The City of White Bear Lake Planning Commission will hold a meeting on Monday, September 28, 2020 beginning at 7:00 p.m. Pursuant to a statement issued by the Mayor under Minnesota Statutes, section 13D.021 as a result of the COVID-19 pandemic, the meeting will be conducted electronically via WebEx. The meeting room at City Hall will not be open to the public.

1. Call to order and roll call.

2. Approval of the September 28, 2020 agenda.

3. Approval of the July 27, 2020 Planning Commission meeting minutes.

4. **CASE ITEMS:**
   Unless continued, these cases will go to the City Council meeting on Tuesday, October 13, 2020.

   A. **Case No. 20-14-V:** A request by Frazer Automotive Services for a 6 foot 6 inch variance from the 10 foot height limit for a free-standing sign in the B-5 zoning district, per Sign Code Section 1202.040, Subd.2.B.1 in order to replace the cabinet signs with a new cabinet sign that includes a changeable copy area at the property located at 2140 3rd Street.

   B. **Case No. 20-4-SHOP:** A request by Charlene Baker for a Special Home Occupation Permit, per Code Section 1302.120, in order to operate a hair salon in her single-family home at the property located at 3296 Glen Oaks Avenue.

   C. **Case No. 20-7-CUP:** A request by Stonehouse Catering for a Conditional Use Permit, per Zoning Code Section 1302.050, Subd.11 for off-site parking at the property located at 4466 Centerville Road.

   D. **Case No. 20-1-P:** A request by 321 Group LLC for a preliminary plat, per Code Section 1402.020, to subdivide one parcel into 9 single-family residential lots on the property located at 1800 County Road E (CONTINUED AT APPLICANT’S REQUEST).

5. **DISCUSSION ITEMS:**
   A. City Council Meeting Summary from September 8, 2020.
   B. Park Advisory Commission Meeting Minutes from June 18, 2020.

6. **ADJOURNMENT**

Next Regular City Council Meeting .............................................................. October 13, 2020
Next Regular Planning Commission Meeting.............................................. October 26, 2020
The regular monthly meeting of the White Bear Lake Planning Commission was called to order on Monday, July 27, 2020, beginning at 7:00 p.m. via WebEx, pursuant to a statement issued by the Mayor under Minnesota Statutes, section 13D.021 as a result of the COVID-19 pandemic, by Chair Ken Baltzer.

1. **CALL TO ORDER/ROLL CALL:**

   MEMBERS PRESENT: Ken Baltzer, Jim Berry, Pamela Enz, Mark Lynch, Erich Reinhardt (7:02 p.m.) and Peter Reis.

   MEMBERS EXCUSED: None.

   MEMBERS UNEXCUSED: None.

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


2. **APPROVAL OF THE JULY 27, 2020 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 29, 2020 PLANNING COMMISSION MEETING MINUTES:**

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

4. **CASE ITEMS:**

   A. **Case No. 94-6-Sa & 20-9-V:** A request by Birch Lake Animal Hospital for an amendment to a Conditional Use Permit, per Code Section 1303.225, Subd.6.a, for site plan approval in the Diversified Business Development District, and a variance from the 30% impervious surface maximum to allow 38% impervious, per Code Section 1303.230, Subd.5.a.5, in order to expand the parking lot by six stalls for the property located at 4830 White Bear Parkway. *(Continued from June 29, 2020 Planning Commission Meeting)*.

   Crosby explained the changes that were made to accommodate the neighbors’ concerns surrounding the case. Staff recommended approval.
Member Lynch wondered if the native plantings along the steep slope would happen naturally or if they would need to be installed as part of the landscaping plan. Crosby confirmed that would need to be part of a planting plan submitted to staff for approval.

Member Berry asked if the residents who attended last month’s public hearing had been informed of the proposed changes. Crosby replied that she provided the plans and staff report to Ms. Larey, and has not received any comments back regarding the design change.

Member Baltzer opened the public hearing. As no attendees wished to speak, Member Baltzer closed the public hearing.

Member Lynch moved to recommend approval of Case No. 94-6-Sa & 20-9-V. Member Reis seconded the motion. The motion passed by a vote of 6-0.

B. **Case No. 20-3-SHOP:** A request by Tracy Corcoran for a Special Home Occupation Permit, per Code Section 1302.120, in order to operate a pet aquamation business out of the detached garage at the property located at 4911 Morehead Avenue. *(WITHDRAWN BY APPLICANT).*

C. **Case No. 20-11-V:** A request by Charles Lowell for a 19 foot variance from the 80 foot lot width requirement for a duplex in the R-5 zoning district, per Code Section 1303.070, Subd.b.2, and two one foot variances from the ten foot side yard setback from both side property lines, per Code Section 1303.070, Subd.5.c.2, in order to construct a 43 foot wide duplex on a 61 foot wide lot at the property located at 2189 12th Street.

Miller discussed the case. Staff recommended approval.

Member Baltzer opened the public hearing. As no attendees wished to speak, Member Baltzer closed the public hearing.

Member Reis moved to recommend approval of Case No. 20-11-V. Member Berry seconded the motion. Kane asked the Commissioners if they would like to consider the neighbor to the west’s request for a privacy fence.

Member Reis amended his motion to recommend approval of Case No. 20-11-V with the condition that a privacy fence be erected along the west property line. Member Berry seconded the motion. The motion passed by a vote of 6-0.

