

The Planning Commission Meeting was called to order by Chair Bill Campbell at 7:00 p.m. at the Community Meeting Room, 100 Village Center Drive Suite 150, City of North Oaks. Also present were Commissioners Dick Hara, Nancy Reid, Joyce Yoshimura-Rank, Bob Turkington, Kara Ries and City Council Liaison Katy Ross. City Administrator Mike Robertson, City ISTS Inspector Brian Humpel, Administrative Assistant Linda Hanson and Videographer Maureen Anderson were also present.

Approval of Agenda

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

Approval of Minutes

Commissioner Reid moved to approve the June 25, 2015 Minutes from the Planning Commission Meeting. The motion was seconded by Commissioner Ries and passed unanimously.

New Business

1. Public Hearing for CUP #15-06 for 16 Evergreen Road to build a larger garage space in excess of the 1,500 square feet requirement

Michels Homes requested a Conditional Use Permit for 16 Evergreen Road to construct an additional garage which would put the property in excess of the 1,500 square foot maximum garage space by 1,000 square feet. The purpose is to remove the existing indoor pool and construct a larger garage that will be used as a display space for the owner's classic cars. This space will open fully onto the backyard patio and a new outdoor pool. The CUP meets all conditions except that the current driveway is constructed in the setback and an additional 300 square feet of driveway needs to be constructed in the setback to tie into the existing driveway to access the new garage.

Mark Stankey

Mr. Stankey, the architect for this project, stated that a new section of driveway would be needed to access the larger garage space. He would like it to be concrete. The new section will be approximately 300 square feet and will encroach into the setback. He also stated that when the larger garage is created, the house square footage will actually be smaller.

Commissioner Turkington expressed his concern about drainage and the need for protecting the lake. He questioned if there would be additional run-off issues and if any barriers were planned. Mr. Stankey explained that they will install landscaping which will catch any stormwater drainage coming off the new driveway. Chair Campbell also expressed his concern about drainage.

Chair Campbell opened the Public Hearing at 7:20 pm. and with no comments, closed the Public Hearing at 7:20 pm.

City Council Liaison Ross stated that historically the City allowed for septic systems to encroach into the setback if needed, but not additional driveways. Chair Campbell stated that he would like the driveway to be constructed of a more pervious material like paving blocks so that less drainage would run off. Commissioner Turkington would like to have a landscape architect explain how the run-off would be handled.

Commissioner Reid made a motion to table action on CUP #15-06 for 16 Evergreen Road until a detailed stormwater plan is submitted. Commissioner Yoshimura-Rank seconded the motion which carried unanimously.

2. Variance #15-07 for 37 Pheasant Lane to install an ISTS 15 feet within the required 30 foot side yard setback

ISTS Inspector Brian Humpel explained that the system at 37 Pheasant Lane is currently non-compliant. This lot is a difficult lot to site a new system because of steep slopes and poor soil. He recommended approval of the submitted plan as this would require the minimum variance due to the practical difficulties presented in this lot.

Chair Campbell asked if soil borings were done and Mr. Humpel stated they were. Commissioner Turkington asked what the new system would look like from the street. Mr. Humpel explained that it would not be noticeable from the street and that the large oak in the yard would be spared.

Commissioner Hara made a motion to approve Variance #15.07 for 37 Pheasant Lane to install a new ISTS system 15 feet within the required 30 foot side yard setback with the following conditions:

- 1. Completion date 120 days after approval,**
- 2. Verify the southwest property line by means of a survey;**
- 3. System to be located per design dated April 23, 2015 by Ed Ecklin.**

Commissioner Reid seconded the motion which carried unanimously.

3. Public Hearing on the Revised Floor Area Ratio (FAR) Ordinance

Administrator Robertson stated that the Planning Commission discussed revising the Floor Area Ratio Ordinance about a year ago. A committee of City Councilmembers Katy Ross and Gregg Nelson, Building Official Greg Schmit, Administrator Robertson, and NOHOA Liaison Paul Lesieur studied the issue. The purpose of the ordinance is to make sure the house fits the size of the lot. The committee found that the 2.5 page worksheet to verify the floor area ratio was very complicated and led to a debate between builders and staff over what should and should not be counted for floor area. The committee decided that they would focus on the outer dimensions of the house and exclude the basement. The revised worksheet is only one page and will take into consideration the size of the house and the size of the lot. It was noted that a new definition of driveway is needed and a correction on page 14 is also needed.

