

**MINUTES  
PLANNING COMMISSION MEETING  
MAY 26, 2016**

The meeting was called to order at 6:32 p.m.

Present: Artner, Denn, Flann, Patrick, Ulbrich; Town Board Liaison: Prudhon;  
Planner: Riedesel.

Absent: Griffin and Kotilinek with notice.

**APPROVAL OF AGENDA (Additions/Deletions):** Ulbrich moved approval of the agenda with the following amendment: 8) Temporary Dwelling Legislation. Artner seconded. Ayes all.

**APPROVAL OF MINUTES OF APRIL 28, 2016:** Artner moved approval of the April 28, 2016 Meeting Minutes. Flann seconded. Ayes all.

**CONSENT AGENDA:** There were no Consent Agenda Items.

**NATE HANSON – SKETCH PLAN REVIEW FOR A ZONING ORDINANCE AMENDMENT TO PERMIT SELF-STORAGE IN THE B-2 (GENERAL BUSINESS) ZONE:** The Planner reported that Mr. Hanson is requesting sketch plan review of a proposal to construct a self-storage facility at Highway 61 and Leibel Street. Currently White Bear Mini Storage is located at 2310 Leibel Street. The facility has two structures for storage. A master plan developed for the property when it was constructed included plans to add two more storage buildings to the property. The two additional buildings were not constructed. These parcels are zoned I-1, Light Industrial. Warehousing (enclosed in building) is listed as a permitted use in the I-1 zone. The second parcel being considered for a self-storage facility is at 5906 Highway 61. This corner lot abuts the current mini storage property but is zoned B-2, General Business. Warehousing is not listed as a permitted or conditional use in the B-2 Zoning District. In order to permit a self-storage facility the property must be rezoned to light industrial or warehousing must be added to the list of uses allowed in the B-2 zone.

**Rezoning:** The property at 5906 Highway 61 is Zoned B-2, General Business. It was at one time the White Bear Machine property which did business out of the garage. There is an existing home on the property which was the home of the owners of White

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Bear Machine. Since White Bear Machine closed, the property has been for sale off and on. Uses considered for the property were a body shop and boat storage. The body shop did not complete their application and the boat storage occurred on the site for a time. Currently, Sailing Solutions, a racing sail boat repair and maintenance business operates from the property. Properties to the north, Priesler Roofing, Bald Eagle Quick Stop and Holiday are zoned B-2, General Business. The Lake Animal Hospital abutting the south lot line of 5906 Highway 61 is also zoned B-2. Property to the east of the corner lot is zoned I-1, Light Industrial and is part of the Leibel Addition Industrial Park. Highway 61 and Ramsey County Open Space is located west of the site. Rezoning the property from B-2 to I-1 will leave the Lake Animal Hospital property as a small spot zone.

**Zoning Ordinance Amendment:** In the alternative, the B-2 Zone can be amended by adding warehousing (enclosed in building) to the list of either permitted or conditional uses in the zone. If this option is preferred, warehousing/self-storage would be permitted in any B-2 zone in the Township. The self-storage facility which is being proposed would utilize the existing White Bear Mini Storage structures but would reconfigure the access to the site further to the west. In addition, six additional storage buildings would be constructed over time. A new building constructed closest to Highway 61 is planned to be a climate-controlled building. The other buildings would be "cold storage". The total building area planned is 69,238 square feet. The storage buildings are planned to be precast concrete with a maximum height of 15'. Some brick is planned on the office portion of the building. The office part of the structure, closest to Highway 61 will have some retail sales of boxes and packing supplies. The office area is planned to occupy 1,330 square feet of the 17,438 square foot building.

The developer is requesting Planning Commission review of the concept plan. They will put together a formal application with plans for a future meeting if they have support from the Planning Commission to allow a portion of the use within the B-2 Zoning District.

Nate Hanson referred to the photographs of the proposed climate controlled building noting that it would have a high-end look to the building with glass windows and a secured entrance. The building would be textured tip up concrete walls. Only the building front would be visible from Highway 61 and the other doors would not be apparent. They would remove as few trees as possible. He explained that as the business grows they would construct the additional buildings. No parking is proposed on the property. Prudhon asked what building height is being proposed. Mr. Hanson reported that the buildings will be one story buildings, 15' in height. Prudhon asked about exterior lighting. Mr. Hanson reported that there would be an exterior light at the entrance and lights along the aisles. Ulbrich asked if there would be outside cold storage. There will be no outside storage other than for parking. The Planner reported that the Town allows 3% outside storage by Conditional Use Permit. Denn suggested that they carry the brown accent strips down the building. Mr. Hanson stated that they would. A question was asked if there would be a landscaping plan. The Planner

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reported that landscaping plans are required in the Leibel Addition. Denn asked if 200 feet of building along Highway 61 is needed and if the building could be screened at the south end. Mr. Hanson stated that they want the visibility and the office building will be attractive. Prudhon asked what type of sign they would use. Mr. Hanson stated that they would like a monument sign but will see what the Town allows.

After discussion it was the consensus to support the sketch plan and the use within the B-2 Zoning District.