D. **Case No. 20-12-V:** A request by Warren and Amanda Peyton for a two foot variance from the four foot height limit for a fence in the front yard, per Code Section 1302.030, Subd.6.h.4, in order to construct a six foot tall fence along a portion of the north property line at the property located at 1943 Oak Knoll Drive.

Miller discussed the case. Staff recommended approval.

Member Baltzer opened the public hearing. As no attendees wished to speak, Member Baltzer closed the public hearing.

Member Enz moved to recommend approval of Case No. 20-12-V. Member Berry seconded the motion. The motion passed by a vote of 6-0.
E. Case No. 20-13-V: A request by Lakewood Place Apartments for a 12 stall parking variance, per Code Section 1302.050, Subd.8.c, and a six unit density variance, per Code Section 1303.080, Subd.7.e, in order to convert six apartments from 2 and 3 bedrooms into 12 apartments: nine 1-bedrooms and three studio units, at the property located at 3100 Glen Oaks Avenue.

Crosby discussed the case. Staff recommended approval.

Member Reis commented that this was a unique solution to a conversation the Planning Commission has been having for a while about the City’s need and desire for more affordable housing. Three new affordable units are being created without changing the footprint of the building. He wondered if it would be prudent to encourage other apartment complexes to convert several of their two and three bedroom units to one bedroom or studio apartments. He thought, if feasible, this could result in a win-win-win scenario where new affordable units are created, there is an increase in cash flow to apartment owners, and an increase in the tax base for the City.

Kane acknowledged that it is a great strategy in developing more affordable housing and that staff would like to consider the opportunity, while remaining cognizant that two and three bedroom units are highly desirable for larger families.

Member Baltzer opened the public hearing. As no attendees wished to speak, Member Baltzer closed the public hearing.

Member Reis moved to recommend approval of Case No. 20-13-V. Member Enz seconded the motion. The motion passed by a vote of 6-0.

F. Case No. 17-1-CP: Consideration of comments from adjacent and relevant jurisdictions on the final draft of the 2040 Comprehensive Plan and recommendation for submittal to Metropolitan Council for review.

Kane discussed the case, explaining each of the comments from the various jurisdictions.

Member Baltzer opened the public hearing. As no attendees wished to speak, Member Baltzer closed the public hearing.

Member Baltzer complimented staff for all the hard work that has been put into creating the 2040 Comprehensive Plan.

Member Berry moved to recommend approval of Case No. 17-1-CP. Member Reis seconded the motion. The motion passed by a vote of 6-0.

G. Consideration of the conveyance of the property located at 4969 Division Avenue to White Bear Lake School District No. 624 to ensure that it is in keeping with the City’s Comprehensive Plan guiding this property for Public/Semi-Public Use.

Kane discussed the case.

Member Berry moved to recommend confirmation that the use at 4969 Division Avenue as educational facilities is consistent with the City’s Comprehensive Plan. Member Enz seconded the motion. The motion passed by a vote of 6-0.
5. **DISCUSSION ITEMS:**


      No discussion


      Member Berry explained that the Willow Marsh Park Reserve has a large clump of Japanese Knotweed surrounding the footpath that leads to the park as well as the eventual Bruce Vento Trail. Found along Fair Oaks Drive, the large, invasive species is almost 12 feet tall and about 30 feet deep into the preserve. It takes over everything and kills trees.

      Kane noted that one of the comments received on the Comprehensive Plan from the Department of Natural Resources (DNR) was to let the agency know when invasive species are found within the city, so Member Berry’s concerns will be forwarded to the DNR. She agreed that it is important to maintain the connections, so when the Bruce Vento Trail extends north, clearly marked access points are available to residents.

6. **ADJOURNMENT:**

   Member Berry moved to adjourn, seconded by Member Enz. The motion passed unanimously (6-0), and the July 27, 2020 Planning Commission meeting was adjourned at 7:54 p.m.
TO: The Planning Commission

FROM: Ashton Miller, Planning Technician

DATE: September 23, for September 28, 2020 Planning Commission Meeting

SUBJECT: Frazer Automotive Variance, 2140 3rd Street – Case No. 20-15-V

REQUEST
The applicant, Bill Weigel, on behalf of property owner Gary Moos, is requesting a six foot six inch height variance from the ten foot height limit for a free-standing sign, in order to replace a 16.5 foot tall sign along Highway 61.

ZONING
The subject site is zoned B-5, Central Business, as are the properties to the south and east. The parcels to the west are a mix of DCB, Diversified Central Business and P, Public. The parcel directly north is also P, Public.

SITE CHARACTERISTICS
The subject site fronts three streets – Highway 61 on the west, 3rd Street on the north, and Clark Avenue on the east. A small automotive shop is on the southern portion of the 8,700 square foot lot and a parking lot covers the rest of the property. The B-5 zoning district prohibits auto repair-minor uses, but as the shop existed on the property before the Zoning Code was amended, it is considered legal nonconforming.

APPLICANT’S PRACTICAL DIFFICULTY
According to the narrative, the existing pylon sign has been on the property for fifty years or more. See applicant’s narrative.

