



AGENDA
REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, AUGUST 12 2020
7:00 P.M. IN THE COUNCIL CHAMBERS

1. CALL TO ORDER AND ROLL CALL

2. APPROVAL OF MINUTES

- A. Minutes of the Regular City Council Meeting on July 28, 2020
- B. Minutes of the Closed City Council Meeting on July 28, 2020

3. APPROVAL OF THE AGENDA

4. VISITORS AND PRESENTATIONS

Nothing scheduled

5. PUBLIC HEARINGS

Nothing scheduled

6. LAND USE

A. Consent

- 1. Consideration of a Planning Commission recommendation for approval of a request by Birch Lake Animal Hospital for a conditional use permit amendment and a variance at 4830 White Bear Parkway. (Case No. 94-6-Sa & 20-9-V)
- 2. Consideration of a Planning Commission recommendation for approval of a request by Warren & Amanda Peyton for a variance at 1943 Oak Knoll Road. (Case No. 20-12-V)
- 3. Consideration of a Planning Commission recommendation for approval of a request by Lakewood Place Apartments for two variances at 3100 Glen Oaks Avenue. (20-13-V)

B. Non-Consent

- 1. Consideration of a Planning Commission recommendation for approval of a request by Charles & Chad Lowell for three variances at 2189 12th Street. (20-11-V)
- 2. Consideration of a Planning Commission recommendation for approval of comments from adjacent and relevant jurisdictions on the final draft of the 2040 Comprehensive Plan and recommendation for submittal to Metropolitan Council for review. (Case No. 17-1-CP)

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

Nothing scheduled

9. NEW BUSINESS

A. Resolution accepting Lions Club donation toward an All Abilities Park

10. CONSENT

A. Acceptance of Minutes: May White Bear Lake Conservation District, June Park Advisory Commission, July Planning Commission

B. Resolution authorizing a single event extension for Carbone's 4th Annual Tent Party a liquor license

C. Resolution authorizing an liquor license extension in the West Parking lot for Lakeshore Player's for an outdoor summer concert series

11. DISCUSSION

A. Coronavirus Relief Funds – Summary of work session discussion and staff update

12. COMMUNICATIONS FROM THE CITY MANAGER

- County Rd E Corridor
- Housing Policy – planning process
- Equity & Inclusion work
- So Shore Blvd update
- Mayor's Annual Water Challenge – August
- Budget Work Session – August 18, 2020 at 6:00

13. ADJOURNMENT



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, JULY 28, 2020
7:00 P.M. IN THE COUNCIL CHAMBERS**

1. CALL TO ORDER AND ROLL CALL

Mayor Jo Emerson called the meeting to order at 7:00 p.m. under MN Statute Section 13D.021, in which the City Council will be conducting its meetings during this emergency by electronic means until further notice. The clerk took roll call attendance for Councilmembers: Doug Biehn, Kevin Edberg, Steven Engstran, Dan Jones and Bill Walsh. Staff in attendance were City Manager Ellen Hiniker, Community Development Director Anne Kane, Public Works Director/City Engineer Paul Kauppi, Finance Director Kerri Kindsvater, City Clerk Kara Coustry and City Attorney Troy Gilchrist.

2. APPROVAL OF MINUTES

A. Minutes of the Regular City Council Meeting on July 14, 2020

It was moved by Councilmember **Biehn** seconded by Councilmember **Jones**, to approve the Minutes of the Regular City Council Meeting on July 14, 2020.

Walsh Aye
Biehn Aye
Jones Aye
Edberg Aye
Engstran Aye

Motion carried unanimously.

3. APPROVAL OF THE AGENDA

It was moved by Councilmember **Jones** seconded by Councilmember **Engstran**, to approve the Agenda as presented.

Walsh Aye
Biehn Aye
Jones Aye
Edberg Aye
Engstran Aye

Motion carried unanimously.

4. VISITORS AND PRESENTATIONS

A. Regrow White Bear Lake Initiative – Lisa Beecroft

City Manager Hiniker reported that the City has engaged the services of Lisa Beecroft to assist with the ReGrow White Bear Lake effort, which stemmed from the weekly roundtable conversations held with representatives from Mainstreet, the Economic Development Corporation and the White Bear Area Chamber of Commerce since April in response to COVID-19. She mentioned Councilmember Jones' participation and contribution in time through the creation of graphics for use in promoting and advertising White Bear Lake businesses. Ms. Hiniker explained that the City's Housing and Economic Development Coordinator, Tracy Shimek and Lisa Beecroft have been working on a business promotion campaign to assist with business marketing and retooling in response to the challenges faced in today's pandemic environment. Funding for these efforts qualifies for reimbursement from monies received through the Coronavirus Relief Fund.

Lisa Beecroft reported on the ReGrow White Bear Lake initiative. She created a website, regrow-wbl.com, which continues to add resources, such as a map of open businesses, and expects it to evolve into a comprehensive directory of all White Bear Lake businesses with tags for products and services.

She reported on the success of picnic tables placed in downtown White Bear Lake (donated by J.L.Schweikers) and flowered pots donated by the community to provide a destination for people to shop and eat on Washington Avenue.

Ms. Beecroft indicated she is working with Ms. Shimek to create "Seeds of Success", a monthly webinar series that will be available to all White Bear Lake businesses. This initiative provides a free resource to business owners to assist them with topics they want to learn more about, such as marketing, branding, mental health, etc. Ms. Beecroft highlighted some modified Manitou Days events and shared information about two upcoming contests: BinGROW and the Bear Decorating Contest.

B. South Shore Blvd Open House - Ramsey County

City Engineer/Public Works Director Kauppi introduced Rachel Broughton and John Mazzitello from Ramsey County, who will report on the virtual neighborhood open house held for the South Shore Boulevard Trail Project. Greg Brown, the project consultant with Kimley Horn, was also present.

Ms. Broughton reported that the Ramsey County led design study of the South Shore Boulevard Trail Project was being done in coordination with the White Bear Township and the City of White Bear Lake. She explained that the proposed trail is 1.5 miles, the southern portion of the planned Lake Links Trail around White Bear Lake, and noted it is heavily used in its current condition, although dangerously narrow and curvy. Ms. Broughton provided a timeline for the project, which shows design plans being finalized next year with construction in 2022, depending upon funding.

Greg Brown described the community outreach effort for the first virtual open house in May. He explained that the open house included three preliminary layout options (2-way, one-way,

modified), a video presentation, an online survey (171 results) and interactive mapping (194 Wikimaps). Mr. Brown noted comments were largely the same as in 2018 with the majority preferring one-way or a hybrid option.

Mr. Brown reported on participant feedback, which included the value placed on this safe trail and its high use, an eagerness to move forward after 20 years of discussion, limited property impact, general roadway maintenance and drainage issues that could be addressed. He mentioned similar outreach for the next open house late spring, or fall. He reported his engineering group has begun to focus more on the hybrid option, which is a two-way segment from White Bear Avenue to McKnight or Bellaire Avenue, and a one-way segment to County Road F, with the east/west direction still under consideration.

In response to Councilmember Jones, Ms. Broughton stated that \$2.6 million from the state would go toward the trail portion of this project, and Ramsey County is looking at a 2-inch mill and overlay, rather than a full reconstruction. Mr. Kauppi added that on the east end of the project, the City will be looking to extend utilities to well and septic tank users. Councilmember Jones supports the project but expressed frustration related to the lack of storm water and drainage control.

Councilmember Jones said he supports his ward residents' choice if they vote for one-way. He did express concern that a one-way design would divert more traffic to County Road F – adding more cars to a road with no sidewalk (between Gisella and McKnight) on route to an elementary school. He asserted this sidewalk should have already been constructed by the County and needs to be considered in this project. Councilmember Jones expressed frustration with Ramsey County's lack of timely response in the past.

John Mazzitello, Deputy Director of Ramsey County Public Works, relayed conversations with Mr. Kauppi regarding planned reconstruction of County Road F from County Line to McKnight, as well as interest by neighbors to have a sidewalk installed from Gisella and County Road F. Mr. John Mazzitello noted the need for grading, retaining walls, and curb realignment in order to fit a sidewalk. He said they would see what could be done to push this project into 2021, but 2023 is more likely the timeline for this project. Mayor Emerson asked them to push for 2021 for this vital project because she believes it should be completed before the So Shore Blvd project begins.

Councilmember Walsh asked whether public safety had weighed in on the east/west direction discussion. He suggested the County follow recommendations of the Fire Chief and the Police Chief. Ms. Hiniker and Mr. Kauppi reported conversations with the Fire Chief and the east-bound direction was preferred.

Councilmember Edberg noted the eastern ends of this project are coordinated with Birchwood, the Township and Washington County and inquired as to any jurisdictional issues the Council should know about. City Manager Hiniker asked Mayor Emerson for a Councilmember to join in conversations regarding turn-back of the one-way road with the Township and Ramsey County and noted bringing back a resolution authorizing staff to negotiate this turn-back.

Councilmember Jones asked Ramsey County to also look at the Hazel intersection, which is basically uncontrolled and will need to be reviewed for safety with an influx as this access point.

5. PUBLIC HEARINGS

Nothing scheduled

6. LAND USE

Nothing scheduled

7. UNFINISHED BUSINESS

Nothing scheduled

8. ORDINANCES

Nothing scheduled

9. NEW BUSINESS

Nothing scheduled

10. CONSENT

Nothing scheduled

11. DISCUSSION

Nothing scheduled

12. COMMUNICATIONS FROM THE CITY MANAGER

- City Council meeting will be held on Wednesday, August 12th due to the Primary.
- Relay for Life will be held in the downtown and extend to Vet's Park this year.
- A Council Work Session was set for Tuesday, August 4th to discuss utilization of \$1.9 million in Coronavirus Relief Funds received by White Bear Lake.
- City Engineer/PW Director Paul Kauppi
 - West Park Pavilion improvement will provide upgraded electrical service under a larger 20 X 40 foot pavilion.
 - Severe erosion along the dog beach due to high water levels for an extended period of time. The only viable solution is rip-rap along the eroded area, and quotes have been requested and brought back to Council for consideration.
 - Street reconstruction is nearly complete with minor restoration in some areas. In the Cottage Park area, standing water on the road will be resolved by the final pavement lift. The Mill and Overlay project is also nearly complete.
 - The Centerville Road Water Tower project is moving quickly with the column nearly done and bowl and logo application expected in the next few weeks.

- Thanks to the Lions Club for donating materials to replace a split-rail fence at Lions Park.
- Councilmember Jones asked Paul to look into resurrecting some fishing stones that are sinking into high water, which were set there to spread out fishing.

➤ Community Development Director Anne Kane

- The Planning Commission meeting went well and all cases will likely be on the Council's Consent Agenda. As a final step in the 2040 Comprehensive Plan, the Planning Commission held a public meeting to hear from neighboring jurisdictions.

Councilmember Jones expressed condolences to Mayor Emerson for the loss of her husband, Sam. Mayor Emerson thanked the Council, staff and the community for their support during this time.

13. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Walsh** seconded by Councilmember **Jones** to adjourn the regular meeting at 8:17 p.m.

Walsh Aye
Biehn Aye
Jones Aye
Edberg Aye
Engstran Aye

Motion carried unanimously

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



**MINUTES
CLOSED MEETING OF THE CITY COUNCIL OF
THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, JULY 28, 2020
IN THE EXPANSION ROOM**

1. CALL TO ORDER AND ROLL CALL

Mayor Jo Emerson convened a closed meeting of the White Bear Lake City Council at 6:01 p.m. Councilmembers Doug Biehn, Kevin Edberg, Steven Engstran, Dan Jones. Bill Walsh were present. Staff members present were City Manager Ellen Hiniker, City Engineer Paul Kauppi, Community Development Director Anne Kane, Finance Director Kerri Kindsvater and City Clerk Kara Country.

Guests present: Attorney Monte Mills

2. Discussion pursuant to Minnesota Statute Section 13D.05, Subd. 3(B), to receive an update and discuss the status of White Bear Lake Restoration Association, et al v. Minnesota Department of Natural Resources, et al.

Mayor Emerson asked for a motion to go into closed session pursuant to Minnesota Statutes, section 13D.05, subdivision 3(b) to have an attorney-client privileged discussion with its attorneys regarding the lake level litigation, White Bear Lake Restoration Association, et al v. Minnesota Department of Natural Resources, et al.”

It was moved by Councilmember **Edberg** seconded by Councilmember **Engstran**, to move into closed session.

- Walsh Aye
- Biehn Aye
- Jones Aye
- Edberg Aye
- Engstran Aye

Motion carried unanimously.

After Monte Mills provided an update on the lake level litigation, Mayor Emerson asked for a motion to return to open session.

It was moved by Councilmember **Biehn** seconded by Councilmember **Jones**, to move into open session.

- Walsh Aye
- Biehn Aye
- Jones Aye
- Edberg Aye
- Engstran Aye

Motion carried unanimously

3. Adjournment

There being no further business to come before the Council, it was moved by Councilmember **Biehn** seconded by Councilmember **Walsh**, to adjourn the meeting at 6:35 p.m.

