



1281 HAMMOND ROAD
WHITE BEAR TOWNSHIP, MN 55110

1858
RAMSEY COUNTY
MINNESOTA

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**AGENDA
PLANNING COMMISSION MEETING
MARCH 22, 2018**

1. **6:30 p.m.** Call Meeting to Order at Township Administrative Offices, 1281 Hammond Road.
2. Approval of Agenda (Additions/Deletions).
3. Approval of Minutes of February 22, 2018.
4. **Consent Agenda:** None.
5. **Eric & Bonnie Hargesheimer, 5226 East Bald Eagle Boulevard** – Request for 5.7' Lot Width Variance & Minor Subdivision Request to Split their Property.
6. **Nathan Landucci, 5508 West Bald Eagle Boulevard** – Request for:
 - Zoning Ordinance Amendment
 - Setback Variances
 - Conditional Use Permit for a Guest Cottage
7. **North Oaks Company – Cambridge Downs** – Request for a Major Subdivision and Conditional Use Permit for a Planned Unit Development.
8. **Ordinance No. 33 (Sign) Amendments** – Consider Wilson Tool/Aspect LED Request to Modify the Sign Ordinance Requirements of:
 - Section 3-2.4 – Employment Opportunity Signs
 - Section 5-2 & 5-3 Relating to Light Industrial Signs
9. **Comprehensive Plan** – Update.
10. Added Agenda Items.
11. Adjournment.





**Planning Commission Meeting
March 22, 2018**

Agenda Number: 1 – 2 - 3

Subject: Call to Order – 6:30 p.m.
Heritage Hall, 4200 Otter Lake Road

Approval of March 22, 2018 Agenda
Approval of Minutes of February 22, 2018

Documentation: March 22, 2018 Agenda
February 22, 2018 Meeting Minutes

Action / Motion for Consideration:

Call meeting to order:	6:30 p.m.
Approval of Agenda:	March 22, 2018 (additions/deletions)
Approval of Minutes:	Meeting of February 22, 2018

**MINUTES
PLANNING COMMISSION MEETING
FEBRUARY 22, 2018**

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

Present: Denn; Loes; Flann; Kotilinek; Patrick; Swisher; Town Board Liaison: Ruzek;
Planner: Riedesel.

Absent: Artner with notice.

APPROVAL OF AGENDA (Additions/Deletions): Flann moved approval of the agenda with the following amendments: Delete: Item 5) Nathan Landucci, 5508 West Bald Eagle Boulevard – Request for: 1) Zoning Ordinance Amendment; 2) Setback Variances; 3) Conditional Use Permit for a Guest Cottage; and Item 7) Cambridge Downs – Continue to March Meeting. Loes seconded. Ayes all.

APPROVAL OF MINUTES OF JANUARY 25, 2018: Swisher moved approval of the Minutes of January 25, 2018. Kotilinek seconded. Ayes all.

CONSENT AGENDA: VICKIE BAKER, 5428 EAST BALD EAGLE BOULEVARD – REQUEST FOR A 15' RIGHT-OF-WAY SETBACK VARIANCE; A 9.7% GREEN AREA VARIANCE; A 364' GARAGE AREA VARIANCE TO ALLOW CONSTRUCTION OF A NEW HOME: The Planner reported that Ms. Baker is requesting approval of a 16.7% right-of-way setback variance and a 9.7% green area variance to allow construction of a new home at 5428 East Bald Eagle Boulevard. Jim Baker, the contractor, informed the Variance Board that the plan has been modified. The deck proposed for the right-of-way side of the home has been reduced by 1.5' to create a 20' setback from the right-of-way (requiring a 15' setback variance). The home is proposed to be a 2 story structure with a footprint of 1,693 square feet, which includes a 572 square foot attached garage, 22' x 26' in size. The existing garage/accessory structure is proposed to be retained as the new home was designed without a basement due to drainage and high water table concerns. The existing home has a slightly larger footprint than the proposed home. The lot area is 9,402 square feet, including both the home lot and the lakeshore lot between East Bald Eagle Boulevard and Bald Eagle Lake. The lot is 68.45' wide. The lot is considered an undersized lot of record. The home is proposed to be set back 15' from the East Bald Eagle Boulevard right-of-way to a second story deck, 10' from the south side lot line, 22.7' from the north side lot line and 38' from the alley at the rear of the lot. The existing garage on the property which is 733 square feet in area is planned to be retained. The coverage over the lot is proposed to be 3,264 square feet or 34.7% of the lot.

The existing home is proposed to be demolished and replaced with the new home. The existing home is located 26.2' from the right-of-way. The new home is proposed to be set back 29.1' from the right-of-way measured from the front face of the building. The proposed garage is 572 square feet in area. A 362 square foot garage area variance is requested.

This property is impacted by Ramsey County's plans to center the road within the right-of-way and give up rights to any public right-of-way beyond 66' as centered on the road.

**MINUTES
PLANNING COMMISSION MEETING
FEBRUARY 22, 2018**

If additional right-of-way is released to this property as shown on the County's right-of-way map, approximately 1,455 square feet could be added to the lot area. This would create a lot approximately 10,857 square feet in area which would permit 1,086 square feet of garage and accessory structure. With a total of 1,305 square feet of garage and accessory structure being proposed, a 219 square foot variance must be approved.

Vacation of a portion of the East Bald Eagle Boulevard as shown on the Ramsey County right-of-way map has been approved for several properties along East and West Bald Eagle Boulevards and would create a larger lot and a greater setback from the East Bald Eagle Boulevard right-of-way. This would create a right-of-way setback which exceeds the 35' right-of-way setback requirement. Staff recommends that the applicant apply for a vacation of the excess right-of-way along East Bald Eagle Boulevard in order to eliminate the need for a right-of-way setback variance. The requested setback variance may be approved subject to this requirement.

Staff recommends approval of a 1.2% green area variance requiring the applicant to request vacation of excess right-of-way and that the newly proposed driveway will utilize pavers which will reduce the green area variance requested so it is consistent with other green area variances approved by the Town. With vacation of a portion of the East Bald Eagle Boulevard right-of-way, a 219 square foot garage area variance must be approved.

The Variance Board reviewed the requests and recommended to the Planning Commission to recommend to the Town Board to approve a 15' right-of-way setback variance due to the excess right-of-way along East Bald Eagle Boulevard, the proposed home will be set back further from the right-of-way than the existing home, the location of the home as proposed is consistent with the neighboring homes and the neighborhood, and meets the standards set forth by the Zoning Ordinance to approve a variance. The Variance Board also recommends approval of the green area variance and garage size variance noting that the proposed new double garage is minimum sized (22') and the existing detached garage is in good condition and subject to the property owner replacing the proposed concrete driveway with impervious pavers and removal of a portion of the pavement near the alley upon review and approval of the Building Inspector after review by the Town's Public Works department.

The following variances are requested; 1) 15' right-of-way variance from the East Bald Eagle Boulevard right-of-way; 2) a 9.7% green area variance; and 3) a 364 square foot garage area variance.

Kotilinek moved, based on Variance Board review and recommendation to recommend to the Town Board to approve a 15' right-of-way variance from the East Bald Eagle Boulevard right-of-way; a 9.7% green area variance; and a 364 square foot garage area variance to allow construction of a new home. Swisher seconded. Ayes all.

COMPREHENSIVE PLAN: Laura Chamberlain, Hoisington Kogler Group, Inc. attended the meeting to provide a Comprehensive Plan update. Chapters concerning Transportation, Utilities, Parks, Trails, and Housing were added for review. There are still elements throughout the document that need to be updated or inserted.

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The projected growth of households in the Township in the plan differs from that projected by the Metropolitan Council. While there is a process that allows for communities to provide their own projections if they differ from the Council's projections, HKGi saw that with the new projections for housing growth that the Township will not meet the general growth requirements of a "Suburban" community designation, which requires that any future residential new development or redevelopment have an average of 5 units/acre. Given the available vacant or undeveloped land within the Township left to be developed, the sites identified are generally not appropriate to accommodate densities that average above 5 units/acre. HKGi and Township staff will be meeting with the Metropolitan Council representatives to explain the unique situation of the Township, and hopefully be able to move forward with projections and densities as planned. These discussions with the Council representative may delay the process of finalizing the plan. Until there are final projection numbers, projected traffic volumes, waste water usage, water usage, and affordable housing allocations cannot be provided to the Council. Those sections of the plan have all been marked "to be updated". With the possible delay, HKGi will take the opportunity to apply for an extension with the Met Council for the submission of the final document. This will allow time to iron out all the details and accommodate the necessary six-month review period without feeling strained by the December 31st deadline. Even with a number of items still hanging in the air, HKGi would like to get the elements that are not impacted by projections finalized and in front of the public in time for the Annual Town Meeting in March. HKGi will prepare 4-5 information boards on the Comprehensive Plan for the Annual Meeting. There will be information regarding where residents may send comments.

Some of the changes and updates discussed included:

1. There are conflicts in "Community Facilities and Schools" (page 36) with "Community Facilities and Services, Parks and Trails" (page 21). Laura Chamberlain suggested removing Eagle Brook Church from page 21: CF.1 Consider development of a community center for the Township at the Eagle Brook Church or other sites.
2. (Page 5-58). Remove reference to the Cub Foods Park and Ride since this no longer exists.
3. The Transportation Chapter is new. It is based on the 2030 plan. The Rush Line corridor has been added to this chapter and six additional sites will be added. Regarding the regional bicycle network: look at trails for on road and off road sites.
4. In the Parks Chapter language has been added. Want to be consistent.
5. Utility Chapter. The Water Supply Plan is being finalized. An executive summary will be included. The Township will follow recommendations by the DNR (a footnote can be added regarding the lake level lawsuit and the court's decision regarding irrigation ban and recommended gallons per day per capita.)
6. Parks and Open Spaces. This chapter has been reviewed by the Park Board and updated. HKGi is working on map finalization.

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7. Housing Chapter. In the 2030 plan housing and economic development was moved to land use (commercial and industrial development).
8. Regarding affordable and TIF categories: The Boardwalk is classified as affordable and TIF was used for the development of this project. The table in the Comp. Plan is a tool for what is available for TIF use.
9. Goals and Policies: Move Goals and Policies (Chapter 3) and info in another chapter.

The Planning Commission will continue to be updated on the Comp Plan updates.

Kotilinek moved to adjourn the meeting at 7:32 p.m.

Respectfully Submitted,

Joan J. Clemens
Recording Secretary



**Planning Commission Meeting
March 22, 2018**

Agenda Number: 4 Consent Agenda - None

Subject:

Documentation:

Action / Motion for Consideration:



**Planning Commission Meeting
March 22, 2018**

Agenda Number: 5

Subject: Eric & Bonnie Hargesheimer, 5226 East Bald Eagle Boulevard – Request for 5.7' Lot Width Variance & Minor Subdivision Request to Split their Property

Documentation: Staff Memo /
Variance Application & Maps
Minor Subdivision Application

Action / Motion for Consideration:

Receive Information / Discussion

Minutes
Variance Board Meeting
March ____, 2018

**MINUTES
VARIANCE BOARD MEETING
MARCH 13, 2018**

The meeting was called to order at 7:50 a.m.

Present: Members: Short, Johnson, Planner: Riedesel; Applicant: Eric Hargesheimer.

Absent: Denn with notice.

APPROVE AGENDA: The agenda was approved as submitted.

APPROVE MINUTES: Short moved approval of the February 14, 2018 Minutes. Johnson seconded. Ayes all.

Eric and Bonnie Hargesheimer – 5226 E Bald Eagle Blvd. – Request for a Minor Subdivision and 5.7' Lot Width Variance to Allow Construction of a New Home on a Newly Created Lot. Riedesel summarized the proposal to split the lot into two parcels. Parcel A is proposed to be 41,553 sq. ft. in area and 135.7' wide. Parcel B is proposed to be 24,849 sq. ft. in area and 74.3' wide. An 80' lot width is required for a new lot. A 5.7' lot width variance must be approved.

The Hargesheimer's are planning to build a new one level home on Parcel B and sell Parcel A to their daughter.

The Variance Board discussed the configuration of the T-turnaround which encroaches into the side setback area on lot B.

Mr. Hargesheimer noted that the T-turnaround may be relocated or it will be constructed of a non-permanent surface as defined by the Town.

The Variance Board discussed the location of the deck on the east side of the existing home. The deck encroaches into the side yard setback area. Mr. Hargesheimer explained that the "deck" is not a deck but is a handicapped accessible ramp. Ramps, like front

**MINUTES
VARIANCE BOARD MEETING
FEBRUARY 14, 2018**

steps, are allowed to encroach into the setback area. He also noted that the ramp is much smaller than the area shown as "deck" on the site plan.

The Variance Board consensus was that this request is consistent with similar proposals in the neighborhood which have been approved by the Town.

Short moved to recommend to the Planning Commission to recommend to the Town Board to approve the lot width variance as requested for Parcel B since the lot area for each lot far exceeds minimum lot requirements. All setback requirements for the new home will be met. Johnson seconded. Ayes all.

The meeting adjourned at 8:05 a.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Tom Riedesel', written over a horizontal line.

Tom Riedesel
Planner

MEMORANDUM

TO: VARIANCE BOARD
FROM: TOM RIEDESEL
DATE: MARCH 8, 2018

SUBJECT: NEW HOME CONSTRUCTION

REQUESTS: MINOR SUBDIVISION, 5.7' LOT WIDTH VARIANCE
LOCATION: 5226 EAST BALD EAGLE BOULEVARD
APPLICANTS: ERIC & BONNIE HARGESHEIMER
ZONING: R-1

The Hargesheimer's are requesting approval of a minor subdivision which will require a lot width variance. The Hargesheimer's lot is 66.372 square feet in area with a lot width of 210'. They would like to split the lot into two parcels. Parcel A is proposed to be 41,553 square feet in area and 135.7' wide. This parcel currently has the Hargesheimer home and a detached garage on it.

Parcel B is proposed to be 24,819 square feet in area and 74.3' wide. An 80' wide lot is the Town's minimum width requirement.

The Hargesheimers plan to construct a new home on Parcel B which will be more suited to their needs than the current home.

The undersized lot is being proposed due to the location of the current home. A 10' side yard setback is required. Staff recommended to the applicants to propose the new lot line so it is set back 10' from the common side lot line. The main portion of the existing home is set back 10' from the new lot line but there is a deck encroaching into the setback area.

The Town has reviewed and approved similar subdivision requests which included a small lot width variance provided that the lots exceed minimum square footage requirements.

When municipal sewer and water was provided to the Bald Eagle neighborhood, the applicant's property was assessed on a front footage basis. No utility hookup fee is required for this property as it was already paid. SAC/WAC and Local SAC fees apply however.

A park fee is collected by the Town when a subdivision is approved creating a new buildable lot. The park fee is currently \$3,500.00.

Drainage and utility easements are also requested along all property lines for new subdivisions. These easements are not currently shown on the plans.

