

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

The regular monthly meeting of the White Bear Lake Planning Commission was called to order on Monday, November 29, 2021, beginning at 7:00 p.m. in the White Bear Lake City Hall Council Chambers, 4701 Highway 61, White Bear Lake, Minnesota by Chair Ken Baltzer.

1. CALL TO ORDER/ROLL CALL:

MEMBERS PRESENT: Michael Amundsen, Ken Baltzer, Jim Berry, Pamela Enz, Mark Lynch, Erich Reinhardt and Andrea West.

MEMBERS EXCUSED: None.

MEMBERS UNEXCUSED: None.

STAFF PRESENT: Anne Kane, Community Development Director and Ashton Miller, Planning Technician.

OTHERS PRESENT: Maggie Briggs & Aaron Briggs, Reid Larson, and John Johannson.

2. APPROVAL OF THE NOVEMBER 29, 2021 AGENDA:

Kane explained that staff is requesting that item 4.D be continued to the next Planning Commission meeting due to both staff and applicant illness.

Member Berry moved for approval of the agenda. Member West seconded the motion, and the agenda was approved (7-0).

3. APPROVAL OF THE OCTOBER 25, 2021 PLANNING COMMISSION MEETING MINUTES:

Member Enz moved for approval of the minutes. Member Lynch seconded the motion, and the minutes were approved (7-0).

4. CASE ITEMS:

A. **Case No. 21-1-P & 21-2-PUD:** A request by **Jeff McDonnell / Tice Estate** for a Preliminary Plat, per Code Section 1402.020, to subdivide one parcel into six lots, and a Planned Unit Development, per Code Section 1301.070, in order to construct four twin homes at the property located at 1788 Highway 96 E. **(Continued)**

Staff recommended the case be continued to the January meeting.

Member Lynch moved to recommend continuation of Case No. 21-1-P & 21-2-PUD. Member Amundsen seconded the motion. The motion passed by a vote of 7-0.

- B. **Case No. 21-1-CPA, 21-5-Z & 21-3-LS:** A request by **White Bear Hotel** for a Comprehensive Plan Amendment to reguide a parcel from “Medium Density Residential” to “Downtown”, a rezoning of the same parcel, per Code Section 1301.040, from R-4 – Single and two Family Residential to B-4 – General Business, and a recombination subdivision to convey a portion of city-owned land to white Bear Hotel, all in order to construct a parking lot at the property located at 2241 8th Street. **WITHDRAWN BY APPLICANT**

Kane informed the Planning Commissioners that the proposal has been withdrawn by the applicant.

- C. **Case No. 99-2-Sa3 & 20-3-CUPa1:** A request by **Tside1 LLC** for two Conditional Use Permit amendments, per Code Section 1303.227, Subd.4.f, to reconfigure the docks and reallocate slips between the two properties located at 4441 Lake Avenue S and 4453 Lake Avenue S. **(Continued)**

Kane recommended continuation of the case indefinitely.

Member Amundsen asked if continuing indefinitely meant it would appear on every agenda. Kane responded that it just meant the applicants would not need to resubmit the application or fee. It will not be on every agenda. Everyone will be re-noticed when the applicants decide to move forward with the request.

Member Amundsen moved to continue Case No. 99-2-Sa3 & 20-3-CUPa1. Member Enz seconded the motion. The motion passed by a vote of 7-0.

- D. **Case No. 21-20-V:** A request by **Keith Hisdahl** for a five foot variance from the ten foot setback required from a drive aisle, per Code Section 1202.040, Subd.2.b.1, in order to construct a freestanding monument sign with a dynamic display five feet from the drive aisle at the property located at 1978 Highway 96.

Kane recommended the case be continued to the next meeting.

Member Baltzer opened the public hearing. As no one spoke, Member Baltzer continued the public hearing.

Member Enz moved to continue of Case No. 21-20-V. Member Amundsen seconded the motion. The motion passed by a vote of 7-0.

- E. **Case No. 21-3-SHOP:** A request by **Aaron Briggs** for a Special Home Occupation Permit, per Code Section 1302.120, in order to operate a personal training business out of the garage at the property located at 1919 4th Street.

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

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

Member Enz recused herself due to a connection to the applicant.

