



**MINUTES
PLANNING COMMISSION MEETING
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
MONDAY, MARCH 27, 2023
7:00 P.M. IN THE COUNCIL CHAMBERS**

1. CALL TO ORDER AND ATTENDANCE

- MEMBERS PRESENT:** Mike Amundsen, Ken Baltzer, Jim Berry, Pamela Enz, Mark Lynch, Erich Reinhardt, Andrea West
- MEMBERS ABSENT:** n/a
- STAFF PRESENT:** Jason Lindahl, Community Development Director; Ashton Miller, City Planner; Shea Lawrence, Planning Technician; Nate Christensen, Assistant City Engineer
- OTHERS PRESENT:** Barb Bicha, Karen Larson, Jeremy Post, Brie Enz, Will Enz, Alastair Downie, Mary Pollard, Sean Higgins, Joe Kimball, Tim Martin, Jim Galvin, Dustin Holman, Linda Martin, Tim Wald

2. APPROVAL OF AGENDA

It was moved by Member Lynch and seconded by Member West to approve the agenda as presented.

Motion carried, 7:0.

3. APPROVAL OF THE MINUTES

A. Minutes of February 27, 2023

It was moved by Member Baltzer and seconded by Member Enz to approve the minutes of February 27, 2023.

Motion carried, 7:0.

4. CASE ITEMS

- A. Case No. 21-3-CUPa:** A request by **White Bear Lake Area Schools** for a conditional use permit amendment, per code section 1303.245, Subd.2.c.4, in order to add bleachers at the athletic stadium for a maximum capacity of 5000 seats at the property located at 5045 Division Avenue.

Jason Lindahl, Community Development Director, discussed the case. Staff recommended approval of the request as proposed.

Member Reinhardt asked about the current capacity of the South Campus stadium. Lindahl responded that he believes it is about 4,800.

Member Enz asked for clarification about the report including conflicting references about which campus will be hosting football. Lindahl explained that in the staff memo there were quotes from the original Environmental Assessment Worksheet (EAW) report when it was still the intention to keep hosting football at South Campus.

Member Enz asked about what type of noise control methods will be in place during games. Lindahl explained that the original noise analysis was done prior to the decision to move football to North Campus, and that no further analysis has occurred at this point. Lindahl explained that the noise study measures noise over a period of time which would include sudden spikes in noise but doesn't do anything to specifically address those spikes.

Member West asked how the plan for the stadium came to include 5,000 seats, increasing from the original plan for 1,500. Lindahl explained this was the applicant's request and they could help answer how they came to this number.

Member Berry opened the public hearing.

Tim Martin 4820 Bald Eagle Ave, expressed his opposition to the proposal and that he hopes it is delayed or rejected. He explained that residents were initially told that the school district's short term plan was to continue hosting football at the South Campus location. He added that because the expansion of the school is not completed yet, they don't know what the impacts that the school expansion alone will have on the neighborhood. He noted that Ramsey County hopes to expand the Bruce Vento Trail in the neighborhood which will also have impacts to the neighborhood. The impacts of all this needs to be understood prior to approving this project.

Joe Kimball of 4930 Walnut St, expressed various concerns about the proposal including parking on game nights, previous concerns from the Fire Department about access and an increase in traffic on Walnut from people using it as a shortcut.

Jeremy Post of 2068 3rd St, and an employee of the school district, explained that he understands the concerns people have but expressed his support of the proposal. He explained that the South Campus stadium is also in a residential neighborhood and that congestion and traffic is standard at South Campus football games as well. He added that there isn't land within the city to build a football stadium where it won't impact neighborhoods with parking and traffic. He continued that Marketfest is an example of an event that occurs throughout the summer that leads to additional street parking, but the benefits of that event outweigh the burden of additional traffic and street parking. He added that in regards to additional events, they are essentially talking about

additional traffic and street parking during 4 football games which is not a huge sacrifice to make. He explained that approving this proposal would be a great benefits to the students and community. He believes that there are many other people who are supportive of the proposal, who don't attend these meetings.

Alastair Downie of 1988 Campbell Circle, explained that he appreciates the engagement the school has done, but overall expressed concerns about the proposal. He explained that the campus will never be inclusive of all sports games, baseball and softball will continue to be hosted at South Campus, so the argument that this would unify the campus is not entirely accurate. He continued to say that there are parking and traffic concerns that need to be resolved because as is, the neighborhood is not capable of the increased use.