Walsh Aye
Biehn Aye
Jones Aye
Edberg Aye
Engstran Aye

Motion carried unanimously

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
Community Development Department

MEMORANDUM

To: Ellen Hiniker, City Manager

From: The Planning Commission

Through: Samantha Crosby, Planning & Zoning Coordinator

Date: August 5, 2020 for the August 12, 2020 City Council Meeting

Subject: **Birch Lake Animal Hospital - Case No. 94-6-Sa & 20-9-V
4830 White Bear Parkway**

REQUEST

An impervious area variance and an amendment to the original conditional use permit in order to expand the parking lot by six stalls.

SUMMARY

At the June Planning Commission meeting, the neighbors to the east expressed concern about additional run off in their direction and the Commission continued the item to the July meeting.

At the July meeting, a revised plan was presented which routed run-off to the west. No one from the public spoke. On a 6-0 vote, the Planning Commission recommended approval of the request as presented.

RECOMMENDED COUNCIL ACTION

Approval of the attached resolution.

ATTACHMENTS

Resolution of Approval.

RESOLUTION NO.

**RESOLUTION APPROVING
A CONDITIONAL USE PERMIT AMENDMENT
AND IMPERVIOUS AREA VARIANCE
FOR 4830 WHITE BEAR PARKWAY
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (94-6-Sa & 20-9-V) has been submitted by Birch Lake Animal Hospital requesting approval of a Conditional Use Permit Amendment and Variance from the City of White Bear Lake at the following site:

ADDRESS: 4830 White Bear Parkway

LEGAL DESCRIPTION That part of Tract A, Registered Land Survey No. 453, lying North of the South 371.53 feet and West of the East 26.47 feet thereof, Ramsey County, MN (PID # 163022410023)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING PERMIT: An amendment to an existing Conditional Use Permit, per Code Section 1303.225, Subd.6.a, for site plan approval in the DBD zoning district,

Reso #7254, Adopted June 14, 1994: A Conditional Use Permit for site plan approval to build a 3,500 square foot veterinary clinic per Code Section 1303.225

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF: A Variance from the 30% impervious surface maximum to allow 38% impervious, per Code Section 1303.230, Subd.5.a.5, in order to expand the parking lot by 6 stalls; and

WHEREAS, the Planning Commission has held a public hearing as required by the City Zoning Code on June 29, 2020 and continued to July 27, 2020; and

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed conditional use permit amendment & variance upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, that the City Council accepts and adopts the following findings of the Planning Commission in relation to the Conditional Use Permit Amendment:

1. The proposal is consistent with the City's Comprehensive Plan.
2. The proposal is consistent with existing and future land uses in the area.
3. The proposal conforms to the Zoning Code requirements.

4. The proposal will not depreciate values in the area.
5. The proposal will not overburden the existing public services nor the capacity of the City to service the area.
6. The traffic generation will be within the capabilities of the streets serving the site.

FURTHER, BE IT RESOLVED by the City Council of the City of White Bear Lake that the City Council accepts and adopts the following findings of the Planning Commission in relation to the variances:

1. The requested variance will not:
 - a. Impair an adequate supply of light and air to adjacent property.
 - b. Unreasonably increase the congestion in the public street.
 - c. Increase the danger of fire or endanger the public safety.
 - d. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this Code.
2. The variance is the minimum required to accomplish this purpose.
3. Because the impact of the additional impervious area will be lessened by the proposed stormwater infiltration feature, the variance is in harmony with the general purpose and intent of the City Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
4. The special conditions or circumstances are not the result of actions of the applicant.
5. The non-conforming uses of neighboring lands, structures, or buildings in the same district are not the sole grounds for issuance of the variance.

FURTHER, BE IT RESOLVED, that the City Council of the City of White Bear Lake hereby approves the requests, subject to the following conditions:

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the permit.
2. Per Section 1301.050, Subd.4, if within one (1) year after approving the Conditional Use Permit, the use as allowed by the permit shall not have been completed or utilized, the CUP shall become null and void unless a petition for an extension of time in which to complete or utilize the use has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
3. This Conditional Use Permit shall become effective upon the applicant tendering proof (ie: a receipt) to the City of having filed a certified copy of the sign resolution of approval with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.

4. All conditions imposed by the original approval shall continue to apply.
5. The applicant shall obtain a building permit prior to beginning any work.

Prior to the issuance of a building permit, the applicant shall:

6. Hire an environmental firm to conduct a wetland delineation to confirm or negate the presence of wetland on the property.
7. Grading and drainage plan and details subject to approval by the Water Resources Engineer.
8. The property owner shall be responsible for maintaining the rain garden to the design specifications.
9. Conduct a tree survey, calculate the tree replacement requirements and add replacement inches to the proposed plan as required.
10. The applicant shall indicate where bicycle parking can be accommodated. Bike parking must allow the bike to be locked at the frame, not just at the tires.
11. No change to building, signage or lighting requested or approved.
12. Extend a letter of credit consisting of 125% of the exterior improvements, which renews automatically every six months. The amount of the letter shall be based on a cost estimate of the outside improvements, to be approved by the City prior to the issuance of the letter of credit.

Prior to the release of the letter of credit, the applicant shall:

13. Provide an as-built plan that complies with the City's Record Drawing Requirements.
14. All exterior improvements must be installed.
15. All landscaping must have survived at least one full growing season.
16. The applicant shall provide proof of having recorded the Resolution of Approval with the County Recorder's Office.

The foregoing resolution, offered by Councilmember **X** and supported by Councilmember **X**, was declared carried on the following vote:

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

Approval is contingent upon execution and return of this document to the City Planning Office.

I have read and agree to the conditions of this resolution as outlined above.

Tim Kuhnmuench

Date



City of White Bear Lake
Community Development Department

MEMORANDUM

To: Ellen Hiniker, City Manager
From: The Planning Commission
Through: Ashton Miller, Planning Technician
Date: August 5, 2020 for the August 12, 2020 City Council Meeting
Subject: **Peyton Variance – 1943 Oak Knoll Drive, Case No. 20-12-V**

REQUEST

A two foot height variance from the four foot height limit for a fence in the front yard, in order to construct a six foot tall fence along a portion of the north property line.

SUMMARY

No one from the public spoke. On a 6-0 vote, the Planning Commission recommended approval as requested by the applicant.

RECOMMENDED COUNCIL ACTION

Approval of the attached resolution.

ATTACHMENT

Resolution of Approval

RESOLUTION NO.

**RESOLUTION GRANTING A VARIANCE
FOR 1943 OAK KNOLL DRIVE
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (20-12-V) has been submitted by Warren and Amanda Peyton to the City Council requesting approval of a variance from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 1943 Oak Knoll Drive

LEGAL DESCRIPTION: Lot 1, Block 2, Lakewood Hills, Ramsey County, Minnesota (PID: 263022240025)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A two foot variance from the four foot height limit for a fence in the front yard, per Code Section 1302.030, Subd.6.h.4, in order to construct a six foot tall fence along a portion of the north property line; and

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on July 27, 2020; and

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed variance upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake that the City Council accepts and adopts the following findings of the Planning Commission:

1. The requested variance will not:
 - a. Impair an adequate supply of light and air to adjacent property.
 - b. Unreasonably increase the congestion in the public street.
 - c. Increase the danger of fire or endanger the public safety.
 - d. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this Code.
2. The variance is a reasonable use of the land or building and the variance is the minimum required to accomplish this purpose.
3. The variance will be in harmony with the general purpose and intent of the City Code.
4. The variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

- 5. The non-conforming uses of neighboring lands, structures, or buildings in the same district are not the sole grounds for issuance of the variance.

FURTHER, BE IT RESOLVED, that the City Council of the City of White Bear Lake hereby approves the requested variance, subject to the following conditions:

- 1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
- 2. Per Section 1301.060, Subd.3, the variance shall become null and void if the project has not been completed or utilized within one (1) calendar year after the approval date, subject to petition for renewal. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
- 3. The applicant shall verify the property lines and have the property pins exposed at the time of inspection.
- 4. A zoning permit shall be obtained before any work begins.

The foregoing resolution, offered by Councilmember **X** and supported by Councilmember **X** , was declared carried on the following vote:

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

Approval is contingent upon execution and return of this document to the City Planning Office.
I have read and agree to the conditions of this resolution as outlined above.

Warren Peyton / Amanda Peyton Date



City of White Bear Lake
Community Development Department

MEMORANDUM

To: Ellen Hiniker, City Manager

From: The Planning Commission

Through: Samantha Crosby, Planning & Zoning Coordinator

Date: August 5, 2020 for the August 12, 2020 City Council Meeting

Subject: **Lakewood Place Apartments - Case No. 20-13-V**
3100 Glen Oaks Avenue

REQUEST

Two variances in order to convert 6 apartments into 12 apartments: a 6 unit density variance and a 12 stall parking variance.

SUMMARY

No one from the public spoke. On a 6-0 vote, the Planning Commission recommended approval of the request as presented.

RECOMMENDED COUNCIL ACTION

Approval of the attached resolution.

ATTACHMENTS

Resolution of Approval.

RESOLUTION NO.

**RESOLUTION GRANTING TWO VARIANCES FOR
3100 GLEN OAKS AVENUE
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (20-13-V) has been submitted by Becky Nelson on behalf of Tetchie LLC, to the City Council requesting approval of two variances from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 3100 Glen Oaks Avenue

LEGAL DESCRIPTION: Lot 1, Block 1, Lakewood Village No. 5, subject to conservation easement, Ramsey County, Minnesota (PID # 363022440286)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A six unit density variance, per Zoning Code Section 1303.080, Subd.7.e ; and a 12 stall parking variance, per Zoning Code Section 1302.050, Subd.8.c, in order to convert 6 apartments from 2 and 3 bedroom units into 12 apartments: 9 one-bedroom and 3 studio units; and

WHEREAS, the Planning Commission has held a public hearing as required by the city Zoning Code on July 27, 2020; and

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed variances upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake that the City Council accepts and adopts the following findings of the Planning Commission:

1. The requested variances will not:
 - a. Impair an adequate supply of light and air to the adjacent property.
 - b. Unreasonably increase the congestion in the public street.
 - c. Increase the danger of fire or endanger the public safety.
 - d. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this Code.
2. The variances are a reasonable use of the land or building and the variances are the minimum required to accomplish this purpose.
3. The variances will be in harmony with the general purpose and intent of the City Code.
4. The variances will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

- 5. The non-conforming uses of neighboring lands, structures, or buildings in the same district are not the sole grounds for issuance of the variances.

FUTHER, BE IT RESOLVED, that the City Council of the City of White Bear Lake hereby approved the request, subject to the following conditions:

- 1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
- 2. Per Section 1301.060, Subd.3, the variances shall become null and void if the project has not been completed within one (1) calendar year after the approval date, subject to petition for renewal. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
- 3. Additional park dedication is due at the time the building permits are issued (current rate: \$750 per unit).
- 4. A building permit shall be obtained before any work begins.
- 5. Prior to the issuance of a building permit, the applicant shall provide a SAC determination letter from the Metropolitan Council.

The foregoing resolution, offered by Councilmember **X** and supported by Councilmember **X**, was declared carried on the following vote:

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

Approval is contingent upon execution and return of this document to the City Planning Office. I have read and agree to the conditions of this resolution as outlined above.

Owner's Printed Name and Signature Date



City of White Bear Lake
Community Development Department

MEMORANDUM

To: Ellen Hiniker, City Manager

From: The Planning Commission

Through: Ashton Miller, Planning Technician

Date: August 5, 2020 for the August 12, 2020 City Council Meeting

Subject: **Lowell Variance – 2196 12th Street, Case No. 20-11-V**

REQUEST

A 19-foot variance from the 80 foot lot width requirement for a duplex in the R-5 zoning district, and two one foot variances from the ten foot side yard setback from both side property lines in order to construct a 43 foot wide duplex on a 61 foot wide lot.

SUMMARY

No one from the public spoke. On a 6-0 vote, the Planning Commission recommended approval as requested by the applicant with the addition of the condition that a privacy fence be built along the western property line.

The request is on the non-consent portion of the agenda because the applicants would like to request that the City Council consider amending the condition to allow for a hedge or bushes along the property line rather than a fence. They have spoken to the neighbors who have indicated approval of the proposed change.

RECOMMENDED COUNCIL ACTION

Approval of the attached resolution.

ATTACHMENT

Revised Resolution of Approval

RESOLUTION NO.
RESOLUTION GRANTING THREE VARIANCES
FOR 2189 12th STREET
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA

WHEREAS, a proposal (20-11-V) has been submitted by Charles Lowell to the City Council requesting approval of a variance from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 2189 12th Street

LEGAL DESCRIPTION: Attached as Exhibit A

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A 19 foot variance from the 80 foot lot width requirement for a duplex in the R-5 zoning district, per Code Section 1303.070, Subd.b.2, and two one foot variances from the ten foot side yard setback from both site property lines, per Code Section 1303.070, Subd.5.c.2, in order to construct a 43 foot wide duplex on a 61 foot wide lot; and

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on July 27, 2020; and

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed variance upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake that the City Council accepts and adopts the following findings of the Planning Commission:

1. The requested variance will not:
 - a. Impair an adequate supply of light and air to adjacent property.
 - b. Unreasonably increase the congestion in the public street.
 - c. Increase the danger of fire or endanger the public safety.
 - d. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this Code.
2. The variance is a reasonable use of the land or building and the variance is the minimum required to accomplish this purpose.
3. The variance will be in harmony with the general purpose and intent of the City Code.
4. The variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

- 5. The non-conforming uses of neighboring lands, structures, or buildings in the same district are not the sole grounds for issuance of the variance.

