



AGENDA
REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, OCTOBER 11, 2022
7:00 P.M. IN THE COUNCIL CHAMBERS

1. CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

A. Minutes of the Regular City Council Meeting on September 27, 2022

3. ADOPT THE AGENDA *(No item of business shall be considered unless it appears on the agenda for the meeting. The Mayor or Councilmembers may add items to the agenda prior to adoption of the agenda.)*

4. CONSENT AGENDA *(Those items listed under Consent Agenda are considered routine by the City Council and will be acted upon by one motion under this agenda item. There will be no separate discussion of these items, unless the Mayor or a Councilmember so requests, in which event, the item will be removed from the consent agenda and considered under New Business.)*

- A. Accept Minutes: White Bear Lake Conservation District, Environmental Advisory Commission, Park Advisory Commission, Planning Commission
- B. Resolution approving the preliminary plat for Willow Ridge 2nd Addition, Schafer Richardson
- C. Resolution establishing 2023 employee benefit options for January 1, 2023 - December 31, 2023
- D. Resolution authorizing establishment of a new recipient VEBA and Employee Tax Identification Number for the VEBA
- E. Resolution granting a Conditional Use Permit amendment and two Variances for 4465 White Bear Parkway, AALFA Clinic
- F. Resolution approving a 10-year commitment for the LOGIS ERP and utility billing software applications
- G. Resolution approving a 5-year Fire Services agreement with contracting jurisdictions
- H. Resolution approving a special event application for Big Wood Brewery

5. VISITORS AND PRESENTATIONS

Nothing scheduled

6. PUBLIC HEARINGS

Nothing scheduled

7. UNFINISHED BUSINESS

Nothing scheduled

8. NEW BUSINESS

A. 1525 Birch Lake Blvd. N. Variance Request, Huston/Jacobs

9. DISCUSSION

Nothing schedule

10. COMMUNICATIONS FROM THE CITY MANAGER

11. ADJOURNMENT



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, SEPTEMBER 27, 2022
7 P.M. IN THE COUNCIL CHAMBERS**

1. CALL TO ORDER AND ROLL CALL

Mayor Dan Louismet called the meeting to order at 7 p.m. The City Clerk took attendance for Councilmembers Kevin Edberg, Steven Engstran, Heidi Hughes, Dan Jones, and Bill Walsh. Staff in attendance were City Manager Lindy Crawford, City Engineer/ Public Works Director Paul Kauppi, Fire Chief Greg Peterson, City Clerk Caley Longendyke and City Attorney Troy Gilchrist.

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

A. Minutes of the Regular City Council Meeting on September 13, 2022

It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to approve the minutes. Motion carried unanimously.

3. APPROVAL OF THE AGENDA

Mayor Louismet removed one consent agenda item per request of the applicant: Resolutions approving preliminary and final plats for Willow Ridge 2nd Addition – Schafer Richardson. It was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to approve the agenda as amended. Motion carried unanimously.

4. CONSENT AGENDA

Nothing scheduled.

5. VISITORS AND PRESENTATIONS

A. Firefighter Appreciation Month Proclamation and Swear in Firefighters

Mayor Louismet read a proclamation declaring the month of October 2022 as Firefighter Appreciation Month in White Bear Lake. Five firefighters were then given the Oath of Service and were sworn in.

6. PUBLIC HEARINGS

A. Final Assessment Roll for the 2022 Pavement Rehabilitation Project, City Project No. 22-01

City Engineer/ Public Works Director Kauppi presented the final assessment roll for the 2022 Pavement rehabilitation Project. As a last official step to the final assessment roll, the City Council has to hold a public hearing prior to consideration of the assessment roll for parcels benefited by the project. Kauppi provided an overview of the project which included full pavement replacement, alley reconstruction, curb repairs, sidewalk additions, and storm sewer

repairs and additions. He shared the information in the letter that was sent to residents, which explained the project and the appeal process.

Mayor Louismet opened the public hearing. There being no members from the public wishing to speak, Mayor Louismet closed the public hearing.

It was moved by Councilmember **Walsh** seconded by Councilmember **Jones**, to adopt **Resolution No. 13057**, approving the assessments as presented. Motion carried unanimously.

B. Birch Lake Improvement District 2023 Service Charge

City Manager Crawford provided information about the proposed 2023 service charge for the Birch Lake Improvement District (BLID). BLID, which began in 2006 pursuant to state statute and a petition from lakeshore property owners, works to develop the financing and implement activities that improve and protect the quality of Birch Lake. Originating documents authorize the BLID's Board of Directors to approve an annual service charge not to exceed \$25,000. The board was requesting the City Council approve a service charge of \$21,700 for certification in 2022 and taxes collectible in 2023. Property owners would share the cost of the service charge for \$350 per property for 2023. Crawford said this is consistent with previous years' budgets and is based on residents' desire for special projects related to studies, restoration and chloride monitoring.

Mayor Louismet opened the public hearing at 7:19 p.m. BLID Chairperson Steve Laliberte shared information about the current year's budget and projects. Projects included weed harvesting, participation in a Vadnais Lake Area Water Management Organization grant to remove milfoil and a fish survey. There being no other members from the public wishing to speak, Mayor Louismet closed the public hearing at 7:22 p.m. Councilmember Edberg requested balance sheets to be included in the council packet in the future.

It was moved by Councilmember **Jones** seconded by Councilmember **Walsh**, to adopt **Resolution No. 13058**, certifying the BLID service charge of \$21,700. Motion carried unanimously.

7. UNFINISHED BUSINESS

A. Second Reading of an Ordinance Rezoning the Property Located at 2228 4th Street – Armory

City Manager Crawford summarized the information that was presented to the City Council at its September 13 meeting. The City was requesting the Council to approve the rezoning of 2228 4th Street from P-Public to B-5 – Central Business. This was in alignment with the sale of the City-owned Armory building to the White Bear Lake Area Historical Society.

It was moved by Councilmember **Walsh** seconded by Councilmember **Hughes**, to adopt **Ordinance No. 22-09-2056**, approving the rezoning of 2228 4th Street from P-Public to B-5 – Central Business. Motion carried unanimously.

B. Interim Moratorium Ordinance – Sale of Cannabis Products

City Manager Crawford summarized background information of the State on Minnesota legalizing the sale of edible cannabinoid products containing THC (cannabis products), effective July 1. She said the legislation did not address local regulation on the sale of products which has resulted in cities trying to determine their scope of authority and the need to study whether or not to adopt local regulations. She summarized the series of meetings involving the City Council discussing the legislation and the direction to City staff to develop an interim ordinance and moratorium for consideration. The first reading of the proposed interim ordinance and moratorium was conducted on July 26 and the second reading and public hearing was conducted at the August 10 meeting. During the second reading, it was the consensus of the Council to table the vote in order to separate cannabis products from tobacco shop language. A work session was scheduled for August 23 for additional discussion on the topics.

Mayor Louismet opened an opportunity for public comment at 7:28 p.m. Rajai Wazwaz, business owner of two White Bear Lake tobacco shops, shared about the livelihood of himself and his employees and the wellbeing of his customers. He shared concerns about customers seeking cannabis products elsewhere resulting in his shops being put out of business. White Bear Township resident Kevin Schoonover shared his advocacy of cannabis products as a holistic solution to address a variety of issues. Mayor Louismet closed the opportunity for public comment at 7:34 p.m.

Mayor Louismet clarified what products would be affected during the moratorium and said the moratorium was proposed to last one year, but it doesn't have to be a full year. He said City staff will be able to conduct a thoughtful and thorough study, and determine a regulatory structure for zoning and license procedures. Mayor Louismet voiced support for the moratorium. Councilmember Jones shared concern where it would be sold. Councilmember Edberg agreed about the need for zoning and requiring licensure. There was discussion about the effects of nicotine and alcohol and comparison to THC. Councilmember Edberg suggested a quarterly report on the City's progress on the study during the moratorium.

City Attorney Gilchrist responded to the request that businesses should be able to sell the products they sold before July 1, and said the moratorium will be focused on the edible cannabis products that became legal as of July 1. Mayor Louismet recognized the likelihood of legislative discussion and action that may take place during the next session. Councilmember Hughes expressed support for the moratorium. Councilmember Jones requested more frequent updates of the City's study during the moratorium. City Manager Crawford emphasized that City staff were already conducting research and doesn't expect the need for a full-year moratorium. Councilmember Walsh supported the idea of waiting for the legislature to discuss this topic. He explained it would seem to be a waste of time if the City adopts an ordinance, then changes it in the spring. He addressed an earlier remark and said it shouldn't be the City's responsibility to compare the effects of cannabis products to nicotine and alcohol. Councilmember Edberg said no matter what the legislature decides, the City has the right to zone where products could be sold and determine licensure, thus an opportunity to take action without waiting for the legislature.

It was moved by Councilmember **Walsh** seconded by Councilmember **Jones**, to adopt **Interim Ordinance No. 22-09-2057**, authorizing a study and imposing a moratorium on the sale of cannabis products. Motion carried unanimously.

It was moved by Councilmember **Walsh** seconded by Councilmember **Jones**, to adopt **Resolution No. 13059**, approving the summary publication of said interim ordinance by title and summary.

C. Interim Moratorium Ordinance – Establishment or Expansion of Tobacco Shops

City Manager Crawford provided information on the proposed interim ordinance and moratorium on the establishment or expansion of Tobacco Shops, as defined as retailers with a significant portion of their products being sales of tobacco-related products. She explained the City currently does not regulate Tobacco Shops as a separate land use and said the City has experienced retail businesses opening then transforming into Tobacco Shops, even though it is not recognized as a permitted use in the City's Zoning Code. The City also needs to update its regulations to keep pace with current changes in both federal and state laws. Crawford expressed the need to study current city regulations regarding Tobacco Shops, therefore the need for a moratorium to temporarily prohibit the establishment or expansion of Tobacco Shops. The definition of expansion was discussed and is defined as increasing the amount of shelf space, increasing the floor area or increasing the size of the building.

