

**MINUTES
PLANNING COMMISSION MEETING
CITY OF WHITE BEAR LAKE
MARCH 29, 2021**

The regular monthly meeting of the White Bear Lake Planning Commission was called to order on Monday, March 29, 2021, beginning at 7:00 p.m. via WebEx, pursuant to a statement issued by the Mayor under Minnesota Statutes, section 13D.021 as a result of the COVID-19 pandemic, by Chair Ken Baltzer.

1. CALL TO ORDER/ROLL CALL:

MEMBERS PRESENT: Michael Amundsen, Ken Baltzer, Jim Berry (7:11 p.m.), Pamela Enz, Mark Lynch, Erich Reinhardt, and Peter Reis.

MEMBERS EXCUSED: None.

MEMBERS UNEXCUSED: None.

STAFF PRESENT: Anne Kane, Community Development Director, Samantha Crosby, Planning & Zoning Coordinator, and Ashton Miller, Planning Technician.

OTHERS PRESENT: Scott Mareck, Jacob & Chandler Ommen, Bob Rogers, Chad Jorgenson, Chris Hiniker, Eric Meyer, Mark Larson, Tim Wald, Ben Beery, Chris Ganzlin, Cozy Hannula, Daniel Roeser, Deb Larsen, Jim & Barb Engh, Rodney & Nancy Oakes, Joseph Kimball, Kathleen Freiderich, Maggie Briggs, Mike Plumb, Peg Vadnais, Sara Nephew, Shannon Moore, Valerie Hanson, Pat Collins, Carrol Knutson, Tracy Shimek, and Ben Eggan.

2. APPROVAL OF THE MARCH 29, 2021 AGENDA:

Member Reis moved for approval of the agenda. Member Lynch seconded the motion, and the agenda was approved (6-0).

3. APPROVAL OF THE FEBRUARY 22, 2021 PLANNING COMMISSION MEETING MINUTES:

Member Amundsen moved for approval of the minutes. Member Enz seconded the motion, and the minutes were approved (6-0).

4. CASE ITEMS:

A. **Case No. 21-1-EAW:** A request by the **City of White Bear Lake** for review and acceptance of the Findings of Fact and Conclusions of the Environmental Assessment Worksheet (EAW) prepared for the North Campus High School Expansion Project at the property located at 5045 Division Avenue.

Kane discussed the case. Staff recommended acceptance of the Findings of Fact and Conclusions and the determination that an Environmental Impact Statement (EIS) is not needed.

Member Reis asked if the analysis looked at mildew or asbestos since Central Middle School is over 100 years old.

Tim Wald, School District, Assistant Superintendent for Finance and Operations, replied that the building has been renovated in recent years, so the asbestos has been addressed.

Dan Roeser, School District, Director of Building Operations, confirmed that the building is asbestos free. Anything that was in there has already been abated. The roof has been replaced and the building structure is sound.

Member Reis noted that 14.5 acres of hard space will be added to the property, which is a huge increase in impervious surface. He wondered if the school had looked at using pervious paving.

Ben Beery, Wold Architects, stated that they looked at the option, but found that pervious material does not hold up in school settings because of the heavy maintenance and use the surfaces get. The proposed plan to treat the stormwater through a stormwater infiltration basin will be a better long-term solution. The project will meet all watershed requirements.

Eric Meyer, Larson Engineering, added that the durability of pervious pavers is not there. They would need to be replaced often.

Member Baltzer opened the public hearing. As no one spoke to the matter, Member Baltzer closed the public hearing.

Member Reis moved to recommend acceptance of the Findings of Fact and Conclusions and the determination that an Environmental Impact Statement (EIS) is not needed in Case No. 21-1-EAW. Member Enz seconded the motion. The motion passed by a vote of 7-0.

- B. **Case No. 21-3-CUP:** A request by **Independent School District #624** for a Conditional Use Permit, per Code Section 1303.245, to allow expansion of the existing North Campus public high school located in the P – Public zoning district at the property located at 5045 Division Avenue.

Kane introduced the case, noting tonight's request is for the land use entitlements for the school campus itself. Staff acknowledged that North Campus' location within the School District, being near Downtown White Bear Lake, adjacent to the emerging Arts District, and its proximity to existing and planned transportation networks make it a highly desirable location to locate a centralized high school. The conversion of this campus back to a full 9-12 grade high school represents a tremendous opportunity and a significant investment for the broader community – but recognizes it not without some challenges and potential impact on the surrounding neighborhoods.

Kane described a detailed planning process involving School District leadership, consultant team, staff from the city, township, county and state met on numerous occasions to identify issues and opportunities, explore options and alternatives, and formulate plans to mitigate negative impacts from the increased intensity of the campus. Throughout this collaborative process the Project Team has sought to find the optimal balance between creating a high-quality school campus with modern amenities and first rate facilities, while configuring the campus to help distribute traffic on the surrounding roadway network, provide appropriate setbacks and buffers from the adjacent residences, and minimizing the negative impacts of the planned campus improvements on the surrounding neighborhood.