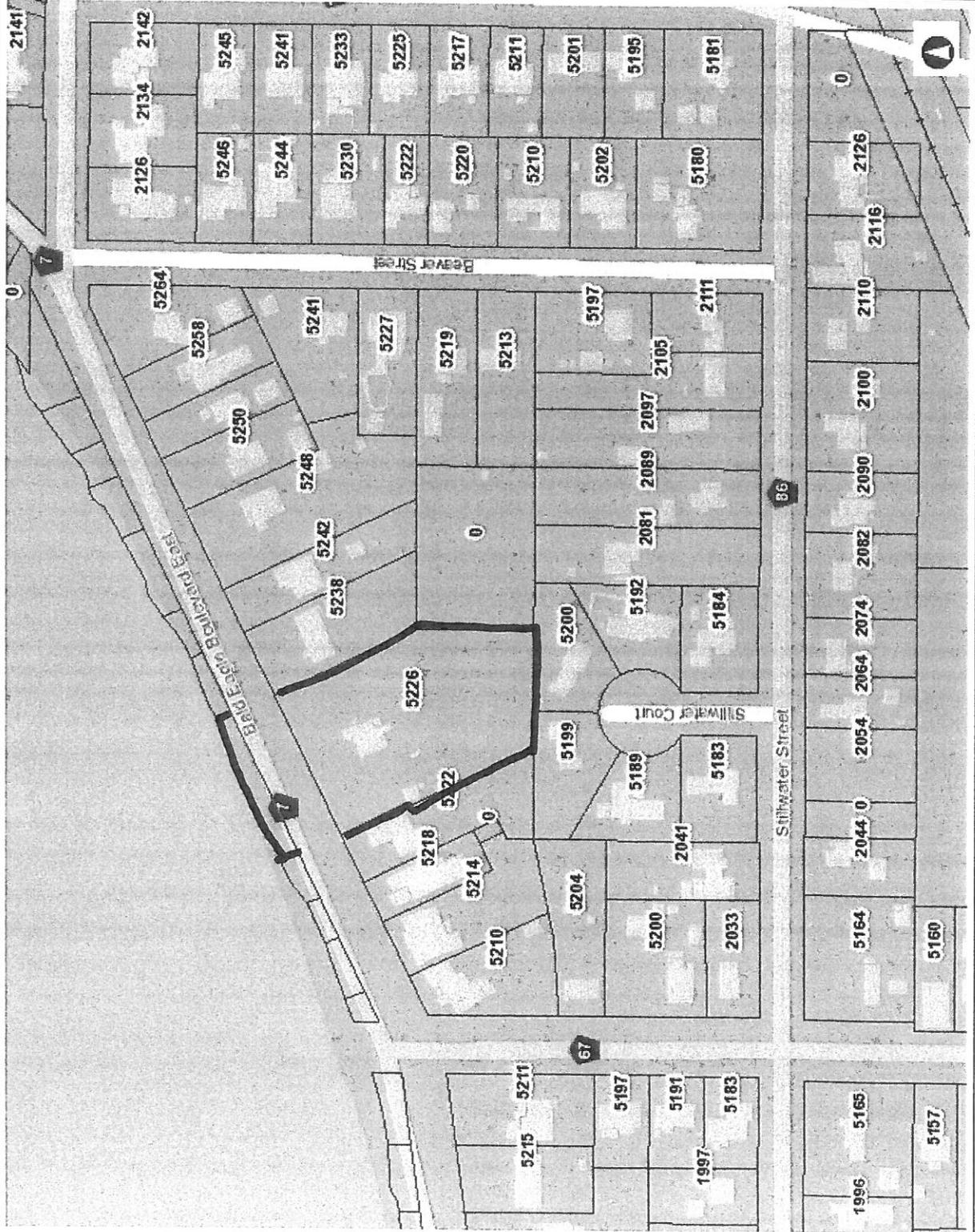
It should also be noted that the proposed driveway encroaches slightly into the side yard setback area. The driveway should be modified to meet setback requirements if the subdivision and variance are approved.

The minor subdivision and lot width variance appears to be consistent with others previously approved by the Town. The setback of the home, as proposed on the new lot, is consistent with nearby homes and others within the neighborhood.

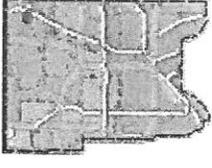
If approved, the following conditions are recommended:

1. Payment of a park dedication fee.
2. Payment of SAC/WAC and local SAC charges at the time a building permit is approved.
3. Provision of 10' drainage and utility easements around the perimeter of both lots, The easements shall not be over any existing buildings.
4. Discussion of the location of the existing deck on the east side of the current home including reduction of the size of the deck.
5. The newly proposed driveway shall meet at 10' side yard setback requirement.

TR/psw
cc:admin/add.file
b:hargesheimer



Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries

Notes

Enter Map Description

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION





MINOR SUBDIVISION APPLICATION FORM

INTRODUCTION

A minor subdivision is a division of one parcel into two lots. Neither parcel can be further subdivided. The newly created lot must front on an existing street and cannot require the extension of municipal facilities or any public improvement. Utility connection charges and park dedication fees may apply.

APPLICANT(S) ERIC + BONNIE PHONE (Home) 651-260-0268
HARGESHEIMER (Business) _____
(Cell) _____

ADDRESS 5226 E. BACD EAGLE
BLVD. WBL, MN 55110

PROPERTY OWNER ERIC + BONNIE HARGESHEIMER

ADDRESS OF SITE SAME ZONING R-1

EXISTING USE OF SITE Single Family Home

_____ Fee (\$35.00 plus \$150.00 Initial Expense Deposit, Plus All Related Additional Costs Incurred Regarding the Request)

It is the policy of White Bear Township that all identifiable costs associated with a Minor Subdivision within the Township shall be the sole responsibility of the owner of said property. The costs shall include, but are not limited to the following: Township planning review costs (reports, meetings, site review); engineering review costs; legal costs (preparation of hearing notices, legal research, certification costs); publication costs (notice of hearing); reapportionment of assessments (engineers report); mailings and Ownership Reports (ownership/encumbrance).

Prior to the final approval by the Town Board, all Township expenses to date shall be paid by the owner. Subsequent expenses not paid at the time of final approval (due to billings by consultants, etc.) shall be due upon receipt of a billing from the Township.

En D. Hargheimer

Bonita Hargheimer
Signature of Applicant(s)

2-20-18
Date

To Be Completed By Office:

Date Request Received 2/20

By Ruhardt
(Staff Member)

\$35.00 Fee + \$150 Deposit Received Yes
 No

Date Application Complete _____



Planning Commission Meeting March 22, 2018

Agenda Number: 6

Subject: Nathan Landucci, 5508 West Bald Eagle Boulevard –
Request for:

- Zoning Ordinance Amendment
- Setback Variances
- Conditional Use Permit for a Guest Cottage

Documentation:

Action / Motion for Consideration:

Receive Information / Discussion

Minutes
Planning Commission Meeting
January 25, 2018

NATHAN LANDUCCI, 5508 WEST BALD EAGLE BOULEVARD – REQUEST FOR: 1) ZONING ORDINANCE AMENDMENT; 2) SETBACK VARIANCES; 3) CONDITIONAL USE PERMIT FOR A GUEST COTTAGE: Mr. Landucci is requesting Town approval of setback variances and Conditional Use Permit which would allow demolition of the existing garage and replacement of a new two story garage located on West Bald Eagle Boulevard. The existing garage has a footprint of 26' wide by 24' deep. The garage footprint is proposed to be expanded to 30'10" wide by 26' deep. The garage is proposed to have a second story with living quarters. The living quarters are proposed as a guest cottage, which is permitted by Conditional Use Permit, subject to meeting Zoning Ordinance conditions. The Variance Board met with Mr. Landucci in November. At that meeting, the Variance Board recommended that the proposed guest cottage be reduced in area and the kitchen be eliminated from the proposal. The garage is located on a 2,613 square foot lot on West Bald Eagle Boulevard. The garage serves Bald Eagle Island and is the only structure, other than the driveway, located on the lot. The existing garage is 26' wide by 24' deep and is a single story structure. The garage is proposed to be demolished and replaced in approximately the same location with the two story garage. The lot is 41.35' wide and subject to the following setbacks: 1) 50' lakeshore setback; 2) 6.00' side setbacks; 3) 35' right-of-way setback. Mr. Landucci is requesting the following setbacks: 1) a 33' lakeshore setback – requiring a 17' variance; 2) a 5.25' side setback – requiring a .75' side setback variance on one side of the garage; 3) a 6' side setback – no variance required; 4) a 0' right-of-way setback requiring a 35' variance. Since Mr. Landucci is proposing to construct a guest cottage above the new garage,

requirements of the Zoning Ordinance relating to guest cottages must be met. One requirement is that it not exceeds 15' in height. The two story structure is proposed to be 21' in height as measured from grade to the average of the highest gable. A 6' height variance is requested. The garage is proposed to be 800 square feet in area. The upper portion of the guest cottage is proposed to be 672 square feet in area which meets guest cottage requirements. Twenty five percent maximum coverage is permitted on the lot. The lot is 2,613 square feet in area. The garage is proposed to cover 30.6% of the lot. The driveway is not included in this calculation as it is in the public right-of-way. If the island is included in the square footage of the property, the 25% impervious area maximum is not exceeded when including the garage lot. However, after contacting Ramsey County Property Records & Revenue Department it was found that due to the distance between the island and the garage lot, the two cannot be combined for tax purposes. The Variance Board reviewed the proposal and recommends that Mr. Landucci attach the properties using deed restrictions on both lots, requiring that they remain together. The standards which must be met in order to approve a variance, as outlined in Section 9-6.4 of the Zoning Ordinance were reviewed.

In addition to the variances being requested, Mr. Landucci is requesting approval of a Conditional Use Permit which would allow the second level of the garage to be used as a guest cottage. Guest cottages are permitted in the R-1 residential zoning district. A guest cottage must meet the following requirements in order for Conditional Use Permit approval:

- The residential lot in a sewer area must be at least 24,000 square feet in area. (The lot where the garage/guest cottage is proposed is 2,613 square feet in area. The island is 2.33 acres.)
- The structure design, building materials and color shall be compatible with the principal structure and surrounding land uses. (The garage is proposed to be consistent with the home on the island.)
- The structure shall not be used for rental purposes. (No rental of the guest cottage is planned.)
- The guest cottage must pay one service (sewer & water) for each utility serving the property. (A metro sewer availability charge (SAC) and local sewer availability charge and water availability charge (WAC) must be paid in addition to the Utility Connection Fee as the property was not assessed in the past. These fees will amount to \$25,425.00.)
- A guest cottage shall not cover more than 700 square feet of land and shall not exceed 15' in height. (The footprint is proposed to be 800 square feet in area. The area of the guest cottage is proposed to be 672 square feet in area. The height is proposed to be 21'.)
- A guest cottage in the Shoreland Management District must be designed to reduce its visibility as viewed from the lake (Bald Eagle).

The guest cottage is proposed to be used in the event of poor weather, which would limit access to the island. There are no plans to rent the living quarters, which would not be allowed or to utilize the building for living purposes full time.

A total of four variances are being requested in addition to the Conditional Use Permit for the guest cottage. At the two previous Variance Board meetings, the Variance Board discussed ordinance amendments which may be preferred to approving the requested variances. Options considered include: 1) Rezone the garage lot from R-1 to BEI so it is consistent with the island zoning. Specific requirements allowing a guest cottage would have to be adopted to accommodate the guest cottage; and 2) Amend the height requirements of the guest cottage section of the ordinance allowing structure height up to 21 feet (15' maximum height is currently permitted.)

If recommended, the Planning Commission may want to also consider amending the green area requirements allowing a guest cottage to cover up to 31% of a lot or acknowledge that deed restrictions tying the lots together must be provided by the owner.

If the Zoning Ordinance is amended to accommodate the Landucci proposal, a right-of-way setback variance, a lakeshore setback variance and side yard setback variance must also be approved for the new structure.

Conditional Use Permit: A guest cottage meeting Zoning Ordinance requirements is permitted in the R-1 Zoning District. Since the structure is proposed to be 6' taller than is permitted by the ordinance, and 100 square feet larger, the building must be reduced in height and size or a height square foot variance must be approved by the Town. In the alternative, the Zoning Ordinance may be amended. If the Conditional Use Permit is recommended for approval, it must be subject to approval of the requested variances and payment of a utility connection fee and payment of SAC, WAC, and local SAC fees.

Variances: The following variances are requested: 1) 6' guest cottage building height variance; 2) 17' lakeshore setback variance; 3) 35' right-of-way setback variance; 4) .75' side yard setback variance; 5) 5.5% green area variance. Guest cottages are limited to 15' height. If this were a two story garage, no height variance would be required providing that the garage does not exceed 25' in height. Height variances are unprecedented in the Town for the past 25 plus years. Previously when an applicant wanted to exceed height requirements, the Zoning Ordinance was amended rather than approval of a height variance. Zoning Ordinance amendments to exceed height requirements were approved for Schwing America and Cortec Corporation, both businesses. No height variances have been requested in a residential zone recently

Lakeshore Setback Variance: A 50' lakeshore setback variance is required, a 17' lakeshore setback variance is proposed. Since the maximum depth of the lot is less than 70', either a lakeshore or right-of-way setback variance must be approved, or both to allow any structure on the lot.

Right-of-Way Setback Variance: A 35' right-of-way setback is required. The existing garage appears to be located up to the West Bald Eagle Boulevard right-of-way line. The new garage is proposed to be constructed using a larger footprint than the existing garage. Mr. Landucci would like to shift the garage back 5' from the right-of-way. A 30' right-of-way setback variance must be approved. A 22' lakeshore setback variance must be approved creating a setback from the lake of 28'.

Side Setback: A .75' minimum side setback variance is requested. Based on the proposed width of the garage one side yard setback variance must be approved.

Following are recommendations for consideration:

1. **Approve:** 1) 35' right-of-way setback variance; 2) 17' lakeshore setback variance; 3) .75' side yard setback variance; 4) 6' height variance; 5) 5.5% green area variance.
2. **Approve an amendment to Section 7-9.7(d) as follows:** A guest cottage shall not cover more than 700 square feet of land surface and shall not exceed 21' in height.

In addition, Section 7-9.7 should also be amended reducing the minimum lot size permitted from 24,000 square feet to 2,613 (2,500) square feet unless deed restrictions are provided. If recommended for approval, the following variances must be approved: 1) 35' right-of-way setback variance; 2) 17' lakeshore setback variance; 3) .75' side yard setback variance.

3. **Rezone the garage lot from R-1 to BEI Zoning. Set the following BEI zoning requirements:** 1) Minimum right-of-way setback requirement = 0; 2) Minimum lakeshore setback requirement = 10'. This is consistent with the lakeshore accessory structure setback requirement. It must be noted that allowing an 800 square foot structure is double the size of an accessory structure permitted in a Shoreland Management Zone, with a 10' setback.

4. Deny the variances as requested since as requested they do not meet the standards set forth by the Zoning Ordinance to approve.
5. Deny the Conditional Use Permit request for guest cottage since the lot is 2,613 square feet in area not meeting the 24,000 square foot minimum lot size, the proposed building exceeds the square footage and height requirements permitted by Section 7-9.7(d) of the Zoning Ordinance.
6. Approve the Conditional Use Permit as requested, subject to approval of the variances as requested or in the alternative, the Zoning Ordinance amendments as discussed.

The Variance Board reviewed Mr. Landucci's request for variances. Following are their comments:

- Recommend that the proposed guest cottage be reduced in area and the kitchen be eliminated from the proposal.
- The island is over an acre in area but the garage lot cannot be tied to the island for tax purposes since it is located several hundred feet from the garage. The County will not tie the two together due to this distance between the structures which are in different sections. As a result, a 5.5% green area variance must be approved for the new structure.
- After discussion, it was the consensus that the two properties should be tied together for zoning purposes. Since the County will not tie the properties together, a deed restriction on the properties will keep the two properties together and cannot be separated.
- As calculated by Nate Landucci, the size of the guest quarters is proposed to be 672 square feet in area on the second story of the garage. The footprint of the garage is approximately 800 square feet.
- The existing garage has a 0' setback from the right-of-way. The new structure is proposed to have the same 0' setback. It was suggested that the driveway be extended so the garage has a setback from the road. Adding to the driveway will increase the impervious area on the lot.
- The accessory structure cannot be used for sleeping. The plan revisions as presented by Mr. Landucci meet the recommendations as discussed at the November Variance Board Meeting.
- What is the purpose of the guest cottage and how will it be marketed when the home is put up for sale. Mr. Landucci plans to define the building as a refuge area when the weather makes crossing the lake dangerous. A suggestion was made that the Bald Eagle Island zoning district could be amended so the proposed accessory structure is defined as a "place of refuge" vs a guest cottage. Although Mr. Landucci prefers to call the proposed living quarters a "guest cottage" since it is currently permitted and regulated by the Ordinance. He states that the guest cottage is less than 800 square feet in area and improvements were eliminated from the cottage such as a kitchen. It was the consensus that due to the small size of the lot, the purpose of the structure should be limited to a "place of temporary refuge" vs a guest cottage. Mr. Landucci stated that the unit will see very little use and will not be used for rental purposes or living quarters.
- The Clerk supports the concept for the "temporary refuge" with the garage lot tied to the island with added restrictions. The Town could amend the Zoning Ordinance eliminating the "commercial/residential recording and film post production studio" from the list of uses permitted in the BEI district. Mr. Landucci supported the elimination of the "studio" from the list of Conditional Uses in the BEI district.
- Could support a 31% coverage of the lot since the overall impervious area when the island is included in the calculation is much less than 25%.