Jim Galvin of 4702 Wood Ave, a former math teacher and football coach with the district expressed his support for the project. Galvin provided an overview of the football traditions and history in White Bear Lake including that high school football used to be played at Price Field, which is near North Campus. He explained that it would have a great impact on the players if they are able to play football right outside their own school instead of needing to be bussed across town. He also added that moving football could have great benefits to the businesses in White Bear Lake, with people visiting for football games and driving past the local businesses.

Mary Pollard of 2321 5th St, explained that she understands that football was always intended to eventually move to North Campus, but that it is untenable in the area. She explained that she doesn't think it would be wise to approve this project which would increase traffic.

Dustin Holman of 4961 Campbell St., explained that he empathizes with the concerns of other nearby residents but overall expressed his support for the project. He emphasized that the proposal includes plans to modify Bald Eagle Ave to address traffic concerns. He also added that he believes the parking capacity at North Campus will be greater than it currently is at South Campus. He explained that homecoming events create an important experience for students and believes that 4 extra events at North Campus is worth it and that he is hopeful this project will pass.

Linda Martin of 4820 Bald Eagle Ave explained that it won't only be football that takes place at North Campus, but there will be 20 events in both spring and fall semester at this location. She questioned why all these events need to be moved to North Campus and that more than football needs to be considered when reviewing this proposal. She also noted that the school will see an influx of about 600 cars on a daily basis once the juniors and seniors move to North Campus.

Barb Bicha of 4965 Lamire Lane, explained that Lamire Lane and the neighborhood currently experiences a lot of traffic with school dismissal. She asked if studies have been completed in regards to traffic resulting from regular school sessions.

Tim Wald, the Assistant Superintendent for Finance and Operations for White Bear Lake Area Schools expressed his thanks to City Staff and the Planning Commissioners. He explained that beyond the neighborhood meeting he's heard from about three other people in regards to the proposal.

Member Berry stated that when parent drop off and buses are located in the same space it causes congestion, but the plans seem to indicate they will be separated. Wald confirmed that their plan is intended to mitigate that rush of traffic. Parent drop off will be located on the Division Ave side of the property. Wald also stated that many of their football games will result in less traffic than a typical school day creates, but that homecoming is an exception to that.

Member Berry mentioned that there was an unofficial count done within the first weeks of school that counted about 470 parent drop off cars one morning. Wald responded that he thinks that is reflective of a typical day.

Member Baltzer asked if Wald could clarify the number of events North Campus will be hosting as brought up by one resident. Wald explained that in the original Condition Use Permit agreement that they were planning to host boys and girls soccer, lacrosse and track and field at North Campus. This would be 16 events in the spring and 19 events in the fall, with some of them being double headers. He explained that a typical soccer or lacrosse game would draw a much smaller crowd of about 200-400 visitors.

Member Enz asked if it would be a safe to assume that the additional bleachers are really only needed to accommodate football. Wald responded that South Campus has seating for 4800 right now and that they don't fill that stadium up for football even during their homecoming which had 3,800 spectators. He explained that the seat count is based on 18 inches per seat for the bleachers but in reality people don't sit that close together.

Member Amundsen asked for clarification on why the school is planning to move football to North Campus sooner than they originally indicated. He asked if the school district decided to move football sooner because they own more of the neighboring properties now than when they originally went through the conditional use permit process. Wald explained that they originally did not have the space at North Campus to make it work. They now are able to expand their parking to more than double the parking at South Campus. He added that they intend to work with the City on parking mitigation measures.

Member Amundsen asked for confirmation that football would be moved to North Campus only after the road improvements are complete and the school is unified. Wald confirmed that is the plan. Football would still be played at South Campus in the fall of 2023.

Member Berry closed the public hearing.

Member Enz added that the traffic study that was included in the packets was helpful in addressing some of the concerns regarding traffic in the neighborhood.

It was moved by Member **Amundsen** to recommend approval of Case No. 21-3-CUPa, seconded by Member **Enz**.

Member Amundsen added that the conditions for the school have changed since they originally went through the approval process and that he looks forward to going to a football game and nearby restaurant.

Member Enz explained that there are a lot of small towns that celebrate football in a really big way despite having less parking. Football could bring people to White Bear Lake who haven't visited in a while.