It was moved by Councilmember **Jones** seconded by Councilmember **Hughes**, to adopt **Interim Ordinance No. 22-09-2058**, authorizing a study and imposing a moratorium on the establishment or expansion of tobacco shops. Motion carried unanimously.

It was moved by Councilmember **Edberg** seconded by Councilmember **Jones**, to adopt **Resolution No. 13060**, approving the summary publication of said interim ordinance by title and summary.

8. NEW BUSINESS

A. Resolution authorizing a contract for embedded mental health services for the Police and Fire Departments

City Manager Crawford said the mental health and wellness of Minnesota public safety professionals is escalating, and the City is taking steps to support their staff. She presented statewide statistics about the increased need for mental health resources for public safety professionals to address the risk or experience of depression, anxiety, stress, and post-traumatic stress disorder. Crawford said the City currently has made mental health services available to employees through a third-party consulting therapist. She explained the goal is to become more proactive and embed the mental health services in the police and fire departments by bringing a professional to the departments to provide training, accompany crews on significant calls and be on-call during crisis situations to debrief events. The annual cost would be \$52,000. The consultant has been used by other cities that provided high remarks. The resources would be available starting October 13.

Mayor Louismet thanked city administration for bringing this forward and thinking about the needs of staff. He said the proactive resource will be more beneficial for employees than reactionary resources, and employees will be able to lead better lives. He added that this will

be a good resource for current public safety employees, as well as a recruitment tool for future employees.

Crawford answered City Councilmembers' questions and said Masa Consulting would be working exclusively with White Bear Lake Public Safety, Roseville Public Safety and the Burnsville Fire Department. The contract would need to be renewed every year.

It was moved by Councilmember **Edberg** seconded by Councilmember **Engstran**, to adopt **Resolution No. 13061**, authorizing the Mayor and City Manager to execute a contract with Masa Consulting for embedded mental health services in the Police and Fire departments. Motion carried unanimously.

9. DISCUSSION

Nothing scheduled

10. COMMUNICATIONS FROM THE CITY MANAGER

City Manager Crawford shared about a ribbon cutting for a Level-3 Electric Vehicle charging station, the first in the city, at the White Bear Lake Superstore, an upcoming ribbon cutting at Applied Care Services, the upcoming Fire Prevention Open House, and the upcoming County Road E Corridor Study Community Meeting Workshop. She shared that Fire Department staff will be a guest at an upcoming Ramsey County Library Story Time. The dedicated work of the City's Boards and Commissions members would be celebrated at an upcoming recognition banquet.

11. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Walsh**, seconded by Councilmember **Engstran**, to adjourn the regular meeting at 8:15 p.m. Motion carried unanimously.

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



White Bear Lake Conservation District
Board of Directors Regular Meeting – Approved Minutes
August 16, 2022, 7:00 p.m., White Bear Lake City Hall Council Chambers

1. **Roll Call/Quorum** – Present: Bryan DeSmet, Mark Ganz, Mike Parenteau, Diane Longville, Chris Churchill, Meredith Walburg, Scott Costello, Darren DeYoung, Scott O'Connor, and Susie Mahoney. A quorum was present.
2. **Call to Order** – The meeting was called to order at 7:00 pm by Bryan DeSmet.
3. **Approval of Agenda**
 - Moved Unfinished Business and Board Counsel Report ahead of Public Comment; added Non-regulation Buoys in Lake to New Business; and struck Birchwood Buoy Removal from Unfinished Business.
 - Motion to approve agenda as modified made by Bryan DeSmet, seconded, and passed.
4. **Approval of July Board Meetings minutes** – Motion to approve made by Mark Ganz, seconded by Diane Longville, and passed.
5. **Unfinished Business**
 - Tally's Dock configuration actions and update:
 - A letter was sent today requesting Tally's to remove all tie-offs and cleats on the south side of the dock, and post a 'no parking/docking this side' sign.
 - The city stated that Tally's is only allowed to use it for service; however, the fueling hose does not reach that dock, so no boats can be serviced. Suggest that when next season's application is received with this diagram, that it is not approved.
 - There are photos of people parking 4 boats in a row on that side; Docks of WBL users would have to ask those people to untie their boats to get out, so that is an issue.
 - A letter was sent in June to Tally's asking to straighten the dock, and they complied.
 - WBLCD/BCA/State of MN Joint Powers Agreement and Resolution re: Originating Case Identifier (ORI) number request:
 - In order to access the State/BCA portal for any criminal charging, formal complaints, or other work, the WBLCD is applying for an ORI number, by signing the Joint Powers Agreement, and amendment through the State and BCA.
 - Motion to approve Resolution 22-01 (Approving State of MN JPA Agreements with WBLCD on Behalf of its Prosecuting Attorney) made by Bryan DeSmet, seconded by Darren DeYoung, and passed.
6. **Board Counsel Report:**
 - Alan Kantrud has been in contact with the Sheriff's department over the buoy situation, which has been resolved. In discussions with the Water Patrol Sergeant, Washington County is not interested in registering and marking buoys, however Ramsey County is willing to do that for the whole lake. If people on the Washington County side want to register their buoys -- it would be good for the Education Committee to (get that

information out there) – it just involves getting paperwork on file and getting a sticker (for the buoy) with ownership information.

- Activity on the lake has been busy, but responsibly used, according to the sergeant.
- It was noted that some buoys on the lake are not registered. If anyone sees, or hears of, unattended buoys, email Alan and he will contact water patrol to check on it; copy Cheri in the office, so it can be tracked.

7. Public Comments - none

8. New Business

- Approve purchase of locked file cabinet: Motion to approve up to \$300 for a lockable file cabinet made by Bryan DeSmet, seconded by Mark Ganz, and approved. Cheri will find the cabinet, and get it to the office.
- Rice Creek Watershed District data presentation: Matt Kocian, from the RCWD, shared a PowerPoint on water quality data, and issues for White Bear Lake. Some highlights:
 - The lake has excellent water quality, with phosphorus and chlorophyll-A levels below state standards, and water clarity above state standards.
 - PFOS, a type of PFAS (*per- and polyfluoroalkyl substance*), also known as 'forever chemicals', showed that fish tissue sampled from White Bear Lake is below PFAS state standards,
 - The RCWD has a grant program to partner with residents, and cities, to do shoreline stabilization. The link - ricecreek.org/grants – will be posted on the WBLCD website.
 - The WBLCD would like to coordinate more closely with the RCWD in the future.

9. Reports/Action Items

- Executive Committee - The committee met and discussed the items below.
 - The board has a responsibility to prepare a management plan for White Bear Lake. The DNR does not have a management plan for the lake we can tie into. Alan will request a sample plan of a similar lake from the DNR to look at.
 - Commercial Bay issues, and the BCA agreement items were reported earlier in the meeting.
 - A new, more efficient office laptop is needed to replace the old one. Cheri will choose a computer and bring a proposal to the board; there is money in the budget for 2023, but will move that item forward to this year and use money in reserve.
 - Cheri is working on resolving some phone equipment issues.
- Lake Quality Committee
 - Lake level – 923.23 ft. An ordinance states you can no longer appropriate/pump water when the level is below 923.5 ft.
 - Lake temperature – 71°F; it was 78°F last month
 - Phragmites Survey and Treatment: A survey with DNR personnel will be conducted on Thurs., 8/18, alternate date on Mon. 8/22; 5-6 sites were found and treated last year. The 2021 budget for treatment was \$2,500 last year, but Anoka County paid for it, so we didn't use those funds.
 - Motion to approve spending from the general fund up to \$2,000 for account 6045 for potential treatment of Phragmites for 2022 made by Mike Parenteau, seconded by Mark Ganz, and passed.
- Lake Utilization Committee
 - 4955 Lake Ave: Wooden structure in lake not in good shape; sent letter this summer to bring into compliance, but there are still old pilings in there; A letter will be sent asking to remove everything that is not serviceable

- 315 Wildwood Ave., Birchwood: Letters will be sent to neighbors on either side of a vacant lot regarding staying within their ADUA next year; they've been moving into its ADUA.
 - 2022 and 2023 Form 5 Permit Application revision: Motion to approve the changes to WBLCD Form #5 made by Mark Ganz, seconded by Mike Parenteau, and passed.
 - Your Boat Club status: They were notified that they did not complete an application for a permit; an application and fee has since been completed and returned. Motion to approve the permit application, on the condition that they pay the \$60 late fee made by Mark Ganz, seconded by Diane Longville, and passed. Cheri will notify them.
 - City of Birchwood amendments - Elm and Birch dock update: Last fall, the City of Birchwood Village asked that they move the dock over 10 feet, but they didn't note that change when they put out their application for the docks. They put in an amendment afterwards, and neighbors on either side of the dock are okay with it as well as the city, and associations. The LUC passed the amended application. Motion to accept the amendments to the Elm and Birch dock application made by Mark Ganz, seconded by Scott O'Connor, and passed.
 - Vrbo boat rentals are becoming popular; there are two that we know of:
 - NPQD Rentals, which we approved this summer for a runabout and a pontoon, has a license from the city to keep them on shore during the day at Matoska. However, they also have jet skis they are renting out. Mark will call them tomorrow to 'cease and desist', until they show proof of insurance for the jet skis; their application may be amended stating they may not rent out the jet skis, until everything is squared away. They want one jet ski to use as a service vehicle, but they can't be renting. It's noted that they didn't say anything on their application about the jet skis, but otherwise they did things right by applying for a permit, and they've done everything that we've asked from them.
 - SilverFinn Kayaking – they have a SUV and a 4-kayak/canoe trailer; they will meet you at a lake, and drop off and pick up the rental.
 - This is growing pains; we've never had to deal with this before - all previous rentals have been in the marina. This is something that is coming; how do we regulate this? Sheriffs aren't happy with this, and there are no ordinances against this, so we will continue to bring this issue forward.
 - Need to confirm whether permanent docks need to be permitted every year. Mark Ganz will review with board counsel. If it's an approved permanent dock, then maybe it needs to be marked at the end with reflective materials.
- Lake Education Committee
- Invasive Yellow Iris: Letters to City of WBL and Admiral Ds sent 7/14/2022, City has notified its landscape maintenance contractor to watch for this next spring when it is in bloom.
 - Adopt-A-Drain Program: Progress was made in the Adopt-A-Drain program. Feedback from Dellwood, which doesn't have a formal storm water system, suggests that the 21 drains listed for their municipality are not all storm sewer drains. They've asked not to highlight their drain adoption data until this is resolved. Not sure what the situation is in Birchwood; some may not be storm drains there either. (Storm drain data comes from the Mosquito Control district.) We'll be careful in the next few months to focus on the overall program, and not see it as a race due to the uncertainty of the actual number of storm drains.
 - Marketfest event: Had a booth on July 28 last Marketfest; it went fairly well, but exhibits with activities and freebies did better.