The Variance Board proposes the following additional requirements:

- The "temporary refuge" cannot be used more than 30 days per year.
- The "refuge area" cannot be used for more than 2 consecutive days.
- The garage lot shall be rezoned to BEI.

- Recording studio shall be eliminated from the list of Conditional Uses in the BEI district.
- Refuge area must be defined and included in the amendment to the BEI district.
- The Town will allow the use of a portion of the garage as a temporary refuge only so long as there is a house located on Bald Eagle Island.
- This is considered a unique and necessary connection to the island and is considered part of the island property.

The Variance Board recommended approval of the requested variances subject to the conditions described above.

The Planner noted that Mr. Landucci held a neighborhood meeting this week with four residents in attendance. The Planner received one phone call from a resident who had concerns that the proposal would negatively impact his property. Denn asked a question regarding what the nature of the easement on this lot is and how does it apply since Mr. Landucci does not own the property. The Planner stated that it is a perpetual easement which allows use of the property. Mr. Landucci reported that he reached out to Mr. Hildebrand who owns the garage and home across the street from the garage. He was not in residence. There was a caretaker on the property. Mr. Landucci sent the documents to Mr. Hildebrand to review. He hopes to reach an agreement. It was noted that the perpetual easement will have to be re-surveyed. Even though the easement says the Mr. Landucci has full use of the property, the easement will have to reflect the changes he wants to make to the property. Flann ask what the definition of "temporary refuge" is. The Planner stated that the Variance Board came up with the definition. In response to a question how the resident on the island gets back and forth the Planner stated that he uses a hovercraft.

The Planner stated that the proposed height of the structure needs to be addressed. Currently the maximum height is 15 feet. To allow 21 feet the section of the Zoning Ordinance needs to be amended. There was discussion regarding the connection fees for sewer and water. It was noted that the amount of \$25,000 is a lot of money if there are no fixtures in the proposed "temporary refuge" to use the utilities. The Planner stated that with the availability of the utilities, the property owner has the right to hook up. He noted that this lot was not assessed for utilities. A toilet is proposed. Kotilinek stated that although the garage will not be used as sleeping quarters has the Fire Inspector reviewed the plans. The Planner stated that the Fire Inspector has not seen the plans as yet but will be provided to him. Kotilinek asked if the DNR has been informed of the lakeshore setback. The Planner stated that they need to be informed. Kotilinek asked if any rezoning for the "temporary refuge" will go through the process. The Planner stated that it does have to go through the process and a public hearing will be scheduled for March 5, 2018. Swisher asked what the height of the current garage is and how long has it been there. The garage was built in 1987. He noted that the owner should present something in writing about the proposal.

Nathan Landucci stated that the Variance Board had proposed doing something about the steep ramp to the lake. He stated that the garage could be shifted to the right or left. Denn noted that Nathan Landucci is not named on the deed for the lot. Mr. Landucci stated that the lot has a separate PID# from the residential property owned by the garage lot owner. Denn asked if the garage lot is part of the residential property can the BEI zoning be extended to the garage lot. Denn asked if the perpetual easement states the size of the garage. The Planner stated that the garage is 26' x 26'. The new garage will be larger.

After discussion it was the consensus that there are questions that need to be answered. Most importantly, the perpetual easement needs to be reviewed. It was the consensus that the matter be tabled for more discussion at next month's meeting when further information will be available.

Kotilinek moved to table the matter of Nathan Landucci, 5508 West Bald Eagle Boulevard request for: 1) zoning ordinance; 2) setback variances; 3) Conditional Use Permit for guest cottage until further

information is available and to schedule Public Hearing on the matter for March 5, 2018. Artner seconded. Ayes all.

Minutes
Variance Board Meeting
January 17, 2018

NATHAN LANDUCCI, 5508 West Bald Eagle Boulevard – Request for: 35' Right-of-Way Setback Variance; 17' Lakeshore Setback Variance; 6' Height Variance; .75' side Setback Variance; 5.5% Green Area Variance; 100 Square Foot Guest Cottage Size Variance: Riedesel summarized the proposal to replace the West Bald Eagle Boulevard garage, which is the garage lot for Bald Eagle Island, with a new structure. The new structure is proposed to include a guest cottage on the second story. The existing garage is 26' wide x 24' deep. A Conditional Use Permit is required to construct a guest cottage.

The Variance Board met with Mr. Landucci in November. At that meeting, the Variance Board recommended that the proposed guest cottage be reduced in area and the kitchen be eliminated from the proposal.

The garage lot is 2,613 square feet in area. The island is over an acre in area but cannot be tied to the island for tax purposes since it is located several hundred feet from the garage. The County will not tie the two together due to the distance between the structures which are in different sections. As a result, a 5.5% green area variance must be approved for the new structure.

The Variance Board discussed the requests and it was the consensus that the two properties should be tied together for zoning purposes. Since the County will not tie the properties together, the Variance Board would like to see a deed restriction on the properties which will keep the two properties together and cannot be separated.

Johnson noted that he has been doing research with regards to accessory buildings and state code. The State Building Code requires a building permit for any structure over 200 square feet in area. The Town requires a building permit for an accessory structure over 150 square feet currently. Johnson feels that a Zoning Permit should be issued for any accessory structure less than 200 square feet in area.

Johnson also feels that the maximum allowable height of accessory structures should be limited to less than it is now. There was discussion regarding Mr. Landucci's proposed building. It was noted that the proposed structure is considered a guest cottage.

The Variance Board discussed the details of Landucci's proposal. The size of the guest quarters was discussed, it was calculated by Nate Landucci as 672 square feet in area on the second story. The footprint of the garage is approximately 800 square feet.

The existing garage has a 0' setback from the right-of-way. The new structure is proposed to have the same setback (0'). The Variance Board discussed extending the driveway so the garage has a setback from the road. It was noted that adding to the driveway will increase the impervious area on the lot.

Johnson noted that an accessory structure cannot be used for sleeping. The plan revisions as presented by Mr. Landucci meet the recommendations of the Variance Board discussed at the November meeting.

Short asked Landucci – What the purpose of the guest cottage is proposed to be and how will it be marketed when the home is put up for sale?

Landucci plans to define the building as a refuge area when the weather makes crossing the lake dangerous.

Short noted that the Bald Eagle Island zoning district could be amended so the proposed accessory structure is defined as a “place of refuge” vs. a guest cottage.

Landucci prefers to call the proposed living quarters a “guest cottage” since it is currently permitted and regulated by the Ordinance. He noted that he has followed the direction given to him by the Variance Board, the size of the guest cottage is less than 400 square feet in area and improvements were eliminated from the cottage such as the kitchen.

Short suggested that due to the small size of the lot, the purpose of the structure should be limited to a “place of temporary refuge” vs. a guest cottage.

Landucci noted that the unit will see very little use and will not be used for rental purposes or living quarters, etc.

Short noted he supports the concept for the “temporary refuge”. He would like to see the garage lot tied to the island with added restrictions. He would also like to see the Town amend the Zoning Ordinance, eliminating the “commercial/residential recording and film post production studio” from the list of uses permitted in the BEI District.

Landucci can support the elimination of the “studio” from the list of Conditional Uses in the BEI District.

Short recommended the island and garage lot zoning be consistent as BEI. Short felt he could support a 31% coverage on the lot since the overall impervious area when the island is included in the calculation is much less than 25%. He also proposed the following additional requirements:

- The “temporary refuge” cannot be used more than 30 days per year.
- The “refuge area” cannot be used for more than 2 consecutive days.
- The garage lot shall be rezoned to BEI.
- Recording studio shall be eliminated from the list of Conditional Uses in the BEI District.
- Refuge area must be defined and included in the amendment to the BEI District.
- The Town will allow the use of a portion of the garage as a temporary refuge only so long as there is a house located on Bald Eagle Island.
- This is considered a unique and necessary connection to the island and is considered part of the island property.

The Variance Board requested Mr. Landucci submit a survey for the property.

Short recommended approval of the requested variances subject to the conditions described above. Johnson seconded. Ayes all.

MEMORANDUM

TO: PLANNING COMMISSION
FROM: TOM RIEDESEL
DATE: JANUARY 2, 2018

SUBJECT: GARAGE RECONSTRUCTION / GUEST COTTAGE

REQUESTS: 35' RIGHT-OF-WAY SETBACK VARIANCE
17' LAKESHORE SETBACK VARIANCE
6' HEIGHT VARIANCE
.75 SIDE SETBACK VARIANCE
5.5% GREEN AREA VARIANCE

LOCATION: 5508 WEST BALD EAGLE BOULEVARD
ZONING: R-1, SUBURBAN RESIDENTIAL
APPLICANT: NATHAN LANDUCCI

Mr. Landucci is requesting Town approval of setback variances and Conditional Use Permit which would allow demolition of the existing garage and replacement of a new 2 story garage located on West Bald Eagle Boulevard. The existing garage has a footprint of 26' wide by 24' deep. The garage footprint is proposed to be expanded to 30'10" wide by 26' deep. The garage is proposed to have a second story with living quarters. The living quarters are proposed as a guest cottage, which is permitted by Conditional Use Permit, subject to meeting Zoning Ordinance conditions.

The Variance Board met with Mr. Landucci in November and requested that he consider eliminating the kitchen and reducing the size of the living area in the proposed guest cottage.

The garage is located on a 2,613 square foot lot on West Bald Eagle Boulevard. The garage serves 1 Bald Eagle Island and is the only structure, other than the driveway, located on the lot. The existing garage is 26' wide by 24' deep and is a single story. The garage is proposed to be demolished and replaced in approximately the same location with the 2 story garage. The lot is 41.35' wide and subject to the following setbacks:

- 50' lakeshore setback
- 6.00' side setbacks
- 35' right-of-way setback

Mr. Landucci is requesting the following setbacks:

- A 33' lakeshore setback - requiring a 17' variance

- A 5.25' side setback - requiring a .75' side setback variance on one side of the garage
- A 6' side setback – no variance required
- A 0' right-of-way setback requiring a 35' variance

Since Mr. Landucci is proposing to construct a guest cottage above the new garage, requirements of the Zoning Ordinance relating to guest cottages must be met. One requirement for a guest cottage is that it not exceed 15' in height. The two story structure is proposed to be 21' in height as measured from grade to the average of the highest gable. A 6' height variance is requested.

It must also be noted that the garage is proposed to be 800 square feet in area. The upper portion of the guest cottage is proposed to be 672 square feet in area, which meets guest cottage requirements. Twenty-five percent maximum coverage is permitted on the lot. The lot is 2,613 square feet in area. The garage is proposed to cover 30.6% of the lot. The driveway is not included in this calculation as it is in the public right-of-way. If the island is included in the square footage of the property, the 25% impervious area maximum is not exceeded when including the garage lot. However, after contacting Ramsey County Property Records & Revenue Department it was found that due to the distance between the island and the garage lot, the two cannot be combined for tax purposes. The Variance Board reviewed the proposal and recommends that Mr. Landucci attach the properties using deed restrictions on both lots (requiring that they remain together).

Section 9-6.4 of the Zoning Ordinance sets the standards which must be met in order to approve a variance. It states:

- (1). Without issuance of a variance, the provisions of this Ordinance would deprive the applicant of a reasonable use of property under the terms of this Ordinance.
- (2). That the special conditions and circumstances do not result from the actions of the applicant.
- (3). That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.
- (4). That the proposed action will not unreasonably increase the congestion on public streets.
- (5). That the proposed action will not increase the danger of fire or endanger the public safety.

- (6). That the proposed action will not unreasonably diminish or impair established property values within the neighborhood or in any other way be contrary to the intent of this Ordinance.

In addition to the variances being requested, Mr. Landucci is requesting approval of a Conditional Use Permit which would allow the second level of the garage to be used as a guest cottage. Guest cottages are permitted in the R-1 residential zoning district. A guest cottage must meet the following requirements in order for Conditional Use Permit approval. They include:

- The residential lot in a sewer area must be at least 24,000 square feet in area.

The lot where the garage/guest cottage is proposed is 2,613 square feet in area. The island is 2.33 acres.

- The structure design, building materials and color shall be compatible with the principal structure and surrounding land uses.

The garage is proposed to be consistent with the home on the island.

- The structure shall not be used for rental purposes.

No rental of the guest cottage is planned.

- The guest cottage must pay one service (sewer & water) for each utility serving the property.

A Metro sewer availability charge (SAC) and local sewer availability charge and water availability charge (WAC) must be paid in addition to the Utility Connection Fee as the property was not assessed in the past. These fees will amount to \$25,425.00.

- A guest cottage shall not cover more than 700 square feet of land and shall not exceed 15' in height.

The footprint is proposed to be 800 square feet in area. The area of the guest cottage is proposed to be 672 square feet in area. The height is proposed to be 21'.

- A guest cottage in the Shoreland Management District must be designed to reduce its visibility as viewed from the lake (Bald Eagle).

The guest cottage is proposed to be used in the event of poor weather, which would limit access to the island. There are no plans to rent the living quarters, which would not be allowed or to utilize the building for living purposes, full time.

A total of 4 variances are being requested in addition to the Conditional Use Permit for the guest cottage. At the two previous Variance Board meetings, the Variance Board discussed ordinance amendments which may be preferred to approving the requested variances. Options considered include:

1. Rezone the garage lot from R-1 to BEI so it is consistent with the island zoning. Specific requirements allowing a guest cottage would have to be adopted to accommodate the guest cottage.
2. Amend the height requirements of the guest cottage section of the ordinance allowing structure height up to 21 feet (15' maximum height is currently permitted).

If recommended, the Variance Board may want to also consider amending the green area requirements allowing a guest cottage to cover up to 31% of a lot or acknowledge that deed restrictions tying the lots together must be provided by the owner.

If the Zoning Ordinance is amended to accommodate the Landucci proposal, a right-of-way setback variance, a lakeshore setback variance and side yard setback variance must also be approved for the new structure.

Conditional Use Permit:

A guest cottage meeting Zoning Ordinance requirements is permitted in the R-1 Zoning District. Since the structure is proposed to be 6' taller than is permitted by the ordinance, and 100 square feet larger, the building must be reduced in height and size or a height square footage variance must be approved by the Town. In the alternative, the Zoning Ordinance may be amended. If the Conditional Use Permit is recommended for approval, it must be subject to approval of the requested variances and payment of a utility connection fee and payment of SAC, WAC and local SAC fees.

Variances:

The following variances are requested:

- A 6' guest cottage building permit height variance
- A 17' lakeshore setback variance
- A 35' right-of-way setback variance
- A .75 side yard setback variance
- A 5.5% green area variance (not required if the properties are tied together per deed restrictions)

Guest cottages are limited to 15' in height. If this were a two story garage, no height variance would be required providing that the garage does not exceed 25' in height. Height variances are unprecedented in the Town, for the past 25 plus years. Previously when an applicant wanted to exceed height requirements, the Zoning Ordinance was amended rather than approval of a height variance. Zoning Ordinance amendments to exceed height requirements were approved for Schwing America and Cortec Corporation, both businesses. No height variances have been requested in a residential zone recently.

Lakeshore Setback Variance:

A 50' lakeshore setback variance is required, a 17' lakeshore setback variance is proposed. Since the maximum depth of the lot is less than 70', either a lakeshore or right-of-way setback variance must be approved, or both to allow any structure on the lot.