Chair Campbell opened the Public Hearing at 7:52 pm and with no comments closed the Public Hearing at 7:52.

Commissioners Reid, Ries and Turkington congratulated the committee on a job well done. Administrator Robertson will make the changes mentioned.

A motion was made by Commissioner Ross and seconded by Commissioner Reid to table the revision of the FAR Ordinance until the next meeting, August 27, 2015 so that the above revisions can be made. The motion passed unanimously.

4. Public Hearing on the Revised Off Street Parking Ordinance

Administrator Robertson stated that two months ago a Public Hearing on the Off Street Parking ordinance was held. Three parties came to speak. It was decided to canvas for more comments. Mr. Robertson read the comments from the following six residents.

John MacHalec, 16 Red Fox Road

Jim Nancekivell, 5 Hawk Lane

Jordan Carley, 1 Columbine Lane

Jerry Pederson, 16 North Oaks Road

Gene Coffman, 1 Basswood Lane

Joan Brainerd, 14 East Oaks Road

Chair Campbell opened the Public Hearing at 7:59 pm.

Manny Steil, 25 Robb Farm Road

Mr. Steil would like a distinction made between small trailers and larger ones. He thought there were over 80 small trailers currently being used in the community and that these should not be restricted. Most are tucked out of sight at the end of the season.

Chair Campbell asked about boats used for fishing during the summer months. Mr. Steil stated that he thought covering all vehicles with one ordinance doesn't work.

Commissioner Ries stated that perhaps the ordinance needs to clarify the different types of trailers by size and that perhaps utility trailers that are 4 or 5 X 8 should be allowed.

Sharon Severson, 20 East Gilfillan Road

Ms. Severson agreed with Mr. Steil that small garden type trailers should be allowed especially if placed out of sight as much as possible. She stated that the Garden Club depends on the use of these.

With no further comments Chair Campbell closed the Public Hearing at 8:10 pm.

Chair Campbell stated that he did not like using the 30 day cumulative count which would be hard to enforce. Commissioner Hara agreed. Council Liaison Ross stated she did not want to see RV's parked and then just moved around the lot to avoid enforcement. She also questioned what should be done about people who use their trailers every day or every few days. Commissioner Turkington suggested segregating the three types of vehicles into automobiles, trailers, and boats/jet skis. He stated that he did not want to see rusted, disabled vehicles parked on lots. Commissioner Ries suggested a seasonal exemption for boats.

Chair Campbell stated that an ordinance is needed but that it still needs more work. He stated that the ordinance should mainly address stored or junk vehicles. It was decided

that Administrator Robertson would re-work the draft taking into consideration the Commissioners' comments.

Commissioner Ries with a second from Commissioner Hara made the motion to table the Off Street Parking Ordinance until more work can be done on it. The motion carried unanimously.

5. Update on the Housing Maintenance Code

Administrator Robertson has been looking at what other communities do about a housing maintenance code. Some do have ordinances but many do not. Some have adopted the ICC's International Property Maintenance Code. He provided a copy of the two pages of the code which cover exterior parts of structures for review.

Planning Commissioners were concerned that any ordinance be very specific so that little interpretation was necessary. They noted that NOHOA also has a clause about maintaining properties but has had problems enforcing it. Robertson said he would bring the NOHOA language to the next meeting. Commissioner Turkington suggested that the City contact 3 or 4 real estate agents that live in North Oaks to give feedback on these issues. It was decided that more information is needed at this time.

Next Meeting

The next Planning Commission Meeting is Thursday August 27, 2015 at 7 p.m. at the Community Meeting Room, 100 Village Center Drive

Adjournment

On motion made by Commissioner Nancy Reid, seconded by Commissioner Kara Ries and carried unanimously, the meeting was adjourned at 8:55 p.m.

Attest:

Respectfully submitted,

Chair Bill Campbell

Linda Hanson
Recording Secretary