

The Planning Commission Meeting was called to order by Chair Campbell at 7:02 p.m. at the Community Meeting Room, 100 Village Center Drive Suite 150, City of North Oaks. Also present were Commissioners Dick Hara, Nancy Reid, Bob Wilson, Joyce Yoshimura-Rank and Commissioner/City Council Liaisons Gregg Nelson and Katy Ross. City Administrator Mike Robertson, Building Official Greg Schmit, Administrative Assistant Linda Hanson and Videographers Kevin Scattum and Maureen Anderson were also present.

Approval of Agenda

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

Approval of Minutes

Commissioner Hara moved to approve the minutes from the July 31, 2014 Planning Commission meeting. The motion was seconded by Commissioner Ross and passed unanimously.

New Business

1. Variance 14-09 ISTS Setback, Tom McCallum, 25 Nord Circle Road

The applicant requested a variance to relocate the well to install a replacement sewage treatment system which would encroach 20 feet into the required 30 foot, northeast property line setback and 20 feet into the required 30 foot northwest property line setback. Building Official Schmit stated that the current mound system is non-compliant. In order to make room for a new system, the well needs to be relocated. This lot presents difficulties due to the placement of the home, low wet areas and the fill soil present leaving no other suitable location according to Mr. Schmit. The new system will be a Type IV which will need a renewed operating permit every two years. At that time, soil testing and maintenance will be done.

Commissioner Nancy Reid moved to approve Variance 14-09 at 25 Nord Circle Road with the following conditions:

- 1. Completion date 120 days after approval.**
- 2. System to be located per design dated 7-31-2014 by SP Testing, Inc.**
- 3. The system will require an Operating Permit, renewable every 2 years.**

The motion was seconded by Commissioner Ross and passed unanimously.

2. Variance 14-10, David Kroona, 7 Island Road

Mr. Kroona is asking for a variance to install a replacement sewage treatment system which would encroach 15 feet into a required 30-foot north property line setback. Building Official Schmit stated that the current trench system is non-compliant. This property is limited on where a new system can be located. It is set on a bluff with a 30 foot setback and cannot place the system within 50 feet of the well. It also has a large circular driveway. It is Mr. Schmit's opinion that this is the best solution for a new system. It will be a Type IV system requiring an Operating Permit every two years. Commissioner Wilson asked what the

homeowner would do if this system needed replacement in the future. Mr. Schmit answered that hopefully new technology would exist or holding tanks would need to be used.

A motion was made by Commissioner Reid to approve Variance 14-10 for 7 Island Road with the following conditions:

- 1. Completion date 120 days after approval.**
- 2. Field verify the north property line.**
- 3. System to be located per design dated May 15, 2014 (date on submittal is 2015) by SP Testing, Inc.**
- 4. The system will require an Operating Permit, renewable every 2 years.**

The motion was seconded by Commissioner Yoshimura-Rank and passed unanimously.

3. Zoning Ordinance Amendment to change the allowed building height from 35 feet to 42 feet, Paul Lesieur, 31 East Pleasant Lake Road

Paul Lesieur presented his request to change the City Ordinance for the building height restriction from 35 feet to 42 feet. He stated that the 35 foot restriction is outdated and many younger families are looking for taller ceilings and more variety in roof lines.

Dean Hanson from Hanson Builders, the main builder in Rapp Farms subdivision, stated that newer homes today often have 9 foot basements, use larger trusses and have steeper roofs. He stated that by allowing 42 feet there would be a greater variety of homes built in North Oaks.

Paul Lesieur stated that homes would still need to be approved by the Architectural Supervisory Committee and they would look at how a taller home would affect surrounding homes. He stated it is not uncommon for cities to allow this height and most cities do not have an ASC to monitor what is built.

Bill Coffman from Gonyea Homes, builder in the new Red Pine Development stated that the only other city that he knows of with a 35 foot height restriction is Bloomington and they are in the process of changing it.

Building Official Schmit reviewed the current regulations. He noted that North Oaks measures building height to the top point of the roof. The City also limits single family homes to two floors plus a basement. A variance can be granted for a greater height but one of the conditions is that for each additional foot in height two feet must be added to the setback within 50 feet of the property line. If greater height is allowed in the front of the house, the back may go even higher on walk out designs. With a Conditional Use Permit a home is allowed up to 45 feet in the back or sides of a walkout. Newer developments have built into their approved Development Plan a 45 foot allowance in the back and sides without needing a CUP for each home.

Building Official Schmit stated that what is important as Ordinances are changed is to have a clear stated purpose for regulating height and to make certain all parts of the Ordinance are changed to be compliant with the new requirements. He does not have a problem with a change to 42 feet.

Administrator Robertson noted that along with the requested changes by the applicant that staff had suggested some other options. One option would be to remove the height limitation entirely, while leaving intact the requirement that a home could not have more than two stories and a basement. A

second option would be to change how height is measured, and to measure it to the mid-point of the roof rather than the top. This option tends to allow a greater variety of roof pitches.

Chair Campbell said that he felt the homes in Rapp Farm were very similar in design. Councilmember Nelson said that he felt the lots in developments such as Rapp Farm and Charlie Lake Preserve are not big enough to accommodate much larger heights. Councilmember Ross stated that it is important to have a Code of Ordinances that allows new residents to build the type of homes they would like. Chair Campbell said he was willing to look at changing how building height is measured. Councilmember Ross said she wants to hear from the public. Chair Campbell noted that a public hearing would need to take place before any action could take place and directed staff to place this on the next Planning Commission agenda.

Next Meeting

The next Planning Commission Meeting is Thursday, September 25, 2014 at 7 p.m. at the Community Meeting Room, 100 Village Center Drive

Adjournment

On motion made by Commissioner Ross, seconded by Commissioner Yoshimura-Rank and carried unanimously, the meeting was adjourned at 8:10 p.m.

Attest:

Respectfully submitted,

Chair Bill Campbell

Linda Hanson
Recording Secretary