- A trail location which mimics the historic farm road should be considered.
- It was suggested that the developer and the NOHOA agree on trail locations prior to the City's formal consideration of an application for preliminary subdivision.
- City Staff and the developer should investigate wetland impacts associated with an easterly extension of the cul-de-sac (as a means of eliminating the proposed flag lot and shared driveway intended to access Lots 1 and 2).
- A discrepancy between the concept plan drawing and the property legal description (which excludes parcels V-284 and B-292) needs to be addressed.
- The Commission was generally supportive of the proposed shared driveway access from North Deep Lake Road (to Lots 1 and 2) as no wetland impacts are proposed.
- The Commission suggested that tree preservation efforts be made. In a follow-up statement, the developer expressed their preference to address tree preservation on a site by site basis.
- The Commission raised question related to proposed sewer service plans, as the previous Nord application proposed a sanitary forcemain connection to the east and the current proposal calls for on-site treatment systems.

February 4, 2020 Meeting (supplemental):

- The Planning Commission asked Staff and the developer to investigate the history and intent of the following:
 - Parcel V-284 located along the southern boundary of the subject site.
 - Existing trail easements which exist directly south of the Nord site (presently unused). It was suggested that such an investigation include a determination of existing home proximity to the easements.
- The Commissioners urged the developer to find a better and "more elegant" solution to trail location issue.

ACTION REQUESTED

No formal action can be taken on submitted concept plan. Rather, the developer is seeking informal feedback from the City Council on the Nord plan prior to further financial investment and the submission of the formal preliminary subdivision application.

Attachment

- Planning Report (including exhibits) dated January 30, 2020

cc: Kevin Kress, City Administrator
Larina DeWalt, City Engineer
Bridget Nason, City Attorney
Mikeya Griffin, NOHOA Executive Director
Stephanie McNamara, Vadnais Lake Area Water Management Organization
Jenifer Sorensen, Department of Natural Resources
Mark Houge and Gary Eagles, North Oaks Company

LEGEND

- = EDGE OF WOODS
- = 10 FOOT CONTOUR
- = 2 FOOT CONTOUR
- = SPOT ELEVATION (AERIAL MAPPING-1985)
- = SPOT ELEVATION (FIELD VERIFIED)
- = EDGE WET LAND AS DELINEATED BY KJOLHAUG ENVIRONMENTAL SERVICES
- = WET LAND SYMBOL
- = EXISTING FORCE MAIN
- = 30' BUILDING SETBACK
- = EXISTING BITUMINOUS SURFACE

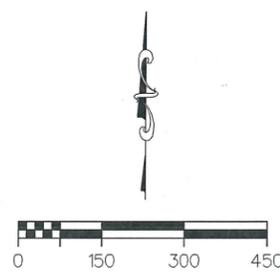
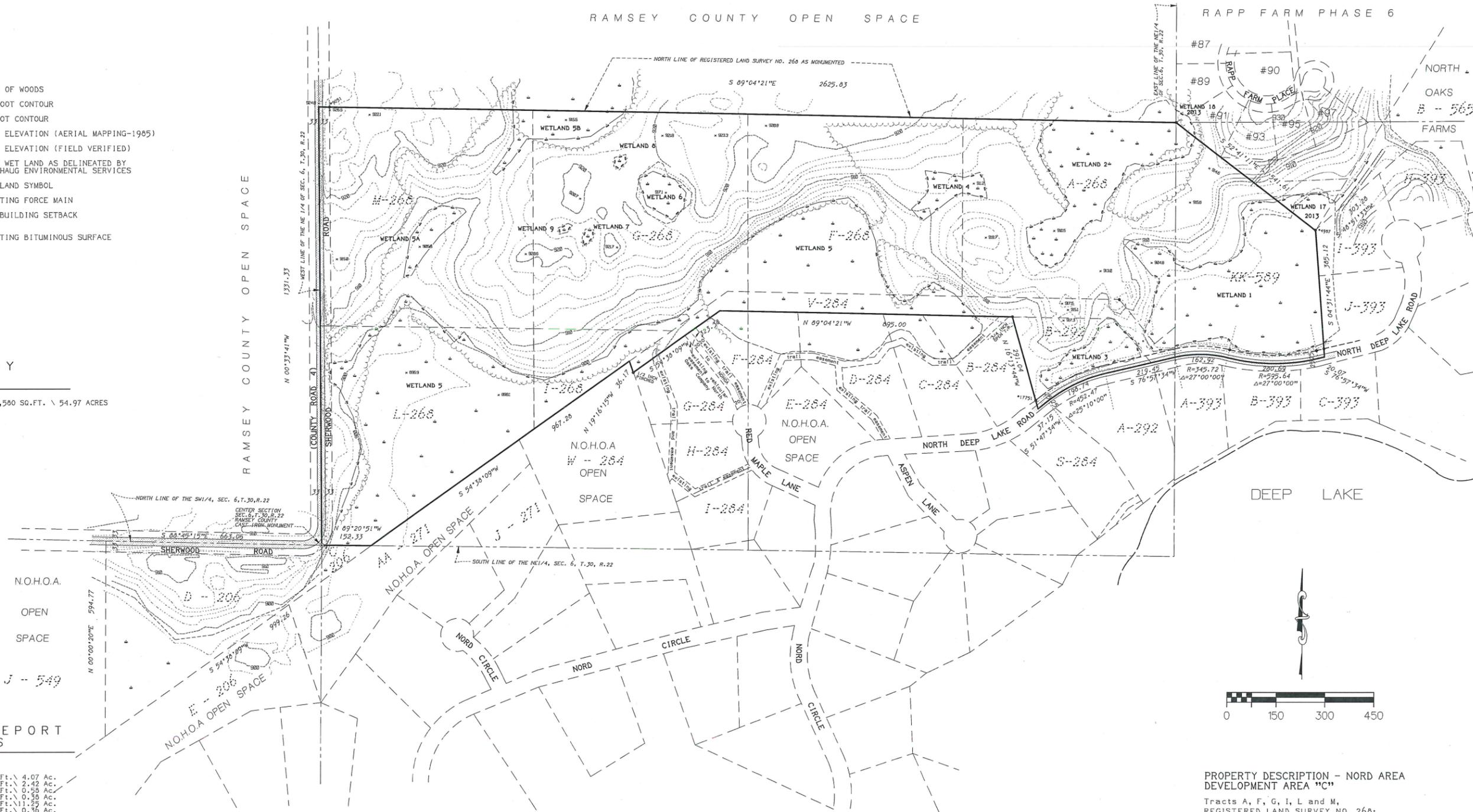
BOUNDARY AREA

TOTAL NORD AREA = 2,394,560 SQ.FT. \ 54.97 ACRES

WETLAND REPORT AREAS

WETLANDS - OCTOBER 2015

Wetland 1	=	177,270±	Sq.Ft.	\	4.07	Ac.
Wetland 2	=	105,200±	Sq.Ft.	\	2.42	Ac.
Wetland 3	=	29,350±	Sq.Ft.	\	0.67	Ac.
Wetland 4	=	16,660±	Sq.Ft.	\	0.38	Ac.
Wetland 5	=	490,410±	Sq.Ft.	\	11.25	Ac.
Wetland 5A	=	15,450±	Sq.Ft.	\	0.35	Ac.
Wetland 5B	=	27,660±	Sq.Ft.	\	0.64	Ac.
Wetland 6	=	13,940±	Sq.Ft.	\	0.32	Ac.
Wetland 7	=	1,310±	Sq.Ft.	\	0.03	Ac.
Wetland 8	=	1,250±	Sq.Ft.	\	0.03	Ac.
Wetland 9	=	640±	Sq.Ft.	\	0.02	Ac.
Total	=	675,360±	Sq.Ft.	\	20.10	Ac.



PROPERTY DESCRIPTION - NORD AREA DEVELOPMENT AREA "C"

Tracts A, F, G, I, L and M, REGISTERED LAND SURVEY NO. 268; Tract V, REGISTERED LAND SURVEY NO. 284; Tract B, REGISTERED LAND SURVEY NO. 292; Tract KK, REGISTERED LAND SURVEY NO. 589; All in Ramsey County, Minnesota

KURTH SURVEYING, INC.
 4002 JEFFERSON ST. N.E.
 COLUMBIA HEIGHTS, MN 55421
 PHONE: (763) 788-9769 FAX: (763) 788-7602
 E-MAIL: ksi@kurthsurveyinginc.com

