



**MINUTES  
PLANNING COMMISSION MEETING  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
MONDAY, FEBRUARY 28, 2022  
7:00 P.M. IN THE COUNCIL CHAMBERS**

**1. CALL TO ORDER AND ATTENDANCE**

Vice Chair Mike Amundsen called the meeting to order at 7:00 p.m.

**MEMBERS PRESENT:** Mike Amundsen, Ken Baltzer, Jim Berry (7:03 pm), Pamela Enz, Mark Lynch, Erich Reinhardt and Andrea West

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Samantha Crosby, Planning & Zoning Coordinator, Tracy Shimek, Housing & Economic Development Coordinator, Ashton Miller, Planning Technician and Lindy Crawford, City Manager.

**OTHERS PRESENT:** Pete Edmondson and Chuck Mears

**2. APPROVAL OF AGENDA**

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

Motion carried, 7:0

**3. APPROVAL OF THE MINUTES**

A. Minutes of January 31, 2022

It was moved by Member **Baltzer** seconded by Member **West**, to approve the minutes of the January 31, 2022 meeting as presented.

Motion carried, 7:0.

**4. CASE ITEMS**

**A. Case No. 22-2-V:** A request by **Tyler and Sara Pitlick** for a 31.5 foot variance from the 35 foot side yard abutting a right-of-way setback, per Code Section 1303.040, Subd.5.c.1, in order to expand the single family residence northward by 22 feet to allow for the construction of an addition 3.5 feet from the street side lot line at the property located at 4264 Cottage Park Road.

Crosby discussed the case. Staff recommended denial of the request as proposed.

Member Amundsen sought further information regarding the portion of the house that encroaches into the right-of-way. Crosby replied that she did not have a straightforward

answer as to how the house ended up being built in the right-of-way. She did not find evidence of any past variances in the property file and thinks the encroachment may have been a construction error.

Member Berry opened the public hearing.

Pete Edmonson, Edmonson Ink Draft and Design, P.O. Box 331, Annandale. He is representing the applicants. He thanked Crosby for the time and guidance provided throughout the process. Based on the existing layout of the home, the applicants believe the proposed addition fits with the neighborhood. The original design expanded the existing west wall of the home. Since the fence runs north/south along the property line, they believed that they could build there. After a recommendation from staff, they redesigned the addition so that it jogged towards the lake by four feet. Mr. Edmonson pointed out that most of the home is within the 35 foot setback, so it would be hard to design something functional that would not need a variance. While the variance request is large, the applicants are just requesting to add to what is existing.

Mr. Edmonson asked if neighbors had offered any feedback on the proposal. Crosby stated that the neighbor of the vacant lot across the street had questions, but did not submit comments.

Mr. Edmonson stated that he observed other homes in the Cottage Park neighborhood that have similar setbacks from the right-of-way. There is a new home being built nearby that looks like the garage will be five feet from the street-side property line.

Member Berry asked if Mr. Edmonson had any discussions with the applicants about redesigning the addition after feedback from staff. Mr. Edmonson confirmed that they originally submitted a design that was flush with the existing home, and later moved it back four feet. It was their belief that four feet was the maximum they could go and incorporate the redesign of the hallway, bedrooms and bathroom. He acknowledged that they could redesign anything, but the applicants did not want to move closer to lake, which could start to affect sight lines of the lake for the neighbor to the north. The applicants were also trying to preserve the patio and minimize disturbing the landscaping.

Member Berry sought to confirm that the applicants bought the house in October thinking they could add on. Mr. Edmonson stated yes, they saw the existing fence and did not think to check on setbacks, easements or other encumbrances.

Member Amundsen commented that an addition would cause the property to exceed the 30% impervious surface limit and asked if the applicants would be open to constructing a rain garden as a condition of approval for a revised variance request. Mr. Edmonson stated that the homeowners are not opposed to installing a rain garden or other stormwater infiltration feature.

Member Enz commented that proceeding with a design without a survey is unusual. This area of town is unique and a survey would have helped determine what is permitted on the property. She wondered why Mr. Edmonson thought to move forward with a design without a survey. Mr. Edmonson replied that they worked with a rough footprint sketch of the property. They knew the lot was nonconforming and that is where the discussion started.

