



WHITE BEAR TOWNSHIP

1858
RAMSEY COUNTY
MINNESOTA

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WHITE BEAR TOWNSHIP, MN 55110

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Board of Supervisors
ED M. PRUDHON, Chair
STEVEN A. RUZEK
SCOTT E. MCCUNE

AGENDA PLANNING COMMISSION MEETING JANUARY 23, 2020

1. **6:30 p.m.** Call Meeting to Order at Heritage Hall, 4200 Otter Lake Road.
2. Approval of Agenda (Additions/Deletions).
3. Approval of December 4, 2019 Minutes.
4. **Consent Agenda:** None.
5. **Sign Ordinance Amendment** – Sections 3-16.7 & 4-1.4 of Ordinance No. 33 Which Would Permit an Electronic Billboard.
6. **Stable of White Bear Township** – Request for Major Subdivision & Conditional Use Permit for a Planned Unit Development.
7. **Cub Foods** - Request for Renewal of Permitted Use Standards Permit to Sell Christmas Trees.
8. **Off-Season Dock & Lift Storage.**
9. Added Agenda Items.
10. Adjournment.

White Bear Township's Mission:

To provide White Bear Township residents, businesses and visitors with reliable, high quality municipal services while serving as open and responsible stewards of the public trust.





**Planning Commission Meeting
January 23, 2020**

Agenda Number: 1 – 2 - 3

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

Approval of January 23, 2020 Agenda
Approval of Minutes of December 4, 2019

Documentation: January 23, 2020 Agenda
December 4, 2019 Minutes

Action / Motion for Consideration:

Call meeting to order:	6:30 p.m.
Approval of Agenda:	January 23, 2020 (additions/deletions)
Approval of Minutes:	December 4, 2019

**MINUTES
PLANNING COMMISSION MEETING
DECEMBER 4, 2019**

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

Present: Artner, Blin, Denn, Flann, Kotilinek, Loes Swisher; Town Board Liaison: Prudhon; Planner: Riedesel

APPROVAL OF AGENDA (Additions/Deletions): Artner motioned to approve the agenda as submitted. Loes seconded. Ayes all.

APPROVAL OF MINUTES OF OCTOBER 24, 2019: Artner moved to approve the minutes of October 24, 2019. Swisher seconded. Ayes all.

STABLE PROPERTY – UPDATE: The Town Planner reported that there isn't a whole lot new on this subject except that the Town's EDAB is still discussing the consideration of turning the Stable Property into a TIF project. He gave an overview of this property: that it was proposed for development several times. In 2006 there was a proposal for 14 single family homes. The latest proposal was for 9 twin homes. That proposal was denied, led to a lawsuit, and the Town's purchase of the property. Currently the proposal is for 8 single family homes that will meet zoning ordinance requirements. The Town Planner explained that the Town has updated the wetland delineation and the wetland has grown. He noted that there has been a slight relocation of the planned trail. An import of about 26,000 cubic yards of soil will be used. Currently this proposal is under review by the Rice Creek Watershed District (RCWD).

It was noted that the staff simply wants to update the Planning Commission and see if the members have any feedback about the lot lines, the trail adjustment, and any other feedback. There will be more discussion after the joint EDA and EDAB meeting in January. There was discussion of the treatment ponds, the soil, TIF, the ideal timing. The Commission gave input on the lot lines. The Town will plan to move the lot lines so the Town owns the land around the storm water pond, not just with an easement as well as the trail. There was minor discussion of any tree removal and it was noted that the development shouldn't have to take out any trees, but there may be more discussion once plans are a little further along. The end goal is for the Town to sell this property.

MINUTES
PLANNING COMMISSION MEETING
DECEMBER 4, 2019

CLEAR CHANNEL – SIGN ORDINANCE AMENDMENT TO PERMIT A DIGITAL OFF-PREMISES ADVERTISING SIGN: The Town Planner reported that this agenda item was originally reviewed at the October meeting. He gave a brief history of Clear Channel's relationship with the Township and how their 15 year lease is up. Clear Channel wants to construct a digital billboard that rotates 8 ads every 8 seconds on one of the two billboards which they lease from the Town. This will require an ordinance amendment if approved because the current off-premises advertising digital ordinance states ads can only change every 30 seconds. There was discussion of keeping the sign ordinance at 30 seconds, but approving Clear Channel rights to construct a digital sign at their own expense. There was discussion of ensuring no video or scrolling words, just static ads. It was noted that that wording will be implemented into the contract. There was discussion on whether or not Clear Channel would sign another lease for the billboard if it's not allowed to be digital. There was discussion on the surrounding communities, their signage and advertising leases. It was noted that where the billboard is placed, not many Township residents travel that far north so there was discussion on whether or not this digital sign would benefit the residents. There was discussion on light pollution. It was the consensus that ultimately the Commission would like more information on the topics that were discussed. It was the consensus that staff will reach out and ask a Clear Channel representative to attend the January Planning Commission meeting.

Swisher motioned to recommend the Town Board keep the sign ordinance as is. Loes seconded. Ayes: Kotilinek, Loes, Swisher, Nays: Artner, Blin, Flann. Motion failed.

Kotilinek motioned to continue the discussion at the January meeting as well as staff inviting a representative to the discussion. Artner seconded. Ayes: Kotilinek, Artner, Blin, Flann, Loes. Nay: Swisher. It was noted that Denn is opposed.

OFF-SEASON DOCK & LIFT STORAGE: The Town Planner updated the Commission on the draft staff had written to Bart Crocket, the President of the Bald Eagle Area Association. Crocket emailed back stating that the BEAA Board meeting was held on November 19th and they did address this letter. He stated that there was total agreement among the Board members that there is no problem with the storage of docks and lifts around the lakes. It was noted that the BEAA Board is against an ordinance.

