



**MINUTES
PLANNING COMMISSION MEETING
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
MONDAY, JANUARY 31, 2022
7:00 P.M. IN THE COUNCIL CHAMBERS**

1. CALL TO ORDER AND ATTENDANCE

Chair Ken Baltzer called the meeting to order at 7:00 p.m.

MEMBERS PRESENT: Mike Amundsen, Ken Baltzer, Jim Berry, Mark Lynch, Erich Reinhardt and Andrea West

MEMBERS ABSENT: Pamela Enz

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

OTHERS PRESENT: Keith & Cheryl Hisdahl, Steve and Joanne Anderson, Kurt Carpenter, Derek Gallagher, Melinda Monigold, Jeff McDonell, Carly Rae, and Ralph Talbot

2. APPROVAL OF AGENDA

It was moved by Member **Berry** seconded by Member **Lynch**, to approve the agenda as presented.

Motion carried, 6:0

3. APPROVAL OF THE MINUTES

A. Minutes of November 29, 2021

It was moved by Member **Amundsen** seconded by Member **West**, to approve the minutes of the November 29, 2021 meeting as presented.

Motion carried, 6:0.

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.

Crosby discussed the case, providing an update on the 5th Avenue right-of-way matter. After holding a public hearing and receiving a determination from the City Attorney that the City continues to hold 5th Avenue right-of-way south of the north side of Clarence

Street, the City Council decided no action was needed. Staff also added two conditions regarding the front façade of the homes in an attempt to address the Commissioners concerns regarding appearance. Staff recommended approval of the request subject to the revised conditions.

In response to a question from Member Lynch, Crosby confirmed that the property has a right to access Clarence Street. Member Lynch sought clarification regarding staff's statement that two units must be rentals if not for the flexibility granted by the Planned Unit Development (PUD).

Crosby explained that if the lots were split traditionally, as opposed to the envelope lots proposed, the land and building would be owned by one entity, so by default, the second unit would be a rental. The PUD allows flexibility almost like a condominium where the building is split and each half of the duplex can be individually owned.

Member Lynch responded with a question as to whether the lot could be split more traditionally and still allow for each unit to be individually owned. Kane replied that the Code currently requires duplexes in the R-4 zoning district to be on 80 foot wide lots and does not anticipate subdividing that into two 40 foot wide lots to allow for individual ownership. That option is only available through the PUD flexibility.

Member West asked for more information regarding the proposed five foot setback on the east side that staff is not supporting. Crosby stated that, as proposed, there is a fifteen foot setback between the buildings. There is no minimum setback required between structures, so the buildings could be closer together more to achieve the required ten foot setback along the east property line.

Member Berry commented that he does not believe the project fits the character of the surrounding neighborhood. The one-car garages and unit types do not match what is found in the neighborhood.

Member Lynch agreed with Member Berry, noting that he thinks the proposal is too dense. He would support the project if there was higher density residential close by, but the neighborhood is comprised of mostly single-family homes.

Member West expressed her support for the project, explaining that the City needs more housing like what is being proposed. She finds that the design does fit in with the character of the community.

Member Amundsen stated that neighborhoods change and he thinks the proposal is good because it is small incremental change; it is not a twenty unit apartment or large development. The City needs smaller square foot units as proposed.

Member Berry stated that this proposal will put more cars on the street. There is no way to guarantee the units will be bought by couples looking to downsize, the clientele the applicant originally described as likely inhabitants of the units. He believes that there will probably be young couples looking to buy and they will have more than one car, so the one-car garages will not be sufficient. The small cul-de-sac will only be able to hold a few cars. He added that the development will be in the way of residents who use the property to access the park to the west. He is unaware of any rental units in the neighborhood. A more traditional plat could supply affordable housing with rental units.

Member West commented that she did not think too many extra vehicles would be generated from the development based on experience in her own neighborhood.

Member Baltzer stated that when the proposal first came forward, the public hearing was greatly attended by members of the neighborhood who were adamantly against the proposal. This is not an easy decision and he was unsure on how he would vote.

Member Lynch reiterated that he is not against development of the property, he just thinks this proposal is too dense for the area.