- Social media update: Will post about Phragmites survey, low water level means water cannot be pumped from the lake, information from the RCWD presentation, and link to shoreline stabilization grant. Also, put link to grants on WBLCD website.
- Treasurer's Report
 - August 2022 treasurer's report in packet.
 - Approval of payments: Motion to approve payment for checks 4780-4786 was made by Mike Parenteau, seconded by Mark Ganz, and passed.
 - USGS Survey account status: The WBLCD is operating the fund with \$599.60 dollars left over from the lake level study done several years ago. Mike called Perry Jones, who headed the USGS study, and has a wealth of knowledge of the lake; he is now retired, and is willing to work on a final report to the Board. The question is whether the monies, which came from various agencies, such as the DNR and RCWD, can be used to hire a consultant or does it need to be paid directly to the USGS.
 - Need to discuss what topics we would want covered. It would be interesting to tie together what USGS was doing with what the DNR has done with their model regarding lake levels.
 - Mike will ask Perry to call the USGS to see if he could subcontract through them; if that doesn't work, we can contact the donors and run our idea by them to build some consensus in that. Cheri will look for the original lake study agreement.
 - LMC annual policy renewal – Liability Coverage Waiver: Motion to approve not to waive the monetary limits on municipal tort liability made by Bryan DeSmet, seconded by Mark Ganz, and passed.

10. Announcements – A thank you note from the WBL Fireworks Committee was received for the WBLCD's support of the Independence Day fireworks display.

11. Adjournment – Motion to adjourn at 8:28 pm was made by Mark Ganz, seconded by Susie Mahoney, and passed.

ATTEST:

Bryan DeSmet, Chair



Date: 9-20-2022

Cheri Howe, Administrator



Date: 9/20/2022



**MINUTES
ENVIRONMENTAL ADVISORY COMMISSION
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
WEDNESDAY, AUGUST 17, 2022
6:30 P.M. IN THE CITY HALL CONFERENCE ROOM**

1. CALL TO ORDER AND ATTENDANCE

Chair Gary Schroeber called the meeting to order at 6:35 p.m.

MEMBERS PRESENT: Chris Frye, Chris Greene, Bonnie Greenleaf, Rick Johnston, Jeff Luxford, Gary Schroeber (Chair)

MEMBERS ABSENT: Sheryl Bolstad

STAFF PRESENT: Connie Taillon, Environmental Specialist

VISITORS PRESENT: None

2. APPROVAL OF AGENDA

The commission members reviewed the agenda and had no changes.

It was moved by member **Johnston** seconded by member **Greenleaf**, to approve the agenda as presented.

Motion carried 6:0.

3. APPROVAL OF THE MINUTES

A. Minutes of the Environmental Advisory Commission meeting on June 15, 2022

The commission members reviewed the June 15, 2022 meeting minutes and had the following change: Item 4C., fourth sentence, change 'Danes' to 'Dane'.

It was moved by member **Greene** seconded by member **Luxford**, to approve the minutes of the June 15, 2022 meeting as amended.

Motion carried, 6:0.

B. Minutes of the Environmental Advisory Commission meeting on July 20, 2022

The commission members reviewed the July 20, 2022 meeting minutes and had no changes.

It was moved by member **Greene** seconded by member **Luxford**, to approve the minutes of the July 20, 2022 meeting as presented.

Motion carried, 6:0.

4. VISITORS AND PRESENTATIONS

None.

Chris Frye introduced himself as a new commission member. He has lived in the City of White Bear Lake for three years, and is originally from Oregon. He is interested in becoming more involved in the community and feels that his background in public service will be a good fit for his role on the commission.

5. UNFINISHED BUSINESS

A. Environmental Resources Expo Recap

Chair Schroeher gave a summary of the Environmental Resources Expo for the new members. The commission members recapped the 2022 event and the exhibitors were happy about the way things went. There were many visitors to the Expo. Ramsey County Recycling Ambassadors had a line of people who wanted to play their spin the wheel game. Chair Schroeher stated that both Ramsey-Washington Metro Watershed District and Ramsey County Recycling Ambassadors expressed interest in exhibiting at the 2023 Expo.

There were a couple of issues noted by the commission members. Member Greene mentioned that none of the EV owners showed up, so next year he plans to connect with each EV owner individually, instead of just one representative. Member Greenleaf noted that one of the exhibitors did not have a chair, and that next year we should bring a couple of extra chairs in case someone forgets or doesn't have their own.

Chair Schroeher asked Taillon and the other members to send thank you notes to the exhibitors. Member Johnston suggested that the commission start planning for the Expo earlier next year.

Member Greenleaf stated that she will bring tokens to give to the new members. These tokens are handed out to people that the commission members see doing something positive for the environment. She mentioned to the commission members to tell her when they hand out a token so she can keep track.

Member Johnston discussed the results of the survey that was conducted during the Expo. There were 33 surveys filled out by White Bear Lake residents, 13 by non-residents. An additional seven were filled out, but not as intended. All of the survey numerical rankings were entered into an Excel table. Member Johnston was hoping for more discussion or written feedback, but understood that people may not want to take the extra time during Marketfest to provide written comments. He didn't see any one topic that really jumped out at him. Member Greenleaf stated that she didn't want to turn non-residents away, so the White Bear Lake resident results were summarized separately than the non-resident results. Taillon noted that she heard a few people having trouble ranking the topics because many of them were equally important. Member Greenleaf added that some people didn't know what buckthorn is, so they

ranked it lower. If there is another survey next year, maybe buckthorn should be changed to the more general 'invasive species' instead.

Results of the WBL Resident survey (33 total), where 1 is most important and 6 is least important:

Topic	Average Rank	Number of 1s	Number of 2s	Number of 3s	Number of 4s	Number of 5s	Number of 6s
Plastic Use Reduction	2.8	7	9	7	5	4	1
Energy Eff./Alt.	3.2	9	3	6	6	6	3
Water Conservation	3.2	6	4	8	10	4	1
Pollinators	3.4	7	5	6	5	4	6
Waste Mgmt.	3.5	4	7	4	7	7	4
Buckthorn/Trees	4.9	1	4	2	0	8	18

WBL Residents expressed a slightly greater importance to plastics use reduction with buckthorn removal/increased tree plantings with the least importance. The other four were grouped in the middle.

Results of the non-resident survey (13 total), where 1 is most important and 6 is least important:

Topic	Average Rank	Number of 1s	Number of 2s	Number of 3s	Number of 4s	Number of 5s	Number of 6s
Water Conservation	2.1	6	3	2	1	1	0
Pollinators	2.9	2	4	3	1	3	0
Plastic Use Reduction	3.3	3	1	2	4	2	1
Energy Eff./Alt.	3.6	1	2	4	3	0	3
Waste Mgmt.	4.2	0	3	2	1	4	3
Buckthorn/Trees	4.9	1	0	0	3	3	6

The 13 non-resident surveys were received from eight communities; Woodbury, Hugo, Grant, Minneapolis, Lino Lakes, Oakdale, White Bear Township and Vadnais Heights. The top four topics were the same in both groups, but order differently.

Written Comments were received from only two respondents as follows:

Commenter 1:

Keeping pond habitats healthy!

Commenter 2:

1. Listed in the order to reduce our reliance on carbon emitting pollutants. (this appears to refer to ranking on front of the survey, which was as follows: 1. Energy Efficiency; 2. Increased Tree Planting; 3. Waste Management/Recycling; 4. Water Conservation; 5. Plastic Use Reduction; 6. Pollinator-friendly Activities.)
2. Trees --- If there can be increased plantings in larger areas beyond the small-scale decorative trees, that is ideal.
3. Waste management & reduction. Pick-ups for recycling in public – increase if needed.
4. Continue water conservation discussion, visibility & implementation.
5. Always reduce plastic – BAGS for one!
6. Pollinator things. The county and state do this a lot so use city resources for 1, 2, 3.

Member Greenleaf suggested adding the results of this survey to the Council presentation.

B. Draft Work Plan

Chair Schroeder provided a background on the draft work plan for the new commission members. The work plan includes a list of possible priority projects to work on in the coming year. Each commission member chose their top three priorities from the list. To further refine the priorities, each commission member chose at least two of the priorities and answered the following questions:

- Why is this worthy of our effort?
- What would we like to see as an outcome?
- What steps could we take to reach the outcome?

Taillon will send the spreadsheet and Google document link to member Luxford and member Frye for them rank each priority in the list and help fill in answers to the questions within the Google document.

Chair Schroeder mentioned the high contamination levels in the curbside recycling in 2021. Taillon stated that the contamination levels in the curbside recycling went down this year, from 13.03% in 2021 to 12.04% in 2022; however, this is still higher than 2020, at 9.56%. Member Frye mentioned that it would be interesting to see what other community's reports show for contamination levels. Taillon noted that the City's recycling processor, Eureka Recycling, mentioned that the contamination percentages increased for many communities during the pandemic.

Member Frye stated that there is no sticker on his recycling container to show what can and can't be included in the recycling. Taillon said that she will see what she can do about getting stickers on the recycling carts.

C. Draft presentation to Council

For the sake of time, the commission members decided to postpone discussion of the

draft presentation until the September meeting.

6. NEW BUSINESS

A. Fall newsletter ideas

Taillon stated that the fall newsletter articles are due by the end of August. She asked the commission members for ideas on newsletter article topics. The commission members brainstormed ideas and would like to see articles that focus on recycling contamination, the City's fall cleanup day, and smart salting.