Member Enz asked if there has been any thought put into redesigning the addition based on the City's recommendation of denial. Mr. Edmonson explained that they would need to "go back to the drawing board". They would need to adjust, slide, or remove some of the features.

Chuck Mears, 4274 Cottage Park Road, he has lived at the property since 2005. He is directly north of the subject site. He noted that there are five homes now in the neighborhood that encroach into the setback. He was at those other variance request meetings. The neighborhood is eclectic. He has no problem with the proposal. He spoke to the surveyors when they were out surveying the property. No one knows why the house was built in the right-of-way, but everyone is used to it. He does not think that the request to add to what is existing is unreasonable.

Member Berry closed the public hearing.

Member Reinhardt asked if staff had a specific distance it was recommending the addition be pushed back. Crosby responded that staff had not done an analysis prior to submittal, but had asked the applicants to provide as much setback as the design would allow. Staff believes a better effort could be made to push the addition back further.

Member Berry inquired if the 12.25 foot average setback put forth by staff in the report was the recommended setback. Crosby confirmed it was something to aim for.

Member Lynch commented that the lot is large, and there is a lot of space in the back. He wondered if it was possible to turn the addition 90 degrees. He believes a variance will be required for any addition, but he would like it to be reworked to be at least 12 feet back. He is worried that every request in this area is getting closer to the street using the justification that their neighbors are similar. Providing a larger setback will help reduce the creep that is occurring, and it seems doable when starting from scratch with an addition.

Mr. Edmonson explained that the 12 foot setback would be hard to achieve because it would need to wrap around the corner. He cannot imagine a redesign that would be able to provide a 12 foot setback.

Member Lynch acknowledged a 12 foot setback will cause the addition to be a little pinched, but he believes a different design is there and worth looking into.

Member Baltzer stated that he has been inside the house and it looks different from the outside. He tends to agree with the designer that it would be hard to redesign with a 12 foot setback. Nothing is conforming in Cottage Park and he does not think the project will be much of an impact on the neighborhood as a whole. He provided the history of an old cabin home that used to sit on the lot. He wonders if the footprint was used for the new home and that perhaps a survey was not completed at that time.

Member Enz noted that the proposed addition is away from the corner and will not block visibility, so she is generally supportive of the addition, but she encouraged the designer to push it back a bit more to break up the appearance of the house. She would like to avoid the home becoming a huge uninviting mass, which would not fit with the character of the existing neighborhood.

Member Lynch added that architectural elements could be incorporated to lessen the feel of a big wall.

Member Amundsen stated that he prefers the proposed design because it preserves the large portion of green space on the north side of the property. The neighbor's support for the project is important and he thinks this is potentially as good as it gets.

Member Reinhardt agreed that as long as northward expansion is ok, he supports the request.

Lindy Crawford, City Manager, asked the Commissioners to consider the practical difficulty for the variance.

Member Berry stated that he does not see a practical difficulty. There is room to build an addition on the home, but it may not be the size the homeowners are currently looking for. There is not a hardship the applicants are trying to overcome with this request.

Member Lynch laid out the three options he believed the Planning Commissioners had in ruling on the case. They could approve the request as presented, deny it, or approve a lesser variance by asking the applicant to come back next month with a different proposal.

In response to a question from Member Amundsen, Crosby confirmed that the applicants would be required to pay the fee again to re-apply if the current request was denied.

Member Berry asked if the Commissioners could continue the case to next month. Crosby responded that it is possible, but recommended asking the applicants about timing and the ability to redesign the request before next month's meeting.

Mr. Edmonson stated he has no clear vision on what to bring back to applicant and could not provide guidance on how to redesign the addition in a manner that would be accepted by the City.

Member Baltzer stated the Commissioners are not designers and should either approve or deny the request as it has been presented.

It was moved by Member **Lynch** to recommend denial of Case No. 22-2-V, seconded by Member **Enz**.

Motion carried, 5:2 Members Baltzer and Reinhardt opposed.