It was moved by Member **West** to recommend approval of Case No. 21-1-P & 21-2-PUD, seconded by Member **Amundsen**.

Motion failed, 2:4. Members Reinhardt, Berry, Baltzer and Lynch opposed.

- B. 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 E.

Crosby discussed the case. Staff recommended approval of the request with the deletion of condition number four, since the design has changed to combine the dynamic and static portions of the sign.

Member Baltzer opened the public hearing.

Keith Hisdahl, 1977 Highway 96 E, applicant, stated that he thinks they have a really nice building and he has put a lot of money into the landscaping. He does not want to put the sign in the middle of the rain garden; he would prefer it to the side to enhance the garden.

Member Baltzer closed the public hearing.

It was moved by Member **Lynch** to recommend approval of Case No. 21-20-V, seconded by Member **Reinhardt**.

Motion carried, 6:0.

- C. Case No. 22-1-V:** A request by **Steve Anderson** for a two foot variance from the five foot side yard setback, per Code Section 1302.030, Subd.4.e, and a seven foot variance from the twenty foot rear yard setback, per Code Section 1302.030, Subd.4.h.2, in order to demolish and reconstruct a new detached garage at the property located at 4881 Johnson Avenue.

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

Member Baltzer opened the public hearing.

Steve Anderson, 4881 Johnson Avenue, applicant, thanked the Commissioners for hearing his request and staff for the support.

Member Amundsen commended the applicant's efforts to measure the neighboring driveways, stating it helped his understanding of the neighborhood.

Member Baltzer closed the public hearing.

It was moved by Member **Amundsen** to recommend approval of Case No. 22-1-V, seconded by Member **Lynch**.

Motion carried, 6:0.

- D. Case No. 22-3-V:** A request by **Cabin 61** for a two foot height variance from the four foot fence height limit, per Code Section 1302.030, Subd.6.h.7 and a 37.5 foot variance from the 75 foot required setback from the Ordinary High Water Level, per Code Section 1303.230, Subd.5.a.3, in order to retain a six foot fence and unenclosed deck at the property located at 4150 Hoffman Road.

Kane discussed the case, providing background information on how the City has been working with Cabin 61 since the onset of the pandemic to administratively approve these projects. Staff recommended approval of the request.

Member Lynch commented that the fence did not appear six feet tall. Kane replied that at its maximum height, the fence is 70 inches, or just under six feet. She pointed to a section of fencing on the site plan that is five feet five inches and noted that the fence varies in height.

Member Lynch continued that he supports bike racks, especially in anticipation of the Bruce Vento Trail, but does not think it should be mandated in this particular instance. He suggested that staff consider putting strong bike rack requirements in the Zoning

Code as part of the Code update. Kane noted that the Code does require one bike rack for every twenty parking spaces, so with 45 parking stalls, two racks are required and the restaurant currently exceeds that.

Member Baltzer opened the public hearing.

Kurt Carpenter, 1947 Rishworth Lane, applicant, thanked the City for allowing the deck in the first place, the restaurant would not have survived the pandemic without it. The project has allowed them to stay open. He asked the Commissioners to consider the seating plan requirement. The extra space gained from the deck does not mean an increase in capacity, since they are never full both inside and outside on the deck. He is concerned that the seating plan may limit their ability to be flexible on rainy or sunny days in providing tables.

Mr. Carpenter confirmed that the fence is not six feet tall and that it slopes down to about four feet when it hits the bar because they wanted to keep the visibility.

Member Amundsen asked about the current capacity of the restaurant. Mr. Carpenter explained they have 24 low top table seats, 30 high top table seats, and 18 bar seats inside for a total of 67 seats. The kitchen can only handle so much, so it is a natural control to how many people they can serve and from a serving standpoint, they are close to their limit at around 70 or so people.

Member Baltzer closed the public hearing.

Member Berry stated that his family and friends love the seating arrangement on the deck.

Member Amundsen concurred and expressed appreciation for the restaurant owners' willingness to work with the City to find a successful resolution, noting that working together is how we get better.

It was moved by Member **Amundsen** to recommend approval of Case No. 22-3-V, seconded by Member **West**.

Motion carried, 6:0.