Members discussed Trash to Treasure Day the weekend before the spring cleanup and wondered if a second event could be added the weekend before the fall cleanup. Taillon stated that the City partners with White Bear Township so she will need ask them about the idea.

7. DISCUSSION

A. Staff updates

Taillon noted that the City Council is considering a joint work session with the City's commissions, which is tentatively scheduled for February. Each commission would have a half hour to meet with City Council at an evening work session and talk about current and upcoming projects. Taillon will let the commission members know when a date has been set. Chair Schroeher asked if he should present at the joint work session instead of at a regularly scheduled Council meeting this fall. Taillon will ask the City Manager and get back to him.

B. Commission member updates

Chair Schroeher stated that he joined Nick from VLAWMO at Lakeaires Elementary School for a filming of an Adopt-a-Drain educational video.

Chair Schroeher noted that he and Taillon met a group from Ramsey Washington Metro Watershed District to give them a tour of the City's prairie restoration on Buerkle Road.

Chair Schroeher mentioned that the Ramsey County curbside organics program will be implemented in 2023.

C. Do-outs

New do-out items for August 20, 2022 include:

- All to send thank you notes to Expo exhibitors
- Member Greenleaf to bring token to members Frye and Luxford
- Taillon to email the Work Plan goals spreadsheet and Google Docs work plan worksheet link to members Frye and Luxford
- Taillon to look into recycling cart stickers
- Taillon to include recycling contamination, City's fall cleanup day, and smart salting articles in the fall newsletter.

- Taillon to ask about starting a fall Trash to Treasure day
- Taillon to ask the City Manager about separate presentation vs workshop presentation

D. September agenda

The commission members asked Taillon to include the draft work plan and presentation to Council on the September agenda.

8. ADJOURNMENT

There being no further business before the Commission, it was moved by member **Greenleaf** seconded by member **Johnston** to adjourn the meeting at 8:35 p.m.

Motion carried, 6:0



**MINUTES
PARK ADVISORY COMMISSION
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
THURSDAY, AUGUST 18, 2022
6:30 P.M. AT MATOSKA PARK**

1. CALL TO ORDER AND ATTENDANCE

Acting Chair Mike Shepard called the meeting to order at 6:30 p.m.

MEMBERS PRESENT: Bryan Belisle, Victoria Biehn, Mark Cermak, Ginny Davis, and Mike Shepard

MEMBERS ABSENT: Anastacia Davis, Bill Ganzlin

STAFF PRESENT: Andy Wietrecki, Parks Working Foreman

VISITORS PRESENT: Councilmember Heidi Hughes, Terry Honsa, Debra Schneider, Dave Peterson, Brian Bonin, Rachel Bonin

2. APPROVAL OF AGENDA

It was moved by member **Bryan Belisle** seconded by member **Mark Cermak**, to approve the agenda.

Motion carried 5:0.

3. APPROVAL OF THE MINUTES

Minutes of July 21st, 2022

It was moved by member **Ginny Davis** seconded by member **Mark Cermak**, to approve the minutes of the July 21, 2022 meeting as presented.

Motion carried, 5:0.

4. VISITORS AND PRESENTATIONS

Nothing Scheduled

5. UNFINISHED BUSINESS

Nothing Scheduled

6. NEW BUSINESS

A. Dog Beach Discussion

Andy Wietrecki began meeting by asking each Park Advisory Commission Member to present what was observed at their site visits. See attachment for each member's observations.

After each member presented their findings, Mike Shepard opened up the discussion for any of the visitors to offer input on the dog beach.

Debra Schneider, a resident of White Bear Lake and also owner of All Breed Obedience (a behavioral school for dogs) and a professional dog trainer is in attendance in support of the dog beach. Debra's believes dogs need to be leashed at the beach because it is a public beach and not a dog park. Dog owners are responsible for keeping their animal under control and the only way to do that is by leash whether they are on land or in the water.

Terry Honsa, a White Bear Lake resident and avid dog beach user, agreed that the individuals using the beach need to keep their pets on a leash. Terry asked if they City can make the dog beach rules sign larger and redesign it to highlight the main rules so that people actually read them. Terry also suggested that we add permanent fencing to the area to help contain the dogs to the dog beach area. Andy is working with the MnDNR and WBLCD to see what is allowed for fencing on both land and in the lake bed. The water is receding and that leaves a gap for the dogs to run towards the 7th Street swim beach. Andy explained that he would like to install a fence on land that goes a little ways up the hill and down the shoreline to the water's edge. The fencing that would be installed in the lake bed area would be temporary and follow the water as it rises and falls. Terry also mentioned that she has been advocating in favor of the dog beach for the past 5 years and the leash issue seems to be the biggest problem. Terry believes most people respect the rules of the dog beach but there are a few that don't listen or follow the rules. The Park Advisory Commission all agreed that a fence and new sign would be good steps towards improving some of the issues with people with off leash dogs.

Councilmember Heidi Hughes introduced herself to the group and reported that the dog beach has been an issue for many years. The dogs leave the dog beach and end up on private property causing headaches for the residents that live along this stretch of Lake Avenue. Terry Honsa stated to the visitors that Councilmember Heidi Hughes is related to Brian and Rachel Bonin and that her property hasn't been affected by the dog beach. Councilmember Hughes responded that she has dealt with these issues with her sister and brother-in-law for many years and wants to make changes to this area. She has had many neighbors reach out with the same concerns that Brian and Rachel have been dealing with.

Brian Bonin stated that he was on the Parks Advisory Commission back when the dog beach was brought to the Commission for support and that he supported it 100%. Brian said he is tired of the reoccurring issues and thinks the dog beach needs to be relocated. Rachel Bonin stated that they are tired of the constant issues with the dog beach. Rachel mentioned that they cannot even start their grill without the dogs wondering over for handouts. She stated that many times she has to bring the dogs back to the dog beach where the pet owners are. Rachel also stated that over the years she has been asked to take pictures, videos and report back to the previous City Mangers. Rachel would like to know what has been done with that information. Andy replied that he does not have any information on what she was tasked to do or who has reviewed that information at the City. Andy will check with the City Manager's office and continue those conversations

with the new City Manager.

Brian Bonin also mentioned the water quality of the 7th Street beach must be affected by all the dogs using the lake as a bathroom. This topic has been brought up before and the City started to collect weekly water samples and have them tested for E. coli at both the dog beach and at Memorial Beach. Andy reported that most of the readings were between 36 - 250 MPN/100 ml and at the 1260 MPN/100 ml is when a swimming area needs to be closed for safety reasons. Since taking samples, the City has never had to close either beach down for any type of water quality issue. Both Terry Honsa and Commission member Ginny Davis were surprised that we perform weekly water tests to ensure the safety for the users of our beaches.

There was continued discussion about closing the 7th Street swim beach due to the dogs crossing the fence/rope buoys. Two commission members suggested closing the 7th Street swim beach because there is a swimming beach is two blocks north of this area.

If the beach remains open, Brian Bonin asked if the City is willing to install no fishing signs at the 7th Street swim dock since its dangerous to have loose fishing hooks and lures in the water where we invite people to swim. Andy will discuss his requests with the Public Works Director.

There was another resident who did not provide their name but who showed up to the meeting to request a garbage can be installed at the 7th Street swim beach. There is a lot of trash left behind because there isn't anywhere to dispose of it. Andy mentioned that there is currently a trash can at the stairway to the south. Andy is reluctant to have one installed at the lake level as it is hard to carry a full can up the flight of stairs. Andy will look into another trash can at the top of the 7th Street swim beach stairs along the trail.

After the conversations started repeating themselves, Mike Shepard asked if anyone had anything new to add to the conversation or if he should close the open forum on this topic. Brian Bonin added that he likes the idea of the dog beach but would like to see the location change. When asked where he thought the dog beach should be moved, he suggested over by the road that leads to Manitou Island on the east side of the boat launch parking lot. Andy replied that there are too many hazards in that area, it wouldn't be a good location. The City hired a company to cut the trees down at that location when the water level was low but they were unable to remove the stumps and debris. Brian then suggested Lakewood Hills Park at Hanlos Lake or maybe even Goose Lake may be a good location to move the dog beach. The only other fact that was brought up was the dog beach seems to have gotten worse with social media. This platform allows a wide reach to invite many from surrounding communities and has since gotten a lot more traffic with non-residents. Mike Shepard closed the open forum on this topic. The Park Advisory Commission will have continued conversations at their upcoming meetings after gathering more information and before making a recommendation to the City Council on the future of the dog beach.

7. DISCUSSION

A. Staff updates

- Andy updated the Commission on the playground mulch project. Ebba Park and Hidden Hollow transition from sand to engineered wood fiber has been completed. The Parks Department is finishing up the transition of Lakewood Hills Park. Next year, the City will continue this process at Ramaley Park, Spruce Park, Podvin Park and West Park.

B. Commission member updates – None.

C. Other Business

- No other discussion

8. ADJOURNMENT

There being no further business before the Commission, it was moved by member **Mike Shepard** seconded by member **Victoria Biehn** to adjourn the meeting.

Motion carried, 5:0



**MINUTES
PLANNING COMMISSION MEETING
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
MONDAY, SEPTEMBER 26, 2022
7:00 P.M. IN THE COUNCIL CHAMBERS**

1. CALL TO ORDER AND ATTENDANCE

Chair Jim Berry called the meeting to order at 7:00 p.m.

MEMBERS PRESENT: Mike Amundsen, Ken Baltzer, Jim Berry, Pamela Enz, Mark Lynch, Erich Reinhardt, and Andrea West.

MEMBERS ABSENT: None.

STAFF PRESENT: Ashton Miller, City Planner and Lindy Crawford, City Manager.

OTHERS PRESENT: Rick Huston, Tracy Jacobs, Mitch Honsa and Jill Hamer.

2. APPROVAL OF AGENDA

It was moved by Member **Amundsen** seconded by Member **Lynch**, to approve the agenda as presented.

Motion carried, 7:0

3. APPROVAL OF THE MINUTES

A. Minutes of August 29, 2022

It was moved by Member **Baltzer** seconded by Member **Enz**, to approve the minutes of the August 29, 2022 meeting as presented.

