

**MINUTES
PLANNING COMMISSION MEETING
CITY OF WHITE BEAR LAKE
MAY 20, 2019**

The regular monthly meeting of the White Bear Lake Planning Commission was called to order on Monday, May 20, 2019, beginning at 7:00 p.m. in the White Bear Lake City Hall Council Chambers, 4701 Highway 61, White Bear Lake, Minnesota by Chair Marvin Reed.

1. CALL TO ORDER/ROLL CALL:

MEMBERS PRESENT: Ken Baltzer, Mary Alice Divine, Mark Lynch, Marvin Reed, and Erich Reinhardt.

MEMBERS EXCUSED: Jim Berry and Peter Reis.

MEMBERS UNEXCUSED: None.

STAFF PRESENT: Anne Kane, Community Development Director, Samantha Crosby, Planning & Zoning Coordinator, Tracy Shimek, Housing & Economic Development Coordinator, and Ashton Miller, Planning Technician.

OTHERS PRESENT: Anne Lindgren, Kathy Dixon, Maureen Michalski, Kathleen Fick, Marcie Weslock, Trevor Martinez, Patrick Collins, and Karen Bushee.

2. APPROVAL OF THE MAY 20, 2019 AGENDA:

Member Lynch moved for approval of the agenda. Member Baltzer seconded the motion, and the agenda was approved (5-0).

3. APPROVAL OF THE APRIL 29, 2019 PLANNING COMMISSION MEETING MINUTES:

Member Baltzer moved for approval of the minutes. Member Divine seconded the motion, and the minutes were approved (5-0).

4. CASE ITEMS:

A. **Case No. 19-1-P & 19-1-PUD:** A request by **Schafer Richardson** for Development Stage Planned Unit Development, per Code Section 1301.070, and a Preliminary Plat, per Code Section 1402.020, of the five parcels at the northwest corner of County Road E and Linden Avenue, in order to construct a new 4-story, 193-unit market-rate apartment building.

Crosby discussed the case. Staff recommended approval of both requests with a number of conditions.

Member Divine wondered how the project provides a higher level of design compared to what the City would expect in any other build. Crosby listed a number of features including the residential roofline, window moldings, stone base, shake hardie board, tree trenches, recycling shoot, and electric car charging stations, all of which go above and beyond what is required by code. Kane added that the number of balconies and patios provide articulation to the building façade.

Member Lynch requested a definition of tree trenches. Crosby provided a description of the stormwater management technique, noting the key components to be a depression in the ground and planted trees.

Member Divine questioned if there were any special amenities on the inside, such as rooms for parties. Crosby noted the large lobby area and freezer section for mail deliveries. She deferred to the developer for more information on community amenities.

Member Divine commented that the 69 percent of units that will be studios and one bedrooms seems high and not conducive for families. Crosby confirmed the unit makeup is based on a combination of experience and a market study.

Member Divine asked why an area on the site plan went from green space at the concept stage to future parking in the development stage, what the size of that area is, and why there is no landscaping there. Crosby was unsure of the exact size, but described how the area is to be set aside as a part of the proof of parking agreement. In terms of landscaping, the developers want to wait and see how the area will be used and it appears that some of the neighbors would prefer it to stay natural.

Member Divine pointed out that while the County is only allowing a right-in/right-out, the staff report leaves the possibility for a three-fourths access onto County Road E. She also asked if there is enough room on Linden Avenue for the installation of a right turn lane. Crosby explained that she wanted to write the recommendation as loosely as possible to allow for potential changes and that there is anecdotal evidence that the shoulder is wide enough to allow right turns from southbound Linden Avenue while other vehicles wait at the light.

Member Reed asked if staff knew the County's logic for rejecting a three-fourths access onto County Road E. Crosby reported that the county believes any access at all is a compromise and is not willing to give more concessions. She added that the county is also requiring the installation of a median in the center of the road to prohibit illegal turns.

Member Divine sought clarification on the mechanical louvers as denoted on the elevations and if they emit noise. Kane replied they are magic packs, which allow residents to individually control their heating and air conditioning. They emit a low hum similar to other small units.

In reference to the triangle parcel on Block 2, Member Lynch asked how quickly the dedication would be transferred to the City, as it appears the Stadium is still using it for parking. Crosby explained that the City is asking the developer to grant the land as a separate dedication after the plat, which gives more flexibility to the City. This may not happen for a while, so there should

not be any issues with parking. Kane added that the dedicated land will be used as passive park space for the Bruce Vento Trail to keep the trailhead out of the railroad's right of way.

Member Lynch asked about vehicle circulation and the potential for adding access all the way through to Hoffman Road should the adjacent property be redeveloped sometime in the future. Crosby confirmed that the developer has left that a viable option with the proposed dead end in the northwest corner of the parking lot.

Reed opened the public hearing.

Maureen Michalski and Trevor Martinez, applicants, Schafer Richardson. Ms. Michalski reported that the area covered by the proof of parking is 6,700 square feet of green space. Amenities in the building include a clubroom, fitness room, outdoor pool and patio, a dog park, a dog grooming area, and package hold area that offers cold storage for deliveries.

Ms. Michalski stated that at the company's other properties, such as in Blaine, studios and one bedrooms have been high in demand, while two and three bedrooms have been vacant, which along with a market study, has influenced their decision to have a majority of studios and one bedrooms. She attributed the demand partly to changing demographics. Smaller units also provide more cost effective housing alternatives.

Ms. Michalski explained they are in support of staff's conditions, except number 11 in the PUD, which pertains to off-street parking. They would rather have time to negotiate it, define the metrics it would be based on, and include it as a part of the proof of parking agreement.

Mr. Martinez reiterated they would like to strike condition 11 at this time. Using the ratio of one parking stall per studio, one and a half stalls for 1-bedrooms, and two stalls for 2-bedrooms, parking will be overabundant if the 22 additional stalls are built. Crosby agreed that the condition could use wordsmithing, but the City finds it necessary to prevent off-site parking from becoming problematic. If residents of the apartment opt to park on the street rather than pay for a parking stall, and it becomes an issue, this condition allows the City to push the developers to address it. Kane supplemented that this is the appropriate time to address parking because the PUD is granting flexibility on parking ratios. The proof of parking agreement is not typically finalized before permits are issued and the City does not want to kick the issue of parking down the road.

Member Reed asked the applicants if they found the parking rates to be prohibitive. Ms. Michalski responded no, the issue is more a lack of definitions in the condition. The company has no incentive to build the proof of parking area.

Member Reinhardt wondered if the vagueness of the wording in condition 11 is the main concern and what part of enforcement of the condition is worrisome to the applicants. Mr. Martinez affirmed that vagueness is problematic and that the remedy is operationally oriented. The proof of parking agreement is a better place to address potential issues because it is a defined solution to parking problems. They would like the City to provide more clarity on the mechanisms that will be used to determine when the condition applies and when the company will be made to adjust their practices. Crosby replied that the condition is intended to address the potential overflow of parking off-site if on-site stalls are for some reason underutilized. The plan is 102

stalls short of meeting code. Should the proof of parking be built, the site would still be 80 stalls short. Condition 11 is to mitigate potential adverse impacts of this 80-stall gap.

Member Reed questioned the 102-stall deficiency. Mr. Martinez confirmed it was correct per code, but reminded the Commission that a different metric based on number of bedrooms was used to determine parking for this project.

Member Reinhardt asked if the City would rather have the developers adjust their practices to fill empty stalls before building the proof of parking. Kane explained that the City is trying to avoid operations or management practices that push people to park on street. Even if the proof of parking is built, off-site parking may be an issue if residents opt to park on the street, rather than pay high parking stall rates.

Member Lynch likened the concern to issues that have been raised along Bellaire Avenue, where people choose the street over the onsite parking provided.

Member Reed inquired about condition 11 in the PUD. Crosby replied that as a condition of the PUD, City staff could work out a solution with the management team, or, if necessary, a public hearing style meeting could be held to address any issues that arise. If the language were part of the proof of parking agreement, solutions would most likely come from attorneys arguing over the wording of the agreement.

Member Reinhardt sought clarification on how condition 11 would be triggered. He wondered if it would be based on the amount of complaints or if a number could be attributed to it, such as X percent of open spaces. Crosby noted that it could manifest in a number of ways, like traffic tickets, snowplow issues, etc.

Ms. Michalski reiterated that they would like more time to talk with staff, and just wanted to raise the issue.

Member Lynch wondered if the condition could be left in to allow staff and the applicants time to work on phrasing. Crosby confirmed it could and the City Council would be able to accept or deny any proposed changes.

Member Divine questioned if the developers use a management company for their properties and if there will be full time staff on site. Ms. Michalski replied that they use the company Steven Scott, which manages many buildings in the Twin Cities, and that there will be a number of staff on site including a property manager, facilities personnel, and a caretaker.

In response to questions from both Member Lynch and Member Reed, Ms. Michalski confirmed that the developers are okay with staff recommended changes to design and landscaping.

Karen Bushee, 3614 Linden Avenue, brought up three issues she has with the proposed apartment: parking, access on Linden Avenue, and landscaping. She questioned where guests would park, since the street is used by guests of the townhomes as well, and parking is restricted to one side. She explained that when vehicles turn onto Linden Avenue, they accelerate, which makes for a dangerous scenario when she is decelerating to turn into her driveway. She does not believe the

City is listening to her concerns of safety. She described how Rottlund Homes had done a good job landscaping her townhome and wondered if the theme could be incorporated into this development. She asked about keeping the lilacs and if pines would reduce noise. Crosby answered that they prefer lilacs, but have not nailed down the exact landscaping to be used. They can look at an evergreen barrier.

Ms. Bushee asked if the City could require the property to access Hoffman Road. Member Reed replied that they will not have time to discuss Hoffman Road access, as staff would need to look into it deeper, since the Stadium owns the adjacent properties.

Crosby stated pushing traffic to Hoffman Road is unsafe because there is no signal at County Road E. Ms. Bushee asked about putting a light there, to which Crosby replied they could ask the county, but there are ten different criteria that are considered, and a signal may not be warranted.

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

Member Lynch moved to recommend approval of Case No. 19-1-P and 19-1-PUD with alterations to PUD condition 11 as worked out between staff and the developer. Member Reinhardt seconded the motion. The motion passed by a vote of 5-0.

- B. **Case No. 15-4-SHOPa2:** A request by **Katy Fick** for a three-year renewal of a Special Home Occupation Permit, per Code Section 1302.120, in order to continue operating a massage therapy business out of a single-family residence on the property located at 2333 Mayfair Avenue.

Miller discussed the case. Staff recommended approval with standard conditions.

Reed opened the public hearing.

Katy Fick, 2333 Mayfair Avenue, applicant, she has had a great experience the last four years operating her home occupation. In response to a question from Member Reed, Ms. Fick confirmed her schedule is full.

Reed then closed the public hearing.

Member Baltzer moved to recommend approval of Case No. 15-4-SHOPa2. Member Lynch seconded the motion. The motion passed by a vote of 5-0.

- C. **Case No. 19-1-SHOP:** A request by **Marya Voosen** for a Special Home Occupation Permit, per Code Section 1302.120, in order to operate a dog grooming business in a single-family residence on the property located at 5050 Division Avenue.

Miller discussed the case. Staff recommended approval with the conditions laid out in the staff report.

Member Reinhardt asked about previous dog kenneling permit. Miller replied it was first issued in 1972 and amended in 1978, and allowed the kenneling of up to 15 dogs.

Reed opened the public hearing. As no one came forward, Reed closed the public hearing.

Member Reinhardt moved to recommend approval of Case No. 19-1-SHOP. Member Baltzer seconded the motion. The motion passed by a vote of 5-0.

5. DISCUSSION ITEMS:

A. City Council Meeting Minutes of May 14, 2019.

No discussion

B. Park Advisory Commission Meeting Minutes of March 21, 2019.

No discussion

6. ADJOURNMENT:

Member Baltzer moved to adjourn, seconded by Member Lynch. The motion passed unanimously (5-0), and the May 20, 2019 Planning Commission meeting was adjourned at 8:25 p.m.