ANALYSIS
The proposed sign will use the existing post to display a cabinet sign that will consist of a new logo and a changeable copy area. The code limits changeable copy to 70% of a sign face. The new sign will be 43%. Furthermore, in the past, the bottom portion of the sign served as the changeable copy for gas pricing when fuel was sold on the property, so there is a history of this type of signage existing on the property. Staff finds that the proposed design is an aesthetic improvement to a highly visible corner in the City.

The existing sign extends into MNDOT right-of-way. The applicant has agreed to move the sign out...
of the right-of-way by shifting the cabinet sign east so that it is entirely on private property. As stated in the narrative, the existing pole contains all the electrical equipment for the sign, so rather than move everything, a second post is being proposed in order to provide structural support. Staff supports moving the sign out of the right-of-way and finds the addition of the second post is not a major intensification of the nonconformity.

At 35 square feet, the new sign will be smaller than the existing sign and in compliance with the maximum allowable size for monument signs. With a reduction of almost eight square feet, the new sign will provide a slightly better view of the businesses behind the property. The reduced size will also allow the City’s Public Works Department better access for sidewalk plowing.

Landscaping has not been proposed, but is required by code, so staff is including a condition that some landscaping be incorporated around the sign posts.

SUMMARY
The City has a high level of discretion when approving or denying a variance because the burden of proof is on the applicant to show that they meet the standards of the ordinance. If the proposal is deemed reasonable (meaning that it does not have an adverse effect on neighboring properties, it is consistent with the Comp Plan, and it is in harmony with the intent of the Zoning Code) then the criteria have been met.

RECOMMENDATION
The existing sign is the reason for the variance request. Staff supports the variance because it will allow for an improved appearance and will bring the sign into compliance with size requirements. Staff recommends approval as requested subject to the following conditions:

1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.

2. Per Section 1301.060, Subd.3, the variance shall become null and void if the project has not been completed or utilized within one (1) calendar year after the approval date, subject to petition for renewal. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.

3. The applicant shall verify the property lines and have the property pins exposed at the time of inspection.

4. A sign permit shall be obtained before any work begins.

5. A landscaping plan shall be submitted and approved by staff.

Attachments:
1. Draft Resolution of Approval
2. Zoning/Location Map
3. Applicant’s Narrative (1 page) & Plans (2 Pages)
4. Rupnow Email, dated 9/21/20
RESOLUTION NO. __________

RESOLUTION GRANTING A VARIANCE
FOR 2140 3RD STREET
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA

WHEREAS, a proposal (20-15-V) has been submitted by Gary Moos to the City Council requesting approval of a variance from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 2140 3rd Street

LEGAL DESCRIPTION: Lot 1, Block 5, Central Division, Subject to Highway 61 and except S 43 feet, Ramsey County, Minnesota (PID: 143022420080)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A 6 foot 6 inch variance from the 10 foot height limit for a free-standing sign in the B-5 zoning district, per Sign Code Section 1202.040, Subd.2.B.1, in order to replace the cabinet sign with a new cabinet sign that includes a changeable copy area; and

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on September 28, 2020; and

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed variance upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake that the City Council accepts and adopts the following findings of the Planning Commission:

1. The requested variance will not:
   a. Impair an adequate supply of light and air to adjacent property.
   b. Unreasonably increase the congestion in the public street.
   c. Increase the danger of fire or endanger the public safety.
   d. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this Code.

2. The variance is a reasonable use of the land or building and the variance is the minimum required to accomplish this purpose.

3. The variance will be in harmony with the general purpose and intent of the City Code.

4. The variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
5. The non-conforming uses of neighboring lands, structures, or buildings in the same district are not the sole grounds for issuance of the variance.

**FURTHER, BE IT RESOLVED**, that the City Council of the City of White Bear Lake hereby approves the requested variance, subject to the following conditions:

1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.

2. Per Section 1301.060, Subd.3, the variance shall become null and void if the project has not been completed or utilized within one (1) calendar year after the approval date, subject to petition for renewal. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.

3. The applicant shall verify the property lines and have the property pins exposed at the time of inspection.

4. A sign permit shall be obtained before any work begins.

5. A landscaping plan shall be submitted and approved by staff.

The foregoing resolution, offered by Councilmember ___________________ and supported by Councilmember ___________________, was declared carried on the following vote:

<table>
<thead>
<tr>
<th>Ayes:</th>
<th>Nays:</th>
<th>Passed:</th>
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Jo Emerson, Mayor

**ATTEST:**

______________________________
Kara Coutry, City Clerk

*Approval is contingent upon execution and return of this document to the City Planning Office. I have read and agree to the conditions of this resolution as outlined above.*
September 15, 2020

Planning Commision
City of White Bear Lake
4701 N Highway 61
White Bear Lake, MN 55110

RE: Replacement sign at Frazer Automotive Services

The present sign post at Frazer Automotive Services, 2140 Third Street, was installed over fifty years ago. There was a gasoline company sign on top that was at least 8' x 8'. There was also a 3'6" x 4' sign on the pole for gas prices.

In the mid 1980s, Tom Frazer bought the business. He soon discontinued selling gasoline and focused only on vehicle repair. At that time Mr. Frazer exchanged the gasoline company sign for the present 4' x 6' sign. He also built a frame over the 3'6" x 4' sign to hold inserts listing various services available at their shop. The size of the inserts is 3'6" x 5'8".