- E. **Case No. 22-1-O:** A request by **Wold Architects and Engineers on behalf of the City of White Bear Lake** for Site Plan Approval, per Code Section 1303.245, Subd.5 to allow for significant capital improvements planned for the White Bear Lake Public Safety Building located at 4701 Highway 61.

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

Member Lynch asked about the type of vegetation that will be planted along the solid wood fence and sought to confirm that the stormwater treatment is under the parking lot. Kane deferred to the architect on questions pertaining to landscaping. She stated that the City does not have much room for a naturalized detention basin that other municipal campuses enjoy, so the stormwater treatment is located underground. The Engineering Department has been working on the design in detail and will ensure it is properly maintained.

Member Amundsen had several questions pertaining to parking including which part of the lot would be modified and whether the back 45 stalls would be exclusively for police and fire. Kane replied that only the parking lot and driveway in front of the Public Safety building would change, hopefully improving access. The back lot could also be used for City fleet vehicles as well as staff personal vehicles. It will be enclosed with secured access, which is preferred for the safety of first responders.

Kane explained there was a typo in the staff report and the plans are not conceptual, they are as complete as will be. The timeline of the construction will be based on how the City will be able to accommodate the work of the Police Department. The City has a second fire station, but not a second police station to support ongoing operations during construction.

In response to a question from Member Baltzer, Kane confirmed that the back lot would mostly be used for parking first responders' personal vehicles.

Member Reinhardt asked if staff vehicles currently in the front would be moved back. Kane replied that is the plan, as the front area will be designated visitor parking for the Public Safety Building.

Member Baltzer opened the public hearing.

Ralph Talbot, pastor at St. Mary's, 4690 Bald Eagle Avenue, he had three questions regarding the proposal. First, will there be an increase of traffic on Second Street? Second, if safety is a concern, would it be better to restrict exiting onto Second Street across the street from a school? Third, will the garage be only one story?

Kane stated that she does not believe there will be significant change in employee behavior, so she does not anticipate an increase in traffic on Second Street. First responders can enter and exit on both Second and Third Street. She explained that she would talk with the chiefs about the concern about exiting near the school. The police garage will be one level.

Member Lynch asked if officer safety has been a problem in White Bear Lake in the past. Kane replied that fortunately it has not, but due to changes in the broader field of law enforcement across the country, it is prudent to implement this change now proactively.

Derek Gallagher, Wold Architects and Engineers stated that he has been working closely with the City on the design of the building. He confirmed that the plantings on the west side of the parking lot will be shrubs.

Member Baltzer asked what the height of the training tower is proposed to be. Mr. Gallagher replied it will be about 40 feet tall and will have access to the roof of the apparatus bay.

Member Amundsen commented that there is no signage on the northwest corner denoting the police station and wondered if this was intentional. Kane stated that there will be pavement markings on Third Street designating the entrance to the training room and there will be pavement markings for police garage entry.

Member Lynch commented that neither entrance in that area is a public entrance, so perhaps signage is not desirable. Mr. Gallagher replied that the focus of the discussion surrounding signage has been on the front of the building.

Member Baltzer closed the public hearing.

It was moved by Member **Lynch** to recommend approval of Case No. 22-1-O, seconded by Member **Berry**.

Motion carried, 6:0.

5. DISCUSSION ITEMS

A. City Council Summary Minutes of January 11, 2022.

Member Amundsen commented on the new format. Kane noted it is part of the City's new branding guidelines which ensures consistency across departments.

B. Park Advisory Commission Minutes of October 21, 2021.

Member Amundsen asked if the Lions Park project was ever approved and the shelters ordered. Kane was unsure about the project status and offered to get an update for the Commissioners.

C. Chair and Vice Chair Elections.

Member Amundsen nominated Member Lynch. Member Reinhardt nominated Member Berry. After some discussion surrounding who most recently chaired the Commission, Member Berry was voted to serve as Chair.

Member Baltzer nominated Member Amundsen for Vice-Chair. Member Amundson

accepted the nomination and the Commissioners voted for Member Amundsen to serve as Vice-Chair.

6. ADJOURNMENT

There being no further business before the Commission, it was moved by Member **Lynch** seconded by Member **Amundsen** to adjourn the meeting at **8:35** p.m.

Motion carried, 6:0