Right-of-Way Setback Variance:

A 35 right-of-way setback is required. The existing garage appears to be located up to the West Bald Eagle Boulevard right-of-way line. The new garage is proposed to be constructed using a larger footprint the existing garage.

Side Setback:

A .75' minimum side setback variance is requested. Based on the proposed width of the garage. One side yard setback variance must be approved.

The following are recommendations for the Variance Board to consider:

1. Approve:
 - A 35 right-of-way setback variance
 - A 17' lakeshore setback variance
 - A .75' side yard setback variance
 - A 6' height variance
 - A 5.5% green area variance

2. Approve an amendment to Section 7-9.7(d) as follows:

A guest cottage shall not cover more than 700 square feet of land surface and shall not exceed ~~15'~~ 21' in height.

In addition Section 7-9.7 should also be amended reducing the minimum lot size permitted from 24,000 square feet to 2,613 (2,500) square feet

unless deed restrictions are provided. If recommended for approval, the following variances must be approved:

- 35' right-of-way setback variance
 - 17' lakeshore setback variance
 - .75' side yard setback variance
3. Rezone the garage lot from R-1 to BEI Zoning. Set the following BEI zoning requirements:

Minimum right-of-way setback requirement = 0'
Minimum lakeshore setback requirement = 10' (consistent with the lakeshore accessory structure setback requirement. It must be noted that allowing an 800 square foot structure is double the size of an accessory structure permitted in a Shoreland Management Zone, with a 10' setback.

4. Deny the variances as requested since as requested they do not meet the standards set forth by the Zoning Ordinance to approve.
5. Deny the Conditional Use Permit request for the guest cottage since the lot is 2,613 square feet in area not meeting the 24,000 square foot minimum lot size, the proposed building exceeds the square footage and height requirements permitted by Section 7-9.7(d) of the Zoning Ordinance.
6. Approve the Conditional Use Permit as requested, subject to approval of the variances as requested or in the alternative, the Zoning Ordinance amendments as discussed.

TR/psw
cc:admin/add.file
b:landuccigarage

**AN ORDINANCE AMENDING ORDINANCE NO. 35 OF THE
TOWN OF WHITE BEAR, RAMSEY COUNTY, MINNESOTA,
DATED SEPTEMBER 8, 1972, AS AMENDED AND ENTITLED
“ZONING ORDINANCE OF THE TOWN OF WHITE BEAR
RAMSEY COUNTY, MINNESOTA” AND DIVIDING THE TOWN
INTO DISTRICTS OR ZONES**

THE TOWN BOARD OF SUPERVISORS OF THE TOWN OF WHITE BEAR ORDAINS:

SECTION 1. AMENDMENT. Section 6-5 – **CONDITIONAL USES** of Ordinance No. 35 is amended by repealing the following use:

“BEI” Bald Eagle Island

- (1) Commercial/residential recording and film post production studio with a single family dwelling.

SECTION 2. SEVERABILITY. Should any section, subdivision, clause or other provision of this Ordinance be held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole, or of any part hereof, other than the part held to be invalid.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its passage and publication.

Passed by the Town Board of Supervisors of the Town of White Bear, Ramsey County, Minnesota, this 5th day of March, 2018.

APPROVED:

ROBERT J. KERMES, Chair

ATTEST:

WILLIAM F. SHORT, Clerk-Treasurer

Board of Supervisors:
ROBERT J. KERMES Chair
ED M. PRUDHON, Supervisor
STEVEN A. RUZEK, Supervisor

Published in the White Bear Press on _____, 2018.

January 17, 2018

Hello Neighbor,

I am the owner of 1 Bald Eagle Island and the garage at 5508 West Bald Eagle Blvd. I have recently talked to the township staff about tearing down and rebuilding the garage with a 2-story structure and would like to share the proposed plans with my close neighbors.

I would like to invite you to discuss the proposed garage details, architectural drawings and survey at the Ramsey County Library in the Large community program room on Wednesday, January 24th at 6:30 p.m. The library's address is 2150 2nd Street in White Bear Lake. Please feel free to invite any other neighbor not copied below that you feel would be interested in learning more about the proposed garage.

Attached are the proposed plans for your review.

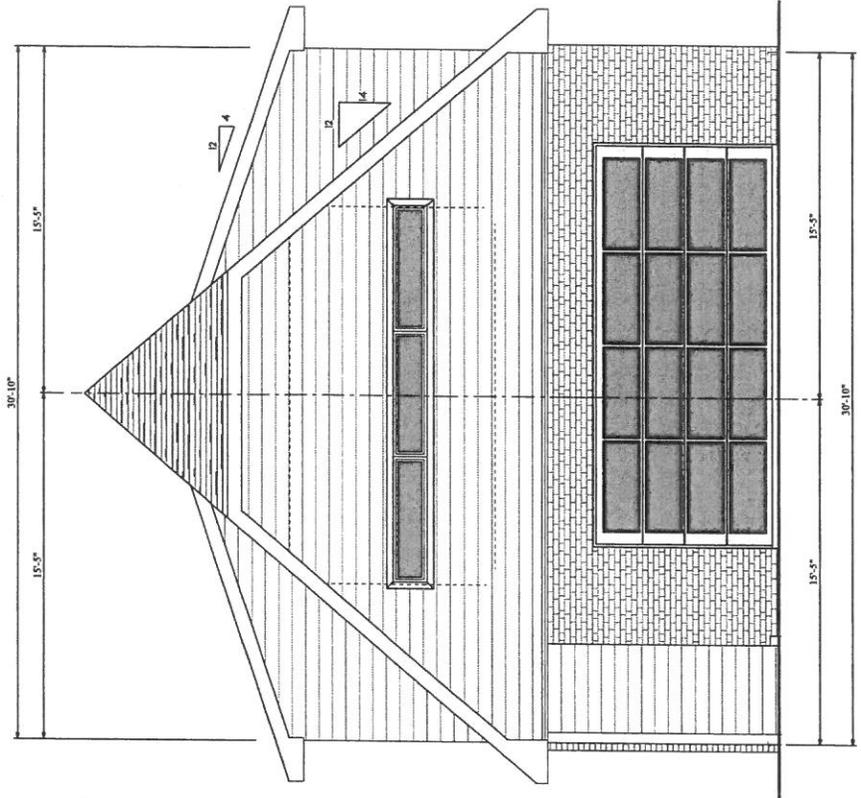
Best regards,



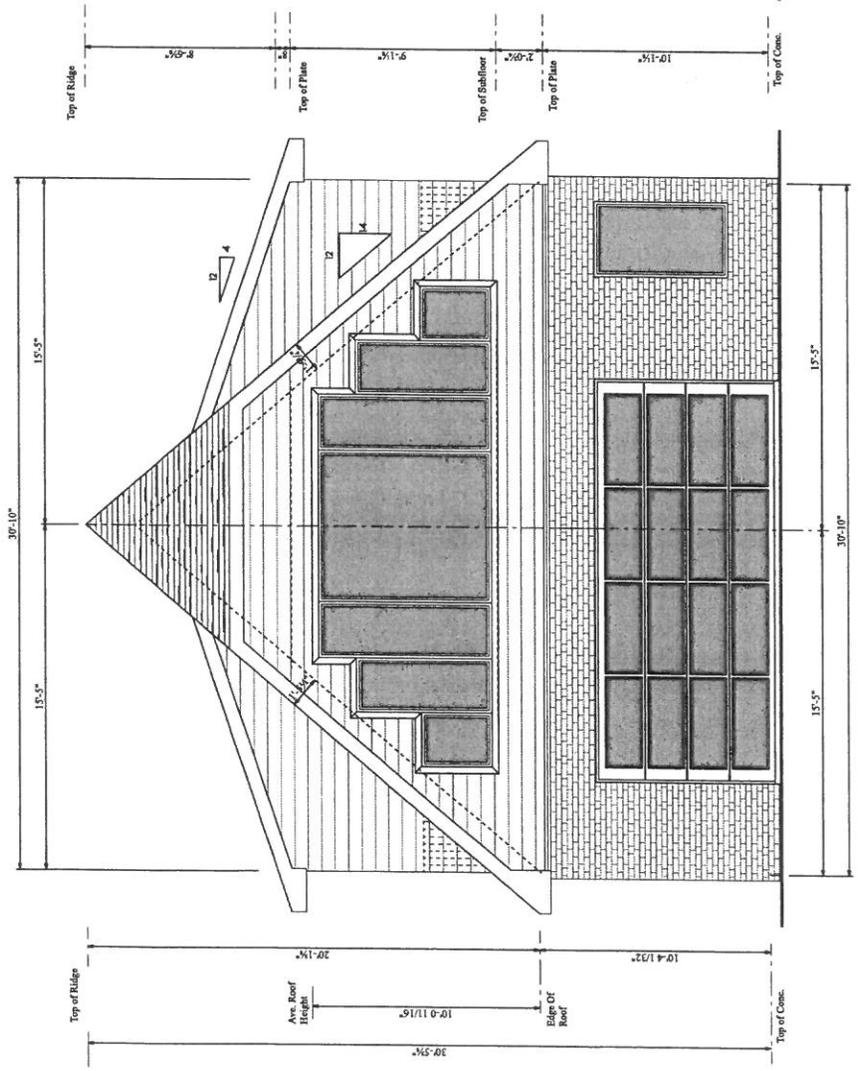
Nathan Landucci
1 Bald Eagle Island
White Bear Township, MN 55110
651-894-2582

Att.

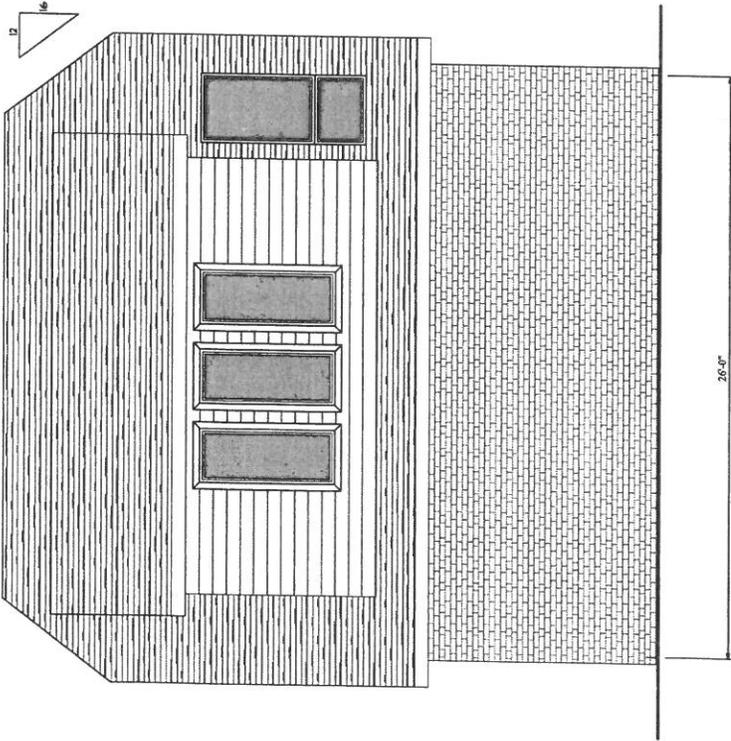
cc: Helen Jagger
Patrick and Katharine Churchhill
Michael Hannan and Mina Ingersoll
Jamie Buskirk
Randal and Kathleen Burns
Gary and Vicki Kraemer
Matt Hartley and Kevin Newberry
Kenneth and Deborah Visser



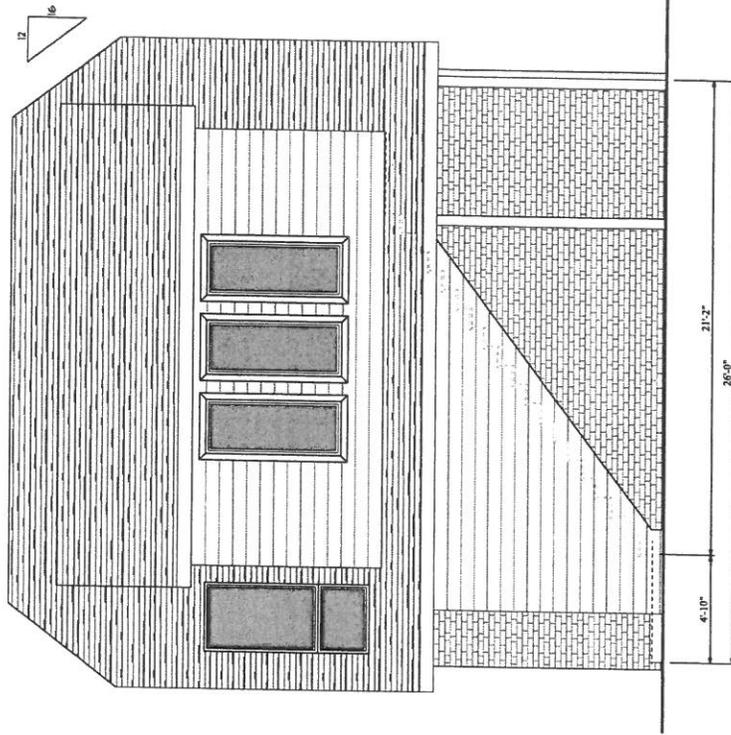
EAST ELEVATION (ROAD)



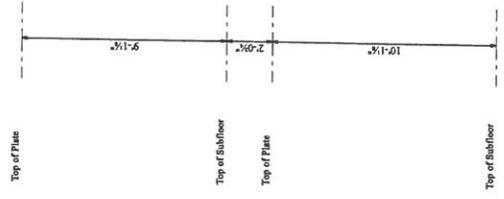
WEST ELEVATION (LAKE)