The Commission discussed that the Board may not be representing the entire community, since there are a couple hundred homes around the lakes, but only a handful of Board members on the BEAA Board. There was discussion of maybe reaching out to the homeowners along the lakes, or even the whole Town since other residents drive around the lakes and have some views inhibited by the off-season storage. It was discussed that maybe the Town could publish a document with "Recommended Storage Practices" on the website, Facebook, *News & Views*, and other sources of communication. It was the consensus that staff will draft up this document, and Commission members can email suggestions if they like. This document will be reviewed at the January meeting.

MINUTES
PLANNING COMMISSION MEETING
DECEMBER 4, 2019

ADDED AGENDA ITEMS: There were no added agenda items.

Artner moved to adjourn the meeting at 7:33 p.m. Blin seconded. Ayes all.

Respectfully Submitted,

Megan R. Cavanaugh
Recording Secretary

DRAFT



**Planning Commission Meeting
January 23, 2020**

Agenda Number: 4 - Consent Agenda - None

Subject:

Documentation:

Action / Motion for Consideration:

Receive Information / Discussion



Planning Commission Meeting January 23, 2020

Agenda Number: 5

Subject: Sign Ordinance Amendment – Section 4-1.4 of Ordinance No. 33 Which Would Permit an Electronic Billboard

Documentation: Staff Memo / samples

Action / Motion for Consideration:

Receive Information / Discussion

Minutes
Planning Commission Meeting
December 4, 2019

CLEAR CHANNEL – SIGN ORDINANCE AMENDMENT TO PERMIT A DIGITAL OFF-PREMISES ADVERTISING SIGN: The Town Planner reported that this agenda item was originally reviewed at the October meeting. He gave a brief history of Clear Channel's relationship with the Township and how their 15 year lease is up. Clear Channel wants to construct a digital billboard that rotates 8 ads every 8 seconds on one of the two billboards which they lease from the Town. This will require an ordinance amendment if approved because the current off-premises advertising digital ordinance states ads can only change every 30 seconds. There was discussion of keeping the sign ordinance at 30 seconds, but approving Clear Channel rights to construct a digital sign at their own expense. There was discussion of ensuring no video or scrolling words, just static ads. It was noted that that wording will be implemented into the contract. There was discussion on whether or not Clear Channel would sign another lease for the billboard if it's not allowed to be digital. There was discussion on the surrounding communities, their signage and advertising leases. It was noted that where the billboard is placed, not many Township residents travel that far north so there was discussion on whether or not this digital sign would benefit the residents. There was discussion on light pollution. It was the consensus that ultimately the Commission would like more information on the topics that were discussed. It was the consensus that staff will reach out and ask a Clear Channel representative to attend the January Planning Commission meeting.

Swisher motioned to recommend the Town Board keep the sign ordinance as is. Loes seconded. Ayes: Kotilinek, Loes, Swisher, Nays: Artner, Blin, Flann. Motion failed.

Kotilinek motioned to continue the discussion at the January meeting as well as staff inviting a representative to the discussion. Artner seconded. Ayes: Kotilinek, Artner, Blin, Flann, Loes. Nay: Swisher. It was noted that Denn is opposed.

MEMORANDUM

TO: PLANNING COMMISSION
FROM: TOM RIEDESEL
DATE: NOVEMBER 25, 2019 REVISED JANUARY 16, 2020

SUBJECT: DIGITAL BILLBOARD

**REQUEST: AMENDMENT TO SECTION 3-16.7 & 4-1.4 OF ORDINANCE NO. 33
(SIGN ORDINANCE)**

Clear Channel Media has approached the Township with a request to modify and renew their lease with the Town to place billboards in Polar Lakes Park. Clear Channel also leases property from Comstock & Sons allowing one billboard at 1177 North Birch Lake Boulevard. These are the only billboards permitted in the Town.

In 2004 Clear Channel signed a lease with the Town to permit billboards in Polar Lakes Park. Prior to this, there was one billboard located on the Comstock property and a 2nd one at the Schwing property. The Schwing billboard was removed recently. This board was considered legal non-conforming. There are currently three billboards located within the Township.

Clear Channel would like to place a digital billboard on one of their three locations. The digital board would change messages every 8 seconds. There would be no word changes during the 8 second duration and no moving video is planned. The sign faces simply change messages every 8 seconds.

Currently Town Ordinance Section 4-1.4 allows sign changes once per 30 seconds. Clear Channel is requesting the Town to consider amending this section of the Sign Ordinance to allow an 8 second change to message vs. 30 seconds.

Illuminated signs are permitted in the I-1 Zone.

Illuminated or electronic display signs are defined by Section 2-2.6 & 2-2.6(a) of the Sign Ordinance. These types of signs may not change messages more than once every 30 seconds per ordinance. There are several similar message board signs located in White Bear Township (Bald Eagle Sports, South Shore Trinity Church, Calvary Church, Aspect LED and Flagship Bank).

The Planning Commission has reviewed amendments to the sign ordinance which would permit more frequent sign messages than once every 30 seconds or more. The Planning Commission has not recommended changes to the ordinance allowing more frequent messages to date.

