



1858  
RAMSEY COUNTY  
MINNESOTA

1281 HAMMOND ROAD  
WHITE BEAR TOWNSHIP, MN 55110

651-747-2750

FAX 651-426-2258

Email: [wbt@whitebeartownship.org](mailto:wbt@whitebeartownship.org)

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

**AGENDA  
PLANNING COMMISSION MEETING  
FEBRUARY 27, 2020**

1. **6:30 p.m.** Call Meeting to Order at Township Administrative Offices, 1281 Hammond.
2. Approval of Agenda (Additions/Deletions).
3. Approval of January 23, 2020 Minutes.
4. **Consent Agenda:** None.
5. **Dan LaBore, 5660 Portland Avenue** – Request for a Minor Subdivision.
6. **Cub Foods Temporary Greenhouse** – Request for Renewal of a Permitted Use Standards Permit to Allow a Temporary Greenhouse @ 1059 Meadowlands Drive.
7. Added Agenda Items.
8. 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 February 27, 2020

**Agenda Number:** 1 – 2 - 3

**Subject:** Call to Order – 6:30 p.m.  
Township Administrative Offices  
1281 Hammond Road

Approval of February 27, 2020 Agenda  
Approval of Minutes of January 23, 2020

**Documentation:** February 27, 2020 Agenda  
January 23, 2020 Minutes

### **Action / Motion for Consideration:**

Call meeting to order:	6:30 p.m.
Approval of Agenda:	February 27, 2020 (additions/deletions)
Approval of Minutes:	January 23, 2020

**MINUTES  
PLANNING COMMISSION MEETING  
JANUARY 23, 2020**

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

Present: Artner, Denn, Kotilinek, Loes, Swisher; Town Board Liaison: Ruzek; Planner: Riedesel

Absent: Blin, Flann, without notice.

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

**APPROVAL OF MINUTES OF DECEMBER 4, 2019:** Artner moved to approve the minutes of December 4, 2019 with the correction on the Clear Channel motion, Kotilinek as the fourth nay, motion still failing. Loes seconded. Ayes all.

**SIGN ORDINANCE AMENDMENT – SECTIONS 3-16.7 & 4-1.4 OF ORDINANCE NO. 33 WHICH WOULD PERMIT AN ELECTRONIC BILLBOARD:** The Town Planner recapped the previous month's discussion regarding Clear Channel's proposal. Matthew Weiland from Clear Channel was present to discuss their mission with the digital billboard proposal and answer any questions.

Clear Channel is an international company but is based out of northeast Minneapolis. They specialize in marketing on billboards, and over the years billboards have started turning digital. The first city in the metro county to get a digital sign was Minnetonka in 2006. The Federal Highway Administration (FHWA) and the state of MN allow the digital billboards to change every 6 seconds, but Clear Channel's proposal is for 8 slots to change every 8 seconds. Aside from advertisers getting face time on the billboard, the Township would get 20 hours of free time in the rotation per month. Clear Channel partners with municipalities and authorities to get amber alerts, weather alerts, and other important information to drivers quickly.

It was explained that each billboard has ambient light sensors that monitor the conditions around. There was much discussion on this. It was noted that there are webcams that monitor the billboard to ensure it isn't broken or flashing. On page 14 of the packet under "brightness requirements" it lists the operating characteristics that have been set to perform and function like static billboards. "Digital billboards shall not operate at brightness levels of more than .3 foot candles above ambient light, as measured using a foot candle meter at a pre-set as measured a horizontal distance of 250 feet from the nominal size 14 feet x 48 feet sign face."

It was noted that the City of Saint Paul is the only municipality not at the 8 second change rule, it is at every 12 seconds. This was discussed at length: would Clear Channel extend it to 15 or 30 seconds? Weiland stated that the most economical measure of time is 8 seconds and that while it may be negotiable, [it would no longer be profitable, and therefore not of as much interest]. If the Board doesn't approve the 8 second change rule, Clear Channel will opt to just keep it as a static billboard.

**MINUTES  
PLANNING COMMISSION MEETING  
JANUARY 23, 2020**

There were some questions about the market in other parts of the country regarding the 8 second rule and exact math on the ambient lighting technology. Weiland will give more information to Riedesel.

Kotilinek motioned to 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. Artner seconded. Ayes: Artner, Kotilinek; nays: Swisher, Loes, Denn. Motion failed.

There was discussion on how to proceed. The Commission decided it would be best to go through the whole process, flush out everyone’s input to give to the Town Board so it can best make a decision with all information.