**ORDINANCE NO. 35 – AGRICULTURAL REGULATIONS – CONSIDER ORDINANCE**

**AMENDMENT:** The Planner reported that Township Ordinance No. 35 regulates agricultural operations in the Town. Based on ordinance requirements, agricultural operations are permitted provided that the property owner has a minimum of two acres of fenced property. If the fenced acreage is available, the property owner may keep up to four animal units per each two acres. Animal units are defined as follows:

**3-4.A. ANIMAL UNIT.** Animal unit means a unit of measure used to compare differences in the production of animal manures that employs as a standard the amount of manure produced on a regular basis by a slaughter steer or heifer. The following equivalents shall apply:

- A. One mature dairy cow, 1.4 animal unit.
- B. One slaughter steer or heifer, 1.0 animal unit.
- C. One horse, 1.0 animal unit.
- D. One swine over 55 lbs., .4 animal unit.
- E. One duck, .2 animal unit.
- F. One sheep, .1 animal unit.
- G. One swine under 55 lbs., .5 animal unit.
- H. One turkey, .18 animal unit.
- I. One chicken, .1 animal unit.

For animals not listed in items A to I, the number of animal units shall be defined as the average weight of the animal divided by 1000 lbs.

Several communities have been considering modifications to their ordinances to allow chickens. Recently, the City of White Bear Lake adopted regulations for the keeping of chickens and pigeons. The City of White Bear Lake allows up to 4 hens per property (or up to 50 pigeons), but not both. Roosters are prohibited, as is breeding. Birds must be housed in a coop and the coop must be at least 50' from adjacent habitable structures and 5' from all property lines. The Town has been receiving phone calls relating to chickens. Residents have also brought up the subject of keeping of bees. Currently the Town does not have any regulations.

Planning Commission member comments included:

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- Do not intermingle chickens and pigeons.
- Sometimes being silent on a subject is good.
- Chickens are the “hot” thing right now.
- Against pigeons. There have been accidents between birds and airplanes.

After discussion it was the consensus to leave the ordinance as it is for now. If something comes up it can be addressed.

**ADULT ENTERTAINMENT ORDINANCE – CONSIDER ORDINANCE:** The Planner reported that currently White Bear Township does not permit adult entertainment in any zoning district. The use is not listed as being permitted or permitted by Conditional Use Permit. It is staffs understanding that the Town must accommodate this type of use somewhere in the Town. Staff has reviewed a copy of the Maplewood ordinance which permits the use within the manufacturing zoning districts. The use is permitted subject to several conditions. They include a minimum of 1,000’ distance between uses and a minimum of 500’ separation between the use and churches, schools, parks, daycares, and any residential lot line. If the Town were to allow the use in the I-1 Zoning District, several sites could accommodate the use. Another option would be to allow the use in the B-2 Zone with the separation requirements using the Maplewood example. The location would be limited to a portion of the White Bear Township Theater area and a small portion of the Meadowlands Development. Restrictions in the Meadowlands PUD would prohibit this type of use as would the CUP requirements for the Theater which prohibits NC-17, or equivalent movies.

Locations which could accommodate adult entertainment if it was permitted in the I-1 Zone, using the Maplewood spacing requirements include: Schwing America; property north of Heraeus; North Oaks Company property, Cortec, State Tool, or Leibel Addition. It was suggested, although not feasible, to use Bald Eagle Island. After discussion it was the consensus that the Planner redo the locations using 1,000 feet separation. The use should be a conditional use.

**TEMPORARY DWELLING LEGISLATION:** The Temporary Family Health Care Dwelling legislation was signed by the governor and will take effect on September 1, 2016. Action by communities which are not interested in supporting the amendment and would like to opt out will have to be taken by that date. The motivation for the new law is to provide transitional housing for seniors. Specifically in the event a grandmother/grandfather needs a place to recuperate from surgery. The law has a broader effect. Anyone who needs assistance with two or more instrumental activities of daily life for mental or physical reasons may be eligible to be housed in this manner. Local governments may opt out of this program if they determine that this type of expedited land use permitting for temporary dwellings is not well suited to their community. This was according to the League of Minnesota Cities and is important that it be discussed with solid rationale. The League also advises, unless a City chooses not to participate in this program by passing an ordinance specifically opting out, the law

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will require the city to issue permits to qualified applicants starting on September 1, 2016.

Comments and suggestions included:

- Let the Town Board resolve the matter and the Planning Commission will come up with a plan or opt out.
- This matter should be addressed.
- Could allow for six months, allow a six month extension, then cannot be allowed for two years.
- How do these temporary dwellings provide for sewer, water, heat for the elderly or those recovering from surgery? In the wintertime what do they do?
- Need to be aware of having space when people come for the summer.
- There would be too much opportunity for people to rent out the temporary dwellings.
- Limit how long they can be there.
- Require a 10' setback from property lines.
- Need more information on these structures.

It was the consensus that the matter of temporary dwellings be tabled until next month's meeting, noting that the matter needs to be addressed.

Ulbrich moved to table the matter of temporary dwelling legislation until the June Planning Commission Meeting, noting that the matter needs to be addressed, but that more information is needed. Artner seconded. Ayes all.

The meeting adjourned at 7:58 p.m.

Respectfully Submitted,

Joan J. Clemens  
Recording Secretary