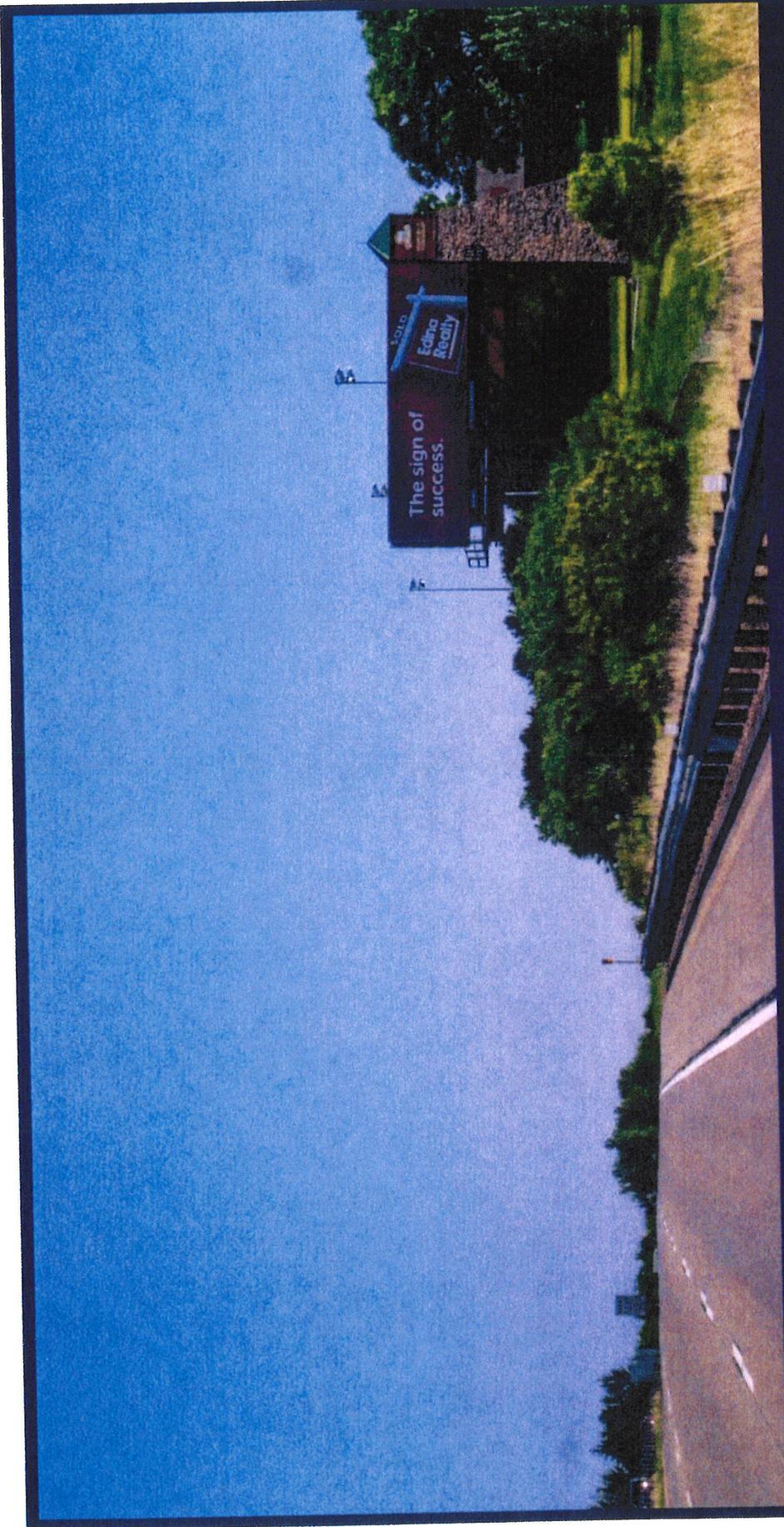
In order to permit a digital billboard and message display to change more than once every 30 seconds, the Sign Ordinance must be modified. The following additions/amendment to the ordinance may be considered:

Add Section 3-16.7 – Off premise advertising signs are permitted to have a digital display. The sign face shall not change more than once every 8 seconds. No video or word changes may take place during the 8 second interval.

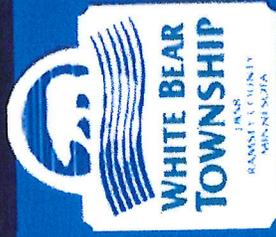
Amend Section 4-1.4 to read as follows:

4-1.4. Flashing signs or revolving signs, except those with symbols or numerals indicating time and temperature and word changes, provided the words do not change more frequently than once every ~~thirty (30)~~ **eight (8)** seconds.

TR/psw
cc:admin.file
b:digitalsigns-20



White Township
New Lease /Digital Billboards
Matthew Weiland, VP Real Estate
10/2019