In 2012, Gary Moos bought the business from Tom Frazer. Since the purchase, Mr. Moos has decided to keep the business name as Frazer Automotive Services rather than change to Moos Automotive Services. He has, though, begun using a new logo with a silhouette of a moose in the middle. Mr. Moos is ready to display the new logo on his sign. Rather than just a new face in the old sign, Mr. Moos would like to have a new sign that would be an update from the present sign.

Because the existing sign protrudes over the sidewalk, Mr. Moos has agreed to move the proposed new sign so it is entirely over his property. We plan to use the existing pole, which contains the electrical feed from the building. We plan to add an additional pole to the east of the existing pole to give added support to the new sign. He has also agreed to reduce the size of the sign to 5' x 7'. The top part of the new sign will be 4' x 5' and have the new logo. The bottom 3' x 5' will have track for changeable letters. The new sign will be internally lit with LED lights.

We are asking for approval of a variance for replacing the existing sign with the new 5' x 7' sign on the existing pole plus an additional pole. The top of the new sign would remain at 16'6" above the ground. The old sign is becoming a safety issue because of its age and wear and tear. The new sign would comply with city ordinance for thirty-five square feet. The new sign would certainly give a fresh look to a small spot in downtown White Bear Lake.

The drawing in the packet shows the new sign cabinet being painted tan. This was to more easily show the look of the new cabinet. The plan is to paint the new cabinet white and to also repaint the posts white.

Thank you for your consideration of allowing this variance for the new sign at Frazer Automotive Services.

Bill Weigel, General Manager
Bill Weigel Signs

End.
TRACK FOR CHANGEABLE LETTERS

Existing Post W/Electric

New Post

Proposed Replacement

Bill Weigel Signs
651-429-6086
Very glad to hear that the Frazer sign is being improved!

Two concerns with the sign over the years is that it was previously very rusty and not a very welcoming entrance to downtown WBL. The second was that it blocked the street sign for 3rd. As owner of a multiple buildings on 3rd St, people would frequently miss that turn when coming from the south if not familiar with the area. The variance for height is not a concern, however I would much prefer to see the sign moved further south to be less of an obstruction to see the street sign at 3rd and blend in with the building height. Perhaps the City street sign for 3rd could be relocated to this corner location rather than well after the turn to get on 3rd where it sits currently.

I support the variance request but recommend and hope that it could be located further south to improve 3rd street sign visibility.

Personally I’m not a fan of signs with a changeable copy area as they seem to often have letters missing and not give a very professional aesthetic or fit with other downtown signs, but that’s probably more of a personal preference than something that is pertinent to the variance...

--

Eli Rupnow
REQUEST
The applicant, Charlene Baker, is requesting approval of a Special Home Occupation Permit (SHOP) to conduct a hair salon business in her single-family residence. Section 1302.120 of the Zoning Code states that certain types of home occupations are considered Special Home Occupations and require Conditional Use Permit approval. Barber and beauty services is one such home occupation that requires this type of approval. See attached narrative.

SITE CHARACTERISTICS
The property is located on the west side of Glen Oaks Avenue and north of Oak Drive. There is an attached one-car garage and a roughly 75 foot long curved driveway. There is also a parking tab in the northwest corner of the property.

ZONING / BACKGROUND
The property is zoned R-3 – Single Family Residential and S – Shoreland Overlay. The surrounding properties are also zoned R-3 and S.

ANALYSIS
Ms. Baker will be the only employee. Her hours will be Monday through Friday from 10 AM to 8:30 PM. Appointments will be staggered so not to overlap and she is proposing to have one client at a time, two if they are family members. The salon is on the north side of the home and can be accessed from both the garage and a screened-in porch.

The driveway is large enough to accommodate several vehicles at a time, and as noted in her narrative, Ms. Baker will instruct her clients to park in the driveway to minimize the impact on the surrounding neighborhood.

There are no proposed changes to the home in conjunction with the business. Ms. Baker is not currently requesting a sign, although one would be allowed with a permit.

The first issuance of a home occupation permit is a trial period. The applicant must seek a renewal
of the permit after one calendar year. If any issues arise from the proposed home occupation during the trial year, they can be addressed prior to renewal.

SUMMARY/RECOMMENDATION
City staff does not believe that the requested home-based business will have a negative impact to the surrounding residential neighborhood. The proposed business would be incidental and secondary to the residential use of the property. For this reason, staff recommends approval of the Special Home Occupation, subject to the following conditions:

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the permit.

2. Per Section 1302.120, Subd.3, if within one (1) year after granting the Home Occupation Permit, the use as allowed by the permit is not established, the permit shall become null and void unless a petition for an extension of time in which to complete or utilize the use has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.

3. This permit is issued for a one-year period with the expiration date being October 13, 2021, before which the permit may be renewed, in accordance with the procedural requirement of the initial home occupation.

4. The applicant shall not have the vested right to a permit by reason of having obtained a previous permit. In applying for and accepting a permit, the permit holder agrees that her monetary investment in the home occupation will be fully amortized over the life of the permit and that a permit renewal will not be needed to amortize the investment. Each application for the renewal of a permit will be considered de novo without taking into consideration that a previous permit has been granted. The previous granting of renewal of a permit shall not constitute a precedent or basis for the renewal of a permit.