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

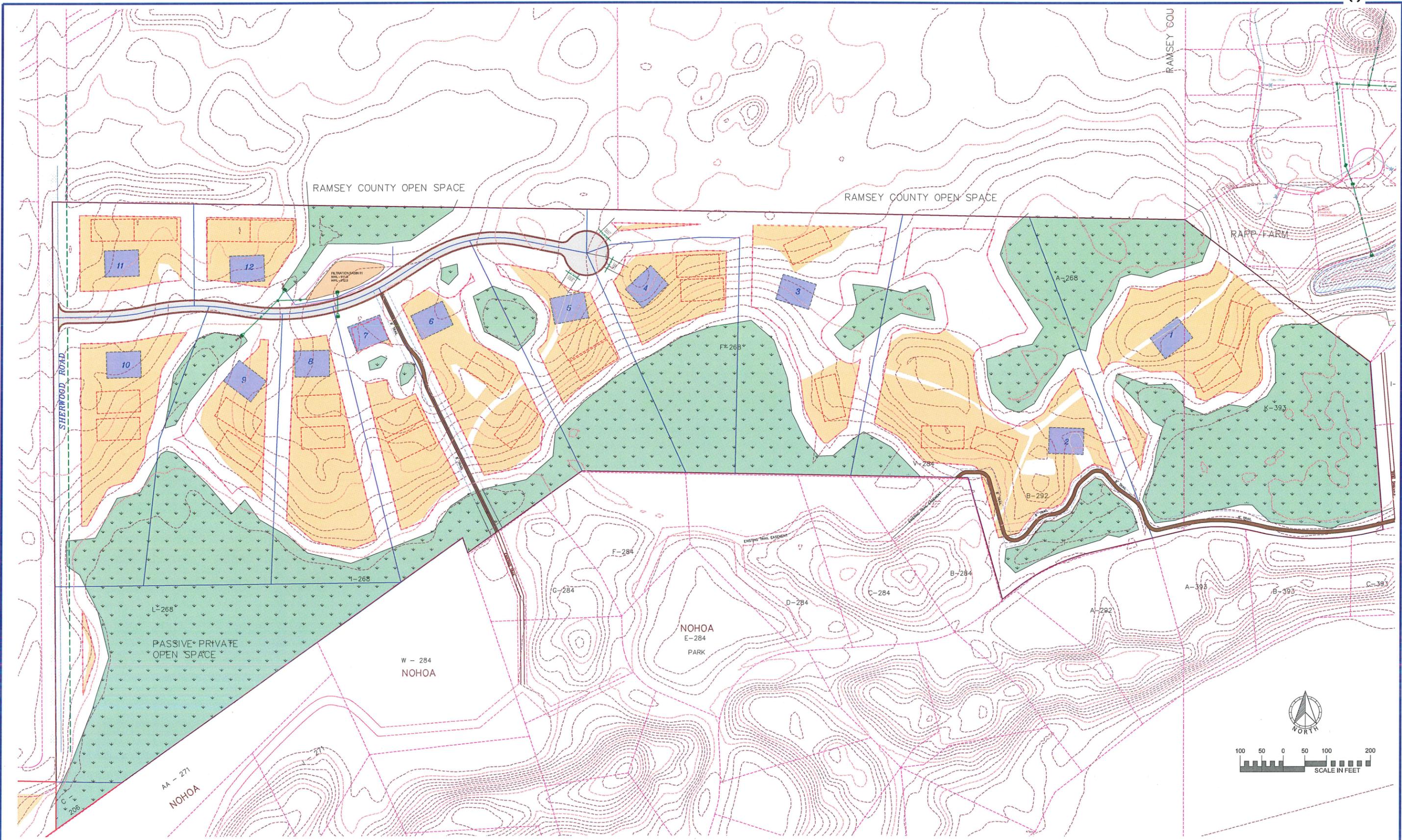
 Randy L. Kurth, RLS. No. 20270
 Russell J. Kurth, RLS. No. 16113

DEVELOPMENT AREA "C"



PROJECT:	SHEET DESCRIPTION	DATE: January 23, 2020 rev. 2-4-20 (ex. trail easements)
NORD AREA	EXISTING CONDITIONS	SHEET 1 OF 6 SHEETS

Exhibit E: Existing Conditions



DRAWING NAME	NO.	BY	DATE	REVISIONS
NORD				
DRAWN BY		ERJ		
CHECKED BY		RSM		
DATE			01/23/20	

USE (INCLUDING COPYING, DISTRIBUTION, AND/OR CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES RESULTING FROM ILLEGITIMATE USE.

I HEREBY CERTIFY THAT THIS PLAN OR SPECIFICATION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Eric R. Johnson
 ERIC R. JOHNSON, P.E.
 Date: 01/23/20 Lic. No. 56659

SATHRE-BERGQUIST, INC.
 150 SOUTH BROADWAY WAYZATA, MN. 55391 (952) 476-6000

ENGINEERS SURVEYORS
 DESIGNERS PLANNERS

CITY PROJECT NO. —
 NORTH OAKS,
 MINNESOTA

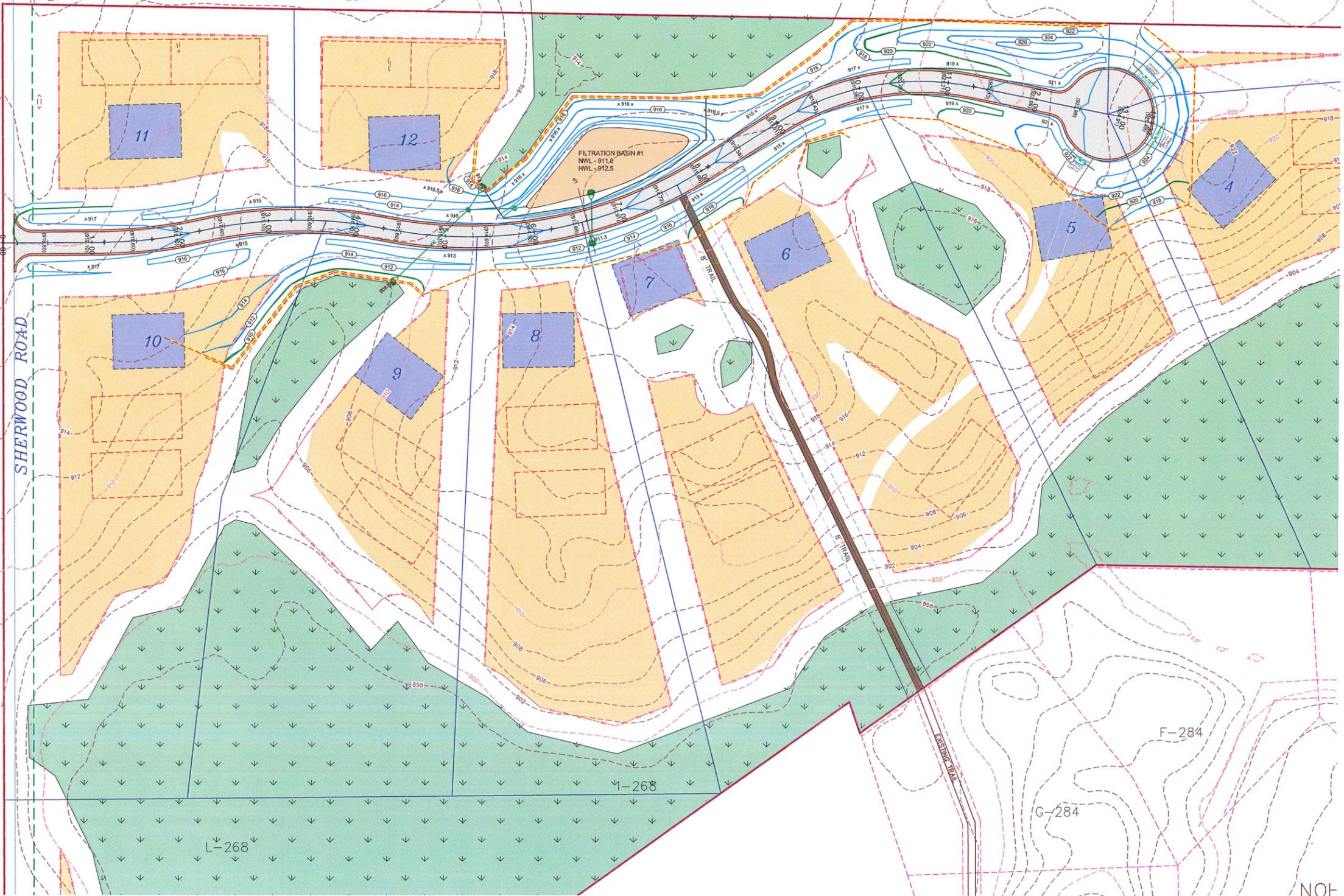
Exhibit F: Preliminary Plan (Subdivision)

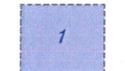
NORTH OAKS COMPANY

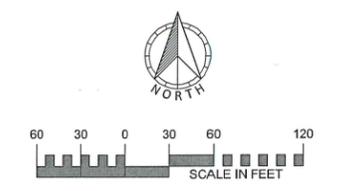
FILE NO. —

6

RAMSEY COUNTY OPEN SPACE



-  DENOTES SUITABLE SEPTIC SITE AREA
-  DENOTES POSSIBLE SEPTIC SITE LOCATION
-  DENOTES POSSIBLE HOUSE PAD LOCATION



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Eric R. Johnson
 ERIC R. JOHNSON, P.E.
 Date: 01/23/20 Lic. No. 56659