Artner motioned to amend section 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 eight (8) seconds. Kotilinek seconded. Ayes: Artner, Kotilinek; nays: Swisher, Loes, Denn. Motion failed.

The two major concerns were the timing and ambient lighting. Loes stated she would reconsider if the timing could be lengthened, though she doesn’t necessarily agree with digital billboards for distractions and safety implications. Swisher stated that the Township is a unique place, with its location north of the metro area there is a more quiet and dark atmosphere in the evenings other communities don’t get. He wants to keep it that way. He has watched other electronic billboards and says that the colors are unnatural and bright. Denn was concerned with the timing and the light level at night. He is concerned with the distraction it poses to drivers.

Kotilinek and Artner were the only ayes. Kotilinek isn’t concerned with the timing as a dramatic safety issue and he appreciates the aspect of public service with the amber alerts and weather alerts. Artner appreciates billboards on long drives, but has some concern over light pollution. She inquired of Clear Channel’s participation in the dimming of light. There was some discussion of the technological advances Clear Channel’s software has taken to allow the lighting to change during day light and nighttime hours. Weiland will be in touch with Riedesel regarding numbers and the Board will discuss this agenda item further.

The Commission felt it important to at least have the structure in place for the Board, in case they pass the proposal, regarding an amendment to the statute on ambient lighting. Currently Clear Channel’s approach is “Digital billboards shall not operate at brightness levels of more than 0.3 candles above ambient light, as measured using a foot candle meter at a pre-set as measured a horizontal distance of 250 feet from the nominal size 14 ft. x 48 ft. sign face.”

Loes motioned to recommend the Town Board have ambient lighting requirements including the maximum allowed, in place as 3-16.8. Artner seconded. Ayes all.

**STABLE OF WHITE BEAR TOWNSHIP – REQUEST FOR MAJOR SUBDIVISION & CONDITIONAL USE PERMIT FOR A PLANNED UNIT DEVELOPMENT:** The Town Planner reviewed this agenda item over the past couple years. The lots have changed a bit and the

**MINUTES  
PLANNING COMMISSION MEETING  
JANUARY 23, 2020**

wetland has increased slightly. The average lot size is 17,597 square feet, for a combined total of 3.35 acres. This change also shifted the trail. A public hearing is required in March, so the Commission can discuss more in February if need be. There was some discussion on zoning. The preliminary plat completed on December 23, 2019 is on page 26 of the packet.

Artner motioned to recommend approval of the preliminary plat as presented on page 26, dated 12/23/2019. Kotilinek seconded. Ayes all.

Artner motioned to approve the Conditional Use Permit for the planned unit development. Swisher seconded. Ayes all.

**CUB FOODS – REQUEST FOR RENEWAL OF PERMITTED USE STANDARDS PERMIT TO SELL CHRISTMAS TREES**: The Town Planner recapped that Cub Foods is requesting another 3 year Permitted Use Standards permit which would allow PQT Company, a part of Rum River Nursery, to sell Christmas trees from the Cub Foods parking lots. The last permit expired December 31, 2019. The map of the parking lot on page 36 was reviewed by the Commission. There have been no complaints. Kotilinek noted that he had voted for approval 3 years ago. There was some discussion of the plant sale and some other discussion regarding the sale of trees. The Commission decided it may as well save Cub Foods some money and application time.

Artner motioned to approve the Permitted Use Standards permit to sell Christmas Trees during the Christmas season for 5 years, starting November 2020 and ending December 31, 2025. Kotilinek seconded. Ayes all.

**OFF-SEASON DOCK & LIFT STORAGE**: The Town Planner recapped that there has been no additional information regarding this agenda item. Staff had sent a letter to the BEAA Board which was reviewed. It was noted that there have been very few resident contacts on this issue. It was also noted that the best storage practices for docks, etc. will be put on the Town website.

There was some discussion over BEAA Board review verses residents actually receiving the letter. It was decided that the Commission doesn't want to push it, because once an ordinance is developed, it must be enforced. The idea behind waiting is because it was decided that this is not a necessity. The Commission agrees with the suggestions staff drafted on page 42 for the "Best Practices" section of the website, Facebook, News & Views, and other sources of communication.

Artner motioned to move forward with the "Best Practices," promoted on the website for residents to adhere to. Kotilinek seconded. Ayes all.

**ADDED AGENDA ITEMS**: There were no added agenda items.

Kotilinek moved to adjourn the meeting at 7:46 p.m. Artner seconded. Ayes all.