Member Berry added that if the noise study is conducted it should occur during a football game.

Motion carried, 7:0.

- B. Case No. 23-10-V:** A request by **McNeely Music Center** for a variance from the 10 foot property line setback, per sign code section 1202.040, subd.2.B.1, in order to construct a freestanding dynamic display sign 3 inches from the street side property line on the property located at 4910 Highway 61.

Ashton Miller, City Planner, discussed the case. Staff recommended denial of the request as proposed.

Member Lynch asked if a sign attached to the building can be a dynamic sign. Miller responded that no, that is not permitted.

Member Berry opened the public hearing.

Sean Higgins, the architect for the McNeely Music Center project, distributed renderings of the proposed sign and images of nearby signs. Higgins provided an overview of the Manitou Fund and McNeely Music Center's purpose of community engagement and music. Higgins stated that the goal of the zoning ordinance is to improve public safety and aesthetics, so they planned to place their sign so it's facing traffic and drivers don't

have to turn their heads to read it. He explained that they designed the sign while trying to be consistent with the City's Comprehensive Plan. Higgins explained that the property is oddly shaped and it was a challenge to design the property when considering the setbacks and safety requirements. He continued that the proposed sign would be 32 feet and 7 inches from the roadway surface.

Member Enz asked why the applicant wants a dynamic sign. Higgins responded that they plan to use the sign for branding and to display info on their classes and events.

Member West asked for clarification on the images Higgins distributed to the commissioners. Higgins explained that the images include examples of nearby signs in relation to the right of way.

Member Berry asked if the plans for the sign were discussed when they were initially working on their design plan for the facility with the Sam Crosby, the former City Planner. Higgins responded that they had discussed signage but intended to apply for it when they were further along in the construction process.

Member Berry asked if they changed the foundation of the building when they reconfigured the building. Higgins responded that the building is in basically the same footprint as before.

Member Lynch asked about alternative locations for the sign. He asked if a parking spot could be eliminated to accommodate the sign. Higgins responded that they worked with the Fire Department and former City Planner during the design process for the parking lot to reach an adequate number of parking spots while still considering emergency vehicle access. Another location on the lot would require the removal and replacement of a tree which would be costly.

Member Baltzer added that he's never seen a request for a variance of down to 3 inches.

Member Berry closed the public hearing.

Member Amundsen asked staff if the applicant can apply with the state to have a sign in their right of way, and reference a recent sign application that the state got involved with. Miller responded that the recent sign application that was reviewed by the State was in regards to an off premise sign that the State considered a billboard. Miller added that staff doesn't anticipate that the state would have comments on the McNeely sign proposal because this sign would be located on the applicant's property. Miller continued that the sign's footings actually encroach into the right of way and staff believe that the State would have some concerns about that. Miller explained that there is a process with the state for vacating land, but she is unsure if the State has any intention of vacating their right of way.

Member Lynch added that while it currently looks like 32 feet of greenspace between the roadway and the sign, the right of way belongs to the State, who could in theory decide to do something with space. Member Lynch explained that he agrees with staff that the variance would not be in harmony with the intent of the ordinance and that the design of the lot is what has created a challenge for the placement of the sign.

Member Berry explained that he is concerned about setting a precedent for constructing a sign so close to the right of way.

It was moved by Member **Lynch** to deny Case No. 23-10-V, seconded by Member **Reinhardt**.

Motion carried, 6:1.

Member Enz opposed.

5. DISCUSSION ITEMS

- A. Case No. 23-8-C:** A presentation by **WBL DigniSuites RE, LLC** of their Concept Plan proposing to redevelop the property located at 2687 County Road D East and construct an approximately 6,000 sq. ft. nursing home facility with 14 units.

Miller discussed the case.

Member Lynch asked staff if the Concept Plan review process covers both if the applicant would plan to proceed with a PUD application or a rezoning and conditional use permit application. Miller answered yes.

Brian Wings, applicant and resident of 3900 Van Dyke St, explained he has been in the senior living business for about 25 years and DigniSuites is the newest model he is exploring and he intends to open about 5 more of these facilities in the Twin Cities area.