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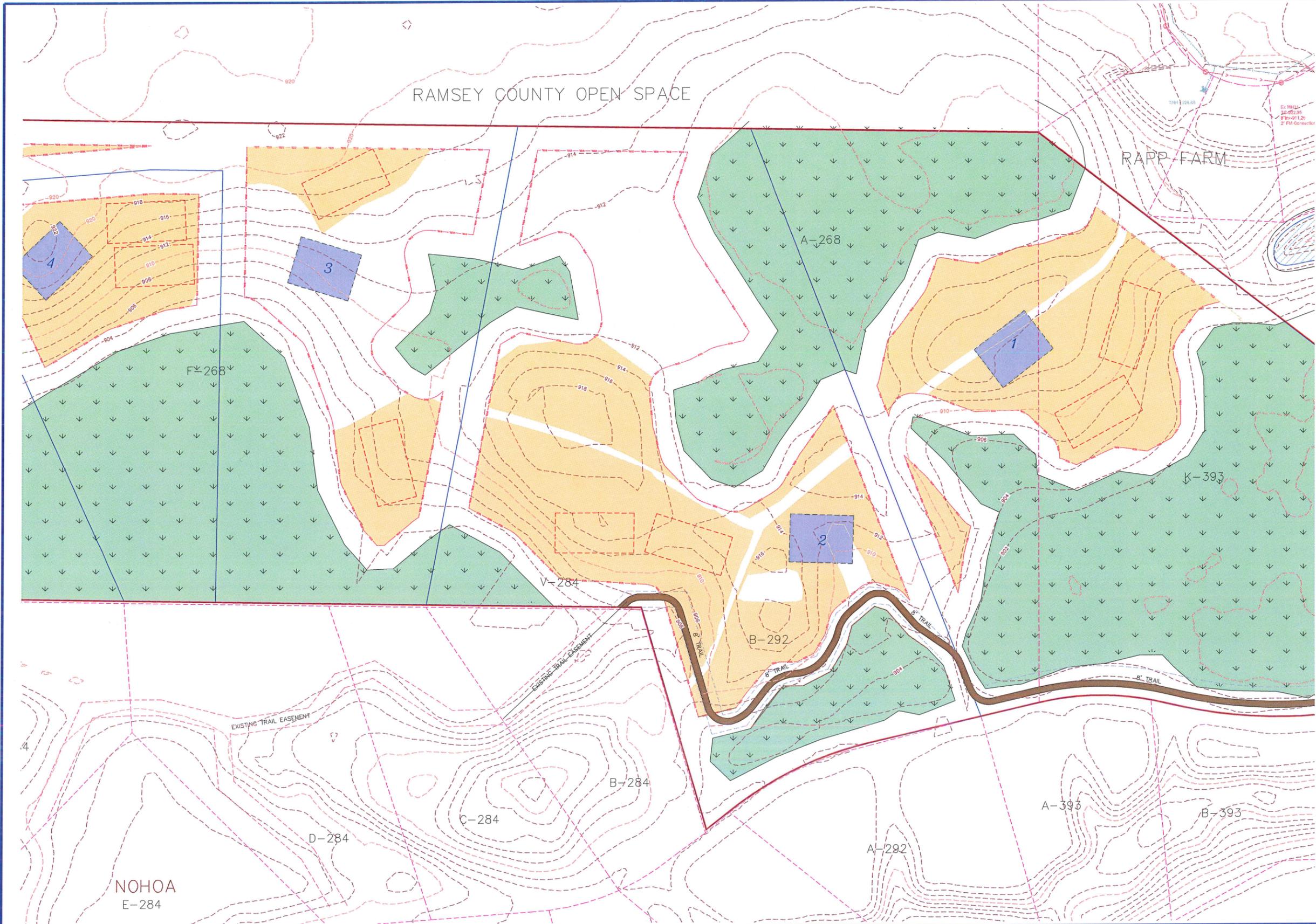
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 NORTH OAKS,
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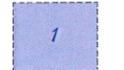
Exhibit G: Septic Site Location Plans

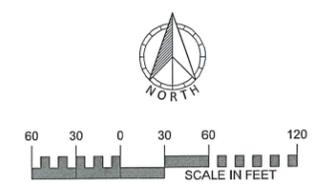
NORTH OAKS COMPANY

FILE NO. —

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-  DENOTES SUITABLE SEPTIC SITE AREA
-  DENOTES POSSIBLE SEPTIC SITE LOCATION
-  DENOTES POSSIBLE HOUSE PAD LOCATION



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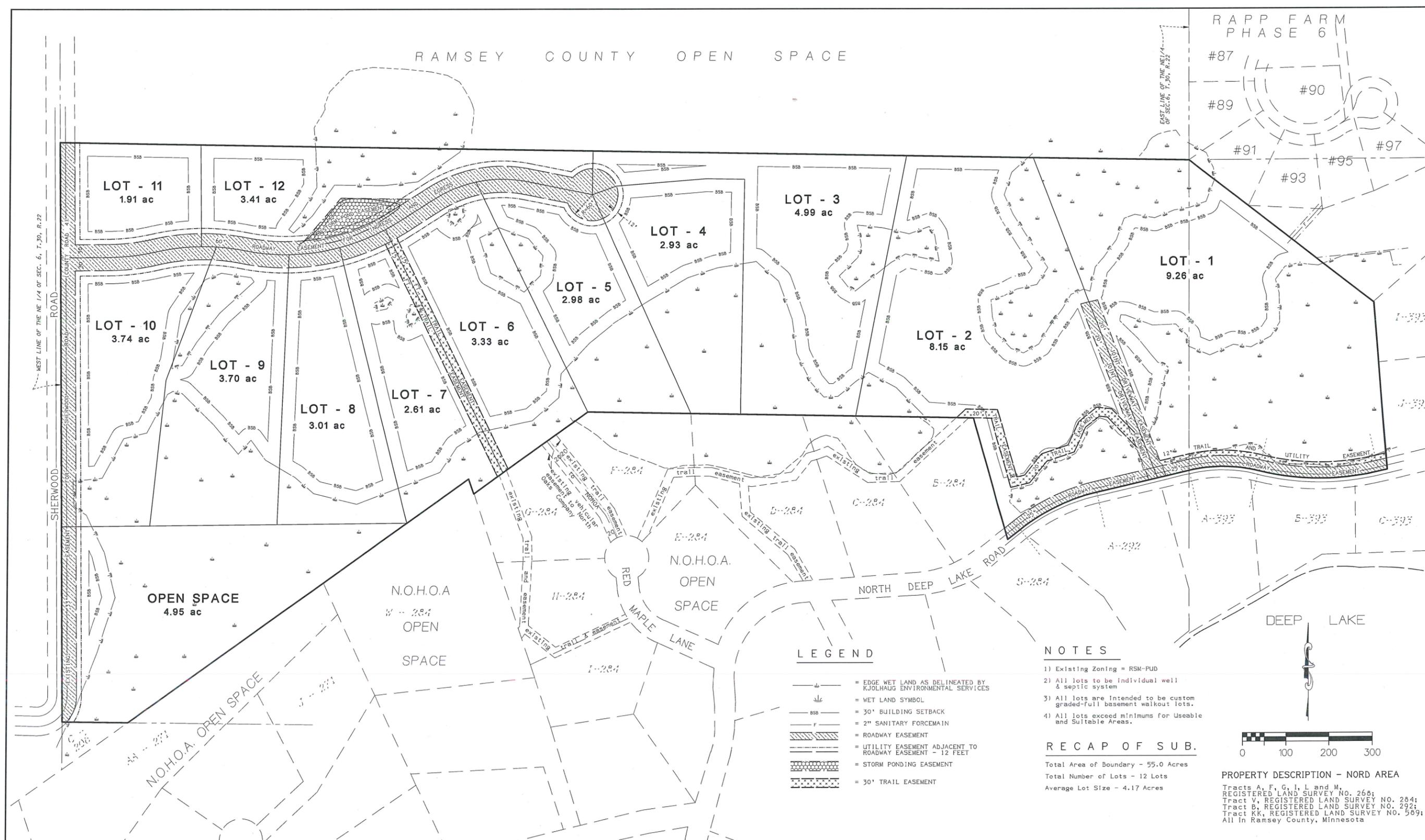
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CITY PROJECT NO.
 —
 NORTH OAKS,
 MINNESOTA

SEPTIC SITE LOCATION PLAN
 NORD AREA
 NORTH OAKS COMPANY

FILE NO.
 64500-013
2B
 6



LEGEND

- = EDGE WET LAND AS DELINEATED BY KJOLHAUG ENVIRONMENTAL SERVICES
- = WET LAND SYMBOL
- = 30' BUILDING SETBACK
- = 2" SANITARY FORCEMAIN
- = ROADWAY EASEMENT
- = UTILITY EASEMENT ADJACENT TO ROADWAY EASEMENT - 12 FEET
- = STORM PONDING EASEMENT
- = 30' TRAIL EASEMENT

NOTES

- 1) Existing Zoning = RSM-PUD
- 2) All lots to be individual well & septic system
- 3) All lots are intended to be custom graded-full basement walkout lots.
- 4) All lots exceed minimums for Useable and Suitable Areas.

RECAP OF SUB.