Respectfully Submitted,



**Planning Commission Meeting  
February 27, 2020**

**Agenda Number: 4 - Consent Agenda - None**

**Subject:**

**Documentation:**

**Action / Motion for Consideration:**

Receive Information / Discussion



**Planning Commission Meeting  
February 27, 2020**

**Agenda Number: 5**

**Subject: Dan LaBore, 5660 Portland Avenue – Request for a Minor  
Subdivision**

**Documentation: Staff Memo w/attachments**

**Action / Motion for Consideration:**

Receive Information / Discussion

## MEMORANDUM

**TO: PLANNING COMMISSION**  
**FROM: TOM RIEDESEL**  
**DATE: FEBRUARY 18, 2020**

**SUBJECT: SPLIT ONE LOT INTO TWO**  
**REQUEST: MINOR SUBDIVISION**

**LOCATION: 5660 PORTLAND AVENUE**  
**APPLICANT: DAN LABORE**  
**ZONING: R-1 – SUBURBAN RESIDENTIAL**

Mr. LaBore is requesting approval of a minor subdivision which would permit him to separate his property into two lots. The lot is 231' wide and 290' deep (less 33' for the Portland Avenue right-of-way). The lot square footage is 67,148.

The minimum lot size in White Bear Township is 12,000 square feet of area and a minimum lot width of 80'.

The LaBore home and driveway is on the southerly portion of the lot.

Parcel A which is vacant, is proposed to be 105' wide and 30,450 square feet in area.

Parcel B includes the LaBore home and is proposed to be 125.56' wide and 36,698 square feet in area.

The lots as proposed exceed the Town's minimum lot size requirements.

The property fronts on Portland Avenue. Portland Avenue is a County Road. A driveway permit is required from Ramsey County prior to construction of a new driveway.

The LaBore home is currently served by public sewer and water. A new home will require a new sewer and water service. The LaBore property was assessed for one service previously. A new service will require payment of a Utility Connection Fee. SAC and WAC fees also apply.

Creation of a new residential lot by lot split also requires payment of a Park Dedication Fee. The current fee is \$3,500.00.

The subdivision as proposed exceeds minimum Town requirements.

If recommended for approval the subdivision shall be subject to the following requirements:

1. Payment of one Park Dedication Fee.
2. Payment of the Utility Connection Fee for the vacant lot.
3. A driveway permit must be issued by Ramsey County in order for the new lot to access Portland Avenue.
4. Payment of SAC, WAC and local SAC fees at the time a building permit is issued.

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



**Legend**



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

**Notes**

Enter Map Description

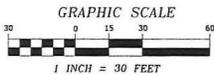
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 © Ramsey County Enterprise GIS Division

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**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

# CERTIFICATE OF SURVEY

~for~ **DANNY LABORE**  
 ~of~ **5660 PORTLAND AVENUE**  
**WHITE BEAR TOWNSHIP, MN**



## NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 01/13/20.
- Bearings shown are on Ramsey County datum.
- Parcel ID Number: 01-30-22-41-0020.
- Curb shots were taken on the top and back of curb.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Due to field work being completed during the winter season there may be improvements in addition to those shown that were not visible due to snow and ice conditions characteristic of Minnesota winters.
- Property lines as monumented appear to be staked from existing centerline of Portland Avenue and the south line of the Northeast Quarter of the Southeast Quarter of Section 1, Township 30, Range 22.

## LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 41578
- DENOTES EXISTING SPOT ELEVATION
- - - DENOTES FENCE
- ~ ~ ~ DENOTES EXISTING CONTOURS
- DENOTES OVERHEAD WIRE
- ▨ DENOTES BITUMINOUS SURFACE
- ▩ DENOTES CONCRETE SURFACE
- ▧ DENOTES PAVER SURFACE
- DENOTES ADJACENT PARCEL OWNER INFORMATION (PER RAMSEY COUNTY TAX INFORMATION)

**E. G. RUD & SONS, INC.**  
 EST. 1977  
**Professional Land Surveyors**  
 6776 Lake Drive NE, Suite 110  
 Lino Lakes, MN 55014  
 Tel. (651) 361-8200 Fax (651) 361-8701  
 www.egrund.com

## EXISTING LEGAL DESCRIPTION: (PER DOC. NO. 4351352)

That part of the Northeast Quarter of the Southeast Quarter of Section 1, Township 30, Range 22 described as follows:

Commencing at the Northwest corner of the Northeast Quarter of the Southeast Quarter of Section 1, Township 30, Range 22, then 90 degrees 00 minutes East along the North line of said Southeast Quarter, 513.3 feet to the center line of Portland Avenue; thence South 13 degrees 10' minutes West, 448.86 feet; thence South 04 degrees 24 minutes West, 300 feet to a point in the center line of said Portland Avenue; thence South 0 degrees 42 minutes East along said center line 200 feet to the point of beginning of the parcel to be described; thence continuing on same bearing along the center line of said Portland Avenue, 231.56 feet to a point; thence North 89 degrees 58 minutes East 290 feet to a point; thence North 0 degrees 42 minutes West, 231.56 feet to a point; thence South 89 degrees 58 minutes West 290 feet to the point of beginning, and subject to the road rights the public has acquired in the westerly 33 feet of the above described parcel.

