

**MINUTES  
PLANNING COMMISSION MEETING  
CITY OF WHITE BEAR LAKE  
AUGUST 26, 2019**

The regular monthly meeting of the White Bear Lake Planning Commission was called to order on Monday, August 26, 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, Jim Berry, Mary Alice Divine, Mark Lynch, Marvin Reed, and Peter Reis.

MEMBERS EXCUSED: Erich Reinhardt.

MEMBERS UNEXCUSED: None.

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

OTHERS PRESENT: Mark Ryan and Bob Djupstrom.

**2. APPROVAL OF THE AUGUST 26, 2019 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 JUNE 24, 2019 PLANNING COMMISSION MEETING MINUTES:**

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

**4. CASE ITEMS:**

A. **Case No. 19-7-V:** A request by **Mark Christenson** for a three foot variance from the four foot height limit for an existing stone wall abutting a public right-of-way, per Code Section 1302.030, Subd.6.h.4, in order to allow the wall to remain along 10<sup>th</sup> Street for the property located at 4955 Lake Avenue. (Continued.)

Crosby requested the Commission continue this item to the September Planning Commission meeting.

The Planning Commission agreed to continue the item to the September 30, 2019 Planning Commission meeting.

- B. **Case No. 19-4-Z:** A City-initiated text amendment to Zoning Code Section 1303.227, Subd.4.f.2, to delete the slip density limit of not more than one slip for every four feet of shoreline. (Continued at staff's request.)

Kane requested the Commission continue this item to the September Planning Commission meeting. She noted it will be a discussion item later in the meeting.

Member Reed opened the public hearing.

Bob Djupstrom, 3895 Cranbrook Drive, he pointed out that currently no one in the marina is in compliance, except the VFW. The slip density ordinance maintains a standard for commercial bays, lake quality level, and balance of commercial and recreational use of the lake. There has been an increase in lake usage, as indicated in the White Bear Press.

He conveyed that the City has a civic duty to protect the quality of life around the lake. The slip density regulation should be retained, while grandfathering in the existing docks at their current slip numbers, to ensure that new development does not contribute to congestion. He would like to attend next month's meeting.

The Planning Commission agreed to continue the item to the September 30, 2019 Planning Commission meeting.

- C. **Case No. 75-13-Sa:** A request by **Docks of White Bear Lake** for a conditional use permit amendment for a 50-slip expansion of the Docks of White Bear Lake Marina, per Code Section 1303.227, Subd.4.f, at the property located at 4424 Lake Avenue South. (Continued at applicant's request.)

Crosby requested the Commission continue this item to the September Planning Commission meeting at the request of the applicant.

The Planning Commission agreed to continue the item to the September 30, 2019 Planning Commission meeting.

- D. **Case No. 19-4-CUP:** A request by **White Bear Lake Event Center** for a conditional use permit for an event center in the Lake Village Mixed Use District, per Code Section 1303.227, Subd.4, and a conditional use permit for joint parking, per Code Section 1302.050, Subd.10.a, at the property located at 4431 Lake Avenue South. (Continued at applicant's request.)

Crosby requested the Commission continue this item to the September Planning Commission meeting at the request of the applicant.

The Planning Commission agreed to continue the item to the September 30, 2019 Planning Commission meeting.

- E. **Case No. 19-2-P & 19-3-Z:** A City-initiated request for a preliminary plat to rearrange four lots located at 3996, 3998, 4000 Hoffman Road and 4001 Highway 61 into two parcels per Code Section 1402.020, and a rezoning of the northern parcel from B-3: Auto-Oriented Business to I-1: Limited Industry, and the southern parcel from B-3: Auto-Oriented Business to P: Public, per

Code Section 1301.040, in order to allow the north half to be combined with Saputo and the south half to be joined to the White Bear Lake Public Works facility.

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

Member Reed inquired about ownership and demolition costs. Kane responded that the City has closed on the property, and while the contracts are not finalized, all costs will be split 50/50 with Saputo.

Member Reis questioned if Saputo is public or private, domestic or offshore. Kane replied that the company is privately held and offered to have the answer on whether it is domestic by the City Council meeting.