5. Permits shall not run with the land and shall not be transferable.

6. The business shall comply with all provisions of the Home Occupation Section of the Zoning Code (Section 1302.125).

7. Client vehicles shall be restricted to parking in the driveway.

8. The applicant shall comply with applicable building, fire and health department codes and regulations.

Attachments:
1. Draft Resolution of Approval
2. Location/Zoning Map
3. Applicant’s Narrative
4. Floor Plan – 1 page
5. Lemaniak Email, Dated 9/19/20
6. Hartmeister Email, Dated 9/22/20
RESOLUTION NO. ________

RESOLUTION APPROVING
A SPECIAL HOME OCCUPATION PERMIT FOR CHARLENE BAKER
AT 3296 GLEN OAKS AVENUE
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA

WHEREAS, a proposal (20-4-SHOP) has been submitted by Charlene Baker to the City Council requesting a Special Home Occupation Permit of the City of White Bear Lake for the following location:

LOCATION: 3296 Glen Oaks Avenue

LEGAL DESCRIPTION: Lot 1, Block 18, Lakeview Hills Ramsey County, Minnesota. (PID # 36022420061)

WHEREAS, THE APPLICANT SEeks THE FOLLOWING RELIEF: A Special Home Occupation Permit to allow a hair salon business out of a single-family home, per Code Section 1302.120, Subd.4; and

WHEREAS, the Planning Commission has held a public hearing as required by the city Zoning Code on September 28, 2020; and

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed variance upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake that the City Council accepts and adopts the following findings of the Planning Commission:

1. The proposal is consistent with the city's Comprehensive Plan.
2. The proposal is consistent with existing and future land uses in the area.
3. The proposal conforms to the Zoning Code requirements.
4. The proposal will not depreciate values in the area.
5. The proposal will not overburden the existing public services nor the capacity of the City to service the area.
6. Traffic generation will be within the capabilities of the streets serving the site.
7. That the special conditions attached in the form of a conditional use permit are hereby approved.
FURTHER, BE IT RESOLVED, that the City Council of the City of White Bear Lake hereby approved the request, subject to the following conditions.

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the permit.

2. Per Section 1302.120, Subd.3, if within one (1) year after granting the Home Occupation Permit, the use as allowed by the permit is not established, the permit shall become null and void unless a petition for an extension of time in which to complete or utilize the use has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.

3. This permit is issued for a one-year period with the expiration date being October 13, 2021, before which the permit may be renewed, in accordance with the procedural requirement of the initial home occupation.

4. The applicant shall not have the vested right to a permit by reason of having obtained a previous permit. In applying for and accepting a permit, the permit holder agrees that her monetary investment in the home occupation will be fully amortized over the life of the permit and that a permit renewal will not be needed to amortize the investment. Each application for the renewal of a permit will be considered de novo without taking into consideration that a previous permit has been granted. The previous granting of renewal of a permit shall not constitute a precedent or basis for the renewal of a permit.

5. Permits shall not run with the land and shall not be transferable.

6. The business shall comply with all provisions of the Home Occupation Section of the Zoning Code (Section 1302.125).

7. Client vehicles shall be restricted to parking in the driveway.

8. The applicant shall comply with applicable building, fire and health department codes and regulations.

The foregoing resolution, offered by Councilmember ________________ and supported by Councilmember ________________, was declared carried on the following vote:

Ayes: ________________________
Nays: ________________________
Passed: ________________________

Jo Emerson, Mayor
ATTEST:

Kara Coutry, City Clerk

Approval is contingent upon execution and return of this document to the City Planning Office.

I have read and agree to the conditions of this resolution as outlined above.

Charlene Baker  Date
SUBJECT SITE:
3296 GLEN OAKS AVENUE

City of
White Bear Lake
Planning and Zoning Office
(612)-429-8561

CASE NO.: 20-4-SHOP
CASE NAME: Baker
DATE: Sept. 28, 2020
Charlene's Salon

I am a certified cosmetologist of 33 years. I will be doing business at 3296 Glen Oaks Ave., White Bear Lake MN 55110 my salon hours would be by appointments only Monday through Friday 10 AM to 8:30 PM I will have 1 or 2 clients at a time they will have parking in my driveway. I will be providing

Hair service's and facial waxing. Also selling some professional products for hair. If you have any concerns or questions you may reach me at 651-748-0338

I appreciate the opportunity and look forward to offering my service's to the
Residence of White Bear Lake! Thank you for your time and consideration of my application.
Charlene Baker
Good morning,
We have received the notice of the application for a home salon at 3296 Glen Oaks Ave. WBL This home is basically 3 houses away from ours even though it is on another street.

I see no reason that this small number of clients would impact the traffic in our neighborhood and would encourage you to grant the special permit to this new neighbor. With COVID the ability to generate income is so very limited but I believe this is also true beyond the COVID period.

We hope this petition is granted.