## PROPOSED LEGAL DESCRIPTIONS:

### PARCEL A:

The North 105 feet of that part of the Northeast Quarter of the Southeast Quarter of Section 1, Township 30, Range 22 described as follows:

Commencing at the Northwest corner of the Northeast Quarter of the Southeast Quarter of Section 1, Township 30, Range 22, then 90 degrees 00 minutes East along the North line of said Southeast Quarter, 513.3 feet to the center line of Portland Avenue; thence South 13 degrees 10' minutes West, 448.86 feet; thence South 04 degrees 24 minutes West, 300 feet to a point in the center line of said Portland Avenue; thence South 0 degrees 42 minutes East along said center line 200 feet to the point of beginning of the parcel to be described; thence continuing on same bearing along the center line of said Portland Avenue, 231.56 feet to a point; thence North 89 degrees 58 minutes East 290 feet to a point; thence North 0 degrees 42 minutes West, 231.56 feet to a point; thence South 89 degrees 58 minutes West 290 feet to the point of beginning, and subject to the road rights the public has acquired in the westerly 33 feet of the above described parcel.

### PARCEL B:

That part of the Northeast Quarter of the Southeast Quarter of Section 1, Township 30, Range 22 described as follows:

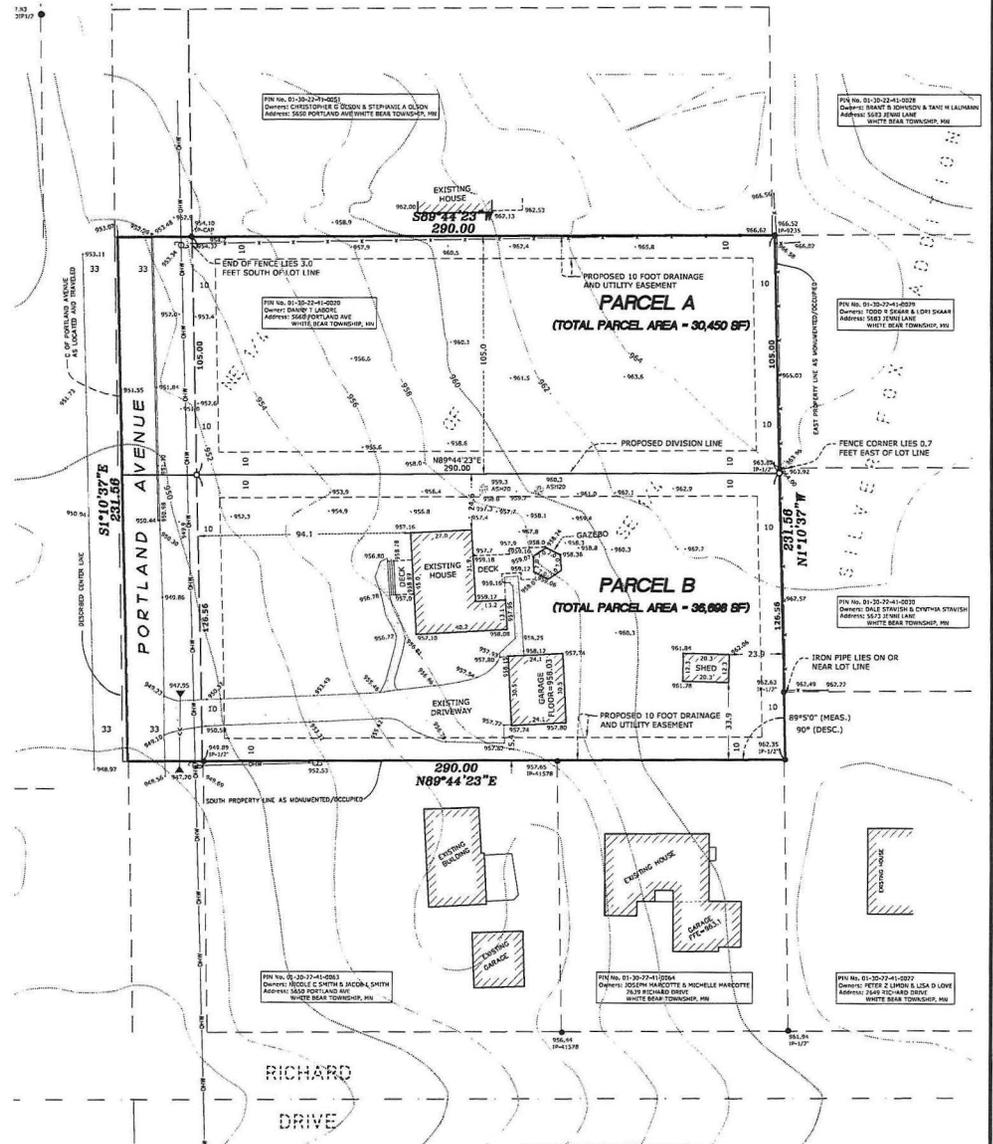
Commencing at the Northwest corner of the Northeast Quarter of the Southeast Quarter of Section 1, Township 30, Range 22, then 90 degrees 00 minutes East along the North line of said Southeast Quarter, 513.3 feet to the center line of Portland Avenue; thence South 13 degrees 10' minutes West, 448.86 feet; thence South 04 degrees 24 minutes West, 300 feet to a point in the center line of said Portland Avenue; thence South 0 degrees 42 minutes East along said center line 200 feet to the point of beginning of the parcel to be described; thence continuing on same bearing along the center line of said Portland Avenue, 231.56 feet to a point; thence North 89 degrees 58 minutes East 290 feet to a point; thence North 0 degrees 42 minutes West, 231.56 feet to a point; thence South 89 degrees 58 minutes West 290 feet to the point of beginning, and subject to the road rights the public has acquired in the westerly 33 feet of the above described parcel.

