

**MINUTES  
PLANNING COMMISSION MEETING  
OCTOBER 27, 2016**

The meeting was called to order at 6:30 p.m.

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

Absent: Ulbrich with notice.

**APPROVAL OF AGENDA (Additions/Deletions):** Kotilinek moved approval of the agenda as submitted. Artner seconded. Ayes all.

**APPROVAL OF MINUTES OF SEPTEMBER 22, 2016:** Artner moved approval of the Minutes of September 22, 2016. Griffin seconded. Ayes all.

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

**RAMSEY COUNTY PROPERTY RECORDS & REVENUE – REQUEST FOR MINOR SUBDIVISION TO DIVIDE TAX FORFEIT PROPERTY INTO THREE PARCELS:** The Planner reported that the Ramsey County Property Records and Revenue Department is requesting Town approval to subdivide a tax forfeit parcel into three lots. The three lots, once separated, will be sold to abutting property owners. The tax forfeit parcel is 2,614 square feet in area, is less than 5' wide and stretches between Highway 96 and Park Avenue, a distance of over 550'. The northerly 312' strip is planned to be attached to the Kohler Terrace townhomes. Kohler Terrace consists of 12 townhomes in three buildings, and is zoned R-3. The central 80' is planned to be attached to the property at 4524 Margaret Street. The southerly 190' is planned to be attached to the property at 1691 Park Avenue. The County has reached an agreement with the two single family homes and the Kohler Terrace Townhome Association to purchase the newly created parcels. The Planner reported that the stretch of property is flat and is not maintained. It was the consensus that this minor subdivision will get the property back on the tax rolls and will get rid of the gap.

Artner moved to approve Ramsey County Property Records and Revenue's request for minor subdivision to divide tax forfeit property into three parcels which will get rid of the gap and will get the property back on the tax rolls. Flann seconded. Ayes all.

**SIGN ORDINANCE – VIKING AUTO HOME OCCUPATION SIGN REQUIREMENTS:**

The Planner reported that the Viking Auto Special Home Occupation Permit was recently approved by the Town Board subject to conditions many of which have been in place since the business opened. Mr. Lawrence, the owner of Viking Auto would like to add a new monument sign to this property, advertising the business. He currently has a small business sign attached to his mailbox. Currently the Town's Sign Ordinance limits residential signage to identification, ground, combination wall, pedestal, real estate, election, temporary off premises, school, church, exempted and other non-business signs: Sign size is limited depending upon the type of sign. Residential identification signs are limited to 2 square feet. On-premises real estate signs are limited to 6 square feet in area. Off-premise real estate signs are limited to 16 square feet. Any sign over 1-1/2 square feet must be set back 10' from any lot line.

The Planner reported that the business sign Mr. Lawrence would like to add to his property is not currently permitted by ordinance. The Sign Ordinance must be amended to allow a business related sign in a residential zone. The following amendment to Section 5-1 of the Sign Ordinance was reviewed:

5-1. Residential Zoning Districts (R-1, R-2, & R-3). Types of Signs Allowed: Identification, ground, combination wall, pedestal, real estate, election, temporary off premises, school, church, exempt and other non-business signs.

Add: Business Signs – for home occupations or special home occupations which are permitted by Ordinance No. 35, any business related sign shall not be illuminated, shall be set back at least 10' from any property line, shall be a monument type sign and shall be complimented with landscaping. The sign display surface shall not exceed 10 square feet in area.

Discussion relating to business signs included:

- A 2-sided sign is considered one sign.
- Be sure that the landscaping has a finished look.
- Because of the speed on Otter Lake Road people miss seeing the small sign that is there now.
- If approved, it should be for **special** home occupation permits only. Does not include home occupations.
- A special home occupation operates out of the garage. Regular home occupations operate out of the home and do not need a permit and are not tracked.
- Viking Auto is in an R-1 area. If a business sign is approved for that business, what if other people request a business sign in an R-1 area.
- A 2' x 2' sign is too small to see, especially if it is dark.
- A special home occupation permit should only be allowed while building the business. Once the business is established it should move to a commercial area.

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- The sign should not be lighted in a residential area.
- Give a variance in this case because of practical difficulty due to a sign not being visible and looking for the sign could cause an accident.
- All the neighbors have to approve a sign.
- A monument sign needs to have the words "White Bear Township" visible.