Kane explained that in addition to designing the campus to distribute trip generation throughout the existing roadway network, a number of off-site improvements have been identified which will

help alleviate traffic congestion around the campus including safety and capacity improvements, traffic control changes, access/roadway modifications, and enhanced pedestrian/bicycle connections. She noted that while many of the elements have been identified, the specific plans have not yet been finalized for off-site improvements that have been identified:

- Traffic signal at 8th St & Highway 61 intersection;
- Improved capacity and sidewalk along 8th Street b/w 61 and the campus;
- Dedicated turn lanes at entrances on both Division and Bald Eagle; and,
- Pedestrian and bicycle extending north on the campus.

Kane noted that securing the Land Use Entitlements for the high school campus will also serve as a catalyst to finalize plans for other regional investments envisioned for the community – including the Bruce Vento Trail extension and the Rush Line transit corridor. For example, she acknowledged until the final alignment of BVT is known, its difficult to determine the best configuration of sidewalk/trail extensions north along the campus. Staff recognizes that additional public engagement will be needed as these off-site components are finalized and anticipates that process will mirror the same public engagement process used for all road improvement projects throughout the City.

Kane then summarized the redevelopment proposal including the campus layout, building design, parking and circulation, athletic facilities and practice field locations, landscape replacement plan, campus signage, and addressed public comments received from neighbors in advance of tonight’s Public Hearing. She noted that new internal sidewalks connect the various components of the campus including improved north/south pedestrian circulation, however, the campus presently disrupts the broader pedestrian and bicycle network of the neighborhood, particularly east-west travel. The campus expansion project presents an opportunity to facilitate a more cohesive network for non-motorized travel throughout the neighborhood and improved connections north of the campus. As plans are finalized for transportation networks around the campus, the Project Team will identify optimal locations and alignments for these critical cross-campus connections and addressed in a Development Agreement between the City and School District. Staff recommended approval subject to a number of conditions listed in the report.

Member Lynch asked if the campus sidewalks would be open during school hours and whether the trails would utilize the campus’ internal road system. Kane replied that the desire is for the trails to be separate from the internal roads and not go through parking lots. She stated that it will be a very open campus, so she is not sure about access, but it would be hard to restrict. She deferred to the school district to address.

Member Lynch wondered if the project is meeting all the zoning code requirements and if that is why a Planned Unit Development (PUD) is not being requested.

Kane stated that the use as a school has already been identified as appropriate in all residential districts, so it is fairly simple and straightforward. If there were multiple principal buildings, a PUD would likely be the best approach, however, the proposal is one principal structure with multiple accessory buildings. The project did not require a lot of flexibility, so the proposal is meeting code. The height of the building varies, but it is meeting the increased setback required by code. She stated that the City will hold the school to the allowable signage requirements, which will required additional detailed prior to permitting and installation.

Member Reis commented that there will be a lot of concrete added to the north side of the campus, north of the three existing round buildings. The concrete will run up to newly installed AstroTurf. It is a very wet site and he wondered if the elevation would need to be raised to make it a useable practice field and if the runoff would drain to the wetland.

Eric Meyer, Larson Engineering, explained that with an increase in the number of students, gym classes and sports teams need more space, so the area will be converted to synthetic turf to ensure the fields are useable year round. The surrounding sidewalks will be ADA accessible. There will be some fill added to raise the area above water elevation, but it will not be raised to the level of the school. Water will be able to seep through the turf and be filtered by layers of rock and sand before draining to wetlands on the east and west where it currently flows.

Member Reis asked what will become of the existing auditorium that is currently part of the junior high school.

Tim Wald, School District, replied that it will continue to be used as a smaller performance space. It holds about 375 people, while the larger one will hold just under 800 people.

Member Baltzer opened the public hearing.

Valerie Hanson, 5118 Wild Marsh Drive, stated that she is excited to see the sidewalks connect to the north. She expressed concern over the increased runoff and drainage. She asked when Division Avenue will be paved and whether it would be a city or school project.

Kane stated that the resurfacing of Division Avenue is part of the City's routine capital improvement plan. It is slated for 2024 or 2025. The City will need to coordinate with the school on timing and will need to negotiate a formula for shared payment of the project.

Deb Larsen, 4917 Bald Eagle Avenue, asked is the school district is looking to buy more homes on the west side of Bald Eagle Avenue.

Tim Wald, School District, stated that it is unlikely that the School District will buy more houses on the west side.

Peg Vadnais, Bald Eagle Avenue, asked if the school had an estimate for how much bus traffic there would be for Bald Eagle Avenue. She stated they are not used to buses on the road and this will be a big change.

Tim Wald, School District, confirmed that currently every bus for the high school and middle school uses Division Avenue. He stated that there will be more buses using Bald Eagle Avenue. The bulk of the parent drop off/pick up will be on Division Avenue. Between the high school and middle school, the number of buses will be in the low twenties.