EXCEPT

The North 105 feet of the above described property.

## DEVELOPMENT NOTES:

- PROPERTY IS ZONED R1 (SINGLE FAMILY WITH SEWER)
- MINIMUM LOT AREA IS 12,000 S.F.
- MINIMUM LOT WIDTH IS 80 FEET
- MINIMUM FRONT YARD SETBACK IS 35 FEET
- MINIMUM SIDE YARD SETBACK IS 10 FEET
- MINIMUM REAR YARD SETBACK IS 20 FEET



I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

*Jason E. Rud*  
**JASON E. RUD**

Date: 01/20/2020 License No. 41578

DRAWN BY: BCD	JOB NO: 20.0027B	DATE: 01/09/20	
CHECK BY: JER	FIELD CREW: JH		
1			
2			
3			
NO.	DATE	DESCRIPTION	BY

20.0027B

ZUZ001222197  
BALANCE AFTER PAYMENT 150.00CR 150.00CR

TENDERED: 185.00 CHECK  
APPLIED: 185.00-

CHANGE: 0.00

Acct # 993



# MINOR SUBDIVISION APPLICATION FORM

A \$30.00 NON-SUFFICIENT FUND FEE WILL BE CHARGED FOR PAYMENTS RECEIVED ON ACCOUNTS HAVING INSUFFICIENT FUNDS

## 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) DANNY LABORE PHONE (Home)             
 (Business)             
 (Cell) 651-999-9710

ADDRESS 5660 Portland Ave  
White Bear Lake

PROPERTY OWNER DANNY LABORE

ADDRESS OF SITE SAME ZONING R1

EXISTING USE OF SITE Residence

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.



**Planning Commission Meeting  
February 27, 2020**

**Agenda Number:** 6

**Subject:** **Cub Foods Temporary Greenhouse** – Request for Renewal of a Permitted Use Standards Permit to Allow a Temporary Greenhouse @ 1059 Meadowlands Drive

**Documentation:** Staff Memo w/attachments

**Action / Motion for Consideration:**

Receive Information / Discussion

## MEMORANDUM

**TO: PLANNING COMMISSION**  
**FROM: TOM RIEDESEL**  
**DATE: FEBRUARY 21, 2020**

**SUBJECT: CUB FOODS TEMPORARY GREENHOUSE**

Cub Foods is requesting approval for a Permitted Use Standards Permit to allow placement of a temporary greenhouse in their parking lot for seasonal plant sales. The greenhouse is proposed from April 15 through June 30<sup>th</sup>. The greenhouse would be open from 9:00 a.m. – 8:00 p.m. daily.