 **Clear Channel Outdoor**

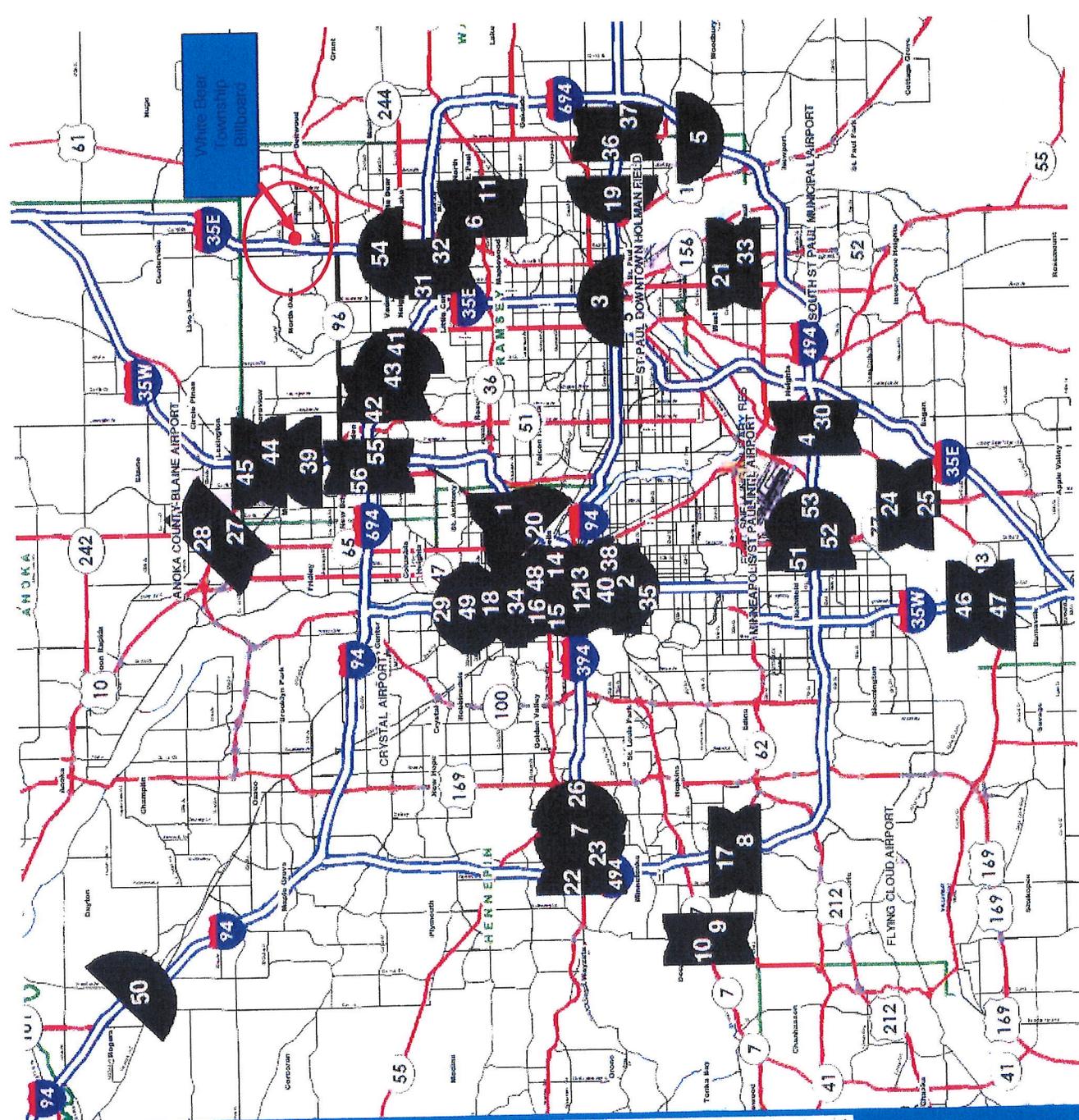
White Bear Township, MN Proposal

Market Experience

- Clear Channel Outdoor, Inc Overview
 - Clear Channel Outdoor Holdings, Inc. (NYSE: CCO) is one of the world's largest outdoor advertising companies with over 450,000 displays in 31 countries across Asia, Europe, Latin America and North America. Reaching millions of people monthly, including consumers in 43 of the top 50 U.S. markets, Clear Channel Outdoor enables advertisers to engage with consumers through innovative advertising solutions. Clear Channel Outdoor is pioneering the integration of out-of-home with mobile and social platforms, and the company's digital platform includes more than 1,200 digital billboards across 28 markets in the U.S. and more than 13,000 digital displays in international markets.
- Clear Channel Outdoor, INC Minneapolis/St. Paul (CCO MSP) Digital Experience
 - CCO MSP currently operates 57 digital signs in 15 Twin City communities. CCO MSP has a proven history of creating beneficial public/private partnerships. CCO MSP currently has contract agreements with the 5 municipalities listed below and the Metropolitan Airports Commission (MAC) to operate digital signs.
 - City of Blaine
 - City of Mounds View
 - City of New Brighton
 - City of Shoreview
 - City of West St Paul
 - CCO MSP also has additional municipal contracts to operate printed (non-digital) signs.

2019 MSP
Digital Billboards
15 Cities
58 Digital Faces

City	# Faces
1 Blaine	2
2 Burnsville	2
3 Eagan	4
4 Landfall	2
5 Maplewood	3
6 Minneapolis	18
7 Minnetonka*	8
8 Mounds View	3
MSP Airport	3
9 (Bloomington)	2
10 New Brighton	1
11 Rogers	3
12 Shoreview	2
13 St Paul	3
14 Vadnais Heights	2
15 West St Paul	2



75" digital signs installed in 2016 in City of Minnetonka

Digital Operations

- Standard Billboard Size
 - 14 ft x 48 ft (672 sq ft) – Existing White Bear Township Billboard Size
- Digital Billboards rotate 8 slots (static images)
 - 8 second dwell times
- Instantaneous transitions between images
- Appear like static billboards
- Ambient light sensor
 - Constantly monitor ambient light conditions around sign and adjust brightness of the sign based on surrounding conditions
 - Higher during day and lower at night
- Remote monitoring
 - Web cams
 - Cellular network
 - Remote cut off switches
- Allowed by the FHWA and State of MN

Summary Zoning Ordinance Changes

- **Permit Off-Premise//billboard Signs**
 - 14x48 ft face (672 sq ft)
 - Permitted in White Bear Township
- **Commercial//Industrial Zoning**
 - Existing billboards are located in Industrial zone
- **Permit Digital/Dynamic Faces**
 - Conversion of existing permitted billboards
- **8 second dwell times on digital displays**
 - Instantaneous transitions
- **Spacing requirement for dynamic billboards read from same direction**
- **Spacing requirements from residential**
- **Height Requirements**
- **PSA messaging requirements**
- **Brightness requirements**
 - ambient light sensors
 - operating characteristics set to perform like static billboards
 - Digital billboards shall not operate at brightness levels of more than 0.3 foot candles above ambient light, as measured using a foot candle meter at a pre-set as measured a horizontal distance of two-hundred fifty (250) feet from the nominal size 14 ft x 48 ft sign face