Eugene and Linda Lemaniak
2598 Oak Drive
White Bear Lake, MN 55110

Sent from my iPad
To Whom it May Concern,

I am not a fan of "in home" businesses. I feel property taxes for residential buildings should be for residential only and not residential and business combination. Unless there is a separate tax for the business in the residential building then I am opposed to this request.

resident of 2567 Orchard Lane
MEMORANDUM

To: Planning Commission
From: Anne Kane, Community Development Director
Date: September 24, 2020 for the September 28, 2020 Planning Commission Meeting
Subject: Stonehouse Catering - Off-Site Parking/Case. No 20-7-CUP

REQUEST
Stonehouse Catering, located at 4466 Centerville Road, is requesting approval of Off-Site Parking of 41 parking stalls to allow the existing business to expand its offerings to include an event space for private dinners, host special events, and conduct cooking classes. The Off-Site Parking will be located on the adjoining parcel to the north (4480 Centerville Road) which is home to the Advanced Dermatology medical clinic. See applicant’s narrative, attached.

BACKGROUND
The existing building was built in 1983 as a self-service car wash. As a part of the construction, the City granted a Special Use Permit (83-21-S) to allow a caretaker’s apartment above the car wash. The two-bedroom apartment unit is approximately 1,000 square feet, while the rest of the upstairs (1,400 square feet) has been used as office space. In 2014, the main floor of the building was remodeled to accommodate a furniture refinishing business, while the upstairs apartment continued to be rented out.

Early last year, Stonehouse Catering purchased the property and was granted a PUD (19-2-PUD) to allow for mixed-use in the building comprised of a commercial kitchen on the first floor and two residential units above. At that time, the applicant expressed a desire to expand the operations to include a deli, event space and cooking classes at some point down the road, so this zoning request was anticipated.

When the Advance Dermatology property was developed in 2003, the building was constructed to accommodate an additional two stories. In 2007 the site was built out with pervious pavement to provide a total of 139 parking stalls in anticipation of building the additional floors. The addition of the 2nd and 3rd floors did not occur and the site currently provides an excess of 94 parking stalls.

SITE CHARACTERISTICS
The property is located on the east side of Centerville Road and south of Highway 96. The 12,978 square foot parcel contains a two-story, mixed-use building with a catering kitchen on the main floor and two residential units above. Two curb cuts, one off Centerville Road and the other along an access easement south of the property, provide entry to separate paved lots containing a total of 14 parking stalls.
ZONING
The subject property is zoned B-3 – Auto-Oriented Business, as are the properties to the north and south. The properties across Centerville Road are in the City of Vadnais Heights and are in a Planned Unit Development zoning district that include both commercial and residential properties. Off-site parking is a Conditional Use in the B-3 district.

ANALYSIS
Dining establishments are required to provide one parking space for every 2.5 seats based on maximum design capacity, with 61 seats shown on the floor plan, Stonehouse is required to provide 25 parking spaces. The site currently provides 14 on-site parking spaces including one handicap accessible parking space in accordance with the Minnesota Accessibility Code. As described in the application materials, Stonehouse intends to lease 41 parking spaces from Advance Dermatology adjacent to their catering facility. This provides 55 available parking spaces to support the establishment of an event space for private dinners, host special events, and conduct cooking classes, as well as serve the two existing residential units upstairs. The Minnesota Accessibility Code requires a minimum of three handicap accessible parking spaces when 51-75 stalls are provided, therefore two additional stalls must be provided on the Stonehouse Catering site.

The Zoning Code allows for Off-Site Parking for non-residential uses provided the spaces are not located more than 500 feet from the main entrance to the principal use. As should on the Site Plan, all 41 off-site parking spaces are within 250 feet and many within 150 feet. The Code also allows Off-Site Parking to be provided through leased spaces, subject to a legally binding Lease Agreement that provides for amendment or cancellation only upon written approval by the City of White Bear Lake. The City’s approval would be subject to either replacement of the parking spaces elsewhere or termination of the special events facility. In addition, the document shall be recorded on both properties with the Ramsey County Recorder of Deeds.

The change in occupancy to A - Assembly also triggers interior improvements including an additional accessible rest room and installation of a fire suppression system in accordance with the NFPA Std. 13 – 2016 edition. The changes also trigger a subsequent SAC determination from Metropolitan Council.

SUMMARY
The City’s discretion in reviewing a conditional use permit is limited to whether or not the changes meet the standards outlined in the Zoning Ordinance. Staff has reviewed the development proposal for the establishment of an event space in addition to the catering facility and finds that the standards will be satisfied.

RECOMMENDATION
Staff recommends approval of the conditional use permit, subject to the following conditions:

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the permit.

2. Per Section 1301.050, Subd.4, if within one (1) year after granting the conditional use permit, the use as allowed by the permit shall not have been completed or utilized, the permit shall become null and void unless a petition for an extension of time in which to complete or utilize the use has been granted by the City Council.
3. This conditional use permit shall become effective upon the applicant tendering proof (i.e. a receipt) to the City of having filed a certified copy of this permit with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.

4. The applicant shall obtain any necessary building permits prior to beginning any work.

Prior to the issuance of a building permit, the applicant shall:

5. Submit a copy of the Lease Agreement that provides for amendment or cancellation only upon written approval by the City of White Bear Lake for review and approval prior to recording upon both properties with the Ramsey County Recorder of Deeds.