Total Area of Boundary - 55.0 Acres
 Total Number of Lots - 12 Lots
 Average Lot Size - 4.17 Acres

PROPERTY DESCRIPTION - NORD AREA
 Tracts A, F, G, I, L and M,
 REGISTERED LAND SURVEY NO. 268;
 Tract V, REGISTERED LAND SURVEY NO. 284;
 Tract B, REGISTERED LAND SURVEY NO. 292;
 Tract KK, REGISTERED LAND SURVEY NO. 589;
 All in Ramsey County, Minnesota

KURTH SURVEYING, INC.
 4002 JEFFERSON ST. N.E.
 COLUMBIA HEIGHTS, MN 55421
 PHONE: (763) 788-9769 FAX: (763) 788-7602
 E-MAIL: ksi@kurthsurveyinginc.com

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

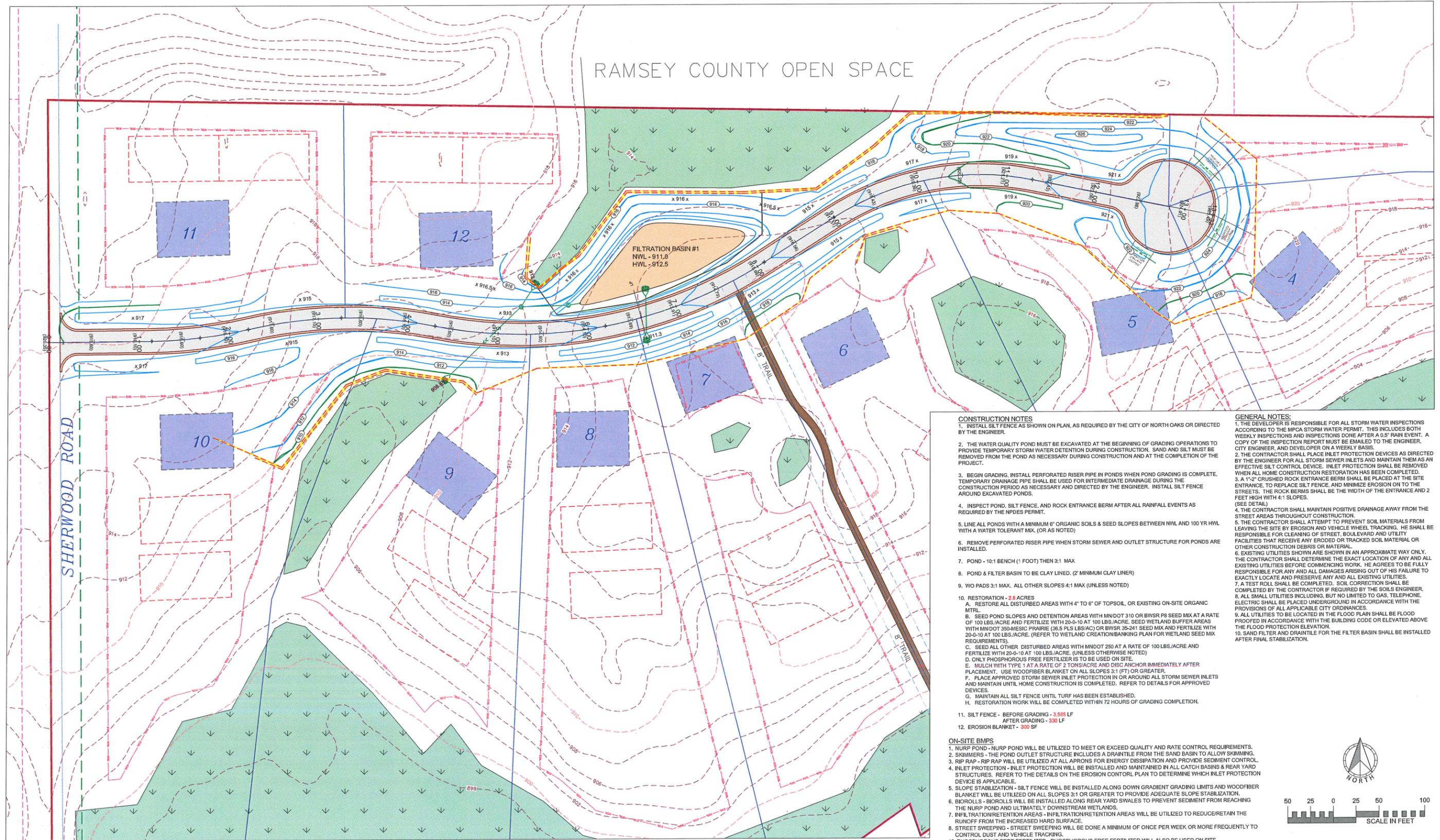
 Randy L. Kurth, RLS, No. 20270
 Russell J. Kurth, RLS, No. 16113

DEVELOPMENT AREA "C"



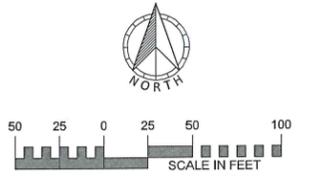
PROJECT:	SHEET DESCRIPTION	DATE: January 23, 2020
Exhibit H: Preliminary Plat / Easement Plan		

RAMSEY COUNTY OPEN SPACE



- CONSTRUCTION NOTES**
- INSTALL SILT FENCE AS SHOWN ON PLAN, AS REQUIRED BY THE CITY OF NORTH OAKS OR DIRECTED BY THE ENGINEER.
 - THE WATER QUALITY POND MUST BE EXCAVATED AT THE BEGINNING OF GRADING OPERATIONS TO PROVIDE TEMPORARY STORM WATER DETENTION DURING CONSTRUCTION. SAND AND SILT MUST BE REMOVED FROM THE POND AS NECESSARY DURING CONSTRUCTION AND AT THE COMPLETION OF THE PROJECT.
 - BEGIN GRADING. INSTALL PERFORATED RISER PIPE IN PONDS WHEN POND GRADING IS COMPLETE. TEMPORARY DRAINAGE PIPE SHALL BE USED FOR INTERMEDIATE DRAINAGE DURING THE CONSTRUCTION PERIOD AS NECESSARY AND DIRECTED BY THE ENGINEER. INSTALL SILT FENCE AROUND EXCAVATED PONDS.
 - INSPECT POND, SILT FENCE, AND ROCK ENTRANCE BERM AFTER ALL RAINFALL EVENTS AS REQUIRED BY THE NPDES PERMIT.
 - LINE ALL PONDS WITH A MINIMUM 6" ORGANIC SOILS & SEED SLOPES BETWEEN NWL AND 100 YR HWL WITH A WATER TOLERANT MIX. (OR AS NOTED)
 - REMOVE PERFORATED RISER PIPE WHEN STORM SEWER AND OUTLET STRUCTURE FOR PONDS ARE INSTALLED.
 - POND - 10:1 BENCH (1 FOOT) THEN 3:1 MAX
 - POND & FILTER BASIN TO BE CLAY LINED. (2" MINIMUM CLAY LINER)
 - WO PADS 3:1 MAX. ALL OTHER SLOPES 4:1 MAX (UNLESS NOTED)
 - RESTORATION - 2.8 ACRES
 - RESTORE ALL DISTURBED AREAS WITH 4" TO 6" OF TOPSOIL, OR EXISTING ON-SITE ORGANIC MTRL.
 - SEED POND SLOPES AND DETENTION AREAS WITH MNDOT 310 OR BWSR P9 SEED MIX AT A RATE OF 100 LBS./ACRE AND FERTILIZE WITH 20-0-10 AT 100 LBS./ACRE. SEED WETLAND BUFFER AREAS WITH MNDOT 350-MESIC PRAIRIE (36.5 PLS LBS/AC) OR BWSR 35-241 SEED MIX AND FERTILIZE WITH 20-0-10 AT 100 LBS./ACRE. (REFER TO WETLAND CREATION/BANKING PLAN FOR WETLAND SEED MIX REQUIREMENTS).
 - SEED ALL OTHER DISTURBED AREAS WITH MNDOT 250 AT A RATE OF 100 LBS./ACRE AND FERTILIZE WITH 20-0-10 AT 100 LBS./ACRE. (UNLESS OTHERWISE NOTED)
 - ONLY PHOSPHOROUS FREE FERTILIZER IS TO BE USED ON SITE.
 - MULCH WITH TYPE 1 AT A RATE OF 2 TONS/ACRE AND DISC ANCHOR IMMEDIATELY AFTER PLACEMENT. USE WOODFIBER BLANKET ON ALL SLOPES 3:1 (FT) OR GREATER.
 - PLACE APPROVED STORM SEWER INLET PROTECTION IN OR AROUND ALL STORM SEWER INLETS AND MAINTAIN UNTIL HOME CONSTRUCTION IS COMPLETED. REFER TO DETAILS FOR APPROVED DEVICES.
 - MAINTAIN ALL SILT FENCE UNTIL TURF HAS BEEN ESTABLISHED.
 - RESTORATION WORK WILL BE COMPLETED WITHIN 72 HOURS OF GRADING COMPLETION.
 - SILT FENCE - BEFORE GRADING - 3,585 LF
AFTER GRADING - 330 LF
 - EROSION BLANKET - 300 SF
- ON-SITE BMPS**
- MURP POND - MURP POND WILL BE UTILIZED TO MEET OR EXCEED QUALITY AND RATE CONTROL REQUIREMENTS.
 - SKIMMERS - THE POND OUTLET STRUCTURE INCLUDES A DRAINILE FROM THE SAND BASIN TO ALLOW SKIMMING.
 - RIP RAP - RIP RAP WILL BE UTILIZED AT ALL APRONS FOR ENERGY DISSIPATION AND PROVIDE SEDIMENT CONTROL.
 - INLET PROTECTION - INLET PROTECTION WILL BE INSTALLED AND MAINTAINED IN ALL CATCH BASINS & REAR YARD STRUCTURES. REFER TO THE DETAILS ON THE EROSION CONTROL PLAN TO DETERMINE WHICH INLET PROTECTION DEVICE IS APPLICABLE.
 - SLOPE STABILIZATION - SILT FENCE WILL BE INSTALLED ALONG DOWN GRADIENT GRADING LIMITS AND WOODFIBER BLANKET WILL BE UTILIZED ON ALL SLOPES 3:1 OR GREATER TO PROVIDE ADEQUATE SLOPE STABILIZATION.
 - BIOROLLS - BIOROLLS WILL BE INSTALLED ALONG REAR YARD SWALES TO PREVENT SEDIMENT FROM REACHING THE MURP POND AND ULTIMATELY DOWNSTREAM WETLANDS.
 - INFILTRATION/RETENTION AREAS - INFILTRATION/RETENTION AREAS WILL BE UTILIZED TO REDUCE/RETAIN THE RUNOFF FROM THE INCREASED HARD SURFACE.
 - STREET SWEEPING - STREET SWEEPING WILL BE DONE A MINIMUM OF ONCE PER WEEK OR MORE FREQUENTLY TO CONTROL DUST AND VEHICLE TRACKING.
 - PHOSPHOROUS FREE FERTILIZER - PHOSPHOROUS FREE FERTILIZER WILL ALSO BE USED ON SITE.