Public Service Announcements (PSA)

- Clear Channel Outdoor offers Cities
 - Up to 20 hours PSA/digital face/month
 - 9,000 Eight (8) second public service messages
 - Township and Community Events
- In addition to City PSA, Clear Channel Outdoor provides the following PSA
 - Amber alerts
 - FBI Alerts
 - Severe Weather Warnings
 - Hennepin and Ramsey County
 - Regional Emergencies
 - 35W Bridge Collapse
 - County Sheriff messaging
 - Emergency Management Requests

White Bear Township, MN Zoning Map



WHITE BEAR
TOWNSHIP

Zoning Districts

Legend

- Township Limits
- B-1 Limited Business
- B-2 - General Business
- I-1 - Light Industrial
- OS Open Space
- R-1 Suburban Residential
- R-2 Urban Residential
- R-3 Multiple Family Residential
- Airport Safety Zone A and B
- Airport Safety Zone C
- Shoreline Management Area
- Outdoor Advertising Sign Overlay



0 2,500
Feet

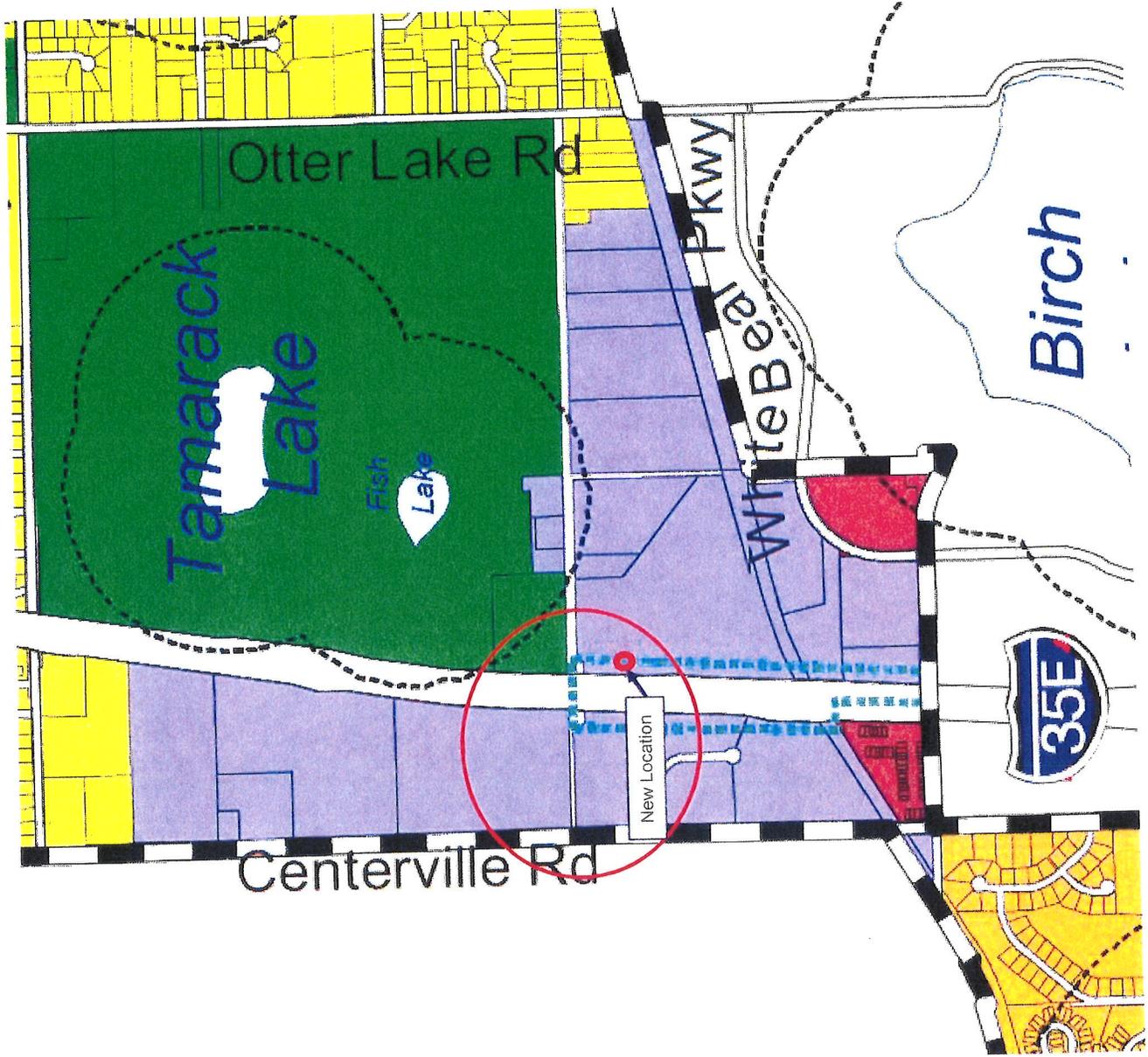
**For Further Information
Contact White Bear Township at
(651) 429-5827**

Limitation Liability
This document is not a legally recorded map or survey and is not intended to be used as one. This map is a compilation of records and information from various state, county, and township offices, and other sources.