In 2014, the Planning Commission reviewed a new location for the greenhouse in the parking lot which was further north than the previous location. The location was modified at the request of the Planning Commission in relation to the opening of the Cub Liquor Store. The previous greenhouse location was near the exit/entrance to the liquor store. With the related increase in traffic, relocation of the greenhouse was recommended.

In 2014, the Town approved a one year Permitted Use Standards Permit in the proposed location. This location is north of the store entrance east of the northeast corner of the building. The greenhouse and outside plant area is proposed to take up two tiers of parking and 28 parking spaces. This new location worked quite well for Cub in 2014.

The new location seemed to function better than the previous location as it is further from the exit door and does not block any access lanes. Lack of parking has not been a problem in the past. In addition, the Park & Ride which was using the easterly most portion of the parking lot, has relocated to a new lot in Vadnais Heights.

The Town has reviewed the request as a Permitted Use Standards Permit. The Town has historically issued the permit for a 5 year period. With the new location, the Town approved the Permit for only one year in 2014.

The permit was applied for again in 2015. At that time the Town approved a Permitted Use Standards Permit for the greenhouse for a 5 year period.

If recommended for approval, the following conditions should be considered:

1. The Permitted Use Standards Permit shall be valid from mid-April through the end of June or 10 weeks in duration, for a maximum of 5 years ending June 30, 2024.
2. The location of the greenhouse shall be as shown on the attached plan.
3. The outside storage is limited to the area shown on the approved plan and marked by temporary fencing.

4. All items to be stored outside shall be neatly stacked and displayed.
5. Upon the annual construction of the greenhouse, an inspection by the Fire Inspector shall be required.
6. All applicable rules, regulations and Ordinances shall be complied with.

TR/psw  
cc:admin/add.file  
b:cub20



## 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) Cub Foods PHONE (Home) \_\_\_\_\_  
(Business) 651-426-6534  
(Cell) \_\_\_\_\_

ADDRESS 1059 Meadowlands Drive

PROPERTY OWNER Kowalski's Markets Inc.

ADDRESS OF SITE 1059 Meadowlands Drive ZONING \_\_\_\_\_

EXISTING USE OF SITE Grocery - Retail

DESCRIPTION OF PERMITTED USE REQUESTED Temporary Greenhouse  
Hoop House 60' in length  
Hours of operation 8AM-8PM May 1st - June 14th

\_\_\_\_\_ 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).

- \_\_\_\_\_ Site locations and adjacent land use.
- \_\_\_\_\_ Site grading and drainage plan.
- \_\_\_\_\_ Topography (no greater than 2 foot intervals).
- \_\_\_\_\_ Wetlands (delineation of streams, water bodies, wetlands and 100 year storm elevation).
- \_\_\_\_\_ Paved or surfaced area (include type or materials and function of area to be paved).
- \_\_\_\_\_ Proposed landscaping (include existing trees 7 inches or greater and large shrub massings).
- \_\_\_\_\_ Building plans (size, intended use of structures, exterior finishes, floor plans and elevations).
- \_\_\_\_\_ Schedule (when applicant intends to construct).
- \_\_\_\_\_ Additional information if required.
- \_\_\_\_\_ Certificate of Survey.
- \_\_\_\_\_ Permits or written comments from other agencies (DNR, COE, RCWD, VLAWMO, Ramsey County Public Works, MPCA).

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 \_\_\_\_\_ (4<sup>th</sup> Thursday of the month @ 7:00 p.m. at the Town Hall).
3. Town Board \_\_\_\_\_ (1<sup>st</sup> Monday of the following month @ 7:00 p.m. at Town Hall).

STANDARDS:

The Town Board will approve a Permitted Use Standards 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 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.