- GENERAL NOTES:**
- THE DEVELOPER IS RESPONSIBLE FOR ALL STORM WATER INSPECTIONS ACCORDING TO THE MPCA STORM WATER PERMIT. THIS INCLUDES BOTH WEEKLY INSPECTIONS AND INSPECTIONS DONE AFTER A 0.5" RAIN EVENT. A COPY OF THE INSPECTION REPORT MUST BE EMAILED TO THE ENGINEER, CITY ENGINEER, AND DEVELOPER ON A WEEKLY BASIS.
 - THE CONTRACTOR SHALL PLACE INLET PROTECTION DEVICES AS DIRECTED BY THE ENGINEER FOR ALL STORM SEWER INLETS AND MAINTAIN THEM AS AN EFFECTIVE SILT CONTROL DEVICE. INLET PROTECTION SHALL BE REMOVED WHEN ALL HOME CONSTRUCTION RESTORATION HAS BEEN COMPLETED.
 - A 1'-2" CRUSHED ROCK ENTRANCE BERM SHALL BE PLACED AT THE SITE ENTRANCE. TO REPLACE SILT FENCE, AND MINIMIZE EROSION ON TO THE STREETS. THE ROCK BERMS SHALL BE THE WIDTH OF THE ENTRANCE AND 2 FEET HIGH WITH 4:1 SLOPES. (SEE DETAIL)
 - THE CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE AWAY FROM THE STREET AREAS THROUGHOUT CONSTRUCTION.
 - THE CONTRACTOR SHALL ATTEMPT TO PREVENT SOIL MATERIALS FROM LEAVING THE SITE BY EROSION AND VEHICLE WHEEL TRACKING. HE SHALL BE RESPONSIBLE FOR CLEANING OF STREET, BOULEVARD AND UTILITY FACILITIES THAT RECEIVE ANY ERODED OR TRACKED SOIL MATERIAL OR OTHER CONSTRUCTION DEBRIS OR MATERIAL.
 - EXISTING UTILITIES SHOWN ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ANY AND ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES ARISING OUT OF HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL EXISTING UTILITIES.
 - A TEST ROLL SHALL BE COMPLETED. SOIL CORRECTION SHALL BE COMPLETED BY THE CONTRACTOR IF REQUIRED BY THE SOILS ENGINEER.
 - ALL SMALL UTILITIES INCLUDING, BUT NOT LIMITED TO GAS, TELEPHONE, ELECTRIC SHALL BE PLACED UNDERGROUND IN ACCORDANCE WITH THE PROVISIONS OF ALL APPLICABLE CITY ORDINANCES.
 - ALL UTILITIES TO BE LOCATED IN THE FLOOD PLAN SHALL BE FLOOD PROOFED IN ACCORDANCE WITH THE BUILDING CODE OR ELEVATED ABOVE THE FLOOD PROTECTION ELEVATION.
 - SAND FILTER AND DRAINILE FOR THE FILTER BASIN SHALL BE INSTALLED AFTER FINAL STABILIZATION.



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Eric R. Johnson
ERIC R. JOHNSON, P.E.
Date: 01/23/20 Lic. No. 56659

ENGINEERS SURVEYORS DESIGNERS PLANNERS

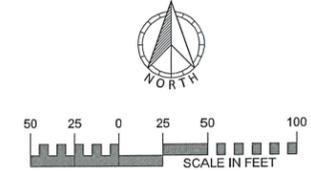
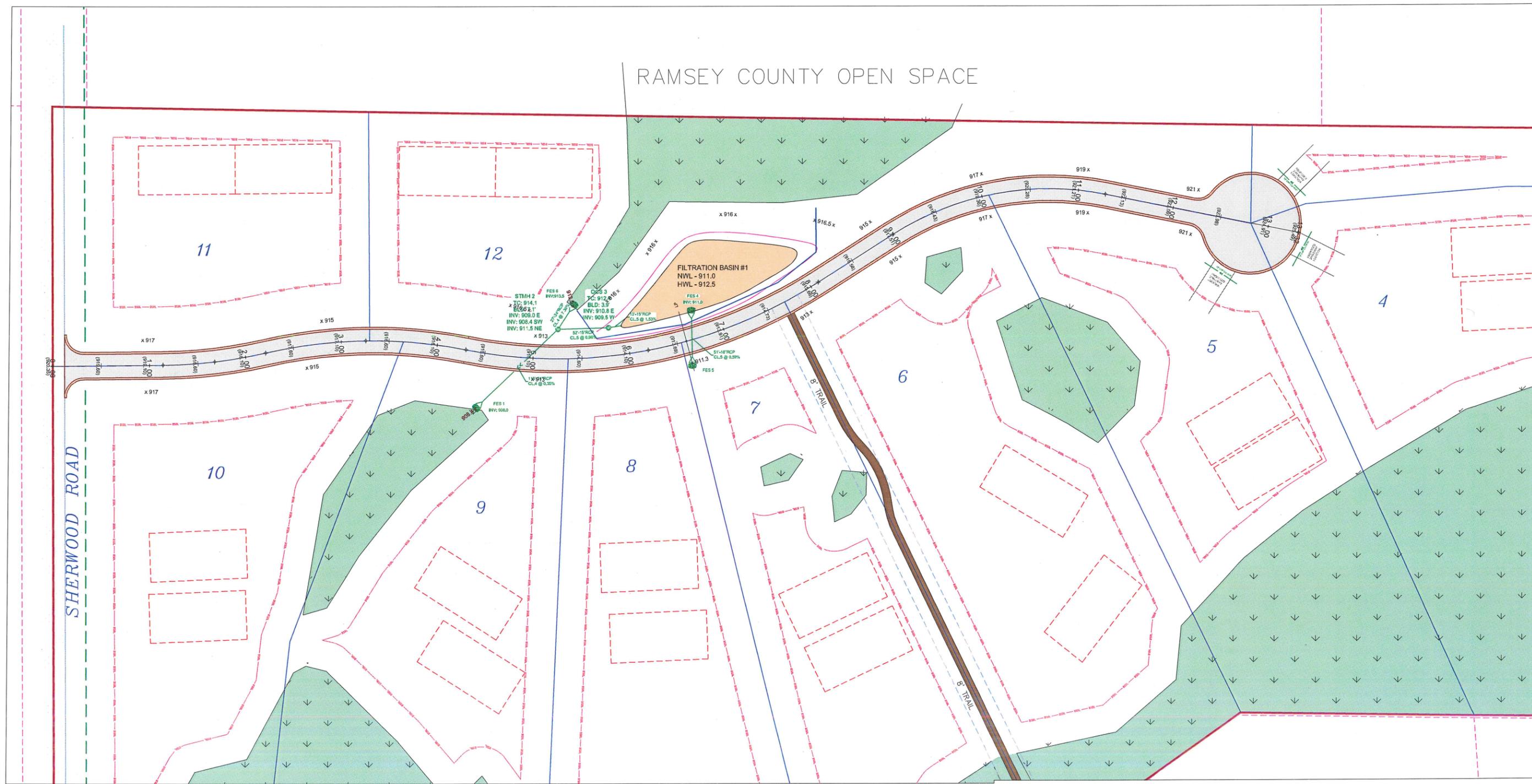
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150 SOUTH BROADWAY WAYZATA, MN, 55391 (952) 476-6000