Map Date: April 16, 2003

Created By: TKDA
TOWNSHIP ARCHITECTURE PLANNING

Clear Channel Outdoor



White Bear Township, Billboards Location Map



**White Bear Township,
Digital Billboard
Conversion
Location Map**



Conclusion

- Clear Channel Outdoor is interested in expanding its Digital Network into White Bear Township, MN
 - Long Term Lease extension
- Updated Digital Displays
- Great Locations in Commercial Corridor
- Community Messaging and PSA
- Expanded advertising opportunities for local businesses
- Long Term Private/Public Partnership
- Great source of non property tax related income for Township

Clear Channel Outdoor Contact Information

- Questions
 - Matthew Weiland, VP Real Estate and Public Affairs
 - Clear Channel Outdoor, Inc.
 - Office- 612-605-5142
 - Cell – 651-592-4431
 - Email – matthewweiland@clearchannel.com



Planning Commission Meeting January 23, 2020

Agenda Number: 6

Subject: **Stable of White Bear Township – Request for Major Subdivision & Conditional Use Permit for a Planned Unit Development**

Documentation: Staff Memo / Preliminary Plat Information

Action / Motion for Consideration:

Receive Information / Discussion

Minutes
Planning Commission Meeting
December 4, 2019

STABLE PROPERTY – UPDATE: The Town Planner reported that there isn't a whole lot new on this subject except that the Town's EDAB is still discussing the consideration of turning the Stable Property into a TIF project. He gave an overview of this property: that it was proposed for development several times. In 2006 there was a proposal for 14 single family homes. The latest proposal was for 9 twin homes. That proposal was denied, led to a lawsuit, and the Town's purchase of the property. Currently the proposal is for 8 single family homes that will meet zoning ordinance requirements. The Town Planner explained that the Town has updated the wetland delineation and the wetland has grown. He noted that there has been a slight relocation of the planned trail. An import of about 26,000 cubic yards of soil will be used. Currently this proposal is under review by the Rice Creek Watershed District (RCWD).

It was noted that the staff simply wants to update the Planning Commission and see if the members have any feedback about the lot lines, the trail adjustment, and any other feedback. There will be more discussion after the joint EDA and EDAB meeting in January. There was discussion of the treatment ponds, the soil, TIF, the ideal timing. The Commission gave input on the lot lines. The Town will plan to move the lot lines so the Town owns the land around the storm water pond, not just with an easement as well as the trail. There was minor discussion of any tree removal and it was noted that the development shouldn't have to take out any trees, but there may be more discussion once plans are a little further along. The end goal is for the Town to sell this property.

MEMORANDUM

TO: PLANNING COMMISSION
FROM: TOM RIEDESEL
DATE: JANUARY 15, 2020
SUBJECT: RESIDENTIAL DEVELOPMENT

REQUESTS: CUP FOR A PLANNED UNIT DEVELOPMENT, MAJOR SUBDIVISION
LOCATION: 5685 PORTLAND AVENUE
APPLICANT: WHITE BEAR TOWNSHIP
ZONING: R-1, SUBURBAN RESIDENTIAL

The Stable of White Bear Township is a now under formal review. The property is owned by White Bear Township and will be sold to a developer when the property development is approved. Several subdivision proposals have been reviewed by the Town in the past all with higher density than is proposed with the current layout.

The subdivision plan proposes 8 single family lots with one outlot. The Town would retain the outlot for ponding, trail and open space purposes. A trail is planned as part of this development which would connect an existing dead end trail with Deer Meadow Park.

All lots are proposed to exceed 12,000 square feet in area. Seven of the eight lots would be walkouts. Stormwater ponding is planned on the westerly side of the property.

Several of the lots are located within Land Use Safety Zone B. This airport safety zone requires lots in Zone B to be 3 acres in size. The Town is proposing a planned unit development in order to permit the average lot size to be 3 acres. All of the buildable lots are less than 3 acres in area but the outlot is 18.09 acres. The average size of all lots is .4 acres or 17,597 square feet. Lots in the Land Use Safety Zone B average 3.35 acres in area (including the outlot).

The following are modifications made to the plan, based on Planning Commission and staff input:

- Reconfiguration of several lot lines
- Shifting of the trial one lot to the west (between Lots 3 & 4)
- Reducing the size of the lots and increasing the size of the outlot, to be retained by the Town.
- Relocation of the trail due to the increase in wetland area.
- Additional detail of the stormwater pond and the addition of a culvert.

Conditional Use Permit for a Planned Unit Development:

A Planned Unit Development is proposed for the property to allow clustering of the lots and homes onto the upland portion of the property, avoiding any wetland fill. The clustering will allow lots within the Land Use Safety Zone B to average 3 acres in area.

A Planned Unit Development also has standards defined by the Zoning Ordinance which must be part of development. They include:

7-10.1(a). HOMEOWNERS ASSOCIATION. A Homeowners Association shall be required in all Residential Planned Unit Developments having multiple family dwelling units. Membership in the Homeowners Association shall be mandatory for all owners of such multiple family dwelling units. The Homeowners Association shall maintain legal ownership and keep in good repair private driveways, parking spaces and common areas.

7-10.1(b). USES. Land uses shall comply with the permitted or conditional use regulations of the Zoning District in which the residential planned unit development is located.

7-10.1(c). MINIMUM AREA. The minimum area of land for a Residential Planned Unit Development shall be not less than five (5) acres, exclusive of lakes, streams, wetlands and the right-of-way of public thoroughfares.

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.

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.

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.

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).

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.

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).

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.

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.

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.

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.

Major Subdivision:

In addition to the Conditional Use Permit for a planned unit development a major subdivision must be approved by the Town. Approval of the subdivision will allow the property to be divided into the proposed parcels.

The Stable is the last of the larger properties in this portion of the Township which was Master Planned from County Road J to the Stable property. Larger properties north of the Stable developed consistently with the master plan with very few exceptions.