Chris Hiniker, SEH, added that the plan now is to direct the majority of buses to Bald Eagle Avenue and away from Division Avenue to reduce the amount of traffic on Division. The high school and middle school will utilize the same bus pick up and drop off lot.

Joe Kimball, 4930 Walnut Avenue, asked for clarification of what is being represented on the Site Plan south of the student parking along Bald Eagle.

Tim Wald explained that there are ten tennis courts and they will also be striped for pickle ball. Below that is a multi-use synthetic field.

There being no further questions or comments from the public, Chairman Baltzer closed the public hearing.

Member Reis moved to recommend approval of Case No. 21-3-CUP. Member Lynch seconded the motion. The motion passed by a vote of 7-0.

C. **Case No. 21-4-CUP & 21-5-V:** A request by **Jacob & Chandler Ommen** for a Conditional Use Permit for a home accessory apartment, per Code Section 1302.125, and the following five variances,

- A 13 foot variance from the 35 foot front yard setback from the principal structure, per Code Section 1303.040, Subd.5.c.1, in order to expand an existing line of non-conformity for a mudroom addition;
- A 2.7 foot variance from the 20 foot front yard setback for an accessory structure, per 1302.030, Subd.4.d;
- A one-story variance from the one-story maximum for an attached accessory structure, per 1302.030, Subd.4.i.1.a;
- A 321 square foot variance from the 1,000 gross square foot maximum size for an attached accessory structure, per 1302.030, Subd.4.i.1.a;
- A 71 square foot variance from the 1,250 square foot maximum for all accessory structures combined, per 1302.030, Subd.4.i.2.b;

All in order to construct a new attached garage with an accessory dwelling unit (ADU) above at the property located at 4320 Cottage Park Road.

Crosby discussed the case. Staff recommended approval subject to the conditions listed in the report.

Member Lynch voiced his support for ADUs. He wondered if more variances associated with ADUs above garages will be requested in the future and whether the City should consider looking into changing the Zoning Code.

Member Berry sought confirmation that the living space is not accessible from the house and whether the unit will be rented or for family. He asked how the City would be able to enforce the limit of two people and the number of vehicles associated with the ADU. He asked why the City has such conditions if it cannot hold them accountable.

Crosby answered that access is from the back stairway and that the unit can be rented, but so far the applicants have stated it will be used for family. She stated that this is a conditional use for an ADU, so if they cannot meet the conditions, then maybe it cannot be used for a period of time.

Kane stated that if they cannot meet the conditions, then the City will proceed with a revocation of the CUP and bring the matter in front of the City Council.

Member Lynch asked if ADUs need to be accessible from the outside. Crosby confirmed that was not a requirement.

Member Baltzer opened the public hearing.

Mike Plumb, 4350 Cottage Park Road, detailed the number of variances that were granted for the lot split and new home construction. All the variances are interrelated and is an over use of what the regulations allow. He pointed to a question raised by Member Lynch when the lot was split about how new homeowners would know about the stipulations. Mr. Plumb stated that the code only allows ADUs in existing structures and this is a new structure. He also believes that the impervious surface calculations are not correct. Based on his calculations, there is over 30% impervious surface on the lot and he is concerned about runoff.

Member Baltzer closed the public hearing.

Member Lynch stated that he understands Mr. Plumb's concerns. He looks at each variance with fresh eyes and is supportive of this request because it will make the property more conforming by pushing the garage further back from the side and front property lines. He is a proponent of ADUs and appreciates that the property will not exceed 30 percent impervious.

Member Amundsen moved to recommend approval of Case No. 21-4-CUP & 21-5-V. Member Reis seconded the motion. The motion passed by a vote of 5-1. Baltzer abstained. Berry voted no.

- D. **Case No. 21-6-V:** A request by **Jack Tamble** for a four foot variance from the five foot rear yard setback for a detached garage, per Code Section 1303.030, Subd.4.e., and a 7.7 foot variance from the 25 foot setback from a side abutting a public right-of-way, per Code Section 1302.030, Subd.4.d, in order to construct a new two-car garage one foot from the east property line at the property located at 4860 Stewart Avenue.

Crosby discussed the case. Staff recommended approval of the request.

Member Baltzer opened the public hearing. As no one spoke to the matter, Member Baltzer closed the public hearing.

Member Reinhardt moved to recommend approval of Case No. 21-6-V. Member Berry seconded the motion. The motion passed by a vote of 7-0.

5. **DISCUSSION ITEMS:**

- A. City Council Meeting Summary of March 9, 2021.

No Discussion.

- B. Park Advisory Commission Meeting Minutes of March 18, 2021 – Not Available.

No Discussion.

6. **ADJOURNMENT:**

Member Amundsen moved to adjourn, seconded by Member Lynch. The motion passed unanimously (7-0), and the March 29, 2021 Planning Commission meeting was adjourned at 9:16 p.m.