CITY PROJECT NO. _____

NORTH OAKS, MINNESOTA

Exhibit I: Preliminary Grading Plan

NORTH OAKS COMPANY



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CITY PROJECT NO. —

NORTH OAKS, MINNESOTA

Exhibit J: Preliminary Utility Plan

NORTH OAKS COMPANY

6

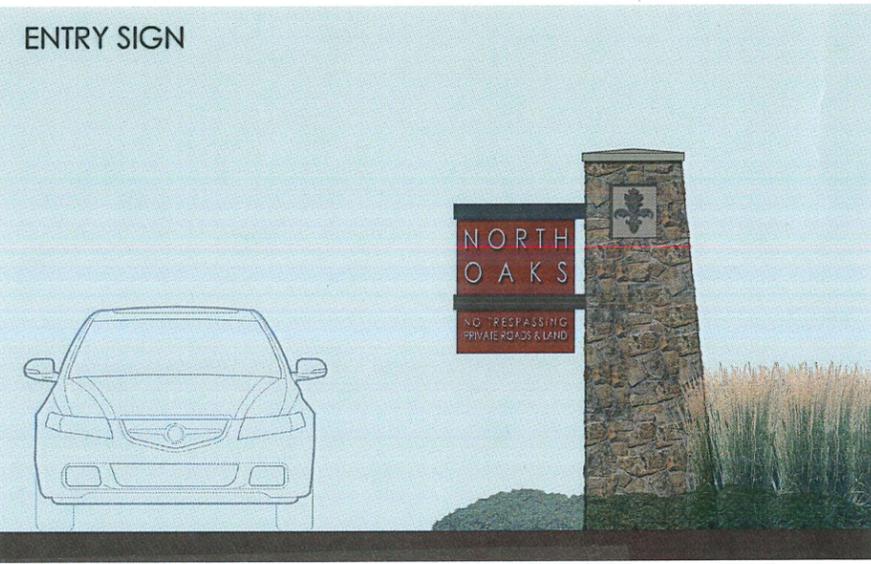
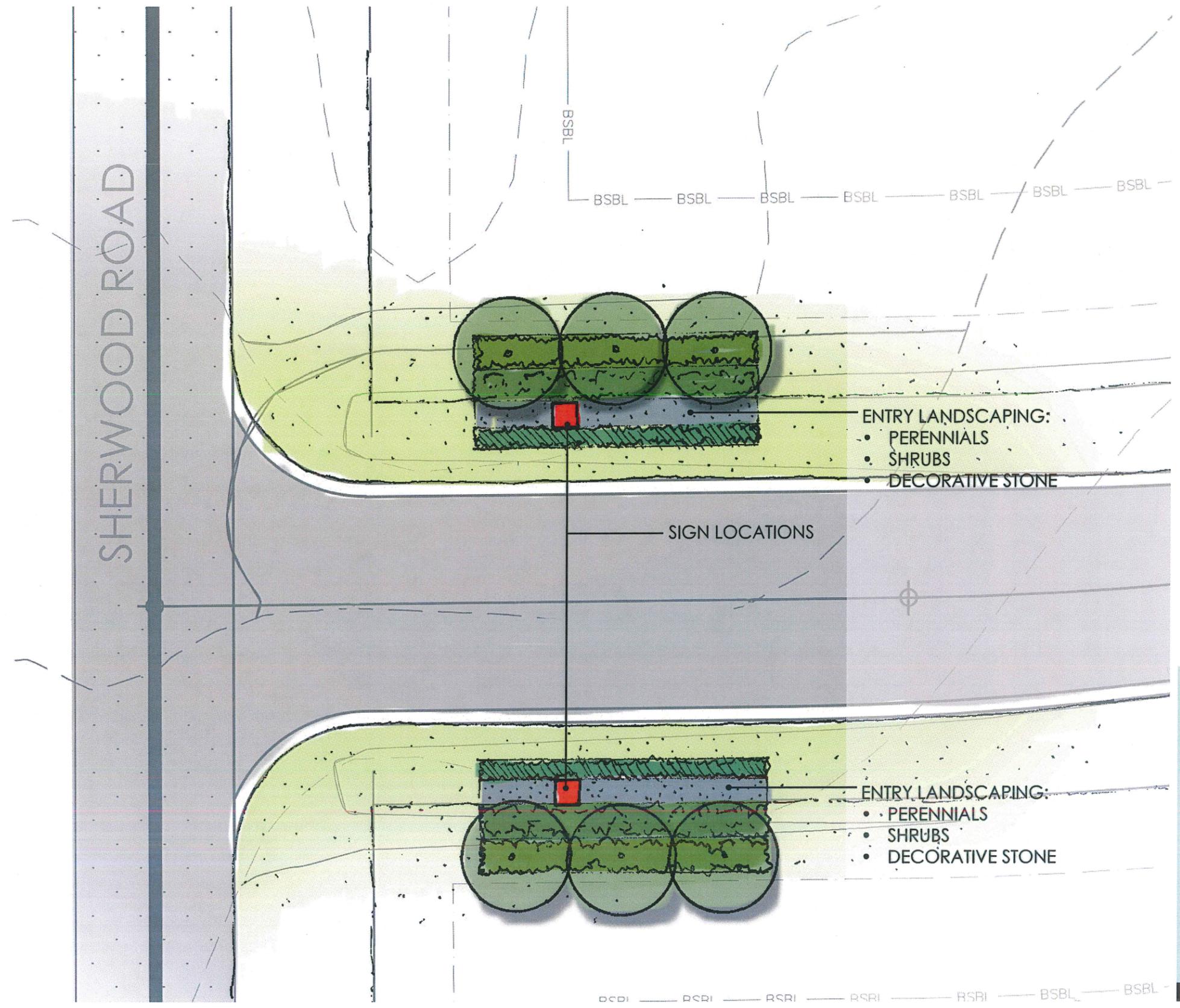


Exhibit K: Preliminary Landscape / Sign Plan

SHEET 6



800 County Road E East, Vadnais Heights, MN 55127
www.vlawmo.org

TO: Kevin Kress

FROM: Brian Corcoran Vadnais Lake Area WMO (VLAWMO)

DATE: February 11, 2020

SUBJECT: Comments – Preliminary Plans Anderson Woods & Nord Development Site C– North Oaks

Kevin,

Below are our comments to the Preliminary Plans for Anderson Woods & Nord Development Site C Submittal received 2-7-2020.

- No issues at this time for the Nord Development Site C preliminary plans. Will need stormwater/hydro plans and a Minnesota Routine Assessment Method (MnRAM) report for the wetlands on site for formal application review.
- No issues at this time for the Anderson Woods site preliminary plans. Will need stormwater/hydro plans and a replacement plan application for wetland impact on site for formal application review.

VLAWMO will provide detailed comments once formal applications are received for these two projects.

Thank you,

Brian Corcoran

Cc: Gary Eagles – North Oaks Company

Forestry Assessment for Anderson Woods and Nord

RE: Planning Commission request to determine significant and heritage tree impacts in “civil” work areas (streets, trails, storm ponds, etc.) and to provide the information to City Staff prior to the public hearing.

The City does not have a definition of what constitutes a “Significant” tree nor a “Heritage” (aka Specimen) tree in its ordinances. Also, the City does not have a tree preservation policy in place. After reviewing numerous tree preservation policies throughout the Twin Cities, some examples of the most common definitions, and the City from which it came, are included below:

Significant Tree (Lake Elmo). “A healthy tree measuring a minimum of six (6) inches in diameter for hardwood deciduous trees, eight (8) inches in diameter for coniferous/evergreen trees, or twelve (12) inches in diameter for common trees, as defined herein.”

Significant Tree (Apple Valley). “Any healthy deciduous tree measuring eight inches or greater in diameter, or any coniferous tree measuring six inches or greater in diameter, at four and one-half feet above grade.”

Specimen/Heritage Tree (Eagan). “A healthy tree measuring equal to or greater than thirty (30) inches in diameter breast height.”

Specimen tree (Maplewood) “a tree of any species that is 28 inches in diameter or greater, except invasive species. Specimen trees must have a life expectancy of greater than ten years, have a relatively sound and solid trunk with no extensive decay or hollow, and have no major insects, pathological problem, or defects. Specimen trees are valued for their size and their legacy.”

*It is also common practice to not include multiple stemmed trees as heritage trees even if the cumulative diameter of all the stems meets the heritage tree definition for diameter requirements. For instance, a five-stemmed tree with 6” trunks would not be defined as a heritage tree.

**Some communities also use the term heritage stand as defined below.

Specimen Tree or Stand (Shorewood): Any tree or grouping of trees which has been determined to be of a high value by the Zoning Administrator because of its species, size, age, or other professional criteria.

In general, these definitions are similar in nature and intent and can be used going forward.