Member Reinhardt moved to recommend approval of Case No. 21-3-SHOP. Member Lynch seconded the motion. The motion passed by a vote of 6-0. Member Enz abstained.

- F. **Case No. 21-21-V:** A request by **Reid Larson** for a 7 foot variance from the 25 foot setback required along a side abutting a public right-of-way (4th Avenue), per Code Section 1303.060, Subd.5.c.2, in order to construct a home 18 feet from the eastern lot line at the property located at 18XX Clarence Street.

Miller discussed the case. Staff recommended approval subject to the standard conditions.

Member Lynch asked what happens to the variance if issues such as tree preservation and grading are not resolved. Miller replied that the variance is good for one year, but the applicant can request an extension if work has not begun.

Member Amundsen wondered about the possibility of another variance being required once the applicant begins addressing the grading issue and if a condition should be included in the resolution. Kane explained that the City has recently started permitting raingardens in the right-of-way that are maintained by the homeowner and this site may provide such an opportunity. Rather than attach conditions to the variance, she thinks it best to rely on the Engineering Department to apply current stormwater management regulations.

Member Baltzer opened the public hearing.

Reid Larson, applicant, 1831 Clarence Street, stated that the property next door, which he owns, had a sump pump that was directed towards the vacant lot and used to run constantly. He has made modifications to the site and installed drain tile, which has already made the area less wet. He is open to ideas on how to address runoff.

Member Baltzer closed the public hearing.

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

- G. **Case No. 21-5-CUP:** A request by **Division 25, LLC** for a Conditional Use Permit, per Code Section 1202.040, Subd.2, and a 25 foot variance from the 50 foot maximum height for a billboard, per Code Section 1202.040, Subd.2.2.d, to allow installation of a 75 foot tall two-sided V-shaped dynamic billboard at the property located at 4650 Centerville Road.

Kane discussed the case. Staff recommended approval with the addition of a condition acknowledging the five hours of community time reserved each month.

Member Reinhardt asked about the orientation of the old billboard, which had two panels facing southbound traffic and wondered if the safety of this particular location had been analyzed. Kane replied that the old sign was constructed in the 1970's, so may predate any sign regulation. Static billboards were permitted by the Federal Highway Association for a while, but were later prohibited after the push for scenic byways along the Country's interstates. She stated that it is not ideal to have two dynamic displays side by side, which would be more distracting to drivers and that there has not been a study regarding driver distraction in this exact location. Previous studies shared with the Commissioners indicate that dynamic displays are not more distracting than static billboards.

In response to a question from Member Lynch, Kane stated that she did not know the height of the Culver's sign adjacent to Interstate 694, but would have that information available by the City Council meeting.

Member Baltzer opened the public hearing.

John Johannson, applicant, thanked staff for all the time and effort put into the case. He commented that they met with the residents of the Pillars for two hours to discuss the billboard. The increased height is really at the behest of the residents. He agreed with the conditions proposed by staff and stated that there would be no issue with the allotted community time each month.

Member Amundsen asked if increasing the height of the billboard allowed the applicant to clear the tree line. He finds it more distracting to drivers to have obscured billboard messages, so he thinks the increased height improves safety. Mr. Johannson confirmed that the sign would not be blocked by the trees. He noted that one was damaged in a storm and was taken down by MNDOT.

Member Baltzer closed the public hearing.

Member Enz commented that she appreciates the positive email exchange between the applicant and the management of the Pillars. It is great that the residents feel heard.

Member Lynch noted that he was uncomfortable with the proposed height of the billboard, but indicated he would vote in favor of the request based on the circumstances. He did not want a precedent to be set, commenting that future cases will be considered independently of this one.

Member Amundsen concurred with Member Lynch, stating that the environment warrants a taller billboard.

Member Amundsen moved to recommend approval of Case No. 21-5-CUP. Member Reinhardt seconded the motion. The motion passed by a vote of 7-0.

5. DISCUSSION ITEMS:

A. City Council Meeting Summary of November 9, 2021.

No Discussion

B. Park Advisory Commission Meeting Minutes of September 16, 2021.

No Discussion

6. ADJOURNMENT:

Member Enz moved to adjourn, seconded by Member West. The motion passed unanimously (7-0), and the November 29, 2021 Planning Commission meeting was adjourned at 7:47 p.m.