FURTHER, BE IT RESOLVED, that the City Council of the City of White Bear Lake hereby approves the requested variance, subject to the following conditions:

- 1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
- 2. Per Section 1301.060, Subd.3, the variance shall become null and void if the project has not been completed or utilized within one (1) calendar year after the approval date, subject to petition for renewal. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
- 3. The applicant shall verify the property lines and have the property pins exposed at the time of inspection.
- 4. A building permit shall be obtained before any work begins.
- 5. ~~A privacy fence shall be installed~~ **A hedge or bushes shall be planted for privacy** along the western property line.

Prior to the issuance of a building permit, the applicant shall:

- 6. Submit tree preservation calculations and a replacement plan, subject to staff approval.

The foregoing resolution, offered by Councilmember ____ and supported by Councilmember ____, was declared carried on the following vote:

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

Approval is contingent upon execution and return of this document to the City Planning Office.
I have read and agree to the conditions of this resolution as outlined above.

Charles Lowell

Date

EXHIBIT A**LEGAL DESCRIPTION**

The south 200.00 feet of the west 61.0 feet of the following described parcel: the easterly 115 feet of the westerly 227 feet of the following described tract of land situated in the Southeast Quarter of the Southeast Quarter of Section 11, Township 30, Range 22, described as follows: commencing at the southwest corner of the Southeast Quarter of the Southeast Quarter of Section 11, Township 30, Range 22; thence east on the Section line between Sections 11 and 14 of the above named Township and Range, 450.5 feet; thence north and parallel with the west line of said Section, 66 feet to a stake on the north side of the road for the place of beginning of the land to be described; running thence east 485.15 feet, more or less, to the west line of the right of way of the St. Paul and Duluth Railroad, (now a branch of the Northern Pacific Railroad); thence northeasterly along the west line of said right of way of said railroad. 420 feet, more or less, to a stake or point 1028.5 feet east of the line of said Southeast Quarter of the Southeast Quarter of said Section 11; thence west and parallel to the south line of said Section 11, 578 feet, to a stake or point; thence south 417.35 feet to the place of beginning.



City of White Bear Lake
Community Development Department

MEMORANDUM

To: Ellen Hiniker, City Manager

From: The Planning Commission

Through: Anne Kane, Community Development Director

Date: August 6, 2020 for the August 13, 2020 City Council Meeting

Subject: **Draft 2040 Comprehensive Plan – Case No. 17-1-CP
Affected Jurisdiction Review Comments and Final Revisions**

REQUEST

Acceptance of the review comments and final revisions to the draft 2040 Comprehensive Plan and authorize its submittal to the Metropolitan Council for review. The entire draft plan may be found on the City's website: <https://www.whitebearlake.org/communitydevelopment/page/2040-comprehensive-plan-update>.

SUMMARY

Following the adoption of the draft 2040 Comprehensive Plan on April 23, 2019, the document was distributed to adjoining communities and affected agencies for review and comments. By state statute, these jurisdictions have six months to submit comments. That time period concluded on March 3, 2020. The Planning Commission reviewed the suggested revisions to the draft plan at its meeting on July 27, 2020 and forwarded a unanimous recommendation to the City Council for its consideration.

RECOMMENDED COUNCIL ACTION

Accept the Planning Commission's recommendation for approval and authorize staff to submit the draft 2040 Comprehensive Plan Update to the Metropolitan Council for formal review.

ATTACHMENTS

1. Draft Resolution of Approval
2. Summary of Comments and Responses from Affected Jurisdictions, dated July 27, 2020
3. Red-Lined Revisions to the applicable sections of the draft 2040 Comprehensive Plan

RESOLUTION NO

A RESOLUTION ACCEPTING THE DRAFT 2040 COMPREHENSIVE PLAN AND AUTHORIZING ITS DISTRIBUTION TO AFFECTED JURISDICTIONS FOR REVIEW

WHEREAS, Minnesota Statutes, section 473.864, requires local governmental units to review and, if necessary, amend their entire comprehensive plan and their fiscal devices and official control at least once every ten years to ensure comprehensive plans confirm with metropolitan system plans and ensure fiscal devices and official controls do not conflict with comprehensive plans or permit activities that conflict with metropolitan system plans; and,

WHEREAS, the City Council, Planning Commission, staff and planning consultants have prepared a draft Comprehensive Plan intended to meet the requirements of the Metropolitan Planning Act and Metropolitan Council guidelines and procedures; and,

WHEREAS, pursuant to Minnesota Statutes section 473.585. the draft Comprehensive Plan is required to be submitted to adjacent governmental units and affected special districts and school districts for review and comments for a statutory six-month review and comment period; and,

WHEREAS, the Planning Commission conducted a Public Hearing on February 25, 2019 and continued the Public Hearing to March 25, 2019 relative to the approval of the draft Comprehensive Plan; and,

WHEREAS, the Planning Commission has considered the draft Comprehensive Plan and all public comments, and thereafter submitted its recommendation to the City Council and,

WHEREAS, the City Council finds it is appropriate to accept the recommendation of the Planning Commission regarding the draft Comprehensive Plan; and,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that the Community Development Director is authorized to submit the draft 2040 Comprehensive Plan to affected jurisdictions for review and comment:

Jurisdiction Type	Jurisdiction Name
Adjacent Community	Birchwood Village
Adjacent Community	Gem Lake
Adjacent Community	Mahtomedi
Adjacent Community	Maplewood
Adjacent Community	North St. Paul; Source Water related
Adjacent Community	Oakdale
Adjacent Community	Vadnais Heights
Adjacent Community	White Bear Twp.

RESOLUTION NO

Jurisdiction Type	Jurisdiction Name
Adjacent Community	Ramsey County
Adjacent Community	Washington County
Regional Park Implementing Agency	Ramsey County
Regional Park Implementing Agency	Washington County
School District	622; North St. Paul-Maplewood
School District	624; White Bear Lake
School District	832; Mahtomedi
State Agency	MnDOT
State Agency	MnDNR
Watershed Management Organization	Ramsey Washington Metro Watershed District
Watershed Management Organization	Rice Creek Watershed District
Watershed Management Organization	Vadnais Lake Area Watershed Management Organization
Watershed Management Organization	Valley Branch Watershed District

The foregoing resolution offered by Councilmember _____ and supported by Councilmember _____, was declared carried on the following vote:

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

**White Bear Lake Comprehensive Plan
Summary of Comments and Responses from Six Month Review**

Jurisdiction/ Agency	Date Received	Comment	City Approach (will not be printed at end)	City Response (formal wording for submittal)
Birchwood Village		No comments received.	No response needed.	
Gem Lake		No comments received.	No response needed.	
Mahtomedi	11/20/2019	FUTURE LAND USE MAPS: Along County Road E / Century Avenue, where Mahtomedi and White Bear Lake share a boundary, the future land uses are compatible with each other, in large part because the Century College campuses connect across Century Avenue. Additionally, other future land uses are compatible across the boundary, whether is it residential use meeting residential use, or residential and commercial places next to each other.	Acknowledged, no response needed.	
Mahtomedi	11/20/2019	REGIONAL PARKS AND TRAILS: Proposed trails that are planned to connect Mahtomedi and White Bear Lake include a trail around White Bear Lake (with a trail gap in the northwest portion of the lake), and a trail planned to run east-west along County Road E East / Wildwood Road / 244. There is also a proposed trail to run north-south along the Mahtomedi and White Bear Lake boundary (Century Avenue). In addition to connecting trail users to regional trails, the proposed trails will help link non-vehicular traffic between the two communities, as well as increasing access to nature along the lake.	Acknowledged, no response needed.	
Mahtomedi	11/20/2019	Mahtomedi is located directly east of White Bear Lake and the communities share a municipal boundary along County Road E / Century Avenue (which is also the county boundary separating Ramsey County and Washington County). Both communities are also situated on White Bear Lake.	Acknowledged, no response needed.	
Mahtomedi	11/20/2019	The County Road E corridor is a key transportation route between Vadnais Heights, White Bear Lake, and Mahtomedi, funneling traffic from I-35E, I-694 and Highway 61.	Acknowledged, no response needed.	
Mahtomedi	11/20/2019	White Bear Lake and Mahtomedi share the Century College Campus, which is separated by Century Avenue (West Campus in White Bear Lake and East Campus in Mahtomedi).	Acknowledged, no response needed.	
Mahtomedi	11/20/2019	The wastewater flow of both communities is metered at the Metropolitan Council Meter #26 located in the southwest corner of White Bear Lake. The meter measures the combined flow from White Bear Lake, White Bear Township, Birchwood, and Mahtomedi.	Acknowledged, no response needed.	
Mahtomedi	11/20/2019	White Bear Lake provides sanitary sewer service to various parcels in Mahtomedi, including the East Campus of Century College.	Acknowledged, no response needed.	
Mahtomedi	11/20/2019	WORKFORCE: People working within the City of White Bear Lake are from areas distributed fairly broadly across the northeast metro with the concentration focused in the White Bear Lake area and stretching into North St. Paul on the south, Hugo on the north, Vadnais Heights on the west, and Mahtomedi on the east.	Acknowledged, no response needed.	
Mahtomedi	11/20/2019	TH 120 Traffic Study - Century College, Washington County, the City of Mahtomedi, and MnDOT partnered to analyze traffic operations for TH 120/Century Avenue intersections between I-694 and County Road E in 2012. The traffic study addressed concerns related to Century College and traffic growth in the surrounding area. The study recommendations including improvements to the Century College and I-694 intersections. MnDOT has a pavement preservation project on State Highway 120 scheduled for 2021.	Acknowledged, no response needed.	
Mahtomedi	11/20/2019	Because of the close proximity of White Bear Lake and Mahtomedi, residents of White Bear Lake work in Mahtomedi, and residents of Mahtomedi work in White Bear Lake. But, Mahtomedi does not make it into the top ten cities for where White Bear Lake residents work, or for where White Bear Lake workers live (the number is estimated to be under 250 people for both numbers).	Acknowledged, no response needed.	
Maplewood	2/28/2020	No comments.	No response needed.	
North St. Paul	11/20/2019	FUTURE LAND USE COMPATIBILITY: North St. Paul and White Bear Lake do not share a boundary and are further separated by I-694 and Maplewood, so there is minimal concern about land use and future land use compatibilities between the two communities.	Acknowledged, no response needed.	

**White Bear Lake Comprehensive Plan
Summary of Comments and Responses from Six Month Review**

Jurisdiction/ Agency	Date Received	Comment	City Approach (will not be printed at end)	City Response (formal wording for submittal)
North St. Paul	11/20/2019	REGIONAL PARKS AND TRAILS: North St. Paul and White Bear Lake share one proposed trail, planned to run along County Road E / Century Avenue, south across i-694 and along Geneva Ave N to connect with the Gateway State Trail that runs along the south side of Highway 36. This proposed trail will better link the two communities, especially for non-vehicular traffic, and can help bridge the gap created by I-694 between the two communities.	Acknowledged, no response needed.	
North St. Paul	11/20/2019	North St. Paul and White Bear Lake municipal boundaries do not actually touch (separated by Maplewood). North St. Paul is located south of White Bear Lake.	Acknowledged, no response needed.	
North St. Paul	11/20/2019	WORKFORCE: People working within the City of White Bear Lake are from areas distributed fairly broadly across the northeast metro with the concentration focused in the White Bear Lake area and stretching into North St. Paul on the south, Hugo on the north, Vadnais Heights on the west, and Mahtomedi on the east.	Acknowledged, no response needed.	
North St. Paul	11/20/2019	Because of the close proximity of White Bear Lake and North St. Paul, residents of White Bear Lake work in North St. Paul, and residents of North St. Paul work in White Bear Lake. But, North St. Paul does not make it into the top ten cities for where White Bear Lake residents work, or for where White Bear Lake workers live (the number is estimated to be under 250 people for both numbers).	Acknowledged, no response needed.	
Oakdale	9/12/2019	No comments.	No response needed.	
Vadnais Heights	7/13/2020	No comments.	No response needed.	
White Bear Township	7/13/2020	No comments.	No response needed.	
Ramsey County		No comments received.	No response needed.	
Washington County	10/22/2019	Land Use: page 2-36 Minnesota became a state in 1858 not 1958.	HKGi to correct in final draft document.	See attached page 2-36.
Washington County	10/22/2019	Housing: The Washington County CDA commends the plan for strongly advocating a diverse supply of housing that serves those at all income levels and life stages, and is well supported by a very thorough implementation plan.	Acknowledged, no response needed.	
Washington County	10/22/2019	Water Resources: Minnesota State Statute 103b.235 subdivision 3 states that Local Water Management Plans, identified in White Bear Lake's Comprehensive Plan as the Surface Water Management Plan (SWMP), must be submitted to a county for review if the county has a state approved and locally adopted groundwater plan. The county's most recent groundwater plan was adopted on September 23, 2014. The Washington County 2014-2024 Groundwater Plan has the goal to "manage the quality and quantity of groundwater in Washington County to protect health and ensure sufficient supplies of clean water to support human uses and natural ecosystems." Please submit your Water Management Plan to the county for review.	It is anticipated the the City's Surface Water Management Plan will be completed in early 2021 and will be submitted to both Washington and Ramsey counties for their review.	
Washington County	10/22/2019	Water Resources: The County is encouraged by the city's proactive approach to water conservation practices. Please consider listing Washington County as a potential partner on future water conservation projects and practices.	HKGi to update list of potential partners to include Washington County	