Anderson Woods

Southern Hill and Old Nursery

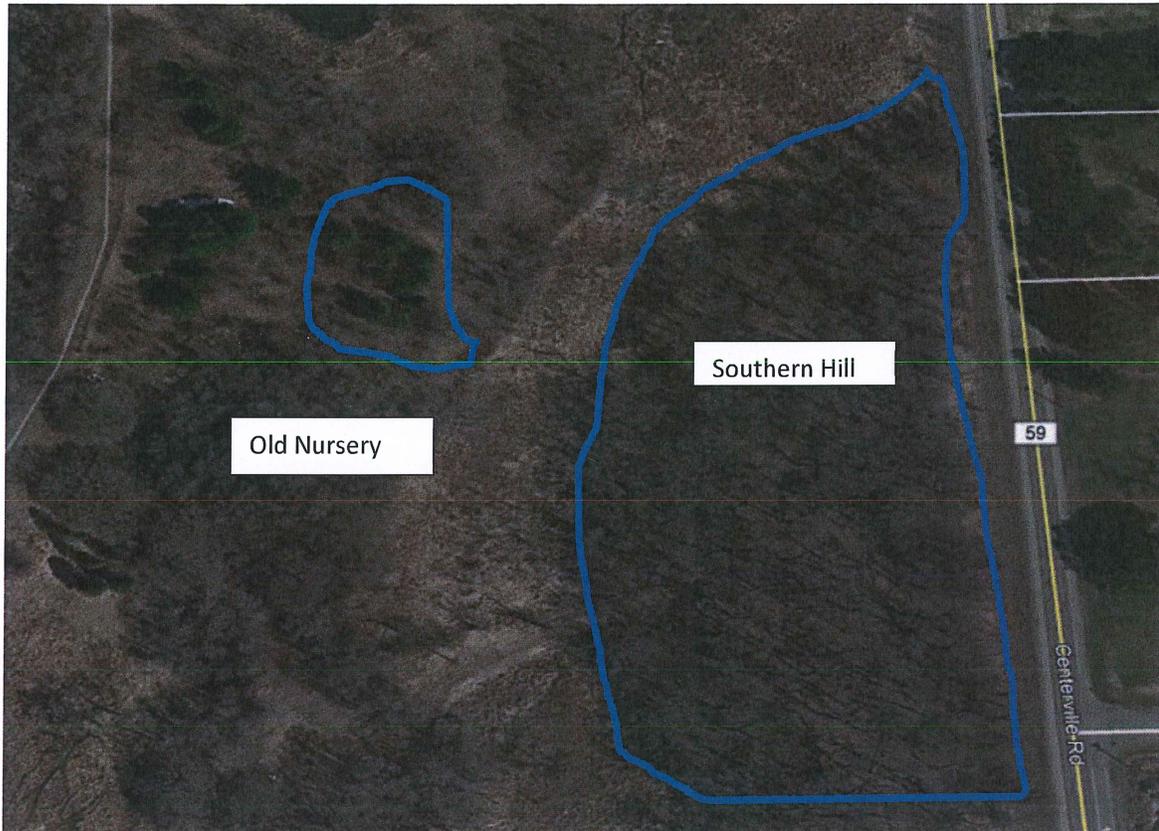


Figure 1 Anderson Woods Aerial with Southern Hill and Old Nursery defined

Southern Hill

The Southern Hill at Anderson Woods is comprised mostly of oak species. A tree inventory was conducted within the last few years based on visible tags on the trees. A map of the tree inventory is included as Appendix A. There are 293 trees on site. Tree species as well as diameter are included on the map. Since the site is on a mound some leveling of the hill will have to occur. Also, as the road turns toward the west the construction limits need to be extended to compensate for the change of grade. Based on the tree inventory, oaks comprise 71% of the trees on site. Within that 71%, red oaks contribute 38%, bur oaks 46%, and white oaks 16%. The remaining 29% of tree species on site include cherry, and ash. The understory is 99% buckthorn.

Based on the map provided (Appendix A), anticipated removals due to the construction of the sedimentation pond will include 18 oak trees and two ash trees, the oaks averaging 16" in diameter.

The construction of the street will result in the removal of approximately 83 trees. The breakdown of removed species is similar to the breakdown of total species on site. Total oaks removed will be near 73,

with ash and cherry species nearing 10 total trees. The largest diameter tree scheduled for removal is a 30" Green ash and the average diameter of removed trees is near 16".

A total of perhaps three trees will need to be removed for the installation of the trail.

A table of anticipated removals is included below. One hundred six trees out of two hundred and ninety-three trees is scheduled for removal, or 36%.

Tree Removal Totals for Anderson Woods Southern Hill

	Oaks	Other (ash, cherry)
Pond	18	2
Street	73	10
Trails	2	1
Totals	93	13

Old Nursery

The Old Nursery is located across the wetland from Southern Hill. Trees within the construction limits have been removed from the site. At one point this was one of many nurseries established on North Oaks Company property. Throughout the year's trees were pulled from these nurseries to be planted in areas that needed tree cover. Based on aerial photos from Google Earth and conversations with North Oaks Company, approximately 10-20 White pine and perhaps another 20-40 small diameter lilac trees were removed, and silt fence was installed. The trees that were removed were not suitable for transplanting as they were either too large or had poor form due to growing too close to neighboring trees. They were most likely planted in the early 1990's. They were removed during the construction of Vista Hills to the north. A map of the construction limits is included as Appendix B.



Figure 2 Clearing at Old Nursery facing east

Estimated Species Make-up of Trees Removed at Old Nursery

	White Pine (average)
Cul-de-sac	15

Based on the information provided there were four trees that could be considered Heritage trees using the definitions provided above. Two are planned to be removed, and two are planned to be saved. The forest consists of semi-mature oak on the south and wetland associated species such as aspen to the west. Trees near construction limits will have to be individually assessed to first see if they are worthy of preservation, and secondly, to determine impacts. Usually trees that have impacts from construction to just one side of the tree remain fairly healthy because of the non-disturbance to the other side of the tree. Depending on how close and how intrusive the disturbance some trees may show signs of die-back in following years.

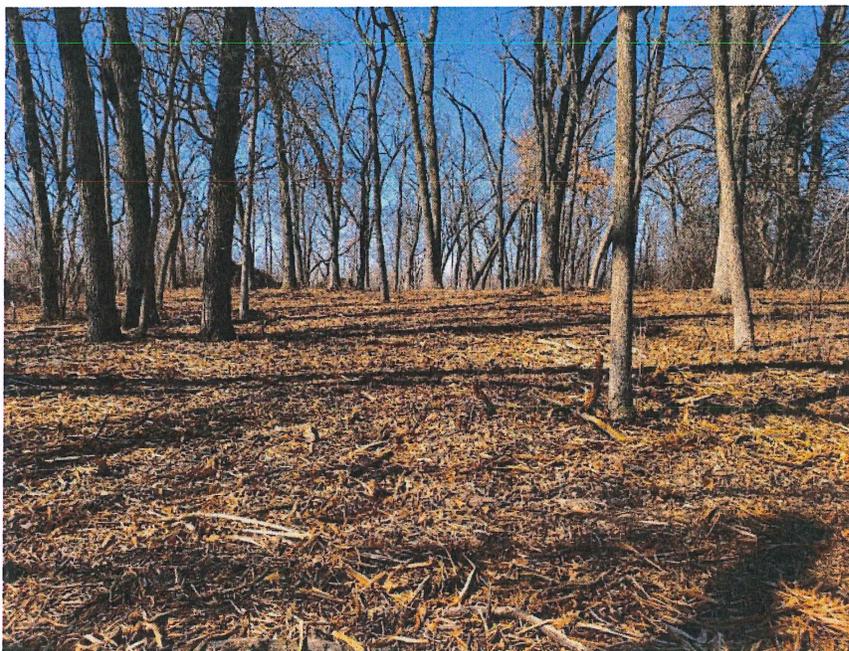


Figure 3 Southern Hill view looking north from Center Line

Total Anticipated Tree Removals at Anderson Woods

	Oak	Other
Southern Hill	93	13
Old Nursery	0	15
Total	93	28

Nord

A tree inventory was not undertaken at this site by North Oaks Company. A tally of trees on site demonstrated that oaks are the pre-dominant species. On the western edge of the site, just off Sherwood Road, ash trees are also well represented and make up the dominant species for the first 500 feet of the proposed street development. Aspen are also well represented to the south of the proposed street as they are associated with wetland edges and wetter sites. After crossing over a few small gullies, the species change from ash/aspen into an oak component. White oaks (bur and white oaks) make up approximately 70% of the oak tree species and Red oaks make up about 30%. A few other species such as hackberry, elm, birch, and boxelder are responsible for a very small percent of the overall tree population in this area. The understory is comprised of about 95% buckthorn and some smaller tree species.



Figure 4 Tree Species Locations at Nord

The construction of the street, pond, and trail will result in the removal of approximately 216 trees (Appendix C). The breakdown of removed species is similar to the breakdown of species throughout the site. Total oaks removed will be around 95 (26 Red oaks and 69 White oaks), 65 aspen, 49 ash trees, and 7 cherry trees. The largest diameter tree within construction limits is a 30+” Red oak and the average oak tree diameter is near 20”. The Red oak should not be considered a heritage tree as it appeared to have die-back associated with decay. In general, the oak trees were slightly larger than at Anderson Woods. Ash trees on site average approximately 12”. A table of anticipated removals is included below.

Approximate Tree Removal Totals for Nord

	Oaks	Ash	Aspen	Cherry
Pond	6	4	8	0
Street	87	39	56	7
Trails	2	6	1	0
Totals	95	49	65	7

The area is a nice forest of semi-mature oak to the east and an ash/aspen component to the west. The developer does have some discretion with regards to road placement and therefore, tree preservation. If there are some nice trees that could be preserved efforts will be made to nudge the street a few feet in one direction or another. Trees near construction limits will have to be individually assessed to first see if they are worthy of preservation and secondly, to determine impacts. Usually trees that have impacts from construction to just one side of the tree remain fairly healthy because of the non-disturbance to the other side of the tree. Depending on how close and how intrusive the disturbance some trees may show signs of die-back in the future.

The area of the development proposed to go off North Deep Lake Road is devoid of trees (Appendix D). There is a cluster of willow trees near the gate adjacent to North Deep Lake Road which would most likely have to be removed but no other tree removals are anticipated based on submitted plans.

Oak Wilt

We are now in the high-risk period for Oak wilt and this will most likely continue until the beginning of July. The University of Minnesota has scientists who determine when it is OK to cut oaks again and that can be monitored. It is imperative that save trees are not wounded during this time frame. If construction needs to take place within this timeframe precautions should be put in place. There do not appear to be any active oak wilt infection centers in the proposed development areas.

While working on a pipeline project several years ago outside of North Oaks, Kunde Company (previous contracted City Forester), was contracted to paint all oak stumps on site immediately after removal and also any time they were re-wounded but before the stumps could be removed (popped). Arborists were stationed with each tree removal work crew and would have paint on hand to re-paint tree stumps as construction equipment maneuvered their way along the corridor. This will almost guarantee that oak wilt will not start in this area and a recent review of aerial photographs seems to back up that claim. Even exposed stumps that are not immediately removed, and not immediately painted, can contribute to oak wilt appearing in neighboring save trees later in the growing season. Oak trees graft roots and if a stump were to become "infected", it can pass the oak wilt fungus into healthy save trees nearby.