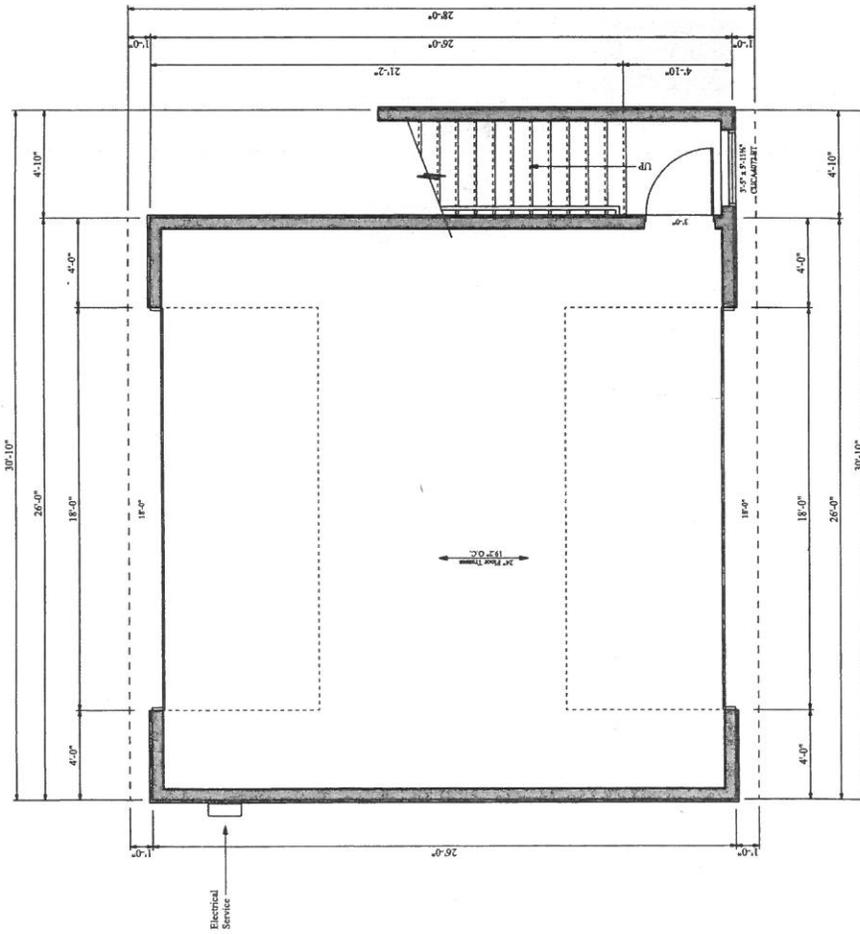


SOUTH ELEVATION

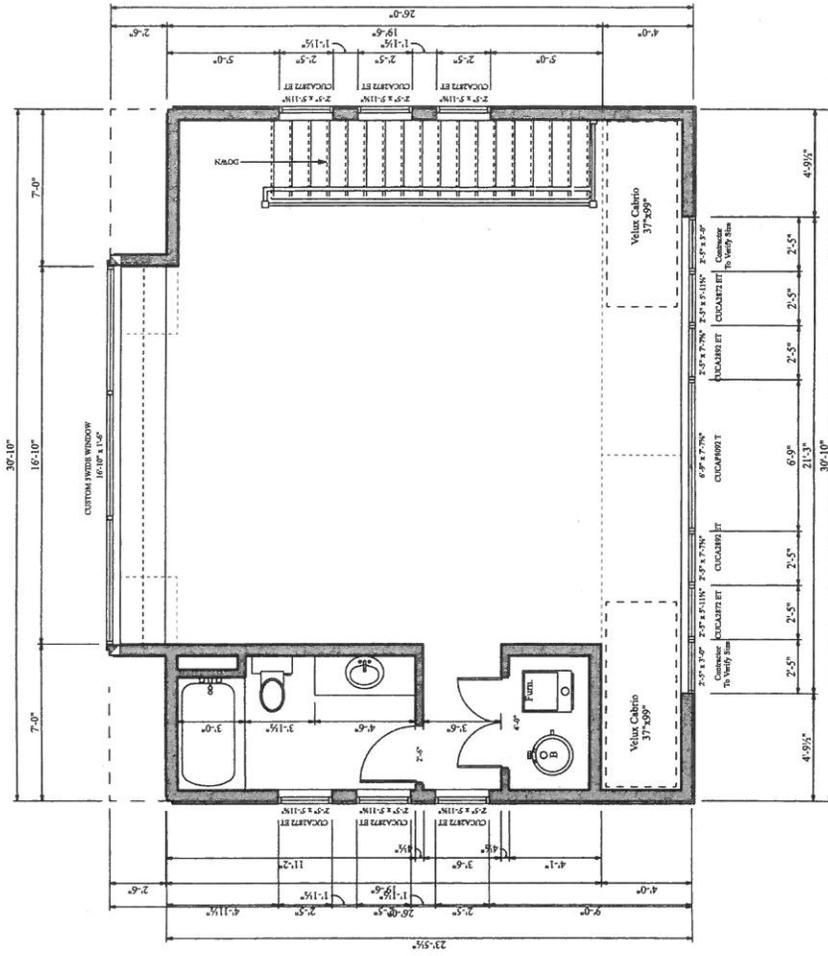


NORTH ELEVATION





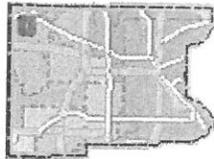
MAIN FLOOR GARAGE - 1.1.2018
SF = 699



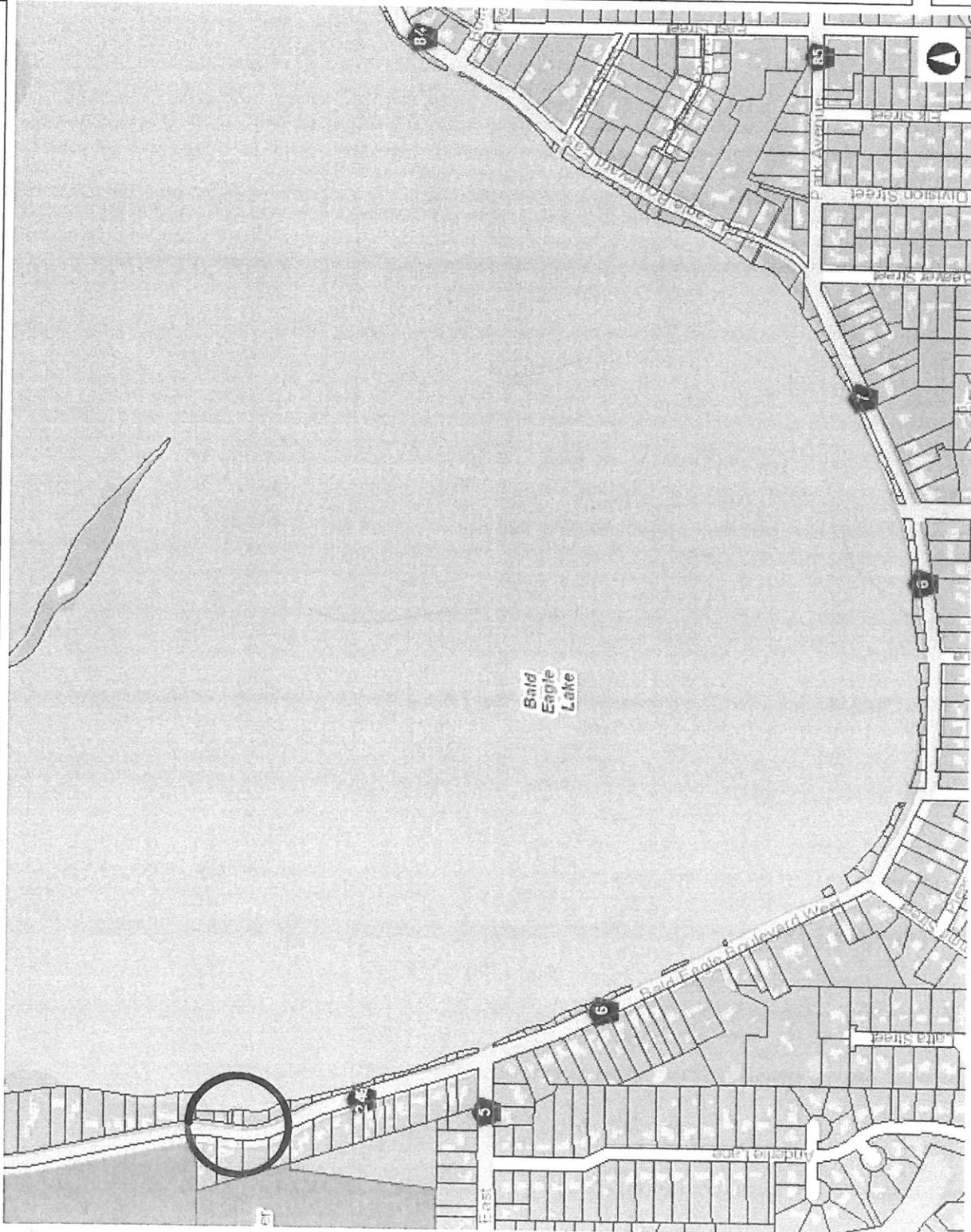
UPPER FLOOR GARAGE 1.1.2018
SF = 672

Handwritten notes:
 1. 1.1.2018
 2. 1.1.2018
 3. 1.1.2018

Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries



Notes

Enter Map Description

1,333.3 Feet

666.67

0

1,333.3

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



VARIANCE APPLICATION FORM

White Bear Township
1281 Hammond Road
White Bear Township, MN 55110
Phone 651-747-2750 Fax 651-426-2258
www.ci.white-bear-township.mn.us

RECEIVED
DEC 15 2017
BY: _____

INTRODUCTION

Variations from the literal provisions of this Ordinance shall only be permitted when they are in harmony with the general purposes and intent of this Ordinance, and when the terms of the variance are consistent with the Comprehensive Plan. Variations may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the provisions of this Ordinance. "Practical Difficulties", as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by this Ordinance; the plight of the landowner is due to circumstances unique to the property not created by the landowner; and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. Variations shall be granted for earth sheltered construction as defined in Minnesota Statutes, when in harmony with this Ordinance. No variance may be granted that would allow any use that is not allowed in the zoning district in which the subject property is located. The Town Board may impose conditions in granting a variance that are directly related to and in rough proportion to an impact created by the variance. Conditions may be imposed in the granting of variations to insure compliance and to protect adjacent properties.

_____ Fee \$225 N/C

APPLICANT(S) Nathan Landucci PHONE (Home) _____
(Business) _____
(Cell) 651-894-2582

ADDRESS 1 Bald Eagle Island
WBT

PROPERTY OWNER Nathan Landucci

ADDRESS OF SITE 5508 W. Bald Eagle Blvd. ZONING Resid.

EXISTING USE OF SITE Garage/Resid.

DESCRIPTION OF VARIANCE REQUEST Applying for New Garage/Refuge
Space above for intermittent shelter.

SETBACKS:	<u>Required</u>	<u>Existing</u>	<u>Requested</u>
Front Yard	_____	_____	_____
Side Yard	_____	_____	_____
Side Yard	_____	_____	_____
Rear Yard	_____	_____	_____
Other (Specify)	_____	_____	_____

Applicant understands that the Variance Application fee will not be refunded if, after being submitted, the application is denied or the applicant chooses to withdraw.

It is the policy of White Bear Township that all identifiable costs associated with a Variance Application within the Township shall be the sole responsibility of the owner of said property. The costs shall include, but are not limited to the following: Township planning review costs (reports, meetings, site review); engineering review costs; legal costs (preparation of hearing notices, legal research, certification costs); publication costs (notice of hearing); reapportionment of assessments (engineers report); mailings and Ownership Reports (ownership/encumbrance).

Prior to the final approval by the Town Board, all Township expenses to date shall be paid by the owner. Subsequent expenses not paid at the time of final approval (due to billings by consultants, etc.) shall be due upon receipt of a billing from the Township.


*Signature of Applicant(s)

12/15/17
Date

*Prior to applying for a variance it is recommended that the applicant contact Town staff in order to discuss the proposal.

<u>To Be Completed By Office:</u>	
Date Request Received <u>12/15/17</u>	
By <u>J. J. Lumbard</u> (Staff Member)	<u>N/C</u> \$225.00 Fee Received
Date Application Complete _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No



Planning Commission Meeting March 22, 2018

Agenda Number: 7

Subject: North Oaks Company - Cambridge Downs – Request for a Major Subdivision and Conditional Use Permit for a Planned Unit Development

Documentation: Neighborhood Meeting Minutes

Action / Motion for Consideration:

Receive Information / Discussion

Minutes
Planning Commission Meeting
January 25, 2018

NORTH OAKS COMPANY – CAMBRIDGE DOWNS – REQUEST FOR A MAJOR SUBDIVISION AND CONDITIONAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT: The Planner reported that the North Oaks Company has submitted a subdivision proposal for their 27.61 acre property located in the 5500 block of Centerville Road. The property is currently vacant. It is located between Centerville Road and Peterson Road, north of County Road H-2 and south of Anderson Lane. He presented an overhead showing the location of the property. It is approximately half wetland and half upland. The wetland portion of the property is primarily the northerly part of the site and is 12.58 acres in area. When subtracting the wetland and existing Centerville Road and Peterson Road rights-of-way, the upland portion of the property is 13.01 acres in area. Since the density permitted in the zoning district allows up to 3 units per upland acre, up to 39 lots could be developed, less newly proposed roads, rights-of-way, stormwater treatment ponds and park areas. A roadway connecting Centerville Road to Peterson Road is proposed. The new road also plans a cul-de-sac serving 10 homes. A total of 29 residential lots are proposed. A PUD is requested in order to permit reduced lot size, permitted by the Zoning Ordinance (with limitations). Residential PUDs are permitted by Conditional use Permit in the R-1 zone. A PUD has several requirements which must be followed. They include:

7-10.1(d) Lot Requirements: The minimum lot area, minimum lot width, minimum front yard setback, minimum side yard setback, minimum rear yard setback, minimum percentage of green area and off-street parking space requirements shall comply with the zoning district regulations in which the Residential Planned Unit Development is proposed to be located. Departures from such regulations may be permitted where the resulting requirements will not have an adverse effect upon the health, safety and welfare of the Town. In no event shall single family dwelling units in a Residential Planned

Unit Development have a minimum lot area of less than nine thousand five hundred (9,500) square feet, a minimum lot width of less than 70 feet and a minimum corner lot width of less than 95 feet. Where departures from such regulations are permitted the average lot area shall be no less than the minimum lot area in the zoning district.

Standard minimums in the zoning district require a lot to be at least 80' wide and 12,000 square feet in area. The maximum density permitted is 3 units per upland acre.

A PUD allows minimum lot sizes to be reduced to a width of 70' and lot area of 9,500 square feet. The average lot size for a PUD is required to meet zoning requirements of the district (average 12,000 square feet per lot). The maximum net density must not exceed 3 units per acre. The developer is proposing 29 single family lots ranging in size from 9,677 square feet to 19,671 square feet. The average lot as proposed is 12,508 square feet.

7-10.1(e) Density. The maximum net density of dwelling units per acre shall not be greater than the density regulation of the zoning district in which the Residential Planned Unit Development is proposed to be located.

The maximum net density permitted in the zoning district is 3 per acre. Density is defined as the maximum number of dwelling units per acre of buildable land exclusive of wetlands, drainage retention areas, floodways, Lakes, streams, public parks and public or private rights-of-way. The plan shows a future road right-of-way taking 1.8 acres of the property and .83 acres of stormwater treatment ponds. Based on these calculations, 10.34 acres of "buildable land" allows for 31 units on the property. Park land must also be deducted. The developer is showing a ½ acre active recreation area, leaving a total of 9.84 upland acres available for development. The 29 homes proposed do not exceed the 3 homes per acre density requirement.

7-10.1(f) Minimum Green Area: A minimum of 35% of the area of a Residential Planned Unit Development having multiple family dwelling units shall be reserved for passive recreational open spaces. Areas for passive recreational open space shall be exclusive of lakes, streams, wetlands and the right-of-way of public thoroughfares. Passive recreational open space shall be located within the Residential Planned Unit Development so as to abut parks, playgrounds, trails, open spaces, lakes, streams or wetlands on adjacent properties.

This requirement is for multiple family dwelling developments and will not apply to a single family home PUD.

7-10.1(g) Recreational Areas: Active recreational areas shall be provided in all Residential Planned Unit Developments. The amount of area provided for active recreational use shall be in the proportion of 2 acres of land per 100 dwelling units. In no event shall less than one half acre of land be provided for active recreational use. Areas for active recreational use shall be exclusive of lakes, streams, wetlands and the right-of way of public thoroughfares. Active recreational areas shall be provided in addition to the requirements of Section 7-10.1(f) (Minimum Green Area) and to the park land dedication requirements of Ordinance No. 15 (Subdivision Ordinance).

A one half acre recreation area is shown on the plan. It must be noted that the Comp Plan shows a future neighborhood park in this part of the Town. While it will not likely be on this property, the one half acre recreation area must be provided and shown on a development plan. The Park Board is reviewing this location of a new park in this neighborhood.

7-10.1(h) Public Utilities. All Residential Planned Unit Developments shall be served by public sanitary sewer and public water services. Utilities, such as electricity, natural gas, telephone and cable television, shall be provided to Residential Planned Unit Developments in a manner approved by the Town.

Public Utilities are planned to serve the proposed development. Peterson Road is the last gravel road in Ramsey County. Most of the existing homes located on Peterson Road are not served by municipal sewer and water. When the North Oaks Company property is developed and sewer and water and a paved road is extended through the property, extending the municipal sewer, water and paving all of Peterson Road could be included with the development of this property. Affected residents would be assessed for upgrades to Peterson Road and if sewer and water is extended to additional properties.

7-10.1(i) Access: All uses in a Residential Planned Unit Development shall abut a public street or abut a private street which has adequate access to a public street. The alignment and design of all private streets shall comply with the provisions of Ordinance No. 9 (Street Ordinance).

A 50' public right-of-way is planned for the new roads in the development.