**White Bear Lake Comprehensive Plan
Summary of Comments and Responses from Six Month Review**

Jurisdiction/ Agency	Date Received	Comment	City Approach (will not be printed at end)	City Response (formal wording for submittal)
Washington County	10/22/2019	Healthy Communities: The County is encouraged by the city's goals and objectives to support the health of their community in numerous ways. The following efforts are of particular note in supporting healthy communities: 1. Promoting access to physical activity and active transportation through developing connections to and among parks and to city trails as well as identifying safe walking and biking routes to school and other key locations. 2. Recognizing the need for affordable housing and plans to support the development of life-cycle housing for older and low-income residents. 3. Partnership with the Active Living Ramsey Communities initiative and Regional Bicycle Transportation Network (RTBN). 4. Promoting access to healthy foods with emphasis on local produce and community garden initiatives. 5. Maintaining recreational opportunities and facilities that reflect the community's diverse interests.	Acknowledged, no response needed.	
Washington County	10/22/2019	Sustainability / Recycling: The County commends the city of White Bear Lake for their support for solar panels as an accessory use in all districts. It is encouraging to hear the city would like to see an increase in the use of green building standards. We look forward to partnering with you where and when opportunities arise to create a more sustainable region. To align with the Washington County Waste Management Master Plan 2018-2036 strategy in creating away-from-home recycling opportunities in parks, athletic fields, arenas, and recreation centers consider collaborating with the County to add waste and recycling stations along city trails and in parks and other public spaces as applicable.	The City does not have any parks or trails located in Washington County but will apply this same principle to city parks and trails located in Ramsey County.	
School District 622: NSP-M'wood		No comments received.	No response needed.	
School District 624: WBL		No comments received.	No response needed.	
School District 832: Mahtomedi		No comments received.	No response needed.	
Ramsey - Washington WSD		No comments received.	No response needed.	
Rice Creek WSD	10/11/2019	Please ensure the RCWD is engaged in the development process for new development/redevelopment sites with the RCWD boundary to ensure compliance with RCWD rules and the Wetland Conservation Act (1991).	Acknowledged, no response needed.	
	10/11/2019	General Comments on Chapter 7 Natural Resources & Sustainability, Surface Water Management: Please ensure the City submits its draft SWMP for RCWD's formal review. The final version of the City's 2040 Comprehensive Plan must include the SWMP that is approved by RCWD and the other watershed organizations in its entirety in an added appendix, as the City states on page 7-122.	It is anticipated the the City's Surface Water Management Plan will be completed in early 2021 and will be submitted to Rice Creek Watershed District for review.	
	10/11/2019	Chapter 7 Natural Resources & Sustainability, Surface Water Management, first paragraph, first sentence, page 7-122: The SWMP is no longer considered a "stand-alone" document since it is incorporated into the City's Comprehensive Plan. Recommend removing "stand-alone."	Acknowledged and "stand-alone" text will be deleted from final draft.	The City of White Bear Lake Surface Water Management Plan (SWMP) is a document that provides the framework for a comprehensive program to protect and improve the quality of water resources within the City. (See attached page 7-122.)
	10/11/2019	Chapter 7 Natural Resources & Sustainability, Native Plants/Habitat, third paragraph, first bullet, page 7-128: Recommend revising "a much better job." Though native plants are preferred, their effectiveness for preventing or reducing erosion on shorelines tends to be site-specific.	Acknowledged and text of first bullet point will be revised in final draft.	Prevents or reduces bank erosion, as the deep roots of the plants tend to be more effective and are the preferred alternative to stabilize soil than rocks on the surface; (see attached page 7-128)
VLAWMO	10/11/2019	Minor spelling and grammatical suggestions Chapters 1, 2, 3 and 7. No comments received.	Acknowledged and corrected. No response needed.	City staff to provide details to HKGi for final draft.

**White Bear Lake Comprehensive Plan
Summary of Comments and Responses from Six Month Review**

Jurisdiction/ Agency	Date Received	Comment	City Approach (will not be printed at end)	City Response (formal wording for submittal)
Valley Branch WSD		No comments received.	No response needed.	
Ramsey County Parks		No comments received.	No response needed.	
Washington County Parks		No comments received.	No response needed.	
MDH		No comments received.	No response needed.	
MnDOT	9/20/2019	Bicycle-Pedestrian Comments: There are two maps (5.11 Non-Motorized Transportation Plan on page 5-94 and map 5.12 - The RBTN Map on page 5-96) where it is difficult to make out the existing features from the proposed.	Staff will work with LOGIS and Met Council to better distinguish between existing features and planned improvements.	See attached pages 5-94 and 5-96.
MnDOT	9/20/2019	Upcoming Projects: On page 5-83 there is a discussion of corridor studies and a pavement preservation project on MN 120. There are ongoing discussions and studies that may influence the timeline of this project, therefore MnDOT recommends not including a specific reference or timeline in the comprehensive plan.	HKGi to remove reference to the pavement preservation project on MN 120.	See attached page 5-83.
MnDNR	1/23/2020	<p>Natural Heritage Information. We appreciate the discussion of native habitat in the plan. For further conservation planning and to ensure compliance with the Minnesota endangered species laws, the DNR encourages communities to check the NHIS Rare Features Data for known occurrences of state-listed species. The NHIS Rare Features Data contains nonpublic data and can only be accessed by submitting a License Agreement Application Form for a GIS shapefile or by submitting a NHIS Data Request Form for a database printout. Both of these forms are available at the NHIS webpage. Consider adding a discussion of what the city can do to preserve the species and preserve their habitat into the future (see section below on more policies to protect wildlife).</p> <p>For instance, one of the species that shows up in White Bear Lake in the Rare Features database is Blanding's Turtles (<i>Emys blandingii</i>). The DNR's Blanding's Turtle fact sheet describes the habitat use and life history of this species. The fact sheet also provides two lists of recommendations for avoiding and minimizing impacts to this rare information about the type of habitat that may harbor these turtles.</p> <p>Blanding's turtles use upland areas up to and over a mile distant from wetlands, as well as wetlands. Uplands are used for nesting, basking, periods of dormancy, and traveling between wetlands. Because of the tendency to travel long distances over land, Blanding's Turtles regularly travel across roads and are therefore susceptible to collisions with vehicles. Any added mortality can be detrimental to populations of Blanding's turtles, as these turtles have a low reproduction rate that depends upon a high survival rate to maintain population levels. Other factors believed to contribute to the decline of this species include wetland drainage and degradation, and loss of upland habitat to development.</p> <p>For more information on the biology, habitat use, and conservation measures of these rare species, please visit the DNR Rare Species Guide. NHIS training includes rules for using/displaying nonpublic data in public documents.</p>	All of these points are addressed in the City's Surface Water Management Plan that will be incorporated as an appendix to the 2040 Comprehensive Plan.	
MnDNR	1/23/2020	<p>Groundwater. Your community is within the North and East Metro Groundwater Management Area (GWMA), designated by the Minnesota DNR. The North and East Metro GWMA includes all of Washington County, and a portion of Anoka and Hennepin Counties. The GWMA Plan will guide the DNR's efforts to manage groundwater appropriates sustainably in this area over the next five years. The Plan establishes sustainability goals to help appropriation permit holders plan for their future water use and ensure groundwater supplies remain adequate to meet human needs while protecting lakes, streams and wetlands. White Bear Lake participates on the advisory team for the GWMA.</p>	So noted.	

**White Bear Lake Comprehensive Plan
Summary of Comments and Responses from Six Month Review**

Jurisdiction/ Agency	Date Received	Comment	City Approach (will not be printed at end)	City Response (formal wording for submittal)
MnDNR	1/23/2020	<p>Development and transportation policies to protect wildlife. Consider adding policies that take wildlife into consideration in transportation and redevelopment projects. To enhance the health and diversity of wildlife populations, encourage developers of private and public lands to retain natural areas or restore them with native species after construction. One larger area is better than several small "islands" or patches; and connectivity of habitat is important. Animals such as frogs and turtles need to travel between wetlands and uplands throughout their life cycle. These considerations are especially relevant for redevelopment areas that are adjacent or between two wetlands. Consult DNR's Best Practices for protection of species and Roadways and Turtles Flyer for self-mitigating measures to incorporate into design and construction plans.</p> <p>Examples of more specific measures include:</p> <ul style="list-style-type: none"> • Preventing entrapment and death of small animals especially reptiles and amphibians, by specifying biodegradable erosion control netting ('bio-netting' or 'natural netting' types (category 3N or 4N)), and specifically not allow plastic mesh netting; • Providing wider culverts or other passageways under paths, driveways and roads while still considering impacts to the floodplain; • Including a passage bench under bridge water crossings because typical bridge riprap can be a barrier to animal movement along streambanks; • Employing curb and storm water inlet designs that don't inadvertently direct small mammals and reptiles into the storm sewer. Installing "surmountable curbs" (Type D or S curbs) allows animals (e.g. turtles) to climb over and exit roadways. Traditional curbs/gutters tend to trap animals on the roadway. Another option is to install/create curb breaks every, say, 100 feet (especially important near wetlands); • Using smart salting practices to reduce impacts to downstream mussel beds, as well as other aquatic species; and, • Fencing could be installed near wetlands to help keep turtles off the road (fences that have a j-hook at each end are more effective than those that don't). 	As opportunity sites are proposed for development, the City will explore opportunity to incorporate conservation design practices to enhance wildlife health and diversity. Street reconstruction projects will explore designs that enhance and protect wildlife. The first and fourth bullet points are addressed in the SWMP.	
MnDNR	1/23/2020	<p>Community Forestry. As noted in your plan, the loss of tree canopy due to threats such as emerald ash borer and oak wilt has negative impacts on the health and environment of many Minnesota cities, and a planned community forest can provide numerous community benefits. You have an implementation goal to protect and increase the quality, quantity and diversity of the City's tree population. We encourage you to add these action steps to that implementation goal: a comprehensive tree inventory followed by a community forestry management plan.</p>	In 2016, the City completed a comprehensive Ash Tree Survey and in 2013 a Comprehensive Canopy Study was completed by a group of students from the University of Minnesota.	See suggested changes to page 7-130.
MnDNR	1/23/2020	<p>Native Species. The Comprehensive Plan could reinforce the city's pollinator-friendly resolution by discussing native plants and pollinators in multiple places in the documents, such as the land use, economic competitiveness and housing sections to encourage developers of private and public lands to use native flowers, grasses, shrubs and tree species. Plant lists and suggestions for native plans can be incorporated into: 1.) Proposed landscape guidelines to improve the aesthetics in for housing, commercial and industrial areas; 2.) Street tree planting plans; 3.) City gateway features; 4.) Along ponds and waterways; 5.) Small nature play areas in tot lots; 6.) Along the edges of ballfield complexes; and, 7.) Lakeshores.</p>		See suggested changes to page 7-130.

**White Bear Lake Comprehensive Plan
Summary of Comments and Responses from Six Month Review**

Jurisdiction/ Agency	Date Received	Comment	City Approach (will not be printed at end)	City Response (formal wording for submittal)
MnDNR	1/23/2020	<p>Invasive Species. The section describing invasive species contains useful information for city residents and developers. We suggest adding the Latin names as well as the common names. In that section, or in the implementation section, you could include a strategy to encourage citizens as well as staff to report invasive species {to} the county weed management coordinator. Species to consider adding to the list include: invasive European common reed, phragmites australis, which has been verified along the south lake shore (of White Bear Lake); and wild parsnip, Pastinaca sativa L, which has been reported at the Tamarack Nature Center.</p> <p>The discussion of Garlic Mustard includes information about disposal that was reviewed by DNR's invasive species coordinator, Laura Van Riper (laura.vanriper@state.mn.us). She provided the following language to accurately reflect best practices and state law: Garlic Mustard is an aggressive biennial herbaceous plant, which means it grows as a rosette in its first year, it flowers in its second year and then it dies. It grows in a way that crowd out native wildflowers, tree seedlings, and woodland plants and can totally dominate a woodland within five to seven years. Garlic mustard can be managed by pulling up the second years plants before they flower and produce seed, typically in early spring. Even though it is a prolific seed producer, garlic mustard can be managed by preventing seed production of plants over several years. Managing this species takes a strong commitment once it becomes established. Garlic mustard rosettes can be spot treated in the fall when many native plants are dormant. Flowering garlic mustard plants can be treated with herbicides or hand pulled. Because flowering garlic mustard can spread seed even after it's been pulled up by the roots, the Minnesota Department of Agriculture (MDA) recommends that plants be placed in bags for disposal and not simply left on the ground where they were picked. The bagged plants can be kept on site for burning or piled and covered with a tarp for decay. Be sure to monitor the site and remove any plants that sprout from the burn or decay site. If plants must be moved off site, contact your local yard waste or compost site to see if they are equipped to compost at high enough temperatures to accept noxious weeds at their site. Transportation is only allowed to a disposal site and the MDA requires the load is protected in a manner that prevents the spread of noxious weed propagating parts during</p>	<p>Tamarack Nature Center is located in White Bear Township not the City of White Bear Lake. Latin names will be added to the plan along with including the European Common Reed species. The specific language regarding treatment of Garlic Mustard will replace the current language.</p>	<p>See suggested changes to pages 7-130, 7-132, 7-133 & 7-134.</p> <ul style="list-style-type: none"> • Spotted Knapweed (Centaurea stoebe) • Leafy Spurge (Euphorbia esula) • Garlic Mustard (Alliaria petiolate) • Crown Vetch (Securigera varia) • Common Buckthorn (Rhamnus cathartica) • Glossy Buckthorn (Rhamnus frangula) • Tartarian Honeysuckle (Lonicera tatarica) • Giant Knotweed (reynoutria sachalinensis) • Amur Maple (Acer ginnala) <p>European Common Reed (Phragmites australis)</p> <ul style="list-style-type: none"> • European common reed can form dense stands that displace native common reed and other wetland plant species, reduce habitat quality for fish and wildlife, and alter ecosystem functioning and hydrology. • European common reed is a "cryptic invader" in Minnesota since the native subspecies is widespread throughout the state and the non-native subspecies is easily confused with it.