6. The mechanical equipment shall be screened with vegetation approved by staff.

7. Revise the Site Plan to provide three on-site handicap accessible parking spaces.


9. Provide a SAC determination from the Metropolitan Council.

10. A sign permit will be required for any additional exterior signage.

11. Remove the existing shed from the property or secure a Zoning Permit for the shed.

ATTACHMENTS
1. Draft Resolution of Approval
2. Location/Zoning Map
3. Applicant’s Narrative
4. Off-Site Parking Plan, Floor Plan and Site Plan
RESOLUTION NO. _________

RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR OFF-SITE PARKING FOR STONEHOUSE CATERING WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA

WHEREAS, a proposal (20-7-CUP) has been submitted by Lisa Stonehouse to the City Council requesting approval of a conditional use permit for the following location:

LOCATION: 4466 Centerville Road

LEGAL DESCRIPTION: North 92.71 feet of the west 173 feet of the south 10 acres of the northwest quarter of the northeast quarter of Section 21, Township 30, Range 22, Ramsey County, MN. Subject to Centerville Road over the west 33 feet and a utility easement over the south 30 feet. (PID # 213022120021)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING PERMIT: A conditional use permit, per Code Section 1302.050, Subd.11, to allow an event space for private dinners, host special events, and conduct cooking classes; and

WHEREAS, the Planning Commission has held a public hearing as required by the city Zoning Code on September 28, 2020; and

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed conditional use permit upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake after reviewing the proposal, that the City Council accepts and adopts the following findings of the Planning Commission:

1. The proposal is consistent with the city's Comprehensive Plan.
2. The proposal is consistent with existing and future land uses in the area.
3. The proposal conforms to the Zoning Code requirements.
4. The proposal will not depreciate values in the area.
5. The proposal will not overburden the existing public services nor the capacity of the City to service the area.
6. The traffic generation will be within the capabilities of the streets serving the site.
7. The special conditions attached in the form of conditional use permits are hereby approved.

FURTHER, BE IT RESOLVED, that the City Council of the City of White Bear Lake hereby approves the conditional use permit, subject to the following conditions:

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the permit.

2. Per Section 1301.050, Subd.4, if within one (1) year after granting the conditional use permit, the use as allowed by the permit shall not have been completed or utilized, the permit shall become null and void unless a petition for an extension of time in which to complete or utilize the use has been granted by the City Council.

3. This conditional use permit shall become effective upon the applicant tendering proof (i.e. a receipt) to the City of having filed a certified copy of this permit with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.

4. The applicant shall obtain any necessary building permits prior to beginning any work.

Prior to the issuance of a building permit, the applicant shall:

5. Submit a copy of the Lease Agreement that provides for amendment or cancellation only upon written approval by the City of White Bear Lake for review and approval prior to recording upon both properties with the Ramsey County Recorder of Deeds.

6. The mechanical equipment shall be screened with vegetation approved by staff.

7. Revise the Site Plan to provide three on-site handicap accessible parking spaces.


9. Provide a SAC determination from the Metropolitan Council.

10. A sign permit will be required for any additional exterior signage.

11. Remove the existing shed from the property or secure a Zoning Permit for the shed.

The foregoing resolution, offered by Councilmember ________________________ and supported by Councilmember ________________________, was declared carried on the following vote:
Ayes: 
Nays: 
Passed: 

Jo Emerson, Mayor

ATTEST:

Kara COUNTRY, City Clerk

*******************************************************************************

Approval is contingent upon execution and return of this document to the City Planning Office.

I have read and agree to the conditions of this resolution as outlined above.

__________________________________________
Applicant's Signature                Date

__________________________________________
Print Name                            Title
SUBJECT SITE:
4466 CENTERVILLE ROAD

CASE NO.:
CASE NAME:
DATE:

City of
White Bear Lake
Planning and Zoning Office
(612)-429-8561

20-7-CUP
Stonehouse
Sept. 28, 2020
August 17, 2020

Dear Planning Commission,

Stonehouse Catering is currently seeking to further develop their catering business to include a community event space within the current space located at 4466 Centerville Road, White Bear Lake. The goal of this space would be to provide seating for private dinners, planned events and educational opportunities.

Stonehouse Catering is passionate about being connected with the community. During the Covid-19 pandemic, we were able to meet many in the community through our packaged dinner plan. Since ending the service and getting back to catering, multiple dinner plan customers have reached out with a desire to continue enjoying our scratch made meals on a more regular basis. Upon sharing our hope to open a small event space on premises for such an opportunity, they were excited and pleased at the potential.

Stonehouse Catering would like to provide seating for up to 60 attendees. Seating opportunities would be based on private bookings and company sponsored, ticketed events. We would anticipate the space being open several evenings per week and perhaps several morning or mid day lunch events. We will also be pursuing a liquor license in order to feature local breweries, vineyards, and spirits. Our goal is to not only highlight our chef made recipes, but also to support and share other local businesses in the food industry with the community. We will also continue to offer at-cost catering to non-profits in hopes of raising additional funds for their cause.

In order to have additional seating, we require additional parking. Upon meeting with our neighbor, OJ Rustad, we came to realize they have additional, non-essential parking for their business, Advanced Dermatology. Should we be approved, we have agreed to a lease allowing us the additional parking we require in addition to a walking path that would not require any pedestrian traffic on Centerville Road.

In addition to Stonehouse Catering, we have also been happy to provide housing in our two, two-bedroom apartment units located on the second floor of the building.