7-10.1(j) Driveways: All driveways for multiple family dwelling units in a Residential Planned Unit Development shall be provided and maintained in good repair by the developer and the successor Homeowner's Association in a manner approved by the Town.

Not applicable.

7-10.1(k) Storage Areas: Screened storage areas shall be provided for each multiple family dwelling unit in a Residential Planned Unit Development. The minimum area for screened storage shall be 100% square feet per dwelling unit. The Town Board may waive the requirements for screened storage where the Homeowner's Association maintains and enforces restrictive covenants upon the property. Such restrictive covenants shall prohibit the exterior storage of building materials, boats, recreational vehicles, snowmobiles and other similar personal property, except in a screened storage area approved by the Town Board. Also, the Residential Planned Unit Development shall reserve an area adequate for providing the necessary screened storage pursuant to the requirements of this section.

Not applicable.

7-10.1(l) Environmental Design: An environmental design preserving the natural amenities of the existing landscape as well as providing for landscape buffering as to adjacent properties shall be incorporated into all Residential Planned Unit Developments.

A Landscaping Plan has been provided showing landscaping along the southerly lot line. Existing trees at the southeast and southwest corners of the property are proposed to be saved.

7-10.1(m) Architectural Design: The architectural design of all structures in a Residential Planned Unit Development shall be compatible with one another and with structures located on adjacent properties.

7-10.1(n) No Variances: Notwithstanding the provisions of Section 8-6 (Variances), no variances shall be granted to the site plan and building plan designs of an approved Planned Unit Development.

The proposed development consists of single family homes on lots permitted in a Planned Unit Development. The tradeoff for allowing undersized lots is to design a development which avoids destruction of natural features such as trees and wetlands. In addition, recreation land must be provided plus any park dedication requirements approved by the Town.

The proposed lots are 70' wide with lot areas ranging from 9,677 square feet to 19,671 square feet in area. Separation between buildings is proposed to be 20'.

The Town has also allowed PUDs using a small lot design with common space surrounding the small lot. Developments approved using this design were required to have a 20' minimum spacing between buildings. These types of developments were not allowed to exceed the density requirements of the zoning district.

A sketch plan concept was reviewed by the Planning Commission at the November meeting. One neighborhood meeting was held prior to the Planning Commission meeting.

The development proposal appears to be a good fit for this property as the development proposes an access to Centerville Road as part of the development. Most of the traffic generated from the development will access the property from Centerville Road. Some will utilize Peterson Road. The development is proposed to be marketed towards "empty nesters". As a result, the average trips per day will be less than would be created by a single family home development marketed towards families.

The area around the proposed development is still relatively rural. Several homes near the site are not served by municipal sewer and water. With the increase in traffic on Peterson Road, upgrading this road so it is paved and has curb and gutter is recommended. The Town must determine how much of Peterson Road should be improved. Neighborhood input/interest into improving municipal sewer/water and road, and the cost to residents to do this must be determined.

The Town's Comprehensive Plan shows a future park in the neighborhood. The Park Board has reviewed the proposal and has recommended that the development pay a park dedication fee rather than provide land for a park. The Park Board has recommended that staff contact the owner of the property at 5566 Peterson Road for possible purchase in order to develop as a neighborhood park.

Public Hearings for a subdivision and Conditional Use Permit must be held as part of the development review process. The hearings are held at a Town Board meeting. It is recommended that the Town hold a neighborhood meeting to discuss neighborhood interest in extending public sewer and water to nearby homes as well as upgrading Peterson Road. Staff recommends scheduling a neighborhood meeting prior to the February Planning Commission meeting. Staff recommends hearings be scheduled for the March 5, 2018 Town Board meeting which will allow additional review by the Planning Commission at the February 22nd meeting.

Review reports have been received from SEH regarding water resources and/or stormwater management issues; TKDA regarding engineering (plat; streets and access; stormwater management; grading; water system; sanitary sewer) and Spack Consulting regarding a traffic assessment.

The developer stated that they feel good about receiving input from the neighbors. With 70' lots it loosens things up for landscaping and buffering. An overhead of proposed landscaping was presented. There will be trees on the south property where there currently are no trees. The North Oaks Company has its own tree nursery, with trees 30'- 40' tall, and the trees needed for the development will be selected from the nursery. A northbound right turn lane on Centerville Road at the proposed Development Street intersection is recommended. A design could match that provides to Anderson Lane (just north of this site) with an approximately 180 foot taper and 150 foot turn lane. Sidewalks are recommended for the development or planned for a future date to coincide with the sidewalk or trail on Centerville Road to allow for more travel options. They are open to discussion regarding the sidewalk. Overhead pictures of the house designs were provided. Most of the homes will be single story. One half of the homes will have basements and one half will not. The homes are proposed to be 3 bedroom homes with 1600' on the main floor. The homes will be marketed for 55 years and older at first and then probably market to ages 50 and older.

Comments include;

- Artner stated that the homes are lined up in a straight row and is unattractive. Concerned about the traffic that will be put on Centerville Road.
- Kotilinek asked if they meet all the requirements. (Yes).
- A single entrance is key to privacy and safety.
- With 29 homes two accesses are needed.
- With a second driveway off Peterson Road would create too much traffic.
- The park on the Garley property is no good. It is not used.
- Neighborhood comment has impact. Lower density would be better.
- Buffer may help, but not enough.
- Would not want two story homes.
- There is no density issue. It meets the requirements of a PUD.
- Are the narrow lots deeper?
- Focus on 70' width but have them deeper.
- Does not like the PUD concept. It is out of character with the neighborhood.
- If marketed to 55 and older – that age group likes to walk. A trail along the wetland would be nice.
- What is the maximum length allowed for a cul-de-sac? (Town allows 500 feet).
- The plan has not changed a whole lot. Zero steps have been made.
- The residents like the gravel road.
- Would like to see some of the curves used in the Pine Hill development.
- Would like to see the contract for a Homeowners Association to see what they would be taking care of.
- Would like to see only single level homes.
- The traffic count offered by the traffic consultant does not reflect traffic accurately
- Density is the biggest issue – with the space between homes.
- Cut a few more homes out of the plans.

Kotilinek moved to table the matter of North Oaks Company – Cambridge Downs to next month's meeting for further consideration and to allow the developer to come back with adjustments suggested by the neighbors and the Planning Commission. Artner seconded. Ayes all.

MEMORANDUM

TO: PLANNING COMMISSION
FROM: TOM RIEDESEL
UPDATED: MARCH 15, 2018

SUBJECT: RESIDENTIAL PROPERTY DEVELOPMENT – CAMBRIDGE DOWNS

REQUESTS: MAJOR SUBDIVISION
CONDITIONAL USE PERMIT FOR A PUD
LOCATION: 5500 BLOCK OF CENTERVILLE ROAD
PROPERTY
OWNERS: NORTH OAKS COMPANY
ZONING: R-1, SUBURBAN RESIDENTIAL
COMP PLAN
DESIGNATION: RESIDENTIAL – LOW DENSITY

The North Oaks Company has submitted a subdivision proposal for their 27.61 acre property located in the 5500 block of Centerville Road. The property is currently vacant. It is located between Centerville Road and Peterson Road, north of County Road H-2 and south of Anderson Lane.

The property is 27.61 acres in area and is approximately half wetland and half upland. The wetland portion of the property, which is primarily the northerly part of the site is 12.58 acres in area. When subtracting the wetland and existing Centerville and Peterson Road rights-of-way, the proposed road and storm ponds and park, the upland portion of the property is 10.18 acres in area. Since the density permitted in the zoning district allows up to 3 units per upland acre, up to 30 lots could be developed less newly proposed roads, rights-of-way, stormwater treatment ponds and park areas.

A roadway connecting Centerville Road to Peterson Road is proposed. The new road also plans a cul-de-sac serving 10 homes. A total of 28 residential lots are proposed. A PUD is requested in order to permit reduced lot sizes, as allowed by the Zoning Ordinance. The zoning allows up to 3 units per acre. The density cannot exceed zoning district requirements even if a PUD is proposed.

Residential PUD's are permitted by Conditional Use Permit in the R-1 zone. A PUD has several requirements which must be followed. They include:

7-10.1(d). LOT REQUIREMENTS. The minimum lot area, minimum lot width, minimum front yard setback, minimum side yard setback, minimum rear yard setback, minimum percentage of green area and off-street parking space requirements shall comply with the zoning district regulations in which the Residential Planned Unit Development is proposed

to be located. Departures from such regulations may be permitted where the resulting requirements will not have an adverse effect upon the health, safety and welfare of the Town. In no event shall single family dwelling units in a Residential Planned Unit Development have a minimum lot area of less than nine thousand five hundred (9,500) square feet, a minimum lot width of less than seventy (70) feet and a minimum corner lot width of less than ninety-five (95) feet. Where departures from such regulations are permitted the average lot area shall be no less than the minimum lot area in the zoning district.

Standard minimums in the zoning district require a lot to be at least 80' wide and 12,000 square feet in area. The maximum density permitted is 3 units per upland acre.

A PUD allows minimum lot sizes to be reduced to a width of 70' and lot area of 9,500 square feet. The average lot size for a PUD is required to meet zoning requirements of the district (Average 12,000 square feet per lot). The maximum net density must not exceed 3 units per acre. The developer is proposing 28 single family lots ranging in size from 9,677 square feet to 23,180 square feet. The average lot area as proposed is 13,079 square feet, net.

7-10.1(e). DENSITY. The maximum net density of dwelling units per acre shall not be greater than the density regulation of the zoning district in which the Residential Planned Unit Development is proposed to be located.

The maximum net density permitted in the zoning district is 3 per acre. Density is defined as the maximum number of dwelling units per acre of buildable land exclusive of wetlands, drainage retention areas, floodways, lakes, streams, public parks and public or private road rights-of-way. The plan shows a road right-of-way taking 1.88 acres of the property and .42 acres of stormwater treatment ponds. Based on these calculations, 10.68 acres of "buildable land" allows for 32 units on the property. It must be noted that no parkland has been deducted from the density. A ½ acre of upland recreation area is proposed to meet PUD requirements. The upland recreation area is considered private and does not need to be deducted.

7-10.1(f). MINIMUM GREEN AREA. A minimum of thirty-five (35%) percent of the area of a Residential Planned Unit Development having multiple family dwelling units shall be reserved for passive recreational open spaces. Areas for passive recreational open space shall be exclusive of lakes, streams, wetlands and the right-of-way of public thoroughfares. Passive recreational open space shall be located within the Residential Planned Unit Development so as to abut parks, playgrounds, trails, open spaces, lakes, streams or wetlands on adjacent properties.

This requirement is for multiple family dwelling developments and will not apply to a single family home PUD.

7-10.1(g). RECREATIONAL AREAS. Active recreational areas shall be provided in all Residential Planned Unit Developments. The amount of area provided for active recreational use shall be in the proportion of two (2) acres of land per one hundred (100) dwelling units. In no event shall less than one-half (1/2) acre of land be provided for active recreational use. Areas for active recreational use shall be exclusive of lakes, streams, wetlands and the right-of-way of public thoroughfares. Active recreational areas shall be provided in addition to the requirements of Section 7-10.1(f) (Minimum Green Area) and to the park land dedication requirements of Ordinance No. 15 (Subdivision Ordinance).

A 1/2 acre park area is shown on the plan. It must be noted that the Comp Plan shows a future neighborhood park in this part of the Town. While it will not likely be on this property, the 1/2 acre recreation area is required as shown.

7-10.1(h). PUBLIC UTILITIES. All Residential Planned Unit Developments shall be served by public sanitary sewer and public water services. Utilities, such as electricity, natural gas, telephone and cable television, shall be provided to Residential Planned Unit Developments in a manner approved by the Town.

Public utilities are planned to serve the proposed development. Peterson Road is the last gravel road in Ramsey County. Most of the existing homes located on Peterson Road are not served by municipal sewer and water. When the North Oaks Company property is developed and sewer and water and a paved road is extended through the property, extending the municipal sewer, water and paving all/or part of Peterson Road could be included with the development of this property. Affected residents would be assessed for upgrades to Peterson Road and if sewer and water is extended to additional properties. It should be noted that a water main is planned on Peterson Rd and thru the development to Centerville Rd., which will loop the water system.

7-10.1(i). ACCESS. All uses in a Residential Planned Unit Development shall abut a public street or abut a private street which has adequate access to a public street. The alignment and design of all private streets shall comply with the provisions of Ordinance No. 9 (Street Ordinance).

A 50' public right-of-way with 32' wide streets are planned for the new roads in the development. This new width is consistent with other PUD's within the township.

7-10.1(j). DRIVEWAYS. All driveways for multiple family dwelling units in a Residential Planned Unit Development shall be provided and maintained in good repair, by the developer and the successor Homeowner's Association, in a manner approved by the Town.

Not applicable.

7-10.1(k). STORAGE AREAS. Screened storage areas shall be provided for each multiple family dwelling unit in a Residential Planned Unit Development. The minimum area for screened storage shall be one hundred (100) square feet per dwelling unit. The Town Board may waive the requirements for screened storage where the Homeowner's Association maintains and enforces restrictive covenants upon the property. Such restrictive covenants shall prohibit the exterior storage of building materials, boats, recreational vehicles, snowmobiles and other similar personal property, except in a screened storage area approved by the Town Board. Also, the Residential Planned Unit Development shall reserve an area adequate for providing the necessary screened storage pursuant to the requirements of this section.

Not applicable.

7-10.1(l). ENVIRONMENTAL DESIGN. An environmental design preserving the natural amenities of the existing landscape as well as providing for landscape buffering as to adjacent properties shall be incorporated into all Residential Planned Unit Developments.

A Landscaping Plan has been provided showing landscaping along the southerly lot line. Some of the existing trees at the southeast and southwest corners of the property are proposed to be saved.

7-10.1(m). ARCHITECTURAL DESIGN. The architectural design of all structures in a Residential Planned Unit Development shall be compatible with one another and with structures located on adjacent properties.

7-10.1(n). NO VARIANCES. Notwithstanding the provisions of Section 8-6 (Variances), no variances shall be granted to the site plan and building plan designs of an approved Planned Unit Development.

The proposed development consists of single family homes on lots within a Planned Unit Development. The tradeoff for allowing undersized lots is to design a development which avoids destruction of natural features such as trees and wetlands.

The Town has also allowed PUD's using a small lot design with common space surrounding the small lot. Developments approved using this design were required to have a 20' minimum spacing between buildings. These types of developments were not allowed to exceed the density requirements of the zoning district.

A 20' spacing between buildings is proposed.

Most of the traffic generated from the development will access the property from Centerville Road. Some will utilize Peterson Road also. The development is proposed to be marketed towards "empty nesters". As a result, the average trips per day will be less than would be created by a single family home development marketed towards families.

The area around the proposed development is still relatively rural. Several homes near the site are not served by municipal sewer and water. With the increase in traffic on Peterson Road, upgrading this road so it is paved and has curb and gutter is recommended. The Town must determine how much of Peterson Road should be improved. Neighborhood input/interest into improving municipal sewer/water and road, and the cost to residents to do this must be determined.

At this time there does not appear to be a need to pave Peterson Rd. past the proposed Cambridge Downs road.

The Town's Comprehensive Plan also shows a future park in the neighborhood. The Park Board has reviewed the proposal and has recommended that the development pay a park dedication fee rather than provide land for a park. The Park Board has also recommended that staff contact the owner of the property at 5566 Peterson Road for possible purchase in order to develop as a neighborhood park.

Two actions are required by the Town to approve the development. They are:

1. A major subdivision; and
2. A conditional use permit for a Planned Unit Development.

The updated plan design was submitted to the Town on March 13th. Staff is reviewing the proposal with the Town Engineer and Wetland Scientist. The project as proposed meets zoning requirements. A list of conditions for approval is being compiled and will be completed when updated engineering reports are received.