TR/psw
cc:admin/add.file
b:stable20



**Planning Commission Meeting
January 23, 2020**

Agenda Number: 7

Subject: Cub Foods – Request for Renewal of Permitted Use Standards
Permit to Sell Christmas Trees

Documentation: Staff Memo / Permitted Use Standards Permit Application
/ Previous PUS

Action / Motion for Consideration:

Receive Information / Discussion

MEMORANDUM

TO: PLANNING COMMISSION
FROM: TOM RIEDESEL
DATE: JANUARY 15, 2020

SUBJECT: CHRISTMAS TREE SALES

REQUEST: PERMITTED USE STANDARDS PERMIT
LOCATION: 1059 MEADOWLANDS DRIVE – CUB FOODS
APPLICANT: CUB FOODS – PQT, CO.
ZONING: B-2, GENERAL BUSINESS

Cub Foods is requesting approval of a Permitted Use Standards permit which would permit PQT Company, a part of Rum River Nursery, to sell Christmas trees from the Cub parking lot. PQT has sold Christmas trees during the season for several years. Their most recent Permitted Use Standards Permit approval was for a 3-year permit which expired on December 31, 2019.

Prior to operating the tree site lot at Cub, PQT sold trees from a site across County Road 96 in Vadnais Heights. This site was formerly PDQ but was re-developed and is now Punch Pizza, Starbuck's and Noodles & Company.

The temporary tree lot is proposed within the parking lot on the south side of the Cub store. Eleven parking spaces and a drive lane are impacted temporarily for the duration of the tree sale. No changes are planned from the previously approved location.

While the use temporarily eliminates parking during a busy time of year for grocery stores, no complaints have been received regarding the temporary tree lot location or use.

A Permitted Use Standards Permit must be approved in order to permit the temporary tree sale. Standards set forth by the Zoning Ordinance must be reviewed and met prior to approval of a Permitted Use Standards Permit. Section 9-3.4 sets the standards:

9-3.4. STANDARDS. A Permitted Use Standards application shall be approved if it is found to meet all standards set forth in this section.

9-3.4(a). The use shall be planned, designed, constructed and maintained to avoid:

- (1). Unnecessary detracting from the appearance of adjacent properties or from the Town as a whole.
- (2). Aesthetic incompatibility.

- (3). Aural Incompatibility.
 - (4). Damage to vegetation.
 - (5). Traffic pattern incompatibility.
 - (6). Erosion of soil.
 - (7). Unnecessary loss of existing natural features (vegetation, steep slopes, wetlands, water bodies).
 - (8). Increased flood potential.
- 9-3.4(b).** No development shall be allowed which will result in unusual maintenance or repair costs of road, parking areas or utility lines.
- 9-3.4(c).** Development shall be permitted only in such a manner that the maximum number of trees shall be preserved. It shall be the duty of the applicant to demonstrate that there are no feasible alternatives to the cutting of trees on the site.
- 9-3.4(d).** The types and density of land use proposed for the site shall be suited to the site conditions and shall adequately correct problems due to soil limitations, including but not limited to, bearing strength, shrink-swell potential, slope stability, high groundwater, or wetness.
- 9-3.4(e).** The proposed use shall be sited, designed, oriented and landscaped to produce a harmonious relationship of building and grounds to buildings and properties in the neighborhood.
- 9-3.4(f).** The proposed use shall show sufficient landscaping to screen undesirable features and to enhance the development.
- 9-3.4(g).** The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the policy and recommendations of the Comprehensive Plan.
- 9-3.4(h).** Fire prevention and fighting equipment acceptable to the Board of Fire Underwriters and Town Board shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on.



200.0 0 100.00 200.0 Feet

NAD_1983_HARN_Adj_MIN_Ramsey_Feet
© Ramsey County Enterprise GIS Division

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

Legend



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

Notes

Enter Map Description



PERMITTED USE STANDARDS APPLICATION FORM

INTRODUCTION

All permitted uses outlined in the Zoning Ordinance, Section 6-4, with the exception of single family dwellings and their accessory buildings are required to meet the standards set forth in Section 9-3, Permitted Use Standards Procedure of the Zoning Ordinance.

APPLICANT(S) PQT Company
Cub Foods PHONE (Home) _____
(Business) 651-426-6534
ADDRESS 21050 Lake George Blvd NW (Cell) _____
1059 Meadowlands Drive
Oak Grove, MN 55303

PROPERTY OWNER KOWALSKI Markets dba Cub Foods

ADDRESS OF SITE 1059 Meadowlands Drive ZONING _____

EXISTING USE OF SITE Grocery store

DESCRIPTION OF PERMITTED USE REQUESTED Area to sell
Christmas Trees

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

CHECKLIST:

_____ Site Plan – 15 full-sized copies (larger than 11 x 17) and one reduced size (8 ½ x 11)

_____ Existing conditions (all buildings, open space, retention areas, utility areas, service areas, and storage areas).

_____ Site improvements (proposed locations of buildings, parking areas, drives, fences, walls, signs, lighting, walkways, patios, decks and barriers).

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- ___ 9. The proposal is consistent with the Comprehensive Plan and complies with other Ordinances.
- ___ 10. Will not result in unusual maintenance or repair costs of road, parking areas or utility lines.
- ___ 11. The maximum number of trees will be preserved.
- ___ 12. The type and density of land use proposed will be suited to site conditions.
- ___ 13. The proposed use will be designed, sited, oriented, and landscaped to produce a harmonious relationship with building and properties in the neighborhood.
- ___ 14. The site will be landscaped to screen undesirable features and enhance the development.