We have enjoyed the past 2 years becoming apart of the White Bear Lake community and look forward to even more opportunities to connect people together for the special events in their lives. We believe our space provides unique seating and visual exposure to the kitchen, allowing direct access to skilled chefs. We believe that offering seating space in our kitchen will introduce something new into the city of White Bear Lake that will be enjoyable for the community.

We respectfully request your consideration for approving the conditional use of additional off-site parking from our neighbor, Dr. O.J. Rustad in addition to the new consideration of using our current space for seating and special event use.

Sincerely,

Lisa Stonehouse, Owner
Stonehouse Catering
APPLICABLE CONSTRUCTION CODES AND STANDARDS

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TYPES OF CONSTRUCTION, CHAPTER 8: FIRE RESISTANCE RATING REQUIREMENTS FOR 18 CONSTRUCTION

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INTERIOR FINISHES, CHAPTER 8: INTERIOR FINISHES

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FIRE PROTECTION SYSTEMS, CHAPTER 5

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COMMERICAL ENERGY CODE: SECTIONS OF THE INTERNATIONAL ENERGY CODE (2011)

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GENERAL NOTES

1. The owner of the property is required to ensure that all existing facilities are occupied at least 60 days before the start of construction. The owner shall be responsible for the completion of the project, including the installation of all necessary utilities and the execution of all associated work for a period of at least 60 days from the date of issuance of the building permit.

2. The contractor shall ensure that the project is completed in accordance with all applicable codes and regulations, including the installation of all necessary utilities and the execution of all associated work for a period of at least 60 days from the date of issuance of the building permit.

3. The owner shall ensure that all work is completed in accordance with all applicable codes and regulations, including the installation of all necessary utilities and the execution of all associated work for a period of at least 60 days from the date of issuance of the building permit.

4. The contractor shall ensure that the project is completed in accordance with all applicable codes and regulations, including the installation of all necessary utilities and the execution of all associated work for a period of at least 60 days from the date of issuance of the building permit.

5. The owner shall ensure that all work is completed in accordance with all applicable codes and regulations, including the installation of all necessary utilities and the execution of all associated work for a period of at least 60 days from the date of issuance of the building permit.
CITY COUNCIL MEETING SUMMARY
September 22, 2020

APPROVAL OF MINUTES – Approved

APPROVAL OF THE AGENDA – Approved

VISITORS AND PRESENTATIONS – Approved

A. Constitution Week Proclamation: Weed of Sept. 17 – 23, 2020

PUBLIC HEARINGS – Approved

A. Resolution approving Century Hill Townhomes Project for a multi-family housing development and the issuance of revenue bonds t. Resolution No. 12629

LAND USE – Nothing scheduled

UNFINISHED BUSINESS – Nothing scheduled

ORDINANCES – Nothing scheduled

NEW BUSINESS – Approved

A. Resolution approving the proposed preliminary 2020 tax levy collectible in 2021 and establishing November 24, 2020 as the date for the City’s Truth-in-Taxation Hearing. Resolution No. 12630

B. Resolution approving outdoor music at Cerenity Care facility. Resolution No. 12631

CONSENT – Approved

A. Acceptance of Minutes: July White Bear Lake Conservation District, July Park Advisory Commission

COMMUNICATIONS FROM THE CITY MANAGER

➢ Environmental updates provided in the packet

➢ Cares Relief Fund Grants update

• The Emergency Assistance Grant program is set to start on Monday to provide assistance with daycare, utilities, rent and mortgage payments.
• SPEDCO is administering the Business Grant Program and will launch September 21st for a two week window.
• Newtrax has innovative food distribution ideas to serve people needing food and utilizing the restaurants that need additional business.
• The Places of Worship grants for personnel protective equipment is also live.

ADJOURNMENT – 7:55 p.m.
1. CALL TO ORDER

The meeting was called to order at 6:30 pm.

2. APPROVAL OF MINUTES

Approval of the minutes from May 21, 2020 was moved by Mark Cermak and seconded by Ginny Davis.

3. APPROVAL OF AGENDA

Approval of the June 18, 2020 agenda was moved by Bryan Belisle and seconded by Mike Shepard.

4. UNFINISHED BUSINESS

None.

5. NEW BUSINESS

a) Lakewood Hills Tour and Clean-up (with Pizza dinner provided)

The Lakewood Hills Park tour and clean-up were delayed due to the rain. Paul and Mark identified the proposed location of the all abilities park within Lakewood Hills. The proposed location is between the parking lot and adjacent to the existing playground. The proposed location in close proximity to the parking lot allows for additional handicap parking stalls adjacent to the area and also direct access from the parking lot.

6. OTHER STAFF REPORTS

a) Resident Request

The Park Advisory Commission received a request regarding fitness stations along Lake Avenue.

b) Varney Lake
Varney Lake has scum on the water service. Staff will review with our stormwater program and work with the Watershed District for possible causes and solutions.

c) 2021 Budget Process

Paul provided an overview of the 2021 budget process and upcoming CIP review later in the year. He requested that Commission members start brainstorming ideas to propose for our parks.

7. COMMISSION REPORTS

None.

8. OTHER BUSINESS

None.

9. ADJOURNMENT

The next meeting will be held on July 16, 2020 at 6:30 p.m. at Lakewood Hills Park.

There being no further business to come before the Park Commission, the meeting was adjourned. Moved by Victoria Biehn and seconded by Mark Cermak.