Motion carried, 7:0.

4. CASE ITEMS

A. **Case No. 04-18-Sa & 22-14-V:** A request by **AALFA Family Clinic** to amend a conditional use permit for site plan approval in both the DBD zoning district, per code section 1303.225, Subd.4.i and the Shoreland Overlay district, per 1303.230, Subd.6, and two variances: a 5 foot variance from the 10 foot setback for hard-surface from the north and south side lot line, per 1303.225, Subd.6.e, and a variance from the 30% impervious area limitation to allow 69% impervious surface, per 1303.230, Subd.5.a.5, in order to construct a 350 square foot building addition and expand the parking lot by 13 stalls, at the property located at 4465 White Bear Parkway.

City Planner Miller discussed the case. Staff recommended approval of the request as proposed.

Member Lynch sought more information on the use of pervious pavers in the previous approval and the current proposal that is using all impervious surface. He also wondered if the one raingarden shown on the plans would treat the whole site. Miller explained that because the applicants are not using pervious pavers, they will be required to treat all the runoff as opposed to a credited amount. She explained that the plans show one garden and may need to be revised in response to the comments received from the Engineering Department if the raingarden cannot be sized to treat the runoff from the whole site. In response to a question from Member Lynch, Miller confirmed that it is not the number raingardens that staff is requiring, but the amount of treatment.

Member Enz wondered if the two raingardens that were a part of the original approval in 2004 would still be required for this proposal. Miller replied that it is likely the Engineering Department will require the second raingarden in the front to treat the runoff from the existing parking lot.

Member Berry commented that the expansion of the parking lot that was completed without a permit would be brought into compliance with this request and that impervious surface would be treated.

Member Berry opened the public hearing.

Jill Hamer, represents 4469 White Bear Parkway, she asked if the landscaping on the west side of the property, which is between the clinic and her building, would be impacted by the proposal. She wanted to confirm a buffer would be maintained since there is a large retaining wall along that side of the property. Miller stated that there was no removal of landscaping on the plans and that there are requirements for increased landscaping around the parking lot. She suggested the applicant could speak to the matter.

Mitch Honsa, Larson Engineering, representing the applicant, he confirmed that none of the landscaping along the retaining wall would be removed. There will be a slight impact to the site when they install drain tile along the north side of the property, but none of the trees will be affected and any landscaping would be removed and replaced. Mr. Honsa explained they are looking to provide the same level of water quality volume and match existing rates with the one infiltration basin. In working with the City on the stormwater permit, they will install another basin as needed that would most likely be an underground system as opposed to a closed surface basin. There is currently somewhat of an infiltration system at the front of the property, but it holds a lot of water and is not extracting the water as intended. The underground system would help.

Member Berry closed the public hearing.

It was moved by Member **Baltzer** to recommend approval of Case No. 04-18-Sa & 22-14-V, seconded by Member **Amundsen**.

Motion carried, 7:0.

- B. **Case No. 22-18-V:** A request by **Rick Huston & Tracy Jacobs** for a 10.5 foot variance from the 80.5 foot average front yard setback, per code section 1303.040, Subd.5.c.1, in order to construct a home addition 70 feet from the front property line at the property located at 1525 Birch Lake Blvd N.

Miller discussed the case. Staff recommended denial of the request as proposed.

Member Berry opened the public hearing.

Tracy Jacobs and Rick Huston, 1525 Birch Lake Blvd N, applicants, provided the Planning Commissioners with written responses to the staff memo and walked through each comment. She explained that, based on conversations with their designer, the rear of the home is not a good option for the addition. They would like to put solar panels on their home someday and due to the tree cover, the north side of the roof is not an option. Building the addition on the south side would provide the area needed to install solar.

Ms. Jacobs continued that an addition on the south side would cover an existing sidewalk and area of rock, so would not take up valuable useable yard space The back 50% of the yard is covered by a concrete foundation of an old chicken house, so there is only a small portion of the rear yard that is useable and they would lose most of it with the addition. Further, they would need to cut down several large oak trees in order to build in the rear.

They have not decided on a design for below the addition yet, but would probably screen the area in for a porch. She stated that the bedrooms in the home are very small by today's standards and do not hold two people's clothing or belongings. The addition would create a master bedroom and office space that they need.

Ms. Jacobs stated that most of the homes in the neighborhood have been recently updated, so making improvements to the property is a reasonable use. There is also a wide variety of homes in the neighborhood in terms of style, design, and size. They purchased the home knowing it would need to be updated and the intent was always to build an addition to make the home usable. They originally looked at building over the garage, but the location of the chimney was extremely prohibitive. The addition will significantly improve the appearance of the home, so will be in harmony with the surrounding neighborhood.

In response to a question from Member Lynch, Ms. Jacobs stated that they closed on the house at the end of June and did not move in until the end of July due to the amount of work that needed to be done. She continued that their house would not be closer to the

lake than many of the houses around Birch Lake. Further, since the road runs along the lake, there will never be structures encroaching towards the shore.

Member Berry asked if the applicants have checked on how the addition will impact the sight lines of the neighbors. Ms. Jacobs stated that they have spoken to the neighbors to the west, who offered to write a letter of support for the project. The addition is in the center of the property, so will not affect the neighbors.

Mr. Huston stated that the addition will be obscured by large mature trees on the sides and the orientation of the existing home limits the impact on neighbors.

Member Baltzer asked for more information regarding the solar panels. Ms. Jacobs replied that the solar company stated they will not put solar on the north side of the home. The existing roof line would still require a number of trees to be removed on the south side.

Member West asked if the applicants have seen the style of home they are proposing where the front bumps out as opposed to the back. Ms. Jacobs stated that no two homes look alike, they are all unique, so they have not seen this style in the neighborhood. Mr. Huston added that consideration was given to all sides of the home. A bathroom on the north side makes it difficult to design. There is an increase in cost, from \$100,000 to \$200,000 if the addition is put on the north side; an investment they won't see a return on.

Member Lynch asked what the width of the addition will be. Ms. Jacobs stated it is about 20.5 feet wide.

Mr. Huston stated that before they bought the house, they researched what was possible and after reaching out to several Councilmembers, they were assured that there was a process in place to obtain a variance. They have followed the process in good faith. He is disturbed that it was not made clear to him that there were zoning issues to consider. He was concerned that one of the questions asked how the proposal fit with the City's Comprehensive Plan since he does not know how a regular citizen would know that answer. He stated that the variance process did not disclose all the information that would need to be analyzed as part of the request. If he had known, he would not be here tonight. Ms. Jacobs added that the state statute used to analyze variances is vague.

Member Reinhart stated that he appreciates the feedback and believes it will be very helpful to staff going forward regarding laying out clear expectations.

John Reinhardt, 1531 Birch Lake Boulevard North, explained that his main concern was that the addition would be closer to his house because there is not a lot of space there. He does not know how it will impact him, so he is not really for it and not really against it.

Member Berry closed the public hearing.

Member Enz stated that it is the job of the Planning Commission to determine whether alternatives exist. She believes there are six or seven different options that the applicants could look at to achieve the space they desire. She agrees with the staff report recommending denial of the request.

Member Baltzer explained that he visited the property and saw the large trees and that the house is set back a great distance from the street, so a fifteen foot addition will not have a large impact on the neighborhood and will not be close to the lake. He disagrees with the denial.

Member Amundsen asked about the size of the rear yard and if a variance would also be needed to build an addition there. Miller stated that the required rear yard setback is 40 feet and an addition in the back would be able to meet all setbacks.

Member Amundsen continued that he also visited the proposal and tends to agree with Member Baltzer. He believes that what he heard from the applicants this evening has generated a stronger case for a practical difficulty. He noted that it may be helpful to reiterate to applicants the importance of demonstrating a practical difficulty in the application material.

Member Berry commented that the applicants knew the conditions of the property when they purchased it. They knew about the foundation in the back yard when they bought the home.

Lindy Crawford, City Manager, reiterated that a concrete foundation, trees, and economic considerations do not constitute a practical difficulty on a parcel.

Member Lynch explained that he agreed with Member Enz that there are a number of other options available to the applicants. He sympathizes with the applicants because he has small bedrooms too, but the lot is not conducive to making them bigger. He does not see a practical difficulty.

Member Reinhardt asked if the applicants would be able to come back with another plan if the request is denied. Miller stated that the code reads an application cannot be considered within a year of denial, but they would be able to come in with a new request if desired. However, staff may not support any variance from the front setback due to a lack of practical difficulty.

It was moved by Member **Lynch** to recommend denial of Case No. 22-18-V, seconded by Member **Berry**.

Motion carried, 4:3. Members Reinhardt, Baltzer, and Amundsen opposed.

5. DISCUSSION ITEMS

Member Lynch requested a placeholder be put on the agenda to allow the Planning Commissioners the opportunity to discuss the City Council meeting outcomes.

Member West made a note that Schafer Richardson agreed to add more brick to the apartment building prior to being approved at the City Council meeting.

6. ADJOURNMENT

There being no further business before the Commission, it was moved by Member **Baltzer**, seconded by Member **Amundsen** to adjourn the meeting at 8:12 p.m.

Motion carried, 7:0

DRAFT



City of White Bear Lake
Community Development Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Jason Lindahl, AICP Community Development Director
Date: October 11, 2022
Subject: **Willow Ridge 2nd Addition Preliminary Plat - Schafer Richardson / 3600 & 3646 Hoffman Road**

SUMMARY

The applicant, SRD 2.0, LLC, an affiliate of Schafer Richardson, requests preliminary plat approval for Willow Ridge 2nd Addition. This approval is necessary for the applicant to combined their properties into one parcel on which they plan to construct a 244-unit apartment complex in two 4-story buildings on the properties located at 3600 and 3646 Hoffman Road approved through a previous PUD application process. Based on the findings detailed in this report, staff recommends approval of the Willow Ridge 2nd Addition preliminary plat, subject to the conditions in the attached resolutions.