HISTORICAL BACKGROUND & RESOURCES

White Bear Lake takes pride in the fact that it was a city long before it was a suburb. Much of the community's charm and character can be attributed to its historical roots. The earliest inhabitant of the White Bear Lake area were the Dakota and Ojibway Indians who used the area for their migratory and harvesting grounds. The United States government designated the area as Dakota land in an 1825 treaty, but later purchased all Dakota Territory east of the Mississippi River to open it for European-American settlement.

Rich land, abundant game, and scenic lakes attracted early pioneers to the area. In 1858, the year Minnesota became a state, the first European-American settlers established White Bear Township, which consisted of 36 square miles of land. As word of its scenic landscape spread, the town grew into a popular resort area, attracting visitors from all along the Mississippi River. People would travel up the river to St. Paul by steamboat and onto White Bear Lake by buggy or train. Soon resorts and hotels lined the shores of White Bear Lake while restaurants, theaters, and stores set up shop in the downtown to accommodate visitors to the area.

The extension of the Lake Superior and Mississippi Railroad to White Bear Lake in 1868 turned what used to be a three hour horse and buggy ride from St. Paul into a twenty minute train ride. Rail service provided new and exciting opportunities for business and industry in the area, eventually connecting to Duluth in 1871.

As the resort era faded shortly after the turn of the 20th century, other industries, including farming and lumbering, continued to prosper. In keeping pace with this steady growth and development, leaders of the community officially incorporated the City of White Bear Lake in 1921. At the time of incorporation, the city was 2¼ square miles with a population of just over 2,000 residents. Post World War II brought along interstate highways and rapid residential expansion. By 1960, the city's area had grown to seven square miles with a population of 13,000 residents.

During the 1970s and 1980s, large parcels of land were opened for development through the city's efforts to extend roads and utilities. The city's aggressive economic development program led to extensive expansion of its tax base and employment levels. While Downtown White Bear Lake lost some of its vibrancy following the opening of the Maplewood Mall in the 1970s, it has experienced a renaissance of retail tenants and restaurants and benefitted from added density and daytime population with the expansion of the central business district designation west of Highway 61.

For purposes of this plan, water conservation relates to ground/ drinking water. Water conservation is the most cost-effective and environmentally sound way to insure our demand for drinking water continues to be met in the future. Conservation stretches our supplies farther, and protects our water resources. Using less water also puts less pressure on our sewage treatment facilities and saves energy as water requires energy to be heated.

Public awareness and participation in water conservation has improved significantly in recent years. This is evidenced by a 20% decline in total water demand over the past 10 years. At 67 gallons per person per day, the City of White Bear Lake has the second lowest residential water use of the outer-ring suburbs studied between 2007 and 2013. However, future per capita use may increase slightly as more households with younger children move into the area. While great strides have been made, continued water conservation efforts are critical to the protection of the supply for future generations to come.

In early 2016, the City revised the water utility rate from a tiered rate structure to a seasonal rate structure, intended to encourage water conservation during the summer months. The City has also promoted water conservation through the "Make a Splash" campaign, sponsored by the non-profit organization MN Clean Energy Resource Teams (CERTs). The City purchased 200 low-flow faucet aerators to distribute to residents. The aerators use 1.0 gallon per minute, instead of the average 2.2 gallons per minute. They generate tremendous water savings, and do not affect the water pressure. Other existing water conservation practices and programs include: the rain barrel sales, stormwater reuse systems for irrigation in Lakewood Hills Park and Boatworks Commons, time-of-day lawn watering restrictions, and the new water efficiency rebate program.

SURFACE WATER MANAGEMENT

(delete)

The City of White Bear Lake Surface Water Management Plan (SWMP) is a ~~stand-alone~~ document that provides the framework for a comprehensive program to protect and improve the quality of water resources within the City. The SWMP has been prepared in accordance with Minnesota Statutes and Rules and is consistent with the Ramsey Washington Metro Watershed District (RWMWD), Rice Creek Watershed District (RCWD), Valley Branch Watershed District (VBWD), and Vadnais Lake Area Water Management Organization (VLAWMO) plans. The Metropolitan Council requires that the SWMP be included in the Comprehensive Plan in its entirety, either as a chapter or as an appendix. The City of White Bear Lake's SWMP can be found as an appendix of this plan.

The City's SWMP serves as a reference document with information on the physical environment and specific water resources within the City, regulatory requirements related to surface water management, recognition of current design standards, and highlights of past projects.

NATIVE PLANTS/HABITAT

A public land survey was completed between 1847 and 1907 prior to opening Minnesota to land sale and to European settlement. Surveyors recorded the size and species of larger trees and the physical geology of the landscape. Although not a detailed vegetation survey, the records provide a valuable account of what Minnesota looked like at the time of European settlement. In 1930, Francis J. Marschner used the Public Land Survey to create the Map of the Original Vegetation of Minnesota, which details the different types of vegetation that existed in Minnesota before it was settled by Euro-Americans. Figure 7.7 shows the presettlement vegetation in Ramsey County based on the Marschner Map.

In just over a century after the Public Land Survey, nearly all of the natural vegetation communities in Minnesota have either disappeared or have been substantially altered. In the City of White Bear Lake, the remaining natural communities exist as small remnants in parks, wetlands, and around lakeshores. The City has an interest in collaborating with Watershed Management Organizations, Ramsey County, Lake Conservation Districts, and local native plant groups to protect and restore these remaining natural resources and to find additional locations to re-establish the native plant communities similar to what once existed in this area.

Native plants and habitat is most impactful along the shorelines of our lakes. Vegetation along the edge of a water body, (including trees):

- » Prevents or reduces bank erosion, as the deep roots of the plants ~~do a much better job of holding~~ soil than rocks on the surface;
- » Provides wildlife food and habitat for insects and birds;
- » Improves fish habitat by provide hiding places;
- » Filters out pollutants; and
- » Adds beauty and grace to views both of and from the shore.

Shorelines provide food and shelter for fish and wildlife. The complex interplay of plants, animals, land and water combine to make the shoreline the most important part of a lake's ecosystem. The terracing and denaturalization of the lakeshore has a detrimental effect on a lake's ecosystem and water quality, which has a direct effect on property values and hence quality of life. A UW-Stout study showed that for every foot of water clarity, property values go up about \$3,650. A study of over 3,000 real estate transactions over 10 years on 7 Wisconsin lakes indicated lakes with poor water quality had property values two to three times lower than lakes with good water quality. This is evidence that how we manage shoreline affects more than just the lake. The addition of new retaining walls and flattening out of the land between the retaining walls should be limited.

Replace:
tend to be more
effective and are
the preferred alter-
native to stabilize

Figure 5.11 Non-Motorized Transportation Map

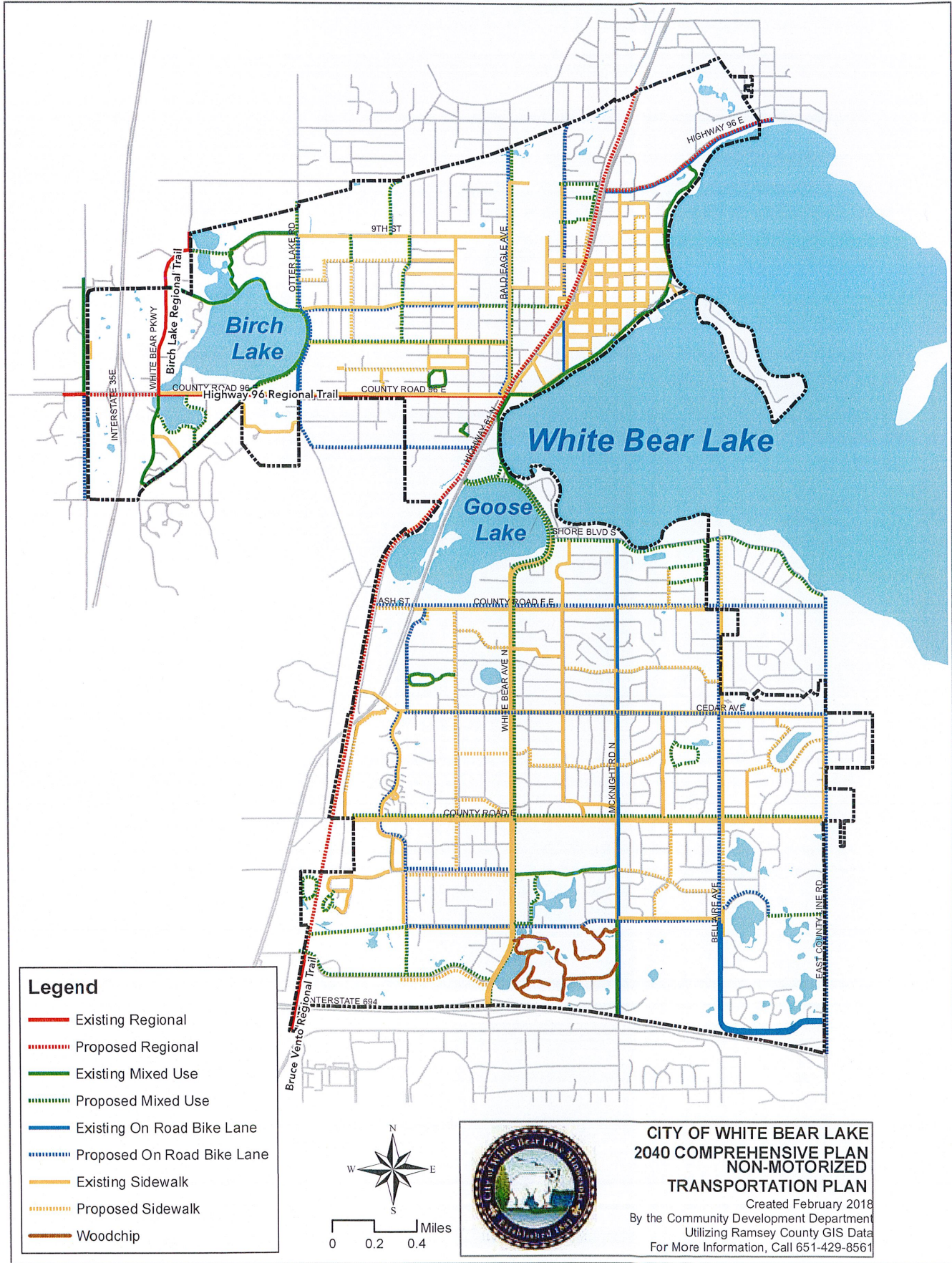
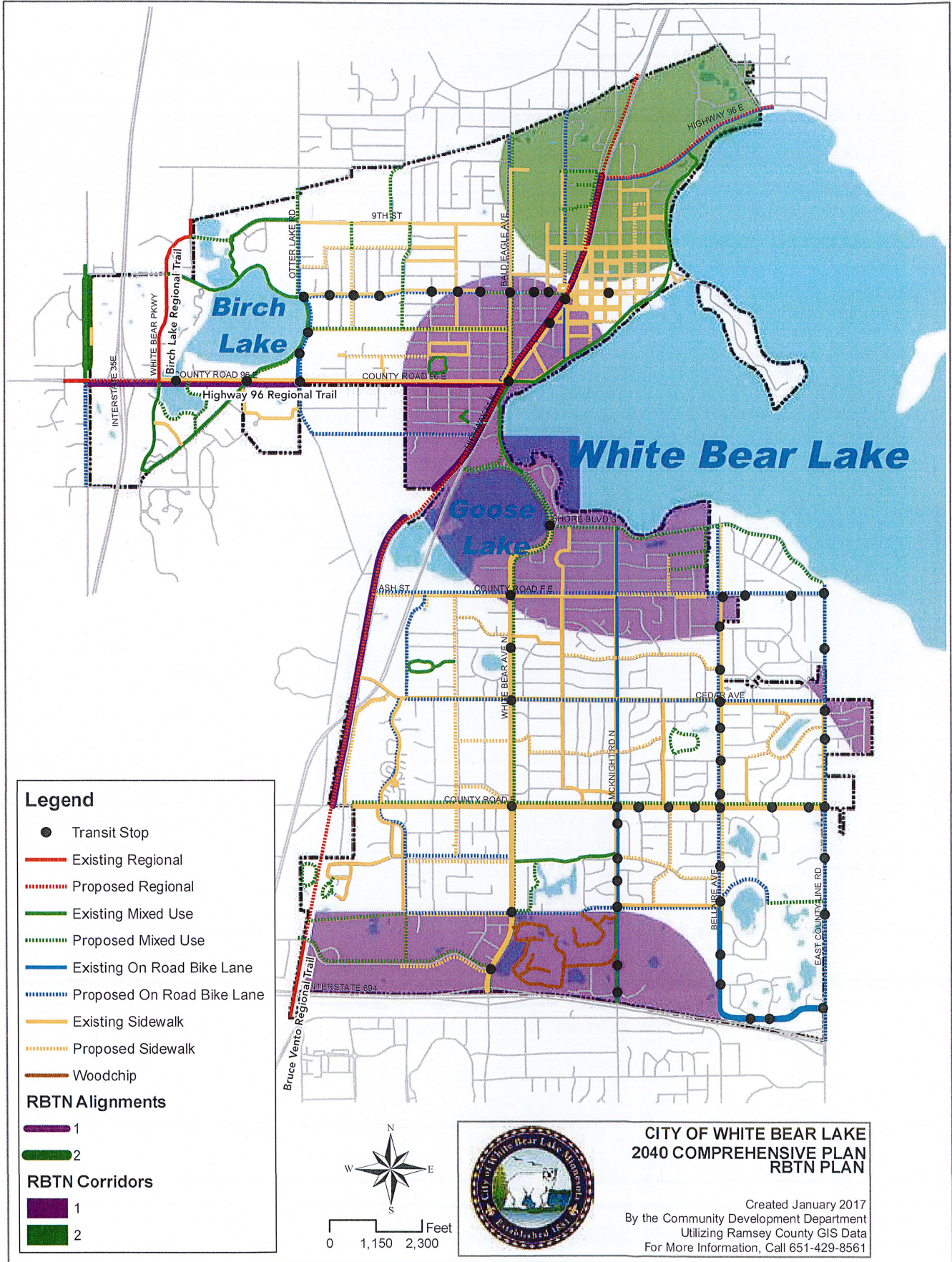