TR/psw
cc:admin/add.file
b:northoakspeterson



WHITE BEAR TOWNSHIP

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RAMSEY COUNTY
MINNESOTA

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Board of Supervisors
ROBERT J. KERMES, *Chair*
ED M. PRUDHON
STEVEN A. RUZEK

MINUTES PETERSON ROAD NEIGHBORHOOD MEETING FEBRUARY 27, 2018

The meeting was called to order at 6:30 p.m. at the Township Administrative Offices Conference Room, 1281 Hammond Road.

Present: Tammy Lemay, Linda & Jerry Price, Leif & Michelle Eschen, Steve & Carolyn Pasket, Ed Prudhon, Mark Houge, North Oaks Company, Jim Studenski, TKDA, Tom Riedesel & Bill Short.

The meeting was held to update the residents of Peterson Road relating to the proposed Cambridge Downs project.

Riedesel summarized the proposal and the timeline for review.

Studenski explained to the group the planned location for municipal sewer and water and also plans to upgrade part of Peterson Road to a 32' wide street with concrete curb and gutter. He explained the planned location to loop the watermain including a connection to existing water on County Road H-2, which places the waterline within the Peterson Road right-of-way. Water would be available to those residents in attendance with the exception of the Lemay home at the end of Peterson Road. A sewer line is being planned which would extend the sewer behind the homes at 5425, 5441, and 5451 Peterson Road, and in front of the home at 5435 Peterson Road. It is intended to make sewer available to these homes when the Cambridge Downs development occurs.

The following were comments received from the residents:

Paskets': They will need municipal sewer soon, as their septic system is non-compliant. He suspects his neighbors' systems may also be non-compliant even though they are functioning ok.

- The residents would like a natural gas line extended to the end of Peterson Road.
- They would prefer a new power line be buried instead of above ground.
- They have little interest in a sidewalk/trail along Peterson Road.
- They encouraged the Township to find any way possible to reduce the cost to them of utilities and street



**MINUTES
NEIGHBORHOOD MEETING
FEBRUARY 27, 2018**

The consensus of the residents south of the Cambridge Development is that they are interested in finding out the costs to extend Town sewer and water to their properties and to improve Peterson Road to Town standards.

The meeting adjourned at 8:30 p.m.

Respectfully Submitted,

Tom Riedesel
Planner

Cambridge Downs White Bear Township

	Lot number	Gross Lot Area sq. ft.	Net Lot Area sq. ft.
Block 1	1	11,900	11,900
	2	9,800	9,800
	3	9,920	9,920
	4	10,450	10,450
	5	11,180	11,180
	6	11,520	11,520
	7	11,550	11,550
	8	11,550	11,550
	9	11,550	11,550
	10	11,540	11,540
	11	11,290	11,290
	12	10,630	10,630
	13	15,440	15,440
Block 2	1	34,000	15,465
	2	14,560	9,677
	3	11,160	10,088
	4	12,250	12,250
	5	17,510	12,177
	6	14,690	11,514
	7	30,130	12,320
	8	36,780	13,425
	9	20,850	11,487
	10	32,840	18,063
	11	34,550	15,149
	12	24,450	11,548
	13	27,780	21,795
	14	34,190	19,748
	15	23,180	23,180
	total	517,240	366,206
	AVG	18,473	13,079

RECEIVED
MAR 13 2018
TOWN OF WHITE BEAR

Cambridge Downs White Bear Township

Gross Area	27.62	acres
Centerville Road R/W	-1.51	acres
Peterson Road R/W	-0.55	acres
Wetland Area	-12.58	acres
Future Road R/W	-1.88	acres
Storm Ponds	-0.42	acres
Net Area	10.68	acres

Density Requirements - Maximum 3 units per Net Acre

10.68 acres (3 units/acre) = 32 Units

Technical Memorandum

To: Gary Eagles, Vice President Development
From: Bryant Ficek, PE, PTOE
Date: January 9, 2018
Re: Traffic Assessment Proposal – Cambridge Downs Senior Housing

The Cambridge Downs residential development is proposed to provide 31 new units on approximately 27 acres of open space and wetlands. The purpose of this memorandum is to assess the traffic impacts of the proposed development. Specifically, we examined the traffic along the Centerville Road and Peterson Road corridor, spacing guidelines, and the need for turn lanes at the proposed access intersections.

Conclusions

Based on the information and analysis presented herein, the following conclusions are drawn:

- The proposed Cambridge Downs Senior Housing development is expected to generate a total of 202 vehicle trips daily with 17 trips during the a.m. peak hour and 20 trips during the p.m. peak hour. Most of this traffic is expected to head to/from the south using Centerville Road.
- This trip generation is less than the MnDOT's threshold for a more detailed traffic impact study of the development.
- The access spacing on Centerville Road for the proposed Development Street is less than desired, but sufficient given the specific characteristics of the site and intersection.
- The expected trip generation satisfies the MnDOT criteria for an exclusive northbound right turn lane on Centerville Road.
- Centerville Road is expected to have a sidewalk or trail in the future, which would provide an alternative method of travel via walking or biking.

We recommend a northbound right turn lane on Centerville Road at the proposed Development Street intersection. The design could match that provide to Anderson Lane (just north of this site) with an approximately 180-foot taper and 150-foot turn lane.

We also recommend sidewalks be considered for the development or potentially planned for a future date to coincide with the sidewalk or trail on Centerville Road to allow for more travel options.

Existing and Build Conditions

The development site is located in between Centerville Road and Peterson Road, north of County Road H2 East in North Oaks, Minnesota. The site is currently undeveloped and zoned for future residential land use.

Centerville Road is a two-lane, north south minor arterial roadway, providing access to Highway 96. Also known as County State-Aid Highway (CSAH) 59, Centerville Road is an A-Minor Arterial. The posted speed limit is 50 mph.

Peterson Road is a two-lane, north south private roadway, providing access to County Road H2. The speed limit is not posted.

The existing Average Daily Traffic (ADT) counts for Centerville Road were collected from the MnDOT’s Traffic Mapping Application Tool to determine the daily traffic load along the access corridors. Table 1, below, shows the existing Average Daily Traffic (ADT) volumes.

Table 1 – Existing Roadway ADTs

Corridor	ADT
Centerville Road, North of County Road H2	5,700 vehicles per day
Peterson Road	100 vehicles per day*

*ADT estimate based on the number of houses served, no traffic data available.

Based on the concept plan, which can also be found in the appendix, the development is proposed to provide 31 new housing units. These homes will be marketed as senior housing to age 55 and older. A trip generation analysis was performed based on the methodology and rates published in the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition* and is shown in Table 2.

Table 2 – Trip Generation for 31 Homes

Land Use Code	Description & Size	AM Peak Hour		PM Peak Hour		Daily Total	
		Total In	Total Out	Total In	Total Out	Total In	Total Out
251	Senior Adult Housing - Detached	6	11	12	8	101	101

As shown, expected traffic during the a.m. and p.m. peak hours is 17 and 20 vehicles, respectively. The expected daily traffic is about 200 vehicles per day.

The new site generated trips were then distributed to Centerville Road and Peterson Road, based on the existing ADTs as well as access to major roadways, to determine approximate volumes at Centerville Road/Development Street and Peterson Road/Development Street intersections. The resulting trip distribution determined is:

- i. 20 percent of the site generated traffic to/from the north on Centerville Road.
- ii. 70 percent of the site generated traffic to/from the south on Centerville Road.
- iii. 10 percent of the site generated traffic to/from the south on Peterson Road.

Based on this distribution, the Development Street intersection with Centerville Road will have the bulk of the traffic, with approximately 180 vehicles turning in or out of the development over the course of an

average weekday. The Development Street intersection with Peterson Road would have approximately 20 vehicles turning in or out of the development during an average weekday.

Traffic Impact Study Need

Traffic Impact Studies (TIS) provide an assessment of existing and future traffic operations to identify the impacts of a proposed development. A TIS can identify capacity deficiencies at key intersections and potential mitigation to avoid safety or operational problems due to expected traffic from a proposed development. However, a TIS is not always necessary. As defined by MnDOT, developments estimated to generate less than 250 peak hour trips or 2,500 daily trips do not generate significant traffic volumes to warrant traffic impact studies.

As presented in the trip generation, this proposed development will have significantly less than these thresholds for a TIS. A more detailed study is not needed.

Similarly, the relatively low volumes suggest side-street stop control is sufficient for the new intersections, particularly the new Development Street intersection with Centerville Road. With few turning movements during an average day or peak hour, improved traffic control like all-way stop, traffic signal, or roundabout control is not needed.

Access Spacing Requirements

Access management is a process to minimize intersections on a corridor, which maximizes safety and capacity. A strong correlation has been proven between excessive access and crash risk. For this proposed development, access spacing is important for Centerville Road, a Minor Arterial. Using the MnDOT Access Management Manual, we reviewed the guidance for intersection access spacing.

Centerville Road can be considered in category 5B – Minor Arterial in Urban/Urbanizing area. Under this category, full access intersections should be spaced 1/4-mile apart. A secondary, limited access can be spaced at 1/8-mile.

Currently, the spacing between the County Road H2 and Anderson Lane intersections with Centerville Road is about 2,150 feet. The new Development Street is planned at a distance approximately 850 feet from County Road H2 and about 1,300 feet from Anderson Lane. Although less than desired from either existing intersection, this location is expected to provide acceptable operations at these spacings due to:

- The relatively low volume of vehicles expected to be generated by the development, particularly during the peak hours.
- The T-intersection layout of the proposed intersection creates less conflicting movements at the intersection.
- Features of the proposed property includes wetlands, which preclude moving the access farther north to a more balanced spaced spot.
- Sight distance appears sufficient as Centerville Road is straight and relatively flat.

These characteristics are expected to remain the same into the future and reduce any concern of the proposed access location based on general spacing guidelines.

Turn Treatment Warrant Evaluation

The *MnDOT Access Management Manual* is a document that provides guidance for exclusive turn lanes and bypass lanes at public street connections in accordance with the *MnDOT Road Design Manual*. The purpose of this document is to assist with access management for highways, which have different

characteristics than Centerville Road and Peterson Road. However, if the criteria for turn lanes is not satisfied for a highway, then it can be assumed turn lanes would not be warranted for lower functional types of roadways.

Nine warrants are presented that account for site conditions and expected traffic to evaluate the need for turn lanes. Each warrant is examined separately below and the MnDOT guide's text is attached to this memorandum for reference.

Warrant 1 – Passing Lane/Climbing Lane

Neither road has passing or climbing lanes within the project area.

Warrant 2 – Limited Sight Distance/Terrain

Although the sight distance was not evaluated on-site at each proposed access, Centerville Road in this area is straight and relatively flat. All turning movements appear to have sufficient sight distance, with no noticeable obstructions or sight issues.

Warrant 3 – Railroad Crossings

The proposed site intersections do not have a railroad crossing in the vicinity that would require turn lanes.

Warrant 4 – Signalized Intersections

The proposed site intersections will be controlled by stop signs on the side street, not a traffic signal. Therefore, turn lane treatments are not necessary due to the type of intersection control.

Warrant 5 – Heavy-Vehicle Traffic

Based on the proposed residential land use, the expected heavy-vehicle turning traffic is expected to stay well below the 15 or more vehicles per hour threshold. Truck traffic related to the proposed development is expected to be low and related to moving trucks, garbage trucks, and delivery vehicles. The relatively low truck traffic associated with these land uses does not warrant turn lanes.

Warrant 6 – School Entrances

The proposed connection is not a school entrance that would necessitate turn lanes.

Warrant 7 – Crash History

As the proposed intersection with Centerville Road does not yet exist, there are no correctable crashes at these locations.

Warrant 8 – Corridor Crash Experience

According to recorded crash data provided by MnDOT, there is no pattern of similar crash types suitable for correction by adding turn-lane treatments. Therefore, the Centerville Road corridor in this area does not have a crash experience that would necessitate a system-wide treatment with turn lanes.

Warrant 9 – Vehicular Volume

The table below provides the relevant volume criteria from Figure 3.40 of the MnDOT guide that, if satisfied, would warrant left turn treatment:

MnDOT Access Management Manual Figure 3.40: Warrant 9 for Left-Turn Lanes

2-Lane Highway AADT	Cross Street or Driveway ADT	Turn Lane Requirement
5,000 – 6,499	> 800	Left-turn lane warranted
≥6,500	>400 (101 to 400)	Left-turn lane warranted Left-turn lane or bypass lane

The relevant criteria from Figure 3.41 of the MnDOT guide is provided in the following table that, if satisfied, would warrant right turn treatment:

MnDOT Access Management Manual Figure 3.41: Warrant 9 for Right-Turn Lanes

2-Lane Highway AADT	Cross Street or Driveway ADT	Turn Lane Requirement
>1,500	> 100	Right-turn lane warranted

Using the trip generation from Table 2, the expected trip distribution patterns, and the criteria for Warrant 9, Table 3 summarizes the results of the Warrant 9 evaluation.

Table 3 – Turn Lane Warrant 9 Evaluation

Intersection	Left Turn Lane		Right Turn Lane	
	Street ADT	Access ADT	Street ADT	Access ADT
Centerville Road at Street A	5,850	180	5,850	180
Criteria	5,000 – 6,499 -or- ≥6,500	> 1,000 -or- >400 (101 to 400)*	> 1,500	> 100

Notes: *Volume threshold warrants for Left-turn or (bypass lane)

Based on these results, left turn treatment is not warranted while right turn treatment is recommended for the site access onto Centerville Road. Intuitively, a right turn lane is appropriate as most traffic into the proposed development will be a northbound right turn.

Multi-Modal Facilities

Multi-Modal opportunities in this location are few as there are presently no sidewalks or designated bicycle lanes on the roads surrounding the site. Similarly, no bus routes or stops are present in the immediate area around the proposed site. In the future, a sidewalk or trail is expected on Centerville Road.

Based on the future expectation of a pedestrian/bicycle facility on Centerville Road that would provide connections to other facilities, like Birch Lake trail and Highway 96 regional trails, sidewalks could be considered for this proposed residential development. Sidewalks would provide a safe connection for pedestrians and bicyclists and an alternative to driving.

Appendix

- A. Concept Plan



MAJOR SUBDIVISION APPLICATION FORM

RECEIVED
JAN 04 2018
TOWN OF WHITE BEAR

INTRODUCTION

A major subdivision is a division of one parcel into 3 or more lots whether fronting on existing or requiring creation of any new street or road; whether utilizing existing or requiring the extension of municipal facilities or public improvements, in accordance with Ordinance No. 15 (Subdivision).

APPLICANT(S) North Oaks Company, LLC PHONE (Home) _____

(Business) 651-484-3361
(Cell) _____

ADDRESS 5959 Centerville Road, Suite 200
North Oaks, MN 55127

PROPERTY OWNER North Oaks Company, LLC

NAME OF SUBDIVISION Cambridge Downs ZONING R-1 Sub Res

FULL LEGAL DESCRIPTION PIN 043022430024
PIN 093022120020

EXISTING USE OF SITE Open Space

x 3,000 Fee (\$110.00 plus \$100.00/Per Unit - \$3,000 maximum)

It is the policy of White Bear Township that all identifiable costs associated with Major Subdivisions within the Township shall be the sole responsibility of the owner of said property. The costs shall include, but are not limited to the following: Township planning review costs (reports, meetings, site review); engineering review costs; legal costs (preparation of hearing notices, legal research, certification costs); publication costs (notice of hearing); reapportionment of assessments (engineers report); mailings and Ownership Reports (ownership/encumbrance).

Prior to the final approval by the Town Board, all Township expenses to date shall be paid by the owner. Subsequent expenses not paid at the time of final approval (due to billings by consultants, etc.); shall be due upon receipt of a billing from the Township.