GENERAL INFORMATION

Applicant/Owner: SRD 2.0, LLC, an affiliate of Schafer Richardson

Existing Land Use / Zoning: Stadium Bar & Grill and a single-family residence;
B-4 – General Business

Surrounding Land Use / Zoning: North: Hoffman Place Apts; zoned R-6 – Medium Density Residential
West: Burlington Northern RR & City of Gem Lake
South: Xcel Energy; zoned I-1 Limited Industry
East: The Barnum Apts; zoned R-7 – High Density Residential

Comprehensive Plan: TOD – Transit Oriented Mixed Use

Lot Size & Width: Code: None
Site: 5.7 acres; 440 feet

BACKGROUND INFORMATION

The subject properties are located in the northeast corner of Hoffman Road and Highway 61. It also includes the small triangular-shaped piece across Hoffman Road (on the northwest corner of Hoffman Road and Highway 61). The applicant purchased the property in 2018 and have been leasing the site back to the Village Sports Bar owners. In 2020, the applicants constructed

the Barnum, a 4-story 192-unit apartment building located directly to the east of the subject site in the Willow Ridge Addition.

ANALYSIS

Subdivision Review. The applicant requests preliminary plat approval for Willow Ridge 2nd Addition. Subdivision review is considered a quasi-judicial action. As such, the City is acting as a judge to determine if the regulations within the Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance are being followed. Generally, if the application meets these requirements, the subdivision application should be approved. The City also has the authority to add conditions to an approval that are directly related to the application.

Standards for reviewing subdivision requests are outlined in Section 1401 of the City Code. This section of the Code details a two-step preliminary and final plat process for land subdivision. Should the City approve the proposed preliminary plat, the applicant intends to move forward with the final plat and associated planned unit development (PUD) agreement.

The typical process for subdivision review includes review by the Planning Commission and action by the City Council. However, the subdivision regulations also include an Exception process which allows for a streamline review by the City Council when the purpose of the proposed subdivision is to add or combine existing parcels together. In this case, staff recommends use of the exceptions process based on the findings that the applicant is combining properties; the resulting properties are consistent with the applicable zoning regulations; and the community, Planning Commission and City Council all had the opportunity to review and comment on the overall development proposal through the separate Planned Unit Development (PUD) process which included two public hearings and a neighborhood meeting.

Park Dedication. With any subdivision, the city has the ability to collect park dedication in the form of land and/or a fee-in-lieu. Based on the 244-unit development proposal and the current park dedication fees, the applicant has agreed to pay a combination of land and cash amounting to 5,107 square feet of land and \$118,856.19. The land to be deeded to the city as park dedication is directly adjacent to the property deeded to the City for park dedication for the Barnum development.

To convey this property to the city, the applicant must first split it from the neighboring Willow Ridge Addition associated with the Barnum project. According to the applicant Lot 2 Block 2, Willow Ridge, currently consists of surface parking across the street from the proposed redevelopment site. This property represents the remainder of what was platted and deeded to city as park dedication in association with the Barnum project. The subdivision request for Willow Ridge Addition entails separation of this parcel into two parcels which will be illustrate on the future Willow Ridge 2nd Addition final plat.

RECOMMENDATION

Staff recommends the following:

- Adopt a resolution approving the preliminary plat for Willow Ridge splitting off Lot 2, Block 2 of Willow Ridge to become part of Willow Ridge 2nd Addition, subject to conditions.
- Adopt a resolution approving the preliminary plat for Willow Ridge 2nd Addition, subject to conditions.

ATTACHMENTS

Resolutions

Willow Ridge 2nd Addition Preliminary Plat

RESOLUTION APPROVING THE WILLOW RIDGE PRELIMINARY PLAT TO SPLIT OFF LOT 2, BLOCK 2 TO BECOME PART OF WILLOW RIDGE SECOND ADDITION WITHIN THE CITY OF WHITE BEAR LAKE

WHEREAS, a proposal has been submitted by SRD 2.0, LLC, an affiliate of Schafer Richardson, to the City Council requesting preliminary plat approval in accordance with the Subdivision Code at the following site:

EXISTING LEGAL DESCRIPTION: Lot 2 Block 2, Willow Ridge, Ramsey County, Minnesota

PROPOSED LEGAL DESCRIPTION: Lot 1 Block 2, Willow Ridge 2nd Addition and Lot 2 Block 2, Willow Ridge 2nd Addition, Ramsey County, Minnesota

WHEREAS, the applicant seeks preliminary plat approval under the Exception process per Section 1401.01, Subdivision 8 to split off Lot 2 Block 2 of Willow Ridge Addition and combine it with Willow Ridge Second Addition; and

NOW, THEREFORE, BE IT RESOLVED by the City of White Bear Lake that the City Council finds that preliminary plat abides by the intent of the city's ordinances, codes, and the Comprehensive Plan, and that the developer has petitioned for or will construct all necessary improvements required by the Code; and

FURTHER, BE IT RESOLVED by the City Council of the City of White Bear Lake accepts and adopts the following findings:

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. 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 accepts and approves the preliminary plat subject to the following conditions:

1. The applicant shall receive approval of the Willow Ridge 2nd Addition plat and comply with all conditions thereof.
2. The hardshell or other recordable plat, acceptable by the Ramsey County Recorder is required. The applicant shall also provide the city with a final approved reproducible mylar copy of the plat.
3. Per 1402.020, Subd.6.c, within one year, the applicant must supply to the city planning and engineering staff a final plat (consistent with the approved preliminary plat) to be

RESOLUTION NO. _____

approved by the City Council or the subdivision shall become null and void. If the final plat varies significantly from the preliminary plat, Planning Commission review and comment will be required.

4. Within 100 days after final approval by the City Council, the applicant must record said documents with the County Land Records Office or Registrar of Deeds or the subdivision shall become null and void.
5. No construction permits may be issued for improvements on these properties prior to approval and signing of the final plat document.
6. The applicant shall combine Lot 2 Block 2, Willow Ridge, Ramsey County, Minnesota with Willow Ridge 2nd Addition.
7. Durable iron monuments shall be set at all angle and curve points on the outside boundary lines of the plat and also at all block and lot corners and at all intermediate points on the block and lot lines indicating changes of direction in the lines and witness corners. The plat shall indicate that all monuments have been set or will be set within one year after recording, or sooner as specified by the approving local government unit. A financial guarantee may be required for the placement of monuments.
8. The applicant shall enter into a planned unit development (PUD) agreement in a form acceptable to the City Attorney.
9. The applicant shall provide title work and adhere to the City Attorney's plat opinion.
10. The applicant shall reimburse the city for all costs incurred in the review and processing of the application.
11. The applicant shall pay all applicable development fees.

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

Ayes:

Nays:

Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, 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.

RESOLUTION NO. _____

Bradley J. Schafer, President
WBL Land, LLC

Date

**RESOLUTION APPROVING THE WILLOW RIDGE 2ND ADDITION
PRELIMINARY PLAT WITHIN THE CITY OF WHITE BEAR LAKE**

WHEREAS, a proposal has been submitted by SRD 2.0, LLC, an affiliate of Schafer Richardson, to the City Council requesting preliminary plat approval in accordance with the Subdivision Code at the following site:

EXISTING LEGAL DESCRIPTION: See Exhibit A

PROPOSED LEGAL DESCRIPTION: Willow Ridge 2nd Addition, Ramsey County, Minnesota

WHEREAS, the applicant seeks preliminary plat approval under the Exception process per Section 1401.01, Subdivision 8 to combine the properties in Exhibit A into Willow Ridge Second Addition for the purpose of constructing a 244-unit apartment complex in two 4-story buildings; and

NOW, THEREFORE, BE IT RESOLVED by the City of White Bear Lake that the City Council finds that preliminary abides by the intent of the city's ordinances, codes, and the Comprehensive Plan, and that the developer has petitioned for or will construct all necessary improvements required by the Code; and

FURTHER, BE IT RESOLVED by the City Council of the City of White Bear Lake accepts and adopts the following findings:

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. 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 accepts and approves the preliminary plat subject to the following conditions:

1. The applicant shall receive approval of the Willow Ridge subdivision, and comply with all conditions thereof, to split off Lot 2, Block 2 of Willow Ridge Addition to become part of Willow Ridge 2nd Addition.
2. The hardshell or other recordable plat, acceptable by the Ramsey County Recorder is required. The applicant shall also provide the city with a final approved reproducible mylar copy of the plat.
3. Per 1402.020, Subd.6.c, within one year, the applicant must supply to the city planning and engineering staff a final plat (consistent with the approved preliminary plat) to be approved by the City Council or the subdivision shall become null and void. If the final plat varies

RESOLUTION NO. _____

significantly from the preliminary plat, Planning Commission review and comment will be required.

4. Within 100 days after final approval by the City Council, the applicant must record said final plat with the County Land Records Office or Registrar of Deeds or the subdivision shall become null and void.
5. No construction permits may be issued for improvements on these properties prior to approval and signing of the final plat mylar.
6. The applicant shall deed 5,106 square feet of land to the City and pay \$118,856.19 in park dedication to the City prior issuance of a building permit.
7. Any existing buildings or structures on the site must be removed entirely from the site.
8. The applicant shall agree to re-apportion any pending or actual assessments on the original parcels or lots of record in accordance with the original assessment formula on the newly approved parcels as per the City of White Bear Lake's Finance Office Schedule for Assessment.
9. The applicant must dedicate public right-of-ways and easements as illustrated on the preliminary plat or as approved by the City Planner and City Engineer.
10. All public utilities service the proposed development, including electrical, cable, and telephone lines shall be constructed underground within public right of ways or easements as per Section 1405.050.
11. Durable iron monuments shall be set at all angle and curve points on the outside boundary lines of the plat and also at all block and lot corners and at all intermediate points on the block and lot lines indicating changes of direction in the lines and witness corners. The plat shall indicate that all monuments have been set or will be set within one year after recording, or sooner as specified by the approving local government unit. A financial guarantee may be required for the placement of monuments.
12. The applicant shall enter into a planned unit development (PUD) agreement in a form acceptable to the City Attorney.
13. The applicant shall provide title work and adhere to the City Attorney's plat opinion.
14. The applicant shall reimburse the city for all costs incurred in the review and processing of the application.
15. The applicant shall pay all applicable development fees.