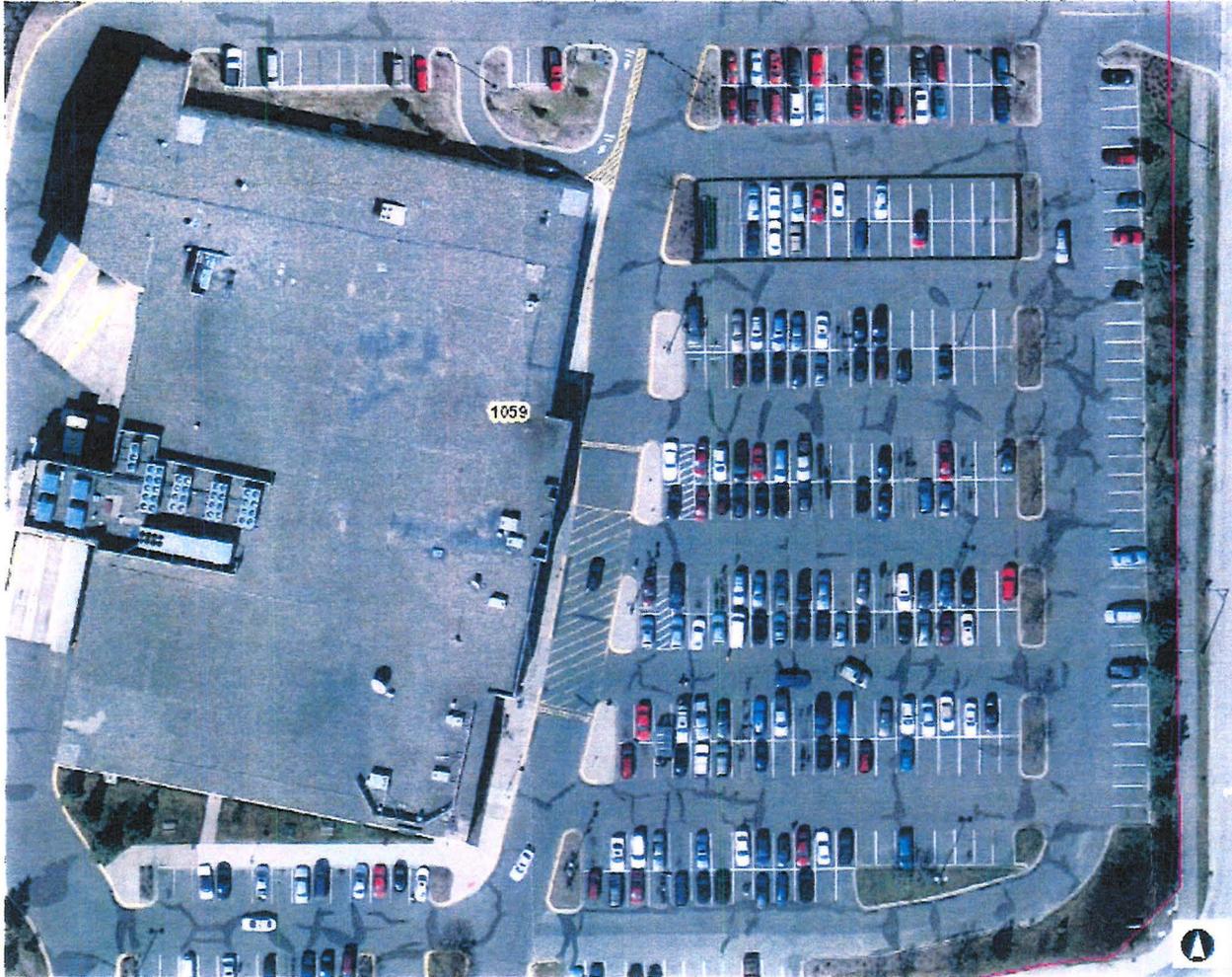
It is the policy of White Bear Township that all identifiable costs associated with Permitted Use Standards Permits within the Township shall be the sole responsibility of the owner of said property. The costs shall include, but are not limited to: Township planning review costs (reports, meetings, site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

\_\_\_\_\_  
*Matthew S. Birn*  
 Signature of Applicant(s)

\_\_\_\_\_  
 2/21/20  
 Date

<u>To Be Completed By Office:</u>	
Date Request Received	<u>2/21/2020</u>
By <u>Marcy Leonard</u> (Staff Member)	\$75.00 Fee + \$200 Deposit Received <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date Application Complete _____	



**Legend**



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

= BREW HOUSE LOCATION

**Notes**

Enter Map Description

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© Ramsey County Enterprise GIS Division

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**Planning Commission Meeting  
February 27, 2020**

**Agenda Number:** 7 - 8

**Subject:** Added Agenda Items  
Adjournment

**Documentation:**

**Action / Motion for Consideration:**



## Planning Commission Meeting February 27, 2020

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

### Documentation:

Minutes  
Town Board Organizational Meeting  
January 6, 2020

**ADDED AGENDA ITEMS:** The Board wanted to recognize the commissioners of all the boards and commissions. Ruzek read off the names of the Planning Commissioners: Ronald Denn (Chair), David Kotilinek (Vice Chair), Monica Loes, Howard Blin, Zachary Flann, Beth Artner, Steve Swisher. It was noted that Tom Riedesel is the Advisor.