## 5. DISCUSSION ITEMS

### A. Housing Task Force Report Presentation.

Housing and Economic Development Coordinator Tracy Shimek presented an overview of the report. The task force was created in April of 2021. It worked to identify the housing needs and opportunities in White Bear Lake and put forth a variety of goals and recommendations on potential policies, programs and development priorities for the City Council's consideration.

Member Reinhardt sought more information on the recommendation to create a separate advisory board. Shimek explained that it would be an advisory board to the City Council. It would not necessarily provide recommendations of approval or denial; rather it would offer analysis on whether specific projects fit within the broader policies, priorities and goals of the City. There would not be a focus on the land use issues that come before the Planning Commission.

Member Reinhardt asked if staff already fulfilled that role. Shimek replied that it would allow the public to comment at a non-staff level. The advisory board is meant to provide the opportunity to invite the community to comment. Staff has heard from community members that they want more involvement in development projects. The specifics of how the committee would be set up have not been determined.

Member Reinhardt commented that it could potentially add complexity to the process that scares developers away from the City. Shimek explained that it is meant to take some of what staff does in guiding developers to a more public forum. It is meant to give the community more voice, so there is more community buy-in and to create a more open and transparent process.

Member Berry asked how the meetings would be different from the neighborhood meetings that are currently held by developers. Shimek stated that they would be an opportunity for broader community input as opposed to focusing solely on adjacent neighbors. The process gives developers the ability to gauge whether the community as a whole wants the project. She explained that a lot of money is poured into projects even before neighborhood meetings. This process would give developers the opportunity to hear from the City Council on whether the project should move forward.

Member Berry commented that there may be support for projects at the community-wide level, but the response could still be different at the neighborhood meeting from those directly affected by the project. Because there are so few opportunities to redevelop, he wondered about the feasibility of having higher-level discussions when properties within the City become available.

Shimek noted that other communities have predevelopment review processes, so the City would look to model what is already being done. She does not think the intent is to extend the length of the process, just bring it out to the public sooner.

Crawford commented that the City Council has not had the opportunity to discuss much of what has been recommended in the report. The advisory board may or may not be implemented; however, redesigning the predevelopment meeting process is low hanging fruit. She wants to give the new council and new staff members time to discuss, because a lot of good recommendations came out of the task force report.

Member Reinhardt commended the work done by the task force and supports efforts to reduce the costs incurred by developers in the predevelopment phase. He thinks that rather than adding another layer, the whole process should perhaps be redeveloped. He supports getting feedback from the public earlier.

Member Baltzer noted that however the process is structured, the City should weigh the impact on developers so they are not scared away.

Member Lynch observed that the people who typically participate and comment in this type of forum are those who feel strongly about the City's housing needs. However, there are a lot of people who probably prefer low-density single-family housing. When the opportunity arises to redevelop, there is going to be conflict, and he is not sure how to resolve that. He thinks it will be hard to meet the housing needs of the City, but it is worth doing.

Crawford agreed that it is hard, pointing to the projects that have already come before the Planning Commission. She reiterated that there are predevelopment procedures used by others that the City can look to for guidance.

Member Enz praised the work done by the task force. She participated in a few of the

workshops and learned a lot. She thinks educating the public about housing needs is the place to start.

Member West enjoyed being on the task force. It was a lot of information all of the time and there were many conversations between the diverse group of people that served on the task force. Based on personal experience, there are few options in White Bear Lake to downsize and due to the high cost of housing, her children cannot afford to live in the City. She reiterated the need to create affordable housing, so that those who work in the City can afford to live in it.

Member Enz recommended the Minnesota Design Team as a resource for addressing the City's housing needs. She looks forward to a time when her children can buy a home in White Bear Lake without going house poor and that those who work in the retail stores in downtown can afford to live in the neighborhood.

B. City Council Summary Minutes of February 8, 2022.

No Discussion

C. Park Advisory Commission Minutes of November 17, 2021 – Not Available.

No Discussion

**6. ADJOURNMENT**

There being no further business before the Commission, it was moved by Member **Baltzer** seconded by Member **Enz** to adjourn the meeting at **8:29** p.m.

Motion carried, 7:0