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

Ayes:
Nays:
Passed:

Dan Louismet, Mayor

ATTEST:

RESOLUTION NO. _____

Caley Longendyke, 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.

Bradley J. Schafer, President
WBL Land, LLC

Date

RESOLUTION NO. _____

EXHIBIT A

EXISTING LEGAL DESCRIPTION:

Parcel 1: (Commonly known as 3646 Hoffman Rd.)

That part of Lot 22, "Strawberry Acres", according to the plat thereof, lying Westerly of a line drawn from a point on the North line of said Lot 22, distant 490 feet Easterly of the Northwest corner thereof to a point on the North right of way line of Minnesota Department of Transportation Right of Way Plat No. 62-2, distant 490 feet Easterly of the Southwest corner of Lot 25 of said "Strawberry Acres", as measured along said North right of way line.

Ramsey County, Minnesota
Abstract Property

Parcel 2: (Commonly known as 3600 Hoffman Rd.)

The following described property in Ramsey County, Minnesota.

Parcel 2(a)

Lot 26, except the East 330 feet thereof, "Strawberry Acres", according to the plat thereof.

AND

Parcel 2(b)

That part of the East 330 feet of Lot 26, "Strawberry Acres", lying Westerly of a line drawn from a point on the North line of said Lot 22, distant 490 feet Easterly of the Northwest corner thereof to a point of the North right of way line of Minnesota Department of Transportation Right of Way Plat No. 62-2, distant 490 feet Easterly of the Southwest corner of Lot 25 of said "Strawberry Acres", as measure along said North right of way line, EXCEPT that portion of said Lot 26 lying Southerly of the Northerly right of way line of Minnesota Department of Transportation Right of Way Plat No. 62-2.

AND

Parcel 2(c)

Lot 24, "Strawberry Acres", according to the plat thereof.

AND

Parcel 2(d)

RESOLUTION NO. _____

That part of Lot 25, "Strawberry Acres", according to the plat thereof, lying Northeasterly of the following described line: Beginning at a point on the West line of said Lot 25, distant 50 feet North of the Southwest corner thereof; thence run Southeasterly to a point on the South line of said Lot 25, distant 50 feet from said Southwest corner.

Abstract Property

PRELIMINARY PLAT OF WILLOW RIDGE 2ND ADDITION FOR: Schafer Richardson

LEGAL DESCRIPTION:

That part of Lot 22, "Strawberry Acres", according to the plat thereof, lying Westery of a line drawn from a point on the North line of said Lot 22, distant 490 feet Easterly of the Northwest corner thereof to a point on the North right of way line of Minnesota Department of Transportation Right of Way Plat No. 62-2, distant 490 feet Easterly of the Southwest corner of Lot 25 of said "Strawberry Acres", as measured along said North right of way line. Ramsey County, Minnesota

TOGETHER WITH

The following described property in Ramsey County, Minnesota.

Lot 26, except the East 330 feet thereof, "Strawberry Acres", according to the plat thereof.

AND

That part of the East 330 feet of Lot 26, "Strawberry Acres", lying Westery of a line drawn from a point on the North line of said Lot 22, distant 490 feet Easterly of the Northwest corner thereof to a point on the North right of way line of Minnesota Department of Transportation Right of Way Plat No. 62-2, distant 490 feet Easterly of the Southwest corner of Lot 25 of said "Strawberry Acres", as measure along said North right of way line, EXCEPT that portion of said Lot 26 lying Southerly of the Northerly right of way line of Minnesota Department of Transportation Right of Way Plat No. 62-2.

AND

Lot 24, "Strawberry Acres", according to the plat thereof.

AND

That part of Lot 25, "Strawberry Acres", according to the plat thereof, lying Northeasterly of the following described line:

Beginning at a point on the West line of said Lot 25, distant 50 feet North of the Southwest corner thereof; thence run Southeasterly to a point on the South line of said Lot 25, distant 50 feet from said Southwest corner.

TOGETHER WITH

Lot 2, Block 2, Willow Ridge, Ramsey County, Minnesota.

PROPOSED LEGAL DESCRIPTION:

Lot 1, Block 1 and Lots 1 and 2, Block 2, WILLOW RIDGE 2ND ADDITION, Ramsey County, Minnesota.

GENERAL SURVEY NOTES:

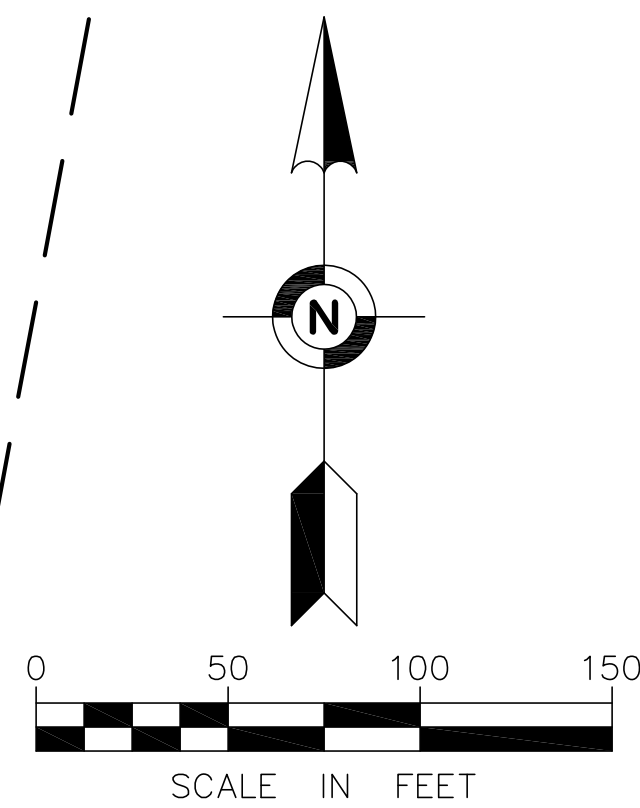
- The orientation of this bearing system is based on the Ramsey County coordinate grid (NAD 83-2011 Adj.).
 - The legal description and easement information used in the preparation of this survey is based on the Commitment for Title Insurance prepared by Commercial Partners Title, a division of Chicago Title Insurance Company, Commitment No. 59613 dated February 23, 2022 at 07:00 AM.
 - The address of the property described hereon is 3600 & 3646 Hoffman Road, White Bear Lake, Minnesota 55110.
 - The property described hereon lies within Flood Zone "X" (areas determined to be outside the 0.2% annual chance flood plain) per Federal Insurance Rate Map No. 27123C 0041 G & 27123C 0042 G, dated June 04, 2010.
 - The contours depicted hereon are per elevation data collected while conducting the fieldwork. The contour interval is 1 foot.
- BENCHMARK: Top of Minnesota Department of Transportation Geodetic Monument "6222 G"
GSID Station #24768
Elevation = 962.81 feet. (NAVD88)
- SITE BENCHMARK: Top not of hydrant located on the northerly side of County Road E East right-of-way.
Elevation = 965.74 feet. (NAVD88)
- Existing utilities, services and underground structures shown hereon were located either physically, from existing records made available to us, by resident testimony, or by locations provided by Gopher State One Call, per Ticket No. 22101105. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary. Other utilities and services may be present and verification and location of all utilities and services should be obtained from the owners of the respective utilities prior to any design, planning or excavation.

CERTIFICATION:

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

Date of survey: April 19, 2022.
Date of signature: September 19, 2022.

Lee J. Nord
Minnesota License No. 22033
lnord@efnsurvey.com



● FOUND IRON MONUMENT
○ SET IRON MONUMENT MARKED WITH LICENSE NUMBER 22033
◎ SET PK NAIL

S89°48'26"E
75.86

LOT 1
0.11724 AC.
5,107 SQ. FT.

LOT 2
0.58272 AC.
25,383 SQ. FT.

BLOCK 2

N89°48'26"W 130.87
N44°48'26"W 70.71

OWNER: WBL HOFFMAN PLACE LLC
3656 HOFFMAN ROAD
WHITE BEAR LAKE, MINNESOTA 55110
P.I.D. 27-30-22-44-0206

OWNER: WBL LAND LLC
P.I.D. 27-30-22-44-0198

LOT 1
BLOCK 1
5.58961 AC.
243,483 SQ. FT.

COUNTY ROAD E EAST
0.10216 AC.
4,450 SQ. FT.

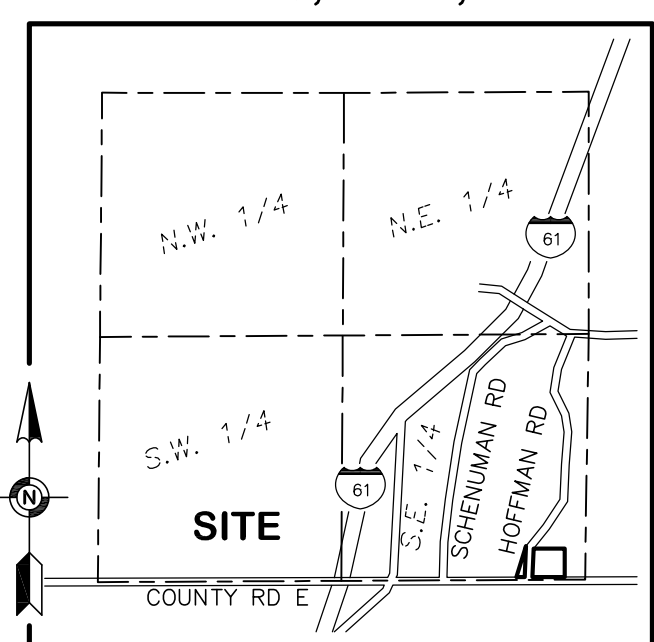
OWNER: SCHAFER RICHARDSON LLC
WHITE BEAR LAKE, MINNESOTA 55110
P.I.D. 27-30-22-44-0207

COUNTY ROAD E EAST
(VARIABLE WIDTH RIGHT-OF-WAY)

LEGEND

- CLEAN OUT
- SANITARY MANHOLE
- MANHOLE
- STORM MANHOLE
- CATCH BASIN
- CULVERT
- WATER MANHOLE
- GATE VALVE
- HYDRANT
- ELECTRIC BOX
- HANDHOLE
- UTILITY POLE
- LIGHT
- GUY WIRE
- POWER POLE WITH LIGHT
- SIGN
- BOLLARD
- HANDICAPPED PARKING SPACE
- PARKING COUNT
- CHAIN LINK FENCE
- WIRE FENCE
- SANITARY SEWER
- STORM SEWER
- WATERMAIN
- UNDERGROUND ELECTRIC
- OVERHEAD WIRE
- UNDERGROUND FIBER OPTIC
- UNDERGROUND CABLE
- UNDERGROUND GAS
- TREE LINE
- EXISTING CONTOUR LINE
- TREE
- BITUMINOUS SURFACE
- CONCRETE SURFACE
- GRAVEL SURFACE

SECTION 27, T 30 N, R 22 W



VICINITY MAP NO SCALE

PROPOSED LOT SIZES:

The total area of the property described hereon is 278,423 square feet or 6.39173 acres.