Also, it is recommended to have a long extension pole on site (or a climber) with a brush roller and paint to apply to save trees that may have had a limb accidentally broken off or a wound to a trunk higher up. Applying wound dressing (paint) to a wound immediately after it occurs will almost guarantee that the tree will not get oak wilt. There is existing research which validates this. These measures are a small step that can be taken to keep the forest disease free and preserve a significant oak resource enhancing property values and the potential sale of the parcels.

If the tree removal work takes place after the beginning of July the risk becomes much lower, but it is still a risk and the same precautions could be put into place. The best time to work on oak trees is in the winter.

Emerald Ash Borer

No signs of Emerald Ash Borer (EAB) were visible on the ash trees at Nord or Anderson Woods. It is my opinion that the ash trees on proposed parcels should stay and should not be removed proactively ahead of development. While this may save a few future homeowners of countless ash tree removals their removal would also cause a dramatic shift in the visual appeal and function of the site. The benefits gained from leaving the trees and having them continue to provide habitat, absorb water, clean air and water, keep down dust, add privacy, reduce noise and glare, etc., outweigh the impacts of proactive removal. Its possible these trees will remain viable for many years before they potentially succumb to EAB. At that point the homeowner will have decide the proper course of action.

Recommendations to Preserve Save Trees on Site

- Fell all remove tree towards the Center Line to limit injuring to save trees.
- Install tree protection fence immediately after tree removals. Make sure fence is respected by contractors on site and immediately raise fence if it is compromised. Pre-construction meetings are an excellent time to implement the seriousness of tree preservation efforts and penalties for violations.
- If grade changes are excessive retaining walls may be a viable option.
- Do not place fill around save trees.
- If save trees are going to be preserved within the construction limits armor trees with 2X4's to reduce the chance of mechanical injury to the trunk.
- After harvesting, blow chipped tops of trees along tree protection fencing to help reduce soil compaction from construction equipment and moderate soil temperatures and moisture levels.
- Before preserving save trees on edges make sure they are healthy (good structure, no decay, etc.) and will not become a hazard tree within a few years. An arborist or City Forester assessment may be justified for individual trees.
- Root cutting and growth hormone regulator treatments for high-value trees are also options that could be implemented.
- Brushing of understory material outside of construction limits may be an option since it is 99% buckthorn. An inventory to look for any non-buckthorn species could be incorporated to mark and avoid those shrubs during buckthorn removal. Care should be taken to minimize impacts to soil during this process. Scraping off of any topsoil should be prohibited as 90% of the tree's roots are within the top one foot of soil.
- Follow the oak wilt protocol included above.

Mark Rehder

North Oaks Contracted City Forester



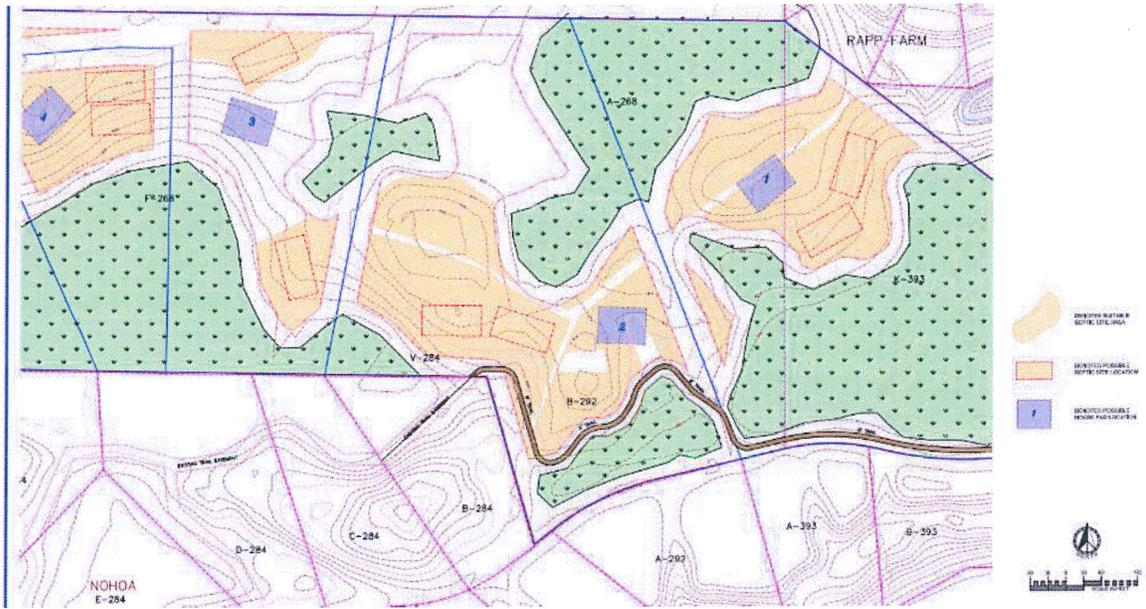
Appendix B



Appendix C



Appendix D





NORTH OAKS
HOME OWNERS' ASSOCIATION

April 7, 2020

Mr. Gregg Nelson, Mayor
Council Persons: Rick Kingston, Martin Long, Kara Ries, and Katy Ross
City of North Oaks
100 Village Center Drive, Suite 230
North Oaks, MN 55127

RE: East Oaks PDA – Nord Preliminary Plans

Dear Mayor Nelson,

The North Oaks Home Owners' Association (NOHOA) has reviewed the preliminary plans submitted by the North Oaks Company for the Nord development site. NOHOA has particularly placed a technical focus on those components for which NOHOA will ultimately be responsible for maintaining, such as roads and trails. The following summarizes NOHOA's recommendations, additional requested information, and suggested plan modifications for the development to be accepted into the Association. NOHOA respectfully requests that the City incorporate these into any recommendations or approvals.

1. The applicant should be advised that NOHOA policy does not allow for shared driveways except through board approval. At the time of construction, Lots 1 and 2 will need to receive board approval if a shared driveway is going to be used.
2. The following are NOHOA's recommendations relative to the North Oaks Company updated trail route provided on the exhibit dated March 26, 2020:
 - a. NOHOA prefers that the new route through Lots 1 and 2 be constructed as indicated on the attached exhibit, avoiding any wetland impacts.
 - b. NOHOA prefers the alignment through the west side of NOHOA open space to connect to the existing trail easement.

• NATURE • HERITAGE • COMMUNITY •

- c. As offered, NOHOA expects the North Oak Company to work with NOHOA and the property owners to construct a trail through the existing easement located across the existing properties along North Deep Lake Road. Assistance shall also be provided by the North Oaks Company to establish new easements closer to the wetland when possible.
3. NOHOA's willingness to accept the revised trail plan as proposed by the North Oaks Company does not waive NOHOA's right to require compliance with the terms of the 1999 PDA as to all future developments.
4. A center island is indicated on the plans at the entrance. No landscape maintenance will be completed by NOHOA within the development. NOHOA would prefer no center island.
5. Trail maintenance and construction fall under the purview of NOHOA. As such the following is requested:
 - a. Wetland boundaries should be flagged in the field and the proposed trail alignment staked to allow for field verification of impacts. This should occur for the trail along the lot line between Lot 7 and 6 and across Lots 1 and 2.
 - b. Trail construction details should be provided to NOHOA for review and comment.
 - c. Any necessary boardwalk and culvert installation locations should be noted on the plans.
 - d. Trail widths should be cleared and graded appropriately to a width of 12-feet to allow for future maintenance activities.
6. To allow for appropriate future road maintenance, NOHOA requests that the Company provides soil boring information and a geotechnical report that details the required pavement section for a 7-ton pavement design.
7. Plan and profile information for the road should be provided to NOHOA for review and comment as to any maintenance concerns as part of the final plan approval process.
8. Copies of the stormwater plans, drainage calculations and Minnesota Routine Assessment Method (MnRAM) report are requested. Approval from VLAWMO will be required for the improvements prior to acceptance. NOHOA reserves the right to comment on plans as they are revised to avoid wetland impacts.
9. The preliminary plans note that the road will discharge to a filtration basin. As the Construction details should be provided and a soil boring with groundwater elevations and infiltration rates should be provided. A 10-foot bench should be graded around the basin for maintenance access.

Mr. Greg Nelson, Mayor
April 7, 2020

10. Documentation should be provided as to approval by Ramsey County of the road access.

The recommendations and comments set forth above are specific to the set of plans deemed complete by the City on February 27th. NOHOA reserves the right to review and make additional recommendations and comments as plans are subsequently revised and additional information received.

In addition, it is expected that development of the Nord site will comply with all conditions set forth by local, state, and federal agencies. Prior to acceptance into NOHOA, the Nord development will be reviewed for compliance with all such requirements and the developer will be required to address any issues identified.

Furthermore, NOHOA requests that no development declarations be recorded or given to purchasers until NOHOA has approved them. NOHOA will not be bound by any declarations that were not reviewed and approved by NOHOA prior to being recorded.

If you have any questions or would like to discuss any of these comments further, please feel free to contact NOHOA.

Thank you,

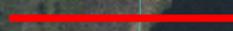
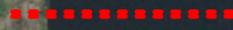
(Signed copy on file)

Katherine Emmons
President

Cc: Kevin Kress, City Administrator
Mark Houge, President, North Oaks Company
North Oaks Planning Commission
NOHOA Board of Directors



MARCH 26, 2020

-  EXISTING NOHOA TRAIL
-  EXISTING NOHOA TRAIL EASEMENT
-  PROPOSED TRAIL