Figure 5.12 RBTN Map



benefits of managing access in an appropriate manner. The government agency which has jurisdiction over a given roadway determines the applicable access management guidelines for that facility. MnDOT has access management guidelines (See Table 5.2 and Table 5.3) that apply to Highways, such as TH 96 E (Lake Ave). Similarly, Ramsey County's access management policies apply to County roadways within White Bear Lake. County roadways make up a substantial portion of the arterial roadway network serving the City. Access management is also important for roadways under White Bear Lake's jurisdiction. The City of White Bear Lake does not have access management guidelines for city streets. The City evaluates new and modified accesses to its city streets through a permitting process on a case-by-case basis.

EXISTING STUDIES

Below are studies that were undertaken to explore certain issues and corridors in White Bear Lake.

Minnesota Jurisdictional Realignment Project

MnDOT prepared this 2014 report evaluating possible changes in roadway jurisdiction. The report identified roadway segments that might be appropriate for a jurisdictional transfer between state, county, and city agencies. State Highway 120 was identified as possible turnback candidate to Ramsey and Washington Counties.

TH 120 Traffic Study

Century College, Washington County, the City of Mahtomedi, and MnDOT partnered to analyze traffic operations for TH 120/Century Avenue intersections between I-694 and County Road E in 2012. The traffic study addressed concerns related to Century College and traffic growth in the surrounding area. The study resulted in recommendations including improvements to the Century College and I-694 intersections. ~~MnDOT has a pavement preservation project on State Highway 120 scheduled for 2021.~~

Delete.

I-694 Non-Motorized Crossing Study

MnDOT completed the I-694 Non-Motorized Crossing Study in 2016 to identify pedestrian and bicycle mobility needs across the I-694 corridor. A multimodal crossing at TH 120 and I-694 was identified in the study. TH 120 generally lacks pedestrian and bicycle facilities. The bridge over I-694 has narrow sidewalks but only desire paths for the approaches.

COMPLETE STREETS AND NETWORKS

Complete streets are streets for everyone. The City of White Bear Lake is committed to building a complete and integrated public right-of-way to ensure that everyone can travel safely and comfortably along and across a street regardless of whether they are walking, biking, taking transit, or driving. City right-of-way, in addition to serving a transportation role, is the largest and most important public space in the City. The City supports a modal hierarchy that:

Replace #.

~~There is increasing evidence that insect pollinators are in serious decline. Major factors in the decline of pollinator species include habitat loss and systemic insecticide use. The City is committed to supporting pollinators by incorporating key native pollinator plant species in restoration projects, shoreline plantings, and park plantings. The City will also preferentially choose plants and seeds that have not been treated with systemic insecticides. A Pollinator Friendly Resolution supporting this commitment was passed by City Council on April 12, 2016.~~

TREES

Trees modify air temperature, solar and thermal radiation exchanges, and humidity of the air, all of which influence human comfort. Trees act as wind breaks, noise buffers and screening. Their beauty inspires writers and artists, while their leaves and roots clean the air we breathe and the water we drink. Trees provide valuable environmental benefits beyond just wildlife habitat. Maximizing tree cover and minimizing impervious surface serves our ecosystem by reducing stormwater runoff, decreasing erosion, storing and sequestering atmospheric carbon and reducing energy consumption due to direct shading of buildings. Even a dead and decaying tree serves to replenish the nutrients in soil. Finally, there is also evidence that trees increase community pride, positively impact consumer behavior, and increase property values.

Over the decades, tree cover has decreased as the City has developed, particularly during the lumbering and farming era of the early 1900's. More recently, on average, the City plants approximately 25 to 30 trees per year in public parks during Arbor Day, and removes approximately 5 to 10 annually from the City's parks. In 2017, 38 trees were removed from the street boulevards and not replaced. Tracking of tree planting through private development and redevelopment plans (Tree City USA submittal requirements) indicate that tree planting may exceed tree removal, when counted one for one. However, if conducted, caliper inch per caliper inch (size) comparisons would likely tell a different story. Also, there is no way to track the replacement of trees removed on private properties that are not being developed/redeveloped.

Replace #

~~With the rise of invasive species such as Dutch elm disease and Emerald ash borer, it is vital that our urban forest be intentionally replenished and increasingly diverse. A vigorous planting schedule for public parks, private properties and road right-of-ways will help to off-set the impacts of climate change and increased urbanization. If autonomous vehicles change our driving/transportation patterns in such a way as to reduce the need for parking, the "recaptured" space created should be used for tree planting as much as possible; such a rare opportunity to convert hard-surface back to greenspace should not be missed.~~

Revised text for page 7-130:

NATIVE SPECIES

(last paragraph)

There is increasing evidence that insect pollinators are in serious decline. Major factors in the decline of pollinator species include habitat loss and systemic insecticide use. The City is committed to supporting pollinators by incorporating key native pollinator plant species in restoration projects, shoreline plantings, and park plantings. **The City will encourage developers of private lands to use native flowers, grasses, shrubs and tree species. The City will prepared a list of preferred plant species for reference and to guide designs for public and private development projects.** The City will also preferentially choose plants and seeds that have not been treated with systemic insecticides. A Pollinator Friendly Resolution supporting this commitment was passed by City Council on April 12, 2016.

TREES

(last paragraph)

With the rise of invasive species such as Dutch elm disease and Emerald ash borer, it is vital that our urban forest be intentionally replenished and increasingly diverse. A vigorous planting schedule for public parks, private properties and road right-of-ways will help to off-set the impacts of climate change and increased urbanization. **The City will consider a comprehensive tree inventory followed by a community forestry management plan.** If autonomous vehicles change our driving/transportation patterns in such a way as to reduce the need for parking, the “recaptured” space created should be used for tree planting as much as possible; such a rare opportunity to convert hard-surface back to greenspace should not be missed.

Spotted Knapweed (*Centaurea stoebe*)

Classification: State Prohibited Noxious Weed - Control

Spotted Knapweed is native to Europe and Asia. It prefers dry soils and is commonly found in natural areas and along roads, rail lines, and trails. The plant produces a chemical that is toxic to other plants, allowing it to spread quickly. Small patches of Spotted Knapweed can be managed by hand-pulling and digging. Gloves and long sleeves must be worn when handling this plant.

Leafy Spurge (*Euphorbia esula*)

Classification: State Prohibited Noxious Weed - Control

Leafy Spurge is native to Eurasia and invades prairies, grasslands, and roadsides. The plants spreads aggressively by seed and extensive underground roots. Herbicide applications in the early spring and fall can effectively reduce Leafy Spurge populations. Biological control is also an option to control larger infestations.

Garlic Mustard (*Alliaria petiolate*)

Classification: Restricted Noxious Weed

~~Garlic Mustard is an aggressive biennial herbaceous plant, which means it does not flower until its second year and then it dies. It grows in a way that crowds out native wildflowers, tree seedlings, and woodland plants and can totally dominate a woodland within five to seven years. Garlic mustard can be managed by pulling up the second year plants before they flower and produce seeds, typically in early spring. Even though it is a prolific seed producer, garlic mustard can be managed by preventing seed production of plants over several years. Managing this species takes a strong commitment once it becomes established.~~

~~Because flowering garlic mustard can spread seeds even after it's been pulled up by the roots, the Minnesota Department of Agriculture (MDA) asks that plants be placed in paper bags for disposal. Bagged plants should dry thoroughly before disposal by burning, burying deeply in an area that will not be disturbed, or landfilling.~~

Crown Vetch (*Securigera varia*)

Classification: Restricted Noxious Weed

Crown Vetch is groundcover that is native to central and Eastern Europe. It was introduced to the U.S. in the mid 1800's, and by the 1950's was widely planted along roadways and waterways as a slope stabilizer. Crown Vetch spreads by seed and rhizomes and forms a dense monoculture in prairies, streambanks and along roadsides. Once established, Crown Vetch is difficult to control and may need to be treated for several years. Treatment options include mowing, prescribed burns, and foliar herbicide. Crown Vetch has been identified on City

Replace text.

Revised text for page 7-132:

Garlic Mustard (*Alliaria petiolate*)

Garlic Mustard is an aggressive biennial herbaceous plant, which means it grows as a rosette in its first year, it flowers in its second year and then it dies. It grows in a way that crowd out native wildflowers, tree seedlings, and woodland plants and can totally dominate a woodland within five to seven years. Garlic mustard can be managed by pulling up the second years plants before they flower and produce seed, typically in early spring. Even though it is a prolific seed producer, garlic mustard can be managed by preventing seed production of plants over several years. Managing this species takes a strong commitment once it becomes established. Garlic mustard rosettes can be spot treated in the fall when many native plants are dormant. Flowering garlic mustard plants can be treated with herbicides or hand pulled.

Because flowering garlic mustard can spread seed even after it's been pulled up by the roots, the Minnesota Department of Agriculture (MDA) recommends that plants be placed in bags for disposal and not simply left on the ground where they were picked. The bagged plants can be kept on site for burning or piled and covered with a tarp for decay. Be sure to monitor the site and remove any plants that sprout from the burn or decay site. If plants must be moved off site, contact your local yard waste or compost site to see if they are equipped to compost at high enough temperatures to accept noxious weeds at their site. Transportation is only allowed to a disposal site and the MDA requires the load is protected in a manner that prevents the spread of noxious weed propagating parts during transport. It is illegal in Minnesota to dispose plants in a landfill. See the MDA Noxious weed disposal website for additional information.

property along Heiner's Pond.

Buckthorn

Classification: Restricted Noxious Weed

Buckthorn is a non-native shrub brought over from Europe in the mid-1800s for use as a landscape hedge or windbreak plant. It forms dense thickets in wooded areas and will out-compete native shrubs, tree seedlings, and perennials such as wildflowers for sunlight, water, and soil nutrients. Buckthorn was classified as a restricted noxious weed in 2001 and can't be purchased in Minnesota.

Common buckthorn and **Glossy Buckthorn** are the two species of interest. They can be easily identified because they leaf out earlier in the spring than most native plants and retain green leaves well into November. Control may take several years and usually cannot be done in a single season. The most effective time for buckthorn removal and control is late summer through fall. Proper identification is important so that native shrubs, such as American plum, chokecherry, or grey dogwood, are not removed by mistake.

Priority should be given to removing female berry-producing plants. This can be done by cutting plants close to the base and treating with glyphosate or covering stumps for 1 to 2 years with cans or thick black bags to keep sunlight out. A weed wrench is helpful for larger plants. Buckthorn may be taken to Ramsey County yard waste collection sites.

Buckthorn has been identified in Hidden Hollow Park, Lakewood Hills Park, Rotary Nature Preserve, Matoska Park, and on City property along the east edge of Heiner's Pond.

Tartarian Honeysuckle (*Lonicera tatarica*)

Classification: Restricted Noxious Weed

Tartarian Honeysuckle is a shrub native to Eastern Asia that was brought to the U.S. in the 1700's as an ornamental plant. It spreads by seed dispersal and has naturalized in woodlands, roadsides, and meadows throughout Minnesota.