Theresa A Dougherty

Signature of Applicant(s)

1/4/2018

Date

To Be Completed By Office:

Date Request Received 1/4/18 ck# 11925

By Karen \$110.00 Fee + \$100/per unit-\$3,000 maximum Yes
(Staff Member) No

Date Application Complete _____



RECEIVED

JAN 05 2018

TOWN OF WHITE BEAR

CONDITIONAL USE PERMIT APPLICATION FORM

INTRODUCTION

A Conditional Use Permit may be granted or denied by the Town Board after recommendation by the Planning Commission in accordance with Ordinance No. 35 (Zoning), Section 9-4, Conditional Use Permit Procedure.

APPLICANT(S) North Oaks Company, LLC PHONE (Home) _____
 _____ (Business) 651-484-3361
 _____ (Cell) _____

ADDRESS 5959 Centerville Road, Suite 200
North Oaks, MN 55127

PROPERTY OWNER North Oaks Company, LLC

ADDRESS OF SITE Cambridge Downs ZONING R-1

EXISTING USE OF SITE Vacant Land

DESCRIPTION OF PUD	CONDITIONAL USE BEING REQUESTED

275.00 Fee (\$75.00 plus \$200.00 Expense Deposit)

CHECKLIST:

- Site Plan
 - N/A
 - Attached
 - Attached
 - Attached
 - Attached
 - Attached
 - Attached
- Building locations (dwelling, garage, accessory building).
- Site improvements (parking areas, drives, sidewalks, fences, decks, lighting, etc.).
- Yard (front, side, rear setbacks).
- Wetlands (delineation of streams, water bodies, wetlands & 100 year storm elevation).
- Existing trees (6 inch in diameter or more), large shrubs & proposed landscaping.
- Location of site, with adjacent land use.
- Topography, grading.

2018

Pending

Attached

Schedule (when applicant intends to construct)

Additional information, if required.

Permits or written comments from other agencies (DNR, RCWD, VLAWMO, Ramsey County, MNDot, US Army Corps of Engineers.

Certificate of Survey, or full legal description

Building plans (size, intended use of structures, exterior finishes, floor plans and elevations).

REVIEW PROCESS:

1. Submit 15 copies of application and all supporting information to Town Planner (minimum of 3 weeks prior to Planning Commission Meeting).
2. Planning Commission _____ (4th Thursday of the month @ 7:00 p.m. at the Town Hall).
3. Town Board _____ (1st Monday of the following month @ 7:00 p.m. at the Town Hall)
(Call Public Hearing)
4. Town Board _____ Public Hearing
5. Town Board _____
(Action subject to Public Hearing Schedule)

STANDARDS:

The Town Board will approve a Conditional Use Permit only if the following facts are established:

- ____ 1. There will be no detracting from the appearance of adjacent properties, or Town as a whole.
- ____ 2. There will not be aesthetic incompatibility.
- ____ 3. There will not be aural incompatibility (noise).
- ____ 4. There will not be damage to vegetation.
- ____ 5. Traffic patterns will not be negatively affected.
- ____ 6. There is no unnecessary loss of existing natural features.
- ____ 7. Will not cause soil erosion.
- ____ 8. Will not increase flood potential.
- ____ 9. The proposal is consistent with Comprehensive Plan and complies with other Ordinances.

It is the policy of White Bear Township that all identifiable costs associated with Conditional Use Permits within the Township shall be the sole responsibility of the owner of said property. The costs shall include, but are not limited to the following: Township planning review costs (reports, meetings, site review); engineering review costs; legal costs (preparation of hearing notices, legal research, certification costs); publication costs (notice of hearing); reapportionment of assessments (engineers report); mailings and Ownership Reports (ownership/encumbrance).

Prior to the final approval by the Town Board, all Township expenses to date shall be paid by the owner. Subsequent expenses not paid at the time of final approval (due to billings by consultants, etc.) shall be due upon receipt of a billing from the Township.

[Handwritten Signature]
Signature of Applicant(s)

Date 1/5/18

<u>To Be Completed By Office:</u>	
Date Request Received <u>Karen Edson</u>	Ch# <u>11926</u>
By <u>1/5/18</u> (Staff Member)	\$75.00 Fee + \$200 Deposit Received <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date Application Complete _____	



Planning Commission Meeting March 22, 2018

Agenda Number: 8

Subject: **Ordinance No. 33 (Sign) Amendments** – Consider Wilson Tool/Aspect LED Request to Modify the Sign Ordinance Requirements of:

- Section 3-2.4 – Employment Opportunity Signs
- Section 5-2 & 5-3 Relating to Light Industrial Signs

Documentation: Town Planner Memo

Action / Motion for Consideration:

Receive Information / Discussion

Minutes
Executive Meeting
January 24, 2018

ORDINANCE NO. 33 (SIGN) AMENDMENTS – CONSIDER WILSON TOOL REQUEST: The Planner reported that Wilson Tool/Aspect LED is requesting a pylon type sign 250 square feet in area on their light industrial building on Constellation Drive. Staff was asked to propose Sign Ordinance wording which would permit larger signs for larger industrial buildings. Suggestions include adding wording to allow one business or identification sign per business or building to be allowed for each lot for buildings up to 70,000 square feet in area. For buildings exceeding 70,000 square feet in area one building mounted and one monument/pylon sign is permitted per building or lot. Sign size shall not exceed 250 square feet or a total of 400 square feet for both signs. For buildings exceeding 70,000 square feet in area with multiple businesses, the total square footage of all business signs shall not exceed 150 square feet per pylon/monument and 400 square feet for building mounted signs and a pylon/monument combined.

Currently light industrial businesses with multiple buildings may place up to 2 signs on each building over 50,000 square feet in size. Signs on these large buildings, over 50,000 square feet, may not exceed 250 square feet each and the total of the two signs may not exceed 400 square feet. The maximum number of signs allowed for a light industrial business is four. If additional wording is adopted, the following businesses located in the Town would be allowed to increase their sign area: Heraeus (would qualify for multiple signs when second building is constructed); Wilbert Plastics; Water

Gremlin (currently qualifies for the larger signs as defined by the Sign Ordinance). The following businesses which currently qualify for larger signs based on existing ordinance requirements are; Schwing America; SMC; Cortec; Aetna; and Water Gremlin. In response if there are requirements for distance between signs, the Planner stated that the only distance requirement is for billboards which must have an 800 square foot distance between billboards. Wilson Tools would like to have a 4.5' x 24' building mounted sign and a 12' x 25' pylon sign. They would be okay with a pylon sign of 10' x 12'. After discussion it was the consensus that staff contact other communities along this corridor to see what their sign requirements are. The Planner will also review the request further and see if Wilson Tool would be agreeable to reduce their sign requests.

Minutes

**Executive Meeting
December 21, 2018**

ORDINANCE NO. 33 (SIGN) AMENDMENTS – CONSIDER REQUEST BY WILSON TOOL, 4900

CONSTELLATION DRIVE: The Planner reported that Aspect LED, a subsidiary of Wilson Tool is preparing to lease the light industrial building at 4900 Constellation Drive. Aspect LED manufactures LED lighting, including signs. They would like to advertise their product by installing a 300 (25' x 12') square foot pylon sign on the freeway side of the site. The Town's Sign Ordinance limits sign square footage for a building or business to 100 square feet. Exceptions are permitted if the business has multiple buildings which exceed 50,000 square feet in area. Larger buildings are permitted to have 2 signs each, not to exceed 250 square feet or 400 square feet overall. The building Aspect LED would like to lease is 70,000 square feet in area. Wilson Tool has multiple buildings, but only this one in White Bear Township. If the Town determines that the Aspect building meets this Sign Ordinance requirement, the sign square footage will be limited to 250 square feet. If the larger sign is preferred, the Sign Ordinance must be amended. The following amendment may be considered: **"Size & Number:** One business or identification sign per business or building by permit. No sign shall be larger than one hundred (100) square feet of display surface. Light industrial business with multiple buildings may place up to two (2) signs on each building over 50,000 square feet in size. Signs on these large buildings (over 50,000 square feet) may not exceed 300 square feet each and the total of two signs may not exceed 400 square feet. The maximum number of signs allowed for a light industrial business is four." Aspect LED would also like to have a building mounted sign. It was the consensus that signs are central to Aspect LED's marketing. An email from Mark Miller, Township resident, was reviewed. Mr. Miller is opposed to signs glaring and flashing across the freeway to Polar Lakes Park, where events are scheduled. He also questioned the intensity of the signs on the freeway. The Planner will work with Wilson Tools with more specific information and report back.

MEMORANDUM

TO: TOWN BOARD
FROM: TOM RIEDESEL
DATE: DECEMBER 27, 2017

SUBJECT: SIGN ORDINANCE AMENDMENT

Wilson Tool/Aspect LED is leasing light industrial building space on Constellation Drive in White Bear Township. Aspect LED manufactures LED lighting including signs. They would like to install a large sign on their site in order to advertise their business. A pylon type sign 250 square feet in area is planned.

Currently, this business/site is limited to one sign no larger than 100 square feet in area. The following is current sign ordinance language.

One business or identification sign per business or building by permit. No sign shall be larger than one hundred (100) square feet of display surface. Light industrial business with multiple buildings may place up to two (2) signs on each building over 50,000 square feet in size. Signs on these large buildings (over 50,000 square feet) may not exceed 250 square feet each and the total of the two signs may not exceed 400 square feet. The maximum number of signs allowed for the light industrial business is four.

Staff was asked to propose Sign Ordinance wording which could be considered which would allow for larger signs for larger industrial buildings. The underlined wording is staff's proposed amendment to the Sign Ordinance which may be considered.

5-3 Industrial Zoning District (I-1).

Size and Number:

- One business or identification sign per business or building by permit is allowed for each lot for buildings up to 70,000 square feet in area. No signs or combination of signs shall be larger than 100 square feet of display surface.
- Light industrial business with multiple buildings may place up to 2 signs on each building over 50,000 square feet in size. Signs on these large buildings (over 50,000 square feet) may not exceed 250 square feet each and the total of the two signs may not exceed 400 square feet. The maximum number of signs allowed for a light industrial business is four.
- For buildings exceeding 70,000 square feet in area one building mounted and one monument/pylon sign is permitted per building or lot. Sign size shall not exceed 250 square feet or a total of 400 square feet for both signs.
- For buildings exceeding 70,000 square feet in area with multiple businesses, the total square footage of all business signs shall not exceed 250 square feet per

pylon/monument and 400 square feet for building mounted signs and a pylon/monument combined.

The additional wording if adopted would allow the following businesses located in the Town to increase their sign area:

- Heraeus (will qualify for multiple signs when second building is constructed)
- Wilbert
- Water Gremlin (currently qualifies for the larger signs as defined by the Sign Ordinance)

Town businesses which currently qualify for larger signs based on existing ordinance requirements are:

- Schwing America
- SMC
- Cortec
- Aetna
- Water Gremlin

The Town may want to consider another Sign Ordinance amendment based on the Town's history of approving sign quantity variances.

Currently a business is permitted to have one sign not to exceed 100 square feet in area. Several businesses have requested and received variances from the Sign Ordinance to permit them to have a monument sign and a building mounted sign(s). These requests have been approved subject to the total sign square footage not exceeding 100 square feet in area.

The following amendment may be considered:

Section 5-2

Number & Size - One identification sign per business, plus one overall business or identification sign per business center. No sign shall be larger than one hundred (100) square feet of display surface.

Add For freestanding businesses not located within a shopping center, each business may have one building mounted and one pylon/monument sign. The total square footage of both signs shall not exceed 100 square feet in area.

The Town was also recently contacted by Schwing America which would like to place a banner on their paint building advertising for new employees. Currently the sign ordinance limits employment signs to 20 square feet of display surface. No banners are permitted.

Schwing is hoping to install an 8' x 20' banner on their paint building, which is the building closest to I-35E.

The following is the current sign ordinance wording. The underlined wording is "proposed."

3-24 Employment Opportunity Sign:

One sign announcing employment opportunities for each business is permitted, within the I-1, B-1 and B-2 Zoning Districts. Such sign shall be secured to the ground but not permanently affixed by footings, must be placed on the site of the business advertising employment opportunities, and shall not exceed 20 square feet of display surface. Such sign shall be constructed of wood or metal, shall be limited to the wording "Employment Opportunities", a phone number, positions available, and hours of operation, and shall display the company name or logo and shall be painted to match the building and company monument or pylon sign. As an alternative, temporary banners may also be displayed on site or mounted to a building advertising employment opportunities. A banner shall be limited in size to 160 square feet in area. Employment opportunity signs may be displayed for a period of one (1) year from the date of issuance of a sign permit. Permits may be renewed upon review and approval by the Town Board. Each permit renewal shall not exceed a period of more than one (1) year, additional one (1) year renewals may be approved by the Town Board.

TR/psw
cc:admin.file
b:signord



**Planning Commission Meeting
March 22, 2018**

Agenda Number: 9

Subject: Comprehensive Plan – Update

Documentation:

Action / Motion for Consideration:

Receive Information / Discussion



**Planning Commission Meeting
March 22, 2018**

Agenda Number: 10 - 11

Subject: Added Agenda Items
Adjournment

Documentation:

Action / Motion for Consideration:

Tom Riedesel

From: GTS Educational Events <events@mngts.org>
Sent: Friday, March 16, 2018 9:31 AM
To: Tom Riedesel
Subject: Registration now open for 2018 Land Use Workshops!

Registration Now Open!
2018 Land Use Training & Education Program



Registration is open for 2018 Land Use workshops!

We're thrilled to announce the 2018 Land Use Training & Education calendar. We've added brand new workshops, plus the ability to attend some classes virtually!



From basic to advanced core content, to special and emerging topics, the Land Use Training and Education Program is designed to provide an opportunity for anyone who works in or is impacted by land use planning and zoning to engage in conversations and collaborative learning that will drive toward equitable and sustainable land use outcomes.

Land Use workshops take place in various regions across the state, and this year, several include a virtual option, so you can take the training from the comfort of your office or home. Workshops include practical content, opportunities for in-depth study, and hands-on application as well as handouts and reference materials. Presenters have extensive backgrounds in their discipline areas. [Learn more.](#)

REGISTER NOW

The goal of the Land Use training series is to ensure economic vitality, and environmental and public health for all communities by engaging and informing a diverse group of public, private and civic stakeholders regarding ongoing and emerging land use issues.

2018 Land Use Workshops

Basics of Planning & Zoning -- April 12, St. Paul; June 27, Staples

This workshop covers the nuts & bolts of planning, zoning & subdivision regulation. Participants will learn how planning and zoning is developed, where they fit into the process, and how the different "players" can maximize their impact. *Attend both Basis of Planning and Zoning and Beyond the Basics session and save \$50!*

Beyond the Basics -- May 24, St. Paul; June 28, Staples

In this workshop, participants will learn how planning and zoning tools are used to deal with a wide variety of development issues influencing a community's built environment. The complexities of variances are a major focus. Presenters cover the what, when, and why (complete with "how-to's" and "how-not-to's") with numerous examples and case studies! *Attend both Basis of Planning and Zoning and Beyond the Basics session and save \$50.*

Your Role as Planning Commissioner -- May 16, Golden Valley; September 13, Burnsville; November 14, St. Paul; *or attend virtually!*

As a Planning Commission member, you contribute hours of unpaid time to your community. Have you discovered that serving in this capacity is a bit more challenging than anticipated? This workshop will focus on what you need to know to be successful in this important position. You'll learn practical tips that can make the difference between results and regrets.

Public Participation Techniques -- July 17, Golden Valley; *or attend virtually!*

This workshop provides an overview of why public participation and community engagement is critical to the success of planners and policymakers. It explores the different techniques, when to provide them, and tips for handling difficult situations. This course is geared toward government staff, appointed and elected officials.

Managing Risk -- July 24, Little Falls; October 9, St. Paul

Through a review of the fundamental principles and key legal issues that guide land use decisions, as well as the review and interactive discussion of hypothetical case studies, participants in this session will learn how to make sound and legally supportable land use decisions.

... and more classes and dates announced soon!

Special Thanks to Our 2018 Gold Sponsors!





**Planning Commission Meeting
March 22, 2018**

Subject: Items passed by the Town Board Pertaining to the Planning Commission

Documentation: Minutes