Member Reed opened the public hearing. There being no comments from the public, Member Reed closed the public hearing.

Member Lynch moved to recommend approval of Case No. 19-2-P & 19-3-Z. Member Reis seconded the motion. The motion passed by a vote of 6-0.

## **5. DISCUSSION ITEMS:**

### **A. Workshop Discussion on Slip Density regulation in LVMU District.**

Kane discussed the City's slip density regulations. Currently, the Lake Village Mixed Use District (LVMU) is the only zoning district that allows/regulates marinas. She broke down the density of each of the businesses boat slips, demonstrating that no one is within regulation.

She noted that the White Bear Lake Conservation District (WBLCD) has authority over dock configuration and enforcing the Authorized Dock Usage Area (ADUA). The WBLCD previously approved the proposed dock expansion for the Docks of White Bear, contingent on approval from the City that parking requirements will be met. The City requires one parking stall for every four boat slips. Staff has analyzed parking and found there to be adequate spaces to support the additional boat slips at the shopping center. This is not the case for others in the bay.

Member Divine questioned the rationale for the parking ratio. Kane was unsure of the reasoning, but found the ratio to be low compared to other cities with commercial marinas.

Member Reis wondered if the required parking is looked at yearly, considering the variability of lake levels, and whether tearing down buildings to the north would allow for more parking opportunities. Kane confirmed that the City will be looking at the parking numbers annually as a joint effort by the City and the WBLCD to stay connected. She noted that the properties in question are zoned commercial and would not be allowed to be used as marina.

Member Divine wondered if parking spots are dedicated to marina use and if the vacant retail spaces were accounted for in staff's analysis. Kane affirmed both were true. Member Lynch followed up with the suggestion that the marina parking requirement be analyzed to determine if it is an accurate representation of what is needed. Kane replied that the City will be conducting a detailed parking analysis later this year and suggested this use could be examined a part of that study.

Member Reed questioned how it came to be that all the docks in the marina are out of compliance and if there were density standards before 2003. Kane was unsure of past density regulations, but commented that the City has always regulated marinas. She has researched the meeting minutes and found that none of the docks have been expanded since 2003, so they are most likely grandfathered in at their current densities.

Member Divine commented that she did not think getting rid of the slip density requirement all together is right, but is unsure of what the solution should be. Member Berry concurred.

Member Reis reported that deleting slip density is cause for concern, as it has only been a few years since the lake was at its lowest. He wondered how much flexibility is granted when the lake is low and owners lose access to boat slips. Kane confirmed the WBLCD has granted some leeway for alternate dock configurations extending beyond the ADUA, but too much extension would reduce navigability and access for other users, so it is limited.

Member Berry asked how parking is allocated to each business at the City's public ramp. Kane explained how a shared parking model was used to reduce the number of required parking for businesses that share the public ramp.

Member Baltzer expressed concern over the fact that WBLCD already approved the dock expansion, indicating it puts the City in a bind.

Member Lynch wondered about the possibility of enforcing time limits for on street parking along Lake Avenue South to promote higher turnover. Kane explained that enforcement is difficult and it generates more complaints from both residents and businesses.

There was general consensus among the Commissioners that it would not be in the City's best interest to delete the slip density requirement. They were open to changing the density.

Bob Djupstrom asked about a possible discrepancy in shoreline measurements. He reiterated his earlier comments that the docks limit access to the lake. Member Lynch urged Mr. Djupstrom to offer his comments to the WBLCD.

**B.** City Council Meeting Minutes of August 13, 2019.

No discussion

**C.** Park Advisory Commission Meeting Minutes of May 16, 2019.

Member Divine wondered what a bike repair station consisted of. Crosby replied it to be a place where tools are available for use by the public to perform maintenance on bicycles.

## **6. ADJOURNMENT:**

Member Baltzer moved to adjourn, seconded by Member Lynch. The motion passed unanimously (6-0), and the August 26, 2019 Planning Commission meeting was adjourned at 8:30 p.m.