Giant Knotweed (*Reynoutria sachalinensis*)

Classification: Specially Regulated Plant

Giant Knotweed is a perennial shrub native to Asia that was imported to North America in the late 1800's as an ornamental plant. The plant escaped cultivation and can be found growing along streambanks and riparian habitats. Infestation generally occurs through the transport of root fragments in streams or from soil movement. Knotweed spreads aggressively by underground rhizomes and forms dense thickets that displaces native vegetation. It is still sold commercially but a label must be affixed to the plant container indicating that it is inadvisable to plant this species within 100 feet of a waterbody or floodplain. Japanese Knotweed is a smaller, related species that is also on the Specially Regulated Plant list. Knotweed is found on the shoreline of Heiner's Pond, White Bear Lake, and Willow Creek Wetland. Because of its preferred habitat near waterbodies, goals and implementation items

(*Rhamnus cathartica*)

(*Rhamnus frangula*)

for the control of Knotweed on City property is addressed in the City's Surface Water Management Plan.

Amur Maple (*Acer ginnala*)

Classification: Specially Regulated Plant

Amur Maple is a small tree native to central and northern China, Manchuria, and Japan. The tree seeds prolifically and is becoming invasive in open wooded areas where it displaces native shrubs and understory trees. It is still sold commercially and is widely planted as an ornamental tree due to its brilliant red fall color. Amur Maple is classified as a Specially Regulated Plant, requiring sellers to affix a label that advises buyers to only plant Amur Maple in landscapes where the seedlings will be controlled by mowing or other mean. Amur Maple should be planted at least 100 yards from natural areas.

Amur Maple can be controlled by cutting the stump and treating with glyphosate or bark treatment around the stem with triclopyr. Amur Maple has been identified in Rotary Park.

Insert:

European Common Reed →
(*Phragmites australis*)

European common reed can form dense stands that displace native common reed and other wetland plant species, reduce habitat quality for fish and wildlife, and alter ecosystem functioning and hydrology.

European common reed is a "cryptic invader" in Minnesota since the native subspecies is widespread throughout the state and the non-native subspecies is easily confused with it.

TERRESTRIAL INVASIVE ANIMALS-INSECTS

The Minnesota Department of Agriculture regulates the introduction and spread of invasive insects through the State Plant Pest Act (Minnesota Statutes Chapter 18G and Chapter 18J).

Emerald Ash Borer (EAB)

EAB is an invasive forest beetle from Asia which attacks all types of ash trees. Woodpeckers readily feed on EAB larvae and leave evidence of such (called "flecking") as they remove the outer bark. Feeding larvae create tunnels in the bark and emerging adult beetles chew 1/8-inch, D-shaped exit holes. Once trees begin to show these signs and symptoms of EAB, they generally die within one to three years.

Ash trees make up as much as 60% of the tree species in some communities. Homeowners should consider removing and replacing ash trees, or may try to save ash using preventative insecticide treatments. Insecticides are less costly than removal, but require treatment on a semi-annual basis. It is recommended to fully research the impacts of treatment options or consult with a certified arborist prior to application.

The City has mapped the Ash trees on the manicured public property but has not yet surveyed the naturalized areas. Of the 356 Ash trees found so far, approximately 125 have been identified as specimen trees which are candidates for treatment versus removal. Emerald Ash Borer has been found on the south side of the City and staff is currently in the process of formulating a plan of action.



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and Council

From: Ellen Hiniker, City Manager

Date: August 4, 2020

Subject: **Donation from the White Bear Lions Club – All Abilities Park**

BACKGROUND / SUMMARY

In July 2019, the White Bear Lake Lion's Club, through its gambling proceeds, donated \$25,000 to the City of White Bear Lake's Park Improvement Fund. They made another donation of \$25,000 in June and again at the end of July, 2020. To date, the White Bear Lake Lion's Club have donated \$75,000 toward the establishment of an All Abilities Park.

Parks Department staff has been meeting with a representative from the Lions Club to develop an equipment and trail layout, which will be located near the existing playground at Lakewood Hills. At an estimated cost of \$200,000, the project is still a few years out.

RECOMMENDED COUNCIL ACTION

Staff recommends the Council adopt the attached resolution to formally recognize the White Bear Lake Lions Club donation of funds to the Park Improvement Fund for the construction of an All Abilities Park.

ATTACHMENTS

Resolution

RESOLUTION NO.

**A RESOLUTION ACCEPTING A DONATION FROM THE WHITE BEAR LAKE
LION'S CLUB TO THE CITY OF WHITE BEAR LAKE**

WHEREAS, the City of White Bear Lake is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts; and

WHEREAS, in July, 2019, the White Bear Lions Club contributed \$25,000 to the City of White Bear Lake Park Improvement Fund to go toward the construction of an All Abilities Park; and

WHEREAS, the White Bear Lions Club contributed another \$25,000 in June and is being recognized again for an additional donation of \$25,000, received at the end of July – all going to the City of White Bear Lake Park Improvement Fund to fund construction of an All Abilities Park; and

WHEREAS, all such donations have been contributed to the City for the benefit of its citizens, as allowed by law; and

WHEREAS, the City Council finds that it is appropriate to accept the donation offered.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake that the \$25,000 donation is accepted and shall be allocated to the All Abilities Park Project.

The foregoing resolution offered by Councilmember **X** and supported by Councilmember **X**, was declared carried on the following vote:

Ayes:

Nays:

Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

REGULAR MEETING OF THE WHITE BEAR LAKE CONSERVATION DISTRICT
7:00 pm White Bear Lake City Hall
Minutes of May 19, 2020

APPROVAL DATE: June 16, 2020

1. **CALL TO ORDER** the May 19, 2020 meeting of the White Bear Lake Conservation District was called to order by Chair Bryan DeSmet's at 7:00 pm (Zoom virtual meeting)
2. **ROLL CALL** Present were: Chair Bryan DeSmet, Vice Chair Mark Ganz, Sec/Tres Diane Longville, Directors: Scott Costello, Mike Parenteau, Marty Rathmanner, Susie Mahoney, Cameron Sigecan, and Scott O'Connor. A quorum was present.
3. **AGENDA** – Chair DeSmet asked for any changes to the agenda. Yes would like to make a motion to move the review of Tally's updated permit application to first item to discuss so their representatives do not have to wait. (Ganz, second).
Add discussion of additional buoys in loon nesting area under Lake Quality. (DeSmet, second)
Both items voted all aye passed
4. **APPROVAL OF MINUTES OF** – April 2020 board meeting. Motion (DeSmet/Second) Moved to approve vote by roll call all aye passed.
5. **PUBLIC COMMENT TIME** – Tom Wilson representing Bellaire Dock Assoc. Having issues with neighbors. They historically have 4 boats but neighbors do not want them in their ADUA to turn into their lifts. Looking for guidelines for this issue. They have 20 ft. Ordinance states must be 5ft each way from line. Were told they need to work it out with the neighbors there is no variance or ordinance to accommodate their issue.
6. **Lake Utilization Committee** – They met with Tally's Their new DNR permit allows for 50 boats in water, 6 fishing boats on skids, 19 rentals platform storage total of 65 boats. Currently the Tally's dock is 340 feet out not 300ft this should be moved back next year. However this does make it easier for Acqua to maneuver around to get to their docks as well so is a benefit to them at this time. Next year prior to docks going in this must be worked out between neighbors. Mark checked with Ellen Hiniker White Bear City Manager and they have no issues with Tally's using the Whitaker St. access. Motion to approve total of 65 and variance of 340ft (Ganz,second) roll call all aye passed
7. **NEW BUSINESS** – Chair Bryan DeSmet has accepted the application from Scott Bohnen to be a member of the LUC.
Wake Boats – Discussion if an ordinance should be changed on the setback of feet from the shoreline have some people stating wake boats are causing damage and are a problem to other boaters. Felt jetskis can cause the same effect. Alan will check if legislature has any bills in regards to this issue last bill was in March. Kim reached out to Minnetonka Conservation District but has heard nothing back. Decided to table for now with no action by the board. If in the future we hear more we will bring it back for further discussion.
8. **UNFINISHED BUSINESS** – None
9. **REPORTS/ACTION ITEMS**
Executive Committee – Discussed having a Study of Commercial Bay done next year. Not a lake wide study just the items we would like reviewed. Between now and June meeting let Bryan

know if you would like to participate in the setup of a study, what things you would like investigated for recommendations. Bryan will meet with Mike Parenteau.

10. Lake Quality Committee – Mike Parenteau

- Lake level as of today is 925.08 same as last yr
- Current temperature is 58 degrees 56 last yr
- Bid from Lake Management will use same treatments as in the past
- Loon nest buoys – Mike went and looked and the no wake buoys were already in place. There was a sign saying caution loon nesting area but now is gone. (Not our sign) Mike said there was no need to add another buoy the water is very shallow so cannot go fast. We will let Jean know.

11. Lake Education – Scott Costello

Posted Covid 19 information with links to the State and County offices to the website.

12. Treasurer’s Report – Diane Longville

Motion Longville/Second approval of May 2020 Treasurer’s report and payment of check numbers 438-4642 Move to approve all aye passed.

Budget – review of budget for 2021 item by item. Budget to be finalized at June meeting.

13. Board Counsel Report – Alan Kantrud

Nothing new to the season in regards to tickets on the lake

14. Announcements – None

15. Adjournment – Motion (DeSmet/Second) Move to adjourn all aye Passed.

Meeting adjourned

ATTEST:

Kim Johnson

Kim Johnson

Executive Administrative Secretary

Date: June 16, 2020

ATTEST:

Bryan DeSmet

Bryan DeSmet

Board chair

Date: June 16, 2020

Park Advisory Commission Meeting Minutes

JUNE 18, 2020

6:30 P.M.

LAKEWOOD HILLS PARK

MEMBERS PRESENT	Bill Ganzlin, Bryan Belisle, Victoria Biehn, Mark Cermak, Ginny Davis, Mike Shepard
MEMBERS ABSENT	Anastacia Davis,
STAFF PRESENT	Paul Kauppi and Andy Wieteki
VISITORS	
NOTE TAKER	Andy Wieteki

1. CALL TO ORDER

The meeting was called to order at 6:30 pm.

2. APPROVAL OF MINUTES

Approval of the minutes from May 21, 2020 was moved by Mark Cermak and seconded by Ginny Davis.

3. APPROVAL OF AGENDA

Approval of the June 18, 2020 agenda was moved by Bryan Belisle and seconded by Mike Shepard.

4. UNFINISHED BUSINESS

None.

5. NEW BUSINESS

a) Lakewood Hills Tour and Clean-up (with Pizza dinner provided)

The Lakewood Hills Park tour and clean-up were delayed due to the rain. Paul and Mark identified the proposed location of the all abilities park within Lakewood Hills. The proposed location is between the parking lot and adjacent to the existing playground. The proposed location in close proximity to the parking lot allows for additional handicap parking stalls adjacent to the area and also direct access from the parking lot.

6. OTHER STAFF REPORTS

a) Resident Request

The Park Advisory Commission received a request regarding fitness stations along Lake Avenue.

b) Varney Lake

Varney Lake has scum on the water service. Staff will review with our stormwater program and work with the Watershed District for possible causes and solutions.

c) 2021 Budget Process

Paul provided an overview of the 2021 budget process and upcoming CIP review later in the year. He requested that Commission members start brainstorming ideas to propose for our parks.

7. COMMISSION REPORTS

None.

8. OTHER BUSINESS

None.

9. ADJOURNMENT

The next meeting will be held on July 16, 2020 at 6:30 p.m. at Lakewood Hills Park.

There being no further business to come before the Park Commission, the meeting was adjourned. Moved by Victoria Biehn and seconded by Mark Cermak.

**MINUTES
PLANNING COMMISSION MEETING
CITY OF WHITE BEAR LAKE
JULY 27, 2020**

The regular monthly meeting of the White Bear Lake Planning Commission was called to order on Monday, July 27, 2020, beginning at 7:00 p.m. via WebEx, pursuant to a statement issued by the Mayor under Minnesota Statutes, section 13D.021 as a result of the COVID-19 pandemic, by Chair Ken Baltzer.

1. CALL TO ORDER/ROLL CALL:

MEMBERS PRESENT: Ken Baltzer, Jim Berry, Pamela Enz, Mark Lynch, Erich Reinhardt (7:02 p.m.) and Peter Reis.

MEMBERS EXCUSED: None.

MEMBERS UNEXCUSED: None.

STAFF PRESENT: Anne Kane, Community Development Director, Samantha Crosby, Planning & Zoning Coordinator, Connie Taillon, Environmental Specialist, and Ashton Miller, Planning Technician.

OTHERS PRESENT: Tim Kuhnmuensch, Charles Lowell, Chad Lowell, Warren Peyton, Becky Nelson, and Cheryl Arcand.

2. APPROVAL OF THE JULY 27, 2020 AGENDA:

Member Reis moved for approval of the agenda. Member Lynch seconded the motion, and the agenda was approved (6-0).

3. APPROVAL OF THE JUNE 29, 2020 PLANNING COMMISSION MEETING MINUTES:

Member Berry moved for approval of the minutes. Member Enz seconded the motion, and the minutes were approved (6-0).