Member Enz asked the applicant to provide some more information on the model of this care facility. Wings explained that they will use prewired telehealth in the facility along with the assistance of care givers. It will be an activity based model to get residents out of their rooms during the day. The intent is to have activities continually offered so the suites would mostly be used for sleeping. The facility would have a residential style commercial kitchen and central communal living spaces.

Member West asked if they will be equipped to deal with people with dementia. Wings responded that that is their primary focus. It will be a high care and secure building. Member West also asked about the affordability of the suites. Wings responded that

he has a contract with Medicaid and their goal is that 20 percent of their payments will come through Medicaid and 80 percent will be through private payments.

Member Amundsen asked about the site plan and parking on the site. Wings responded that based on his experience at other locations, they have more than enough parking for staff and visitors based the amount of residents they will have. He also added that they plan to do a lot of landscaping to the property so it looks like an inviting place that people want to live. He also mentioned that they will put up a fence as required for licensing.

Member Amundsen asked if there is flexibility in their design to reorient the parking spaces. Wings responded that he is used to the process of working within a site and that they do what they can to make the space work and keep it affordable.

Lindahl explained that rezoning to get the right use for the applicant makes sense for the site. After rezoning, the applicant could either design the site to meet the standards for that zone or would go through the PUD process and work to minimize the deviations. Lindahl added that the encroachment into the Met Council easement and storm water easement may be a significant challenge for the applicant to solve. Wings explained that he is okay with using underground storage for storm water management.

Member Amundsen asked if there is a potential for a lot split on the property. Wings explained that the property will be split because he will only be purchasing the part of the property south of County Rd D.

Wings added that he has a lot of experience working with cities throughout the development process.

Lindahl asked if it was the consensus of the Planning Commission that they were generally supportive of the Concept Plan. All commissioners responded yes.

Member Enz stated that the proposed zoning change for the property would serve as a nice transition with nearby residential area.

B. City Council Meeting Overview

Lindahl provided an overview of the Planning Commission cases that went before City Council on March 14. The cases included a variance to rebuild a house on Lake Ave and a Conditional Use Permit to operate a daycare facility on Wildwood Rd which were both approved by City Council. Lindahl also explained that Element-Design Build presented their Concept Plan before City Council to build apartments at the southeast corner of County Rd E and Bellaire Ave. Lindahl explained that four councilmembers seemed generally supportive of the idea and one was opposed. Lindahl added that staff have since met with the applicants and that they are working to adjust their plans to address

the feedback they have received throughout the Concept Plan review process. The applicants plans to come before the Planning Commission next month with a PUD application.

Lindahl added that the process to revise and update the zoning code has started. The RFP has been published and the response deadline will be April 7th. After the deadline, staff will score proposals and conduct interviews. Once staff selects a preferred consultant they will go before City Council for approval hopefully by the end of May. Staff hopes the work with the consultant will officially kick off in the beginning of July.

Member Enz asked if the Planning Commission will be involved in the zoning code update process. Lindahl answered yes. He explained there will be a significant amount of community engagement and staff plans to have a steering committee involved in development process of the zoning code which would have some planning commissioners on it. Lindahl also added that he plans to have consistent updates from staff and the consultants for the Planning Commissioners throughout the process. Lindahl explained there will also be updates on the City's website about the process.

Member Amundsen asked if the RFP states why there is a need for a zoning code update, or if the steering committee is meant to outline the reasoning. Lindahl responded that the RFP is available on the City's website and that it speaks generally to the rationale behind the need for zoning code update and the consultant's role. He explained the consultant will look at the 2040 Comprehensive Plan and other studies the city has conducted including the arts district study and the County Rd E study to put together a document that is a framework and wish list of what should be included in the updated zoning code. That framework will be the guiding document when updating the code. Lindahl explained the consultant will likely breakdown our current code into various sections and rewrite the individual sections and then have check in meetings about it. Following this, there would be a draft zoning code put together. Lindahl added that there would then likely be a community wide open house for the draft zoning code.

Member Enz asked if state ordinances take precedence over city codes. Lindahl explained that zoning authority is specifically prescribed to local government by the state, but there are certain things that all municipalities are bound to by the state, such as public hearings, review timelines, notices and more. He added that generally, local government have the discretion to set their own local zoning regulations.

6. ADJOURNMENT

There being no further business before the Commission, it was moved by Member **Enz**, seconded by Member **Baltzer** to adjourn the meeting at 9:11 p.m.