

MINUTES
PLANNING COMMISSION MEETING
CITY OF WHITE BEAR LAKE
July 30, 2018

The regular monthly meeting of the White Bear Lake Planning Commission was called to order on Monday, July 30, 2018, beginning at 7:00 p.m. in the White Bear Lake City Hall Council Chambers, 4701 Highway 61, White Bear Lake, Minnesota by Chair Jim Berry.

1. CALL TO ORDER/ROLL CALL:

MEMBERS PRESENT: Jim Berry, Ken Baltzer, Mary Alice Divine, Mark Lynch, Erich Reinhardt, and Peter Reis

MEMBERS EXCUSED: Marvin Reed.

MEMBERS UNEXCUSED: None.

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

OTHERS PRESENT: Bob Adamson, Ron Christy, Pat Christy, Paul Corcoran, Tammy Corcoran, Tracey Montgomery, Jim Froehle, Barb Froehle, Tim Boucher, Nicole Boucher, Tom Fredericks, Emily Fredericks, Paula Miller, Sister Mary Xavier, Sister Mana Rosaria, Greg Pariseau, Mary Pariseau, Paul Husnik, Peggy Specker, Christopher Hughes and Tim Sullivan.

2. APPROVAL OF THE MONTH JULY 30, 2018 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 MONTH JUNE 25, 2018 PLANNING COMMISSION MEETING MINUTES:

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

4. CASE ITEMS:

A. **Case No. 18-5-V:** A request by **Leah Nicholson** for an 8 foot variance from the 30 foot rear yard setback requirement, per Code Section 1303.060, Subd.5.c.3; a 5 foot 3 inch variance from the 30 foot setback requirement required along a side abutting a public right-of-way, per Code Section 1303.230, Subd.5.a.4; and a 1 foot variance from the 2 foot maximum encroachment for an eave, per Code Section 1302.040, Subd.4.a.1; all in order

to construct a 733 square foot attached garage with a second floor addition above for the property located at 2309 10th Street. Withdrawn at the request of the applicant.

- B. **Case No. 18-3-CUP & 18-11-V:** A request by **Tracey Montgomery** for a Conditional Use Permit for a Home Accessory Apartment, and a variance to allow the habitable area of the accessory unit be 51% of the habitable area of the principal unit, both per Code Section 1302.125, in order to construct an accessory dwelling unit in the basement of the property located at 22XX 11th Street.

Crosby discussed the case. Staff recommended approval subject to conditions laid out in the staff report.

Member Divine asked for further explanation as to why the number of occupants allowed in the accessory unit would be capped at one, despite the square footage of the unit allowing for more. Crosby explained that the driveway was small and parking would be tight with an increased number of tenants. This condition would not apply to guests.

Berry opened the public hearing.

Christopher Hughes, 4984 Stewart Ave. He asked if an Airbnb is considered rental property and noted that this unit appears to be tailor made for such a situation.

As no one else came forward, Berry closed the public hearing.

Member Reinhardt asked if rentals are inspected by the City. Crosby acknowledged that they are licensed and inspected bi-annually.

Member Reis moved to recommend approval of Case No. 18-3-CUP and 18-11-V. Member Lynch seconded the motion. The motion passed by a vote of 6-0.

- C. **Case No. 18-9-V:** A request by **BCD Homes** for a 7 foot variance from the 25 foot setback required along a side abutting a public right-of-way, per Code Section 1303.060, Subd.5.c.2, and a 10 foot variance from the 30 setback required from the rear property line for an attached garage, per Code Section 1302.030, Subd.4.e, allowing the applicant to un-unify the two underlying lots of record the for the purpose of constructing two new single-family residences on the former Lakeshore Players property (4820 Stewart Avenue). (Continued at the request of the applicant.)

Crosby discussed the case.

Berry opened the public hearing.

Jim and Barb Froehle, 2277 5th Street. The pair thanked City staff for not allowing an oversized house on the lot. Jim asked if the City had been in contact with the White Bear Lake historical society. The Froehles expressed sorrow over the loss of an old building and felt it important to preserve in some way.

Jim Froehle also questioned how two houses on such small lots would affect the neighborhood.