The proposed amendment was reviewed. Following are comments and suggestions:

- Delete "home occupations" from the Business Signs info. Only allow business signs for **special** home occupations.
- Change the proposed sign display surface from: "shall not exceed 10 square feet in area" to "6 square feet in area".

Kotilinek moved to recommend to the Town Board to approve amendment to Section 5-1 of the Sign Ordinance as follows: 5-1. Residential Zoning Districts (R-1, R-2, & R-3). Types of Signs Allowed: Identification, ground, combination wall, pedestal, real estate, election, temporary off premises, school, church, exempt and other non-business signs. Add: Business Signs – for special home occupations which are permitted by Ordinance No. 35, any business related sign shall not be illuminated, shall be set back at least 10' from any property line, shall be a monument type sign and shall be complimented with landscaping. The sign display surface shall not exceed 6 square feet in area. Artner seconded. Ayes: Kotilinek, Artner, Flann, Griffin, Patrick. Nay: Denn.

**ADULT ENTERTAINMENT ORDINANCE – DISCUSSION:** The Planner reported that the Township does not currently 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. A district and restrictions should be incorporated into the Zoning Ordinance. 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 550' 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. A map was reviewed which showed locations where an adult use could be allowed using the Maplewood ordinance requirements. 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 the White Bear Township Theater and Landmark Bank. Restrictions in the Meadowlands PUD would prohibit this type of use as would the CUP requirements of Theater which prohibits NC-17 or equivalent movies.

The Planner noted that at the last Planning Commission Meeting, the members asked if staff could provide information relative to the lease which United Forest Products has for use of a portion of the Town Hall site on Hoffman Road. A question was asked if the lease could be changed if there is an offer to purchase the property by someone who

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would want to put adult entertainment on the site. Universal Forest Products should be given the first right of refusal. Other comments included:

- The Town Hall site meets all the requirements for adult entertainment.
- The motel on Hoffman Road is less than the 500' distance required.
- Is adult entertainment a growing industry? Adult entertainment appears to be mostly internet based.

An informal vote showed that the members were in favor of specifying the Town Hall site for adult entertainment. The Planner will consult with the Town Attorney and come back with wording for a proposed ordinance.

**COMPREHENSIVE PLAN – REVIEW:** The Planner reported that the Town's Comprehensive Plan update is due to the Met Council by the end of 2018. In order to initiate review, it is recommended that each member review the Goals and Policies Section #3. A question to be aware of is if there are goals and policies which should be eliminated. He reported that work is being done on GIS maps which will be included in the Comprehensive Plan. He reported that in looking at the map plans the Town will have a consultant come in to advise and help the Planning Commission. Following are comments and suggestions provided at the meeting:

- Regarding affordable housing: the Township is a suburban community. It used to have a suburban edge designation. Recommended density for a suburban edge property = 3 units per acre. Density for a suburban community is 5 units/acre.
- The Township is 98% developed.
- Goals and Practices: under #3, Water Resources/Natural Resources: Should have comments on surface water and the aquifer.
- Under #4, Community Facilities: It states that the community will have Wi-Fi. Does this need to be changed since most communities do have Wi-Fi now?
- It is important to have a statement that states that the Township wants to maintain a small town feel.
- Re Community Development: C1 – Encourage integrated commercial centers to be developed according to a specific plan and discourage strip developments.
- Re: Community Facilities and Services, Parks and Trails. Item CF5. Maintain the Benson Airport facilities at least through 2030. (Change it to be through 2040. Should mention that the Benson Airport defines the Township.)
- CF5. Maintain public safety facilities and services. (Mention Heritage Hall Sheriff Substation. Also note that the Town does not have a designated shelter to go into in case of a disaster.)
- Note that there are two CF 5's. Need to change one to CF 6 and current CF 6 becomes CF 7.
- CF 6. Consider development of community-wide Wi-Fi service by 2030. (Change the date to 2040. Add as technology grows Community wide Wi-Fi service...)

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The members will review the Goals and Policies further and inform the Planner of their comments. Think about outside possibilities such as charging stations for electric cars. Be futuristic in their thoughts. The next chapter of the Comprehensive Plan will be reviewed after the holidays.

**NOVEMBER/DECEMBER MEETING DATE – SET:** The Planner reported that the Planning Commission usually has a combined November/December meeting due to holidays. It was the consensus to set that date for Tuesday, December 6, 2016.

Artner moved to adjourn the meeting at 7:55 p.m. Flann seconded. Ayes all.

Respectfully Submitted,

Joan J. Clemens  
Recording Secretary