4. CASE ITEMS:

- A. **Case No. 94-6-Sa & 20-9-V:** A request by **Birch Lake Animal Hospital** for an amendment to a Conditional Use Permit, per Code Section 1303.225, Subd.6.a, for site plan approval in the Diversified Business Development District, and a variance from the 30% impervious surface maximum to allow 38% impervious, per Code Section 1303.230, Subd.5.a.5, in order to expand the parking lot by six stalls for the property located at 4830 White Bear Parkway. **(Continued from June 29, 2020 Planning Commission Meeting).**

Crosby explained the changes that were made to accommodate the neighbors' concerns surrounding the case. Staff recommended approval.

Member Lynch wondered if the native plantings along the steep slope would happen naturally or if they would need to be installed as part of the landscaping plan. Crosby confirmed that would need to be part of a planting plan submitted to staff for approval.

Member Berry asked if the residents who attended last month's public hearing had been informed of the proposed changes. Crosby replied that she provided the plans and staff report to Ms. Larey, and has not received any comments back regarding the design change.

Member Baltzer opened the public hearing. As no attendees wished to speak, Member Baltzer closed the public hearing.

Member Lynch moved to recommend approval of Case No. 94-6-Sa & 20-9-V. Member Reis seconded the motion. The motion passed by a vote of 6-0.

- B. **Case No. 20-3-SHOP:** A request by **Tracy Corcoran** for a Special Home Occupation Permit, per Code Section 1302.120, in order to operate a pet aquamation business out of the detached garage at the property located at 4911 Morehead Avenue. **(WITHDRAWN BY APPLICANT)**.
- C. **Case No. 20-11-V:** A request by **Charles Lowell** for a 19 foot variance from the 80 foot lot width requirement for a duplex in the R-5 zoning district, per Code Section 1303.070, Subd.b.2, and two one foot variances from the ten foot side yard setback from both side property lines, per Code Section 1303.070, Subd.5.c.2, in order to construct a 43 foot wide duplex on a 61 foot wide lot at the property located at 2189 12th Street.

Miller discussed the case. Staff recommended approval.

Member Baltzer opened the public hearing. As no attendees wished to speak, Member Baltzer closed the public hearing.

Member Reis moved to recommend approval of Case No. 20-11-V. Member Berry seconded the motion. Kane asked the Commissioners if they would like to consider the neighbor to the west's request for a privacy fence.

Member Reis amended his motion to recommend approval of Case No. 20-11-V with the condition that a privacy fence be erected along the west property line. Member Berry seconded the motion. The motion passed by a vote of 6-0.

- D. **Case No. 20-12-V:** A request by **Warren and Amanda Peyton** for a two foot variance from the four foot height limit for a fence in the front yard, per Code Section 1302.030, Subd.6.h.4, in order to construct a six foot tall fence along a portion of the north property line at the property located at 1943 Oak Knoll Drive.

Miller discussed the case. Staff recommended approval.

Member Baltzer opened the public hearing. As no attendees wished to speak, Member Baltzer closed the public hearing.

Member Enz moved to recommend approval of Case No. 20-12-V. Member Berry seconded the motion. The motion passed by a vote of 6-0.

- E. **Case No. 20-13-V:** A request by **Lakewood Place Apartments** for a 12 stall parking variance, per Code Section 1302.050, Subd.8.c, and a six unit density variance, per Code Section 1303.080, Subd.7.e, in order to convert six apartments from 2 and 3 bedrooms into 12 apartments: nine 1-bedrooms and three studio units, at the property located at 3100 Glen Oaks Avenue.

Crosby discussed the case. Staff recommended approval.

Member Reis commented that this was a unique solution to a conversation the Planning Commission has been having for a while about the City's need and desire for more affordable housing. Three new affordable units are being created without changing the footprint of the building. He wondered if it would be prudent to encourage other apartment complexes to convert several of their two and three bedroom units to one bedroom or studio apartments. He thought, if feasible, this could result in a win-win-win scenario where new affordable units are created, there is an increase in cash flow to apartment owners, and an increase in the tax base for the City.

Kane acknowledged that it is a great strategy in developing more affordable housing and that staff would like to consider the opportunity, while remaining cognizant that two and three bedroom units are highly desirable for larger families.

Member Baltzer opened the public hearing. As no attendees wished to speak, Member Baltzer closed the public hearing.

Member Reis moved to recommend approval of Case No. 20-13-V. Member Enz seconded the motion. The motion passed by a vote of 6-0.

- F. **Case No. 17-1-CP:** Consideration of comments from adjacent and relevant jurisdictions on the final draft of the 2040 Comprehensive Plan and recommendation for submittal to Metropolitan Council for review.

Kane discussed the case, explaining each of the comments from the various jurisdictions.

Member Baltzer opened the public hearing. As no attendees wished to speak, Member Baltzer closed the public hearing.

Member Baltzer complimented staff for all the hard work that has been put into creating the 2040 Comprehensive Plan.

Member Berry moved to recommend approval of Case No. 17-1-CP. Member Reis seconded the motion. The motion passed by a vote of 6-0.

- G. Consideration of the conveyance of the property located at 4969 Division Avenue to White Bear Lake School District No. 624 to ensure that it is in keeping with the City's Comprehensive Plan guiding this property for Public/Semi-Public Use.

Kane discussed the case.

Member Berry moved to recommend confirmation that the use at 4969 Division Avenue as educational facilities is consistent with the City's Comprehensive Plan. Member Enz seconded the motion. The motion passed by a vote of 6-0.

5. DISCUSSION ITEMS:

A. City Council Meeting Minutes of July 14, 2020.

No discussion

B. Park Advisory Commission Meeting Minutes of May 21, 2020.

Member Berry explained that the Willow Marsh Park Reserve has a large clump of Japanese Knotweed surrounding the footpath that leads to the park as well as the eventual Bruce Vento Trail. Found along Fair Oaks Drive, the large, invasive species is almost 12 feet tall and about 30 feet deep into the preserve. It takes over everything and kills trees.

Kane noted that one of the comments received on the Comprehensive Plan from the Department of Natural Resources (DNR) was to let the agency know when invasive species are found within the city, so Member Berry's concerns will be forwarded to the DNR. She agreed that it is important to maintain the connections, so when the Bruce Vento Trail extends north, clearly marked access points are available to residents.

6. ADJOURNMENT:

Member Berry moved to adjourn, seconded by Member Enz. The motion passed unanimously (6-0), and the July 27, 2020 Planning Commission meeting was adjourned at 7:54 p.m.



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Ellen Hiniker, City Manager

From: Kara Coustry, City Clerk

Date: August 4, 2020

Subject: **Fourth Annual Carbone's Pizzeria & Pub – Single Event Extension License**

BACKGROUND / SUMMARY

The owners of Carbone's, Liz and Steve Boleen, are planning a 4th Annual Tent Party celebration on September 12, 2020. They have permission from the owner of the parking lot, Clear Choice Properties, to place multiple small tents for additional external seating and for a band. The Boleens' have also talked to their neighbors in the complex. Most are closed in the evening, but those that will remain open are agreeable to the event.

Carbone's has asked permission for the band to continue playing outdoors until 11:00 p.m., which extends one hour beyond the City's noise ordinance. Given the restaurant's location and the fact that there were no calls of concerns related to this event in prior years, staff is willing to consider this special request with the caveat that if a complaint call is received after 10:00 p.m. the band will be asked to conclude its performance.

Alcohol extension license service outside of the designated restaurant area requires Council's approval. Carbone's is seeking approval for a single event extension to their on-sale liquor license as follows:

Boleen Enterprises
Parking lot, inside the confines of fenced area
1350 Highway 96, Suite 7
White Bear Lake, MN 55110
3:00 p.m. – midnight
September 12, 2020

Rather than one large tent, as in the past, several smaller tents will be erected in the parking lot within fencing. Tents 400 square feet or less do not require a tent permit and fire inspection.

RECOMMENDED COUNCIL ACTION

Staff recommends Council adopt the resolution as presented.

ATTACHMENTS

Resolution

RESOLUTION NO.

**A RESOLUTION APPROVING A SINGLE EVENT EXTENSION
TO AN ON-SALE LIQUOR LICENSE AND OUTDOOR MUSIC UNTIL 11:00 P.M.
FOR CARBONE'S PIZZERIA & PUB**

WHEREAS, an application for a Single Event Extension to an On-Sale Liquor License to the premises but outside the building has been made by Carbone's Pizzeria & Pub (Carbone's), and;

WHEREAS, Carbone's is hosting a 4th Annual Tent Party on September 12, 2020 on the parking lot at the premises of 1350 Highway 96, Suite 7 and;

NOW THEREFORE, BE IT RESOLVED that the White Bear Lake City Council approves a Single Event Extension to an On-Sale Liquor License to the premises but outside the building of Carbone's on 1350 Highway 96, Suite 7, on September 12, 2020, subject to the following conditions:

1. Written approval from the owner of the parking lot.
2. Music performance concludes at 11:00 p.m. but any calls of concern after 10:00 p.m. will result in immediate commencement of outdoor music.
3. Erection of approved fencing in a location approved by City staff, said fence must restrict the space in which liquor may be consumed.
4. Security will be assigned to entrance and wristbands provided to those of legal age to consume alcohol.
5. Proof of general and liquor liability insurance naming the City as an additional insured up to municipal liability limits;

The foregoing resolution offered by Councilmember **X** and supported by Councilmember **X**, was declared carried on the following vote:

Ayes:

Nays:

Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Ellen Hiniker, City Manager
From: Kara Coustry, City Clerk
Date: August 5, 2020
Subject: Lakeshore Player's Liquor Extension License

BACKGROUND / SUMMARY

The City received a request from Jim Berry on behalf of Lakeshore Player's, Inc. to authorize a liquor license extension into the West Parking Lot of the facility in order to host a summer concert series at the Hanifl Performing Arts Center.

The dates and bands include:

Saturday, August 22 - Scottie Miller Band

Saturday, August 29 - The Belfast Cowboys

Saturday, September 12 - Phil Thompson's show-Billy & Elton: The Hits

Seating begins at 5:30 p.m. and concerts begin at 6:30 p.m. Music is expected to wrap up by 8:30 p.m. Patrons bring their own lawn chairs and will not be permitted to attend without a mask. No outside coolers, beverages or food will be permitted. A mobile stage with lighting and sound will be centered along the curb on the west end of the parking lot. Stage and sound will be facing east to Hwy 61.

Staff and volunteers will be monitoring and/or conducting the following: parking; check-in with pre-paid ticket-lawn chair-mask; concessions purchases using credit/debit card only; entrance into building for south hallway restroom; monitoring the exit from the restrooms to the east end exit door to the outside and back through the check-in area. The monitoring is to remind patrons of social distancing while either waiting or moving in the direction needed.

Stage and equipment will be set up the day of the event and closed up after the concert patrons have left the property. The trailer holding the stage will leave the parking lot the following day.

Markings on the pavement will be used for social distancing of same household groups of up to four (4), in compliance with Minnesota Department of Health and the Governor's guidelines for outdoor events up to 250 people. There will be markings indoors in the south hallway for social distancing on the way to the restroom set.

Alcohol extension license service outside of the designated licensed area requires Council's approval. Lakeshore Player's Inc. is seeking approval for event extensions to their on-sale liquor license as follows:

Lakeshore Player's Inc.
West Parking lot, inside the confines of a controlled area
4941 Long Avenue
White Bear Lake, MN 55110
Saturday, August 22, 29 and September 12, 2020

The full plan to secure the area is within a detailed Preparedness Plan on file in the City Manager's Office. Approval is contingent upon receipt of valid liquor liability insurance that extends coverage to the west parking lot.

The group plans to hold a public forum to answer questions and address concerns on the evening of August 10th and have invited neighbors on Long Ave and Division Ave between 12th Street and 8th Street, and those on the Court of Washington Ave. Arrangements are being completed for overflow parking with driver shuttle service provided by White Bear Lake Area Schools and NewTrax.

RECOMMENDED COUNCIL ACTION

Staff recommends Council adopt the resolution as presented.

ATTACHMENTS

Resolution

RESOLUTION NO.

**A RESOLUTION APPROVING EVENT EXTENSIONS
TO AN ON-SALE STRONG BEER AND WINE LICENSE FOR LAKESHORE
PLAYER'S INC., FOR AN OUTDOOR CONCERT SERIES**

WHEREAS, Lakeshore Player's, Inc. has applied for an extension to their strong beer and wine liquor license in order to host an outdoor concert series in the west parking lot of the licensed facility, and;

WHEREAS, Outdoor performances will include the Scottie Miller Band on Saturday, August 22nd, The Belfast Cowboys on Saturday, August 29th and Phil Thompson's show-Billy & Elton: The Hits on September 12th and;

WHEREAS, Lakeshore Player's provided a full and detailed plan for securing the area of consumption, which was approved by the Police and Planning Departments, and;

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of White Bear Lake approves the requested event extensions to an on-sale strong beer and wine license as follows:

Lakeshore Player's Inc.
West Parking lot, inside the confines of a controlled area
4941 Long Avenue
White Bear Lake, MN 55110
Saturday, August 22, 29 and September 12, 2020

BE IT FURTHER RESOLVED the extension is subject to the following conditions:

1. Music performances conclude by 10:00 p.m. for compliance with the noise ordinance.
2. Conformance to the staff approved Preparedness Plan submitted by Lakeshore Player's.
3. Proof of general and liquor liability insurance naming the City as an additional insured up to municipal liability limits;

The foregoing resolution offered by Councilmember **X** and supported by Councilmember **X**, was declared carried on the following vote:

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk