

**MINUTES
PLANNING COMMISSION MEETING
JANUARY 24, 2019**

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

Present: Artner, Denn, Loes, Patrick; Town Board Liaison: Ruzek; Planner: Riedesel.

Absent: Flann, Kotilinek, Swisher w/ notice.

APPROVAL OF AGENDA (Additions/Deletions): Artner moved approval of the agenda as submitted, with the deletion of Water Gremlin Company (6), as they have withdrawn their request for a Conditional Use Permit. Loes seconded. Ayes all.

APPROVAL OF MINUTES OF NOVEMBER 29, 2018: Artner moved approval of the Minutes of November 29, 2018. Patrick seconded. Ayes all.

MIKE & KATHERINE FLEMING – 5518 & 5520 SHADYSIDE LANE: Mike and Katherine Fleming, 5518 and 5520 Shadyside Lane request for 25' Right-of-Way setback variance and a 1' side yard setback variance to allow a minor subdivision/lot line rearrangement: Riedesel summarized the Fleming request to construct a new home using the existing foundation and add a new garage at 5518 Shadyside Lane. A lot line rearrangement is also proposed in order to accommodate a new garage at 5518 Shadyside. The additional property would come from 5520 Shadyside Lane.

The majority of the foundation planned to be reused meet setback requirements. An area of approximately 12 square feet encroaches one foot into the side yard setback area however. The new garage is proposed 10' from the public right-of-way. An existing garage and shed, both of which encroach into the right-of-way setback area are proposed to be removed. Both of these structures are located closer to the right-of-way than the proposed garage.

The Variance Board discussed the proposal. All were in agreement that a non-conformity is being decreased as two structures close to the right-of-way are being replaced by a new garage further from the right-of-way.

MINUTES
PARK BOARD MEETING
JANUARY 17, 2019

In addition, the limited lot size and configuration of the lot and right-of-way create a practical difficulty and green area requirements are being met.

Tom Fleming, Mike and Katherine's son was present and ensured the plans were correct according to the 25' right-of-way setback variance and the 1' side yard setback variance allotment.

Artnr motioned for item to be passed since the minor subdivision lot line division, 25' right-of-way setback variance, 1' side yard setback variance, meets the standards set forth for approving a variance and minor subdivision, and the overhang will not exceed one foot on the south side of the building. Loes seconded. Ayes all.

STABLE OF WHITE BEAR TOWNSHIP – 5685 PORTLAND AVENUE – REVIEW

POTENTIAL DEVELOPMENT LAYOUT: The Township currently owns the property at 5685 Portland Avenue after an extended lawsuit with the previous owners. Settlement of the lawsuit included the Town's condemnation of the property and payment to the previous property owners. The Town has reviewed several development proposals for this property over the past 15 years. None have been approved by the Town as all of the proposals requested the Town to modify the Land Use Safety Zones to accommodate additional density on the property. Plans have proposed 14 lots, 19 lots, and other sketch plan alternatives in the past. Once the Town purchased the property Staff was asked to work with E.G. Rud & Sons Surveyors to lay out a development which meets current ordinance requirements. Staff asked Rud to lay out 8 single family home lots on the property for consideration by the Town. Previous layouts were also considered.

At this time the Town Board and EDAB are leaning towards the 8 single family proposal. The proposal includes: 1) 8 single family home lots; 2) 5 of the lots meet a 3 acre minimum size as required by Land Use Safety Zone B; 3) a trail is planned along the western edge of the upland portion of the property; 4) the existing Morgan Trail is planned to extend south into the stable property and extend to Portland Avenue; 5) the existing stormwater treatment pond would be expanded; 6) the Town could retain ownership of the trail corridor and the westerly portion of the property which is wetland.

The Park Board also reviewed this item because of the trails that extend south into the property. It was recommended that the Town take land in lieu of cash for park purposes for this development which would include Outlots A-E.

Denn proposed a one-way along this property. Mike and LuAnn Bailey live at 5695 Portland Ave. and they greatly opposed that idea because the corner house would not be able to drive the opposite direction toward a second driveway that may go to a garage or the backyard. Artnr can see Bailey's point of view because she lives on a one-way. Neighbor Dave Hassinger at 5675 Portland Ave. doesn't have a preference on a one-way or not, he is concerned with traffic and potential accidents that could land in his yard. He has a blind driveway and rides a motorcycle. He hopes the town has

MINUTES
PARK BOARD MEETING
JANUARY 17, 2019

control over speed and signs in that area. It's more about the outlet than about the one-way or two-way, Hassinger said

Artner motioned to make a recommendation to the Town Board for additional consideration for the traffic on Portland and possible discussion with the county, but keep the plan as is. Patrick seconded. Ayes all.

SBA COMMUNICATIONS CORP ON BEHALF OF SMC – 5858 CENTERVILLE ROAD – REQUEST FOR CONDITIONAL USE PERMIT TO ALLOW ANTENNA

ADDITIONS: SBA Communications Corp, is requesting Town approval of a Conditional Use Permit to allow additional antenna on the monopole located at 5858 Centerville Road. The tower is located behind the SMC building and was added to the site in 2005. The tower is 120' in height with the existing antenna located at that height.

SBA would like to add additional antenna at the 100' elevation. They would also add ground level equipment within the fenced area located at the base of the tower.

When the tower was approved by the Town, one of the conditions of approval required that the tower allow for shared use, anticipating that a future user may want to also use the tower for antenna.

A 29' x 49' fenced area is located at the base of the tower to place cabinets and equipment relating to the antenna. Existing equipment within the fenced area is due north of the tower and takes up approximately 100 square feet. The new equipment is proposed to utilize a 12' x 20' area.

A Conditional Use Permit must be approved by the Town to add the new antenna and related equipment.

Artner motioned to approve this plan going forward, making note that the on-ground equipment will be located in the existing 29' x 49' base area. Loes seconded. Ayes: Artner, Denn, Loes, Ruzek, Riedesel. Nays: Patrick.

COMPREHENSIVE PLAN – UPDATES – PUD DENSITIES: The Planning team and Township Staff have been working with the Metropolitan Council to finalize projections for households and population for 2020, 2030, and 2040. The most challenging requirement so far has been the designation of change of Community to a "Suburban" designation. With the new "Suburban" designation, new development and re-development needs an average of five unit/acre for the low density zone. For the 2030 plan, the Township had a standard of average of three units/acre in the R-1 Zone. Under the designation of "Developed Area". After discussion with the Metropolitan Council, the only areas that need to meet five unit/acre are those parcels that have a new or changed land use designation, or those that are anticipated to not develop until after the timeline of the 2030 Comprehensive Plan, as that plan was already approved by the Metropolitan Council.

MINUTES
PARK BOARD MEETING
JANUARY 17, 2019

The breakdown of the densities and acreages of the Residential – PUD designation from the 2030 plan and what is being proposed in the 2040 plan was reviewed. The Planning team’s proposed approach would meet new Metropolitan Council standards for overall community density and would meet allocation of need for affordable housing, which is based on density.

The Planning Commission previously reviewed the Met Council proposal at their July meeting and it was recommended not to go with the proposal. The Town Board sent the matter back to the Planning Commission to have another look at it.

There was discussion regarding high density housing.

Riedesel updated the Commission that this Comprehensive Plan has been submitted for review and it is now up to the Town Board to take action after review at the annual meeting.

ZONING ORDINANCE UPDATE – SHORELAND MANAGEMENT SECTION: The Planning Commission has been working on a Zoning Ordinance Update for several meetings. Part of the Zoning Ordinance was adopted in the early 90’s based on the DNR model. The Planner will provide a copy of the Zoning Ordinance amendments worked on by an intern. The members found, at initial review or that copy to be confusing.

Riedesel explained that the “clear cutting” wording recommended for approval by the Planning Commission was adopted with one addition: is being narrowed to hazardous, dead, or diseased trees. There was discussion at the Town Board hearing that mentioned including storm damaged trees. The Planning Commission discussed the added wording and did not recommend any changes.

Artnr motioned to adjourn the meeting at 7:20 p.m. Loes seconded. Ayes all.

Respectfully Submitted,

Megan R. Cavanaugh
Recording Secretary