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Minutes  
Town Board Meeting  
February 3, 2020

**ORDINANCE NO. 33 (SIGN ORDINANCE) – AMENDMENT:** The Town Planner showed a map of Polar Lakes Park where the 2 billboards are located. He explained that the Town took care in placing these billboards the sign overlay district in 2004. He noted that both billboards are in the industrial zone. Clear Channel has a 15 year lease with the Township to advertise on these static billboards that is up in February. Recently Clear Channel has proposed to convert the most visible billboard to electronic that is proposed to change every 8 seconds. This would require an ordinance amendment to section 4-1.4 and addition of sections 3-16.7, 3-16.8, 3-16.9, and 3-16.10

Matthew Weiland, VP Real Estate, attended and presented the proposal to the Planning Commission at the January meeting. The proposal failed 3:2, though the Commissioners stated there should be requirements if the Board passes it.

Weiland was present at the Town Board meeting to answer any questions. He noted that the size of the billboard would not change just minor changes structurally. Notably the digitalization and a kicker bar. The up lighting will also go away. There was some discussion on maintenance; there will be the same amount of maintenance, just a different type. There was some discussion of the 20 hours that is allotted to Township advertising per month, the amber and weather alerts, partnerships with police, FBI, etc.

Resident Ralph Tilma, 4294 Oakmede Lane, was present to present the consequences of the Township updating this billboard to electronic. He stated the distraction to drivers seems undesirable in a state that is focused on eliminating other forms of distracted driving. He argued that the financial benefit the Township would receive would not outweigh the change it would create, not to mention the financial benefit that Clear Channel would receive. Tilma advocated that if the Board did pass the proposal at least allow 30 second changes in rotation, not 8.

Weiland noted the reason for the 8 second ad rotation is based off of the Minnesota regulation approving 6 second changes and a 55 mile per hour speed. With these stats, the average driver would only see 1 or 2 ads.

The Board noted that while residents don't see profit of the billboard revenue on a decrease in say property tax, the billboard revenue does help increase the park funds. Clear Channel has been a partner of the Township for 15 years, and with this next proposal they are looking to continue partnership for 20 more.

Ruzek moved to amend section 4-1.4 changing from thirty (30) to eight (8) seconds. McCune seconded. Ayes all.

Ruzek moved to add section 3-16.7 to Ordinance No. 33. McCune seconded. Ayes all.

Ruzek moved to add section 3-16.8 to Ordinance No. 33. McCune seconded. Ayes all.

Ruzek moved to add section 3-16.9 to Ordinance No. 33. McCune seconded. Ayes all.

Ruzek moved to add section 3-16.10 to Ordinance No. 33. McCune seconded. Ayes all.

Section 4-1.4 now reads: "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 eight (8) seconds."

Section 3-16.7 now reads: "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."

Section 3-16.8 now reads: "All dynamic display billboards shall be equipped and operated with an ambient light monitor or a mechanism that automatically adjusts the brightness level of the sign in response to light conditions. Dynamic display billboards shall be equipped with a means to immediately turn off the display or lighting in the event of a sign malfunction. The dynamic display billboard sign and all associated lighting shall be turned off within one hour or as soon as reasonably possible after receiving a notification by the Town that the sign does not meet the standards of this section."

Section 3-16.9 now reads: "No dynamic display billboard sign shall exceed five hundred (500) nits (candelas per square meter) at night or seven thousand five hundred (7,500) nites (candelas per square meter) during the day."

Section 3-16.10 now reads: "Dynamic display billboards shall not operate at brightness levels of more than three-tenths (0.3) foot-candle above ambient light, as measured using a foot-candle meter at a present horizontal distance of two hundred fifty feet (250') from the nominal size (14 feet x 48 feet) sign face."

**CUB FOODS – REQUEST FOR RENEWAL OF PERMITTED USE STANDARDS PERMIT TO SELL CHRISTMAS TREES:** The Town Planner reported that the lease for Cub Foods, PQT Company expired on December 31, 2019. He showed a map of the parking lot. The tree lot would block off 11 parking stalls, but there have been no complaints. It was noted that the area is always tidy. The Planning Commission reviewed the application and recommended approval of the Permitted Use Standards permit to sell Christmas trees for 5 years in November and December only.

Ruzek moved based on Planning Commission & staff review & recommendation approve the renewal of the Permitted Use Standards Permit for Cub Foods and PQT, 1059 Meadowlands Drive to allow for

a Christmas Tree lot from November 15, 2020 through December 31, 2025. McCune seconded. Ayes all.