It is the policy of White Bear Township that all identifiable costs associated with Permitted Use Standards Permits within the Township shall be the sole responsibility of the owner of said property. The costs shall include, but are not limited to: 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)

12/17/19

 Date

<u>To Be Completed By Office:</u>	
Date Request Received _____	
By _____ (Staff Member)	\$75.00 Fee + \$200 Deposit Received <input type="checkbox"/> Yes <input type="checkbox"/> No
Date Application Complete _____	

ZONING CERTIFICATE

TOWN OF WHITE BEAR, MINNESOTA

I hereby certify that the real estate situated in the Town of White Bear, Ramsey County, Minnesota, described as follows, to-wit: Outlot A, Meadowlands of White Bear, and commonly known as 1059 Meadowlands Drive, is in a(n) B - 2 General Business District and can be used for the following purpose: construction of a temporary Christmas tree lot, in accordance with the attached Requirements, pursuant to Ordinance No. 35, the Zoning Ordinance for the Town of White Bear, Ramsey County, Minnesota.

Dated: November 7, 2016.

TOWN CLERK

- CONDITIONAL USE PERMIT
- PERMITTED USE
- NON-CONFORMING USE
- SPECIAL HOME OCCUPANCY PERMIT
- OTHER: _____

**PERMITTED USE STANDARDS PERMIT
REQUIREMENTS**

**Cub Foods
1059 Meadowlands Drive
White Bear Township, Minnesota 55127**

1. This Permitted Use Standards Permit shall be valid from November 7, 2016 through December 31, 2019.
2. The location of the Christmas tree sales lot shall be in the location as indicated on the attached map.
3. All items shall be neatly stacked and displayed.
4. Upon the completion of the assembling of the Christmas tree sales lot, an inspection by the Fire Inspector shall be required.
5. All applicable rules, regulations, and ordinances shall be complied with.

TR/psw
cc:admin/add.file
b:cubtrees16



Planning Commission Meeting January 23, 2020

Agenda Number: 8

Subject: Off-Season Dock & Lift Storage

Documentation: draft correspondence

Action / Motion for Consideration:

Receive Information / Discussion

Minutes
Planning Commission Meeting
December 4, 2019

OFF-SEASON DOCK & LIFT STORAGE: The Town Planner updated the Commission on the draft staff had written to Bart Crocket, the President of the Bald Eagle Area Association. Crocket emailed back stating that the BEAA Board meeting was held on November 19th and they did address this letter. He stated that there was total agreement among the Board members that there is no problem with the storage of docks and lifts around the lakes. It was noted that the BEAA Board is against an ordinance.

The Commission discussed that the Board may not be representing the entire community, since there are a couple hundred homes around the lakes, but only a handful of Board members on the BEAA Board. There was discussion of maybe reaching out to the homeowners along the lakes, or even the whole Town since other residents drive around the lakes and have some views inhibited by the off-season storage. It was discussed that maybe the Town could publish a document with recommended "Storage Practices" on the website, Facebook, *News & Views*, and other sources of communication. It was the consensus that staff will draft up this document, and Commission members can email suggestions if they like. This document will be reviewed at the January meeting.

October ____, 2019

Dear Resident:

The White Bear Township Planning Commission has been considering adopting off season storage requirements for docks and boat lifts. Currently there are no specific requirements for them other than they must be stored on private property (not within a public right-of-way).

On occasion, dock storage on private property is done haphazardly. Input from some residents requests the Town consider adopting requirements which would 1) require minimum setbacks from property lines where docks and lifts could be stored; 2) equipment cannot obstruct visibility along a street; 3) dock sections should be stored neatly and not exceed 4' in height; 4) lifts may be required to be partially dismantled so as not to block lake views.

The Planning Commission has discussed possible ordinance amendments which could include the requirements in the above paragraph.

Your input is requested:

Should the Town consider adopting dock and boat lift storage requirements?

If you would like to provide input please contact Tom Riedesel at 651.747.2761 or via email at tom.riedesel@whitebeartownship.org.

Sincerely,

Tom Riedesel
Planner



**Planning Commission Meeting
January 23, 2020**

Agenda Number: 9 - 10

Subject: Added Agenda Items
Adjournment

Documentation:

Action / Motion for Consideration:



Planning Commission Meeting January 23, 2020

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

Documentation:

Minutes
Town Board Meeting
December 2, 2019

PATRICK O'BRIEN, 1382 TOP LANE – REQUEST FOR MINOR SUBDIVISION REQUIRING APPROVAL OF A LOT SIZE & LOT WIDTH VARIANCE: The Town Planner gave a history of this agenda item that was first brought to the Board in August. O'Brien wants to subdivide his lot into 2 parcels. Due to the short lot size and width there are 2 variances needed for the divided parcel. In August the Planning Commission and Variance Board reviewed this proposal. The Variance Board denied the approval upon the lot size at that time. Planning Commission approved the lot contingent upon there will be no further variances granted for that property. The Board reviewed it in August and denied it upon the lot size not exceeding 10,000 square feet. The Board did waive the 6 month re-application wait time. Since then O'Brien has had the lot preliminarily surveyed and the sketches prove the lot to be 10,332 square feet.

It was noted that the lot will have to pay SAC and WAC fees upon hookup to the water line, but that the Park Fee was paid in 1983. Patrick O'Brien was present to discuss this agenda item. A few points were discussed regarding the park fee and the SAC and WAC fees. The Board thanked O'Brien for going the extra mile, stating that it is important to keep the lots within the allowed parameters.

Ruzek moved based on staff review & recommendation to approve the minor subdivision for the property at 1382 Top Lane as shown in the updated survey dated 9/25/19 including the 15.95' variance for the short width and a 1,668 square foot variance for the short square footage, noting that there will be no future variances allowed for a building to be constructed, the applicant will verify hard permanent survey markers, the park fee was paid in 1983 but that the SAC and WAC fees need to be paid. McCune seconded. Ayes all.