As no one else came forward, Berry closed the public hearing.

Crosby noted that the Historical Society had been working with Lakeshore Players prior to the sale of the property. Crosby requested the Commission continue this item to the August Planning Commission meeting at the request of the applicant.

The Planning Commission agreed to continue the item to the August 27, 2018 Planning Commission meeting.

- D. **Case No. 18-8-V:** A request by **Greg & Mary Pariseau** for a 15-foot variance from the 30-foot setback required along a side abutting a public right-of-way, per Code Section 1303.230, Subd.5.a.4, in order to demo the existing single family residence and build a new single family residence at 4895 Morehead Avenue.

Crosby discussed the case. Staff recommended approval of the variance subject to conditions in the staff report.

Member Lynch asked if the City had a policy addressing teardown and rebuilds. He wondered if this is becoming more common and if there is a way to both retain and improve the City's housing stock. Crosby noted that this is something City staff may want to address in next year's zoning code overhaul.

Berry opened the public hearing.

Christopher Hughes, 4984 Stewart Avenue. He asked if the current house on the property was also non-conforming. Crosby responded that it was, and that the proposed house is an improvement over the existing conditions.

As no one else came forward, Berry closed the public hearing.

Member Reinhardt wondered if any of the existing corner lot homes meet current zoning regulations. Kane stated that there are probably not many in this neighborhood and that this is an area the City would like to study further.

Member Reis moved to recommend approval of Case No. 18-8-V. Member Baltzer seconded the motion. The motion passed by a vote of 6-0.

- E. **Case No. 18-4-CUP & 18-10-V:** A request by **St. Ann's Chapel Inc.** for a Conditional Use Permit to establish a Convent in an R-3 Single Family Residential zoning district, per Code Section 1303.030, Subd.4.a, in order to expand the existing residence to accommodate 10 nuns and a variance to reduce the side yard setbacks from 20 feet to 10 feet at 2436 Spruce Place.

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

Member Divine asked for clarification on the 20 foot setback. Kane stated that because the applicants were requesting a permit for a convent in the R-3 zoning district, the required side yard setbacks double.

Berry opened the public hearing.

Ron Christy, 2422 Spruce Place. He offered a history of the house.

Sister Mary Xavier, 2436 Spruce Place. She thanked staff and the planning commission for working with the Sisters on the project.

Peggy Specker, 2416 Spruce Place. She expressed several concerns with the expansion. She stated that drainage may be an issue and asked how it would be addressed. She was also worried about the increase in noise and light pollution as the congregation expands. Lastly, she wondered how the convent would affect property values in the surrounding neighborhood.

Kane responded that she would ask the engineering department to look into the drainage of the area and how flooding can be mitigated. She noted that noise levels are regulated by the state, that the lighting can be reviewed, and that she was unsure of the effect on property values.

Member Lynch asked about impervious surface and whether rear yard coverage was an issue. Kane responded that due to the great depth of the lot, impervious surface coverage was not a factor.

Paul Corcoran, 2444 Spruce Place. He reiterated that drainage is an issue in this area. Ron Christy concurred and proclaimed this neighborhood to be the lowest spot in White Bear Lake.

As no one else came forward, Berry closed the public hearing.

Member Reinhardt asked if the abutting hill would need to be cut into in order to build the addition.

Tim Sullivan, Architect. He stated that a study would need to be done to determine where the water should go.

Tom Fredericks, 3354 Bellaire Avenue. He commented that work has been done to address the drainage issues in the neighborhood, including the installation of a drain tile and a curb and gutter around the church parking lot.

Member Reis moved to recommend approval of Case No. 18-4-CUP and 18-10-V with the additional condition that engineering staff work with neighbors to resolve drainage concerns. Member Baltzer seconded the motion.

The motion passed by a vote of 6-0.

5. DISCUSSION ITEMS:

A. City Council Meeting Minutes of July 10, 2018.

No discussion.

B. Park Advisory Commission Meeting Minutes of July 19, 2018 – not available.

6. ADJOURNMENT:

Member Baltzer moved to adjourn, seconded by Member Reis. The motion passed unanimously (6-0), and the July 30, 2018 Planning Commission meeting was adjourned at 8:09 p.m.