Proposed Lot 1, Block 1:	243,483 Square Feet	5.58961 Acres
Proposed Lot 1, Block 2:	5,107 Square Feet	0.11724 Acres
Proposed Lot 2, Block 2:	25,383 Square Feet	0.58272 Acres
Proposed Right of Way of County Road E East:	4,450 Square Feet	0.10216 Acres

SEE SHEET 2 OF 2 FOR
PROPOSED SITE CONDITIONS

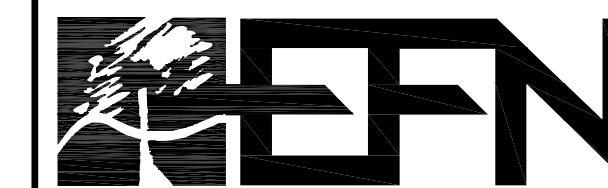
WILLOW RIDGE 2ND ADDITION PRELIMINARY PLAT

SURVEY FOR:

Schafer Richardson

PROPERTY ADDRESS:

3600 & 3646 Hoffman Road
White Bear Lake, Minnesota 55110



475 Old Highway 8 NW, Suite 200
New Brighton, Minnesota 55112
PHONE: (612) 466-3300
WWW.EFNSURVEY.COM

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Land surveyors since 1872



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and City Council
From: Lindy Crawford, City Manager
 Rick Juba, Assistant City Manager
Date: October 11, 2022
Subject: **Resolution establishing group health, life, dental, vision and disability insurance**

SUMMARY

The City Council will consider adopting a resolution establishing the 2023 group health, life, dental, vision and disability insurance plans.

BACKGROUND INFORMATION

All regular benefit eligible employees have the option to receive group health and life insurance coverage as part of their employee benefit package. The City contributes a fixed amount to the monthly premium for employee health insurance and pays for a life insurance policy equal to the employee's salary up to \$100,000.

Supplemental life, dental, vision, short-term, and long-term disability insurance plans are available to employees as voluntary benefits; however, the City does not contribute toward these supplemental insurance premiums. Please note that the current premiums for life, short-term disability and long-term disability were previously approved for multi-year terms.

The City's Employee Health Insurance Committee (the Committee), comprised of representatives from each bargaining and non-bargaining employee group, reviews the annual premium and coverage proposals and provides feedback and recommendations regarding the plans. The City is required to compare insurance coverages and rates through a Request for Proposals (RFP) competitive bid process every five years or when the Committee feels it is prudent. This bid process is managed by CBIZ, the City's benefits administrator. Between those years, if the insurance provider presents what is considered to be a reasonable proposal, an RFP is not pursued.

Health Insurance

For 2023, the Committee opted to have CBIZ request proposals from multiple carriers for health insurance. Medica, the City's current health insurance provider responded with a 15% increase to premiums, while Health Partners offered an overall reduction of 8.3%. The plans proposed by Health Partners for both the wide network and narrow network are comparable to what the

City is currently receiving from Medica. The Committee unanimously recommends the switch to Health Partners.

Summary of Plans and Premiums from Health Partners for health insurance are as follows:

2023 – Health Partners Open Access Network Premiums:

<u>Coverage</u>	<u>\$1,000 Deductible</u>	<u>\$2,000 Deductible</u>	<u>\$3,000 HSA*</u>
Single	661.88	618.75	600.34
Net decrease	8.3%	8.8%	9.4%
Employee+1	1,455.39	1,360.54	1,320.06
Net decrease	8.3%	8.8%	9.4%
Family	1,850.37	1,729.78	1,678.31
Net decrease	8.3%	8.8%	9.4%

2023 – Health Partners Achieve Narrow Network Premiums:

<u>Coverage</u>	<u>\$1,000 Deductible</u>	<u>\$2,000 Deductible</u>	<u>\$3,000 HSA*</u>
Single	622.17	581.62	564.32
Net decrease	4.2%	4.8%	5.4%
Employee+1	1,368.07	1,278.91	1,240.86
Net decrease	4.2%	4.8%	5.4%
Family	1,739.34	1,625.99	1,577.61
Net decrease	4.2%	4.8%	5.4%

**The City's Health Savings Account (HSA) coverage follows the embedded structure per the IRS Regulations, which provides a \$3,000 deductible per individual and \$6,000 per family which has increased from \$2,800/\$5,600 in previous years.*

Voluntary Dental Insurance

The Health Partners dental insurance plan offered to employees is a pooled voluntary dental product categorized as a "Distinction 3" plan, which provides employees additional coverage if they select a Health Partners or Park Dental clinic. The rate increase for dental insurance premiums in 2023 is just under 6%. The Committee recommends continuing the dental insurance coverage through the Health Partners Distinction 3 plan with the following premiums:

Single	\$43.44
Employee+1	\$86.45
Family	\$130.31

Voluntary Vision Plan

At the request of the Committee, CBIZ sought proposals from four different vision plan providers. This is a new voluntary benefit to City employees. The Committee recommends a plan from VSP with the following premiums:

Single	\$8.49
Employee+1	\$12.32
Family	\$22.08

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution establishing employee insurance benefit options for health, dental and vision insurance for the period January 1, 2023 – December 31, 2023, as presented.

ATTACHMENTS

Resolution

RESOLUTION NO.

RESOLUTION ESTABLISHING GROUP HEALTH, DENTAL AND VISION INSURANCE FOR QUALIFYING EMPLOYEES OF THE CITY OF WHITE BEAR LAKE

WHEREAS, City of White Bear Lake employees have benefitted from the option to purchase group insurance through the City; and

WHEREAS, the City has negotiated group insurance rates for qualifying employees that are intended to provide reasonable coverage and options for employee consideration; and

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of White Bear Lake that the following group health insurance will be offered to its qualifying employees for the period of January 1, 2023 – December 31, 2023:

Health Partners Open Access

<u>Type</u>	<u>Single</u>	<u>Employee+1</u>	<u>Family</u>
\$1,000 Deductible	\$661.88	\$1,455.39	\$1,850.37
\$2,000 Deductible	\$618.75	\$1,360.54	\$1,729.78
HSA Plan	\$600.34	\$1,320.06	\$1,678.31

Health Partners Achieve Network

<u>Type</u>	<u>Single</u>	<u>Employee+1</u>	<u>Family</u>
\$1,000 Deductible	\$622.17	\$1,368.07	\$1,739.34
\$2,000 Deductible	\$581.62	\$1,278.91	\$1,625.99
HSA Plan	\$564.32	\$1,240.86	\$1,577.61

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of White Bear Lake, Minnesota that the following voluntary insurance plans will be offered to its qualifying employees for the period of January 1, 2023 – December 31, 2023:

Dental: Health Partners Distinction 3

Single	\$43.44
Employee + 1	\$86.45
Family	\$130.31

Vision: VSP

Single	\$8.49
Employee + 1	\$12.32
Family	\$22.08

RESOLUTION NO.

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

Ayes:

Nays:

Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



City of White Bear Lake
Finance Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Kerri Kindsvater, Finance Director
Date: October 11, 2022
Subject: **Creation of a new recipient VEBA HRA trust to replace the REBA agreement overseeing the HRA for Firefighters/Emergency Responders originally established in 2012**

SUMMARY

The City Council will consider adopting a resolution approving the creation of a new recipient Voluntary Employee Beneficiary Association (VEBA) for the Health Reimbursement Arrangement (HRA) originally established for firefighters and emergency responders in June 2012 due to the disbandment of the Reward and Employee Benefits Association (REBA) agreement currently overseeing the HRA.

BACKGROUND INFORMATION

Initial Authorization for Service-Related Benefits

In 2011, the City struggled with staffing levels for firefighters and emergency responders for the Fire and Ambulance services. To increase response by the department's then paid on call employees and recruit potential hires, the City developed non-pay incentives. On June 28, 2011, the City Council approved Resolution 10864, authorizing the establishment of service-related benefits for White Bear Lake firefighters and emergency responders. This action allowed the city to establish a Healthcare Savings Plan Agreement with the Minnesota State Retirement System (MSRS) to create the individual Healthcare Savings Accounts (HSA) for its volunteer firefighters and emergency responders. The City used funds from the Federal Homeland Security Department's Recruitment and Retention Staffing Grant to pay the monthly contributions.

Account Structure Change from HSA to HRA

Once in place, the City staff and the covered employees realized the HSA plan through MSRS did not meet the original intent of the employee incentive because employees could not withdraw funds until they retired or terminated their position with the City.

Through extensive research, staff determined a Health Reimbursement Arrangement (HRA) offered improved options as the employee accounts could be funded solely from City contributions and used for current qualifying medical costs.

On April 10, 2012, the City Council approved Resolution 11018 establishing the HRA through Genesis Employee Benefits. City staff worked with our representative from CBIZ, the City's

health care consultant, to implement a new VEBA HRA through Genesis as part of a Reward and Employee Benefits Association (REBA) to optimize our account fees and administration. In the time since 2012, Genesis Employee Benefits changed names to become TASC, Total Administrative Services Corporation.

Current Status

The City ended contributions to the individual employee HRA accounts on December 31, 2013 due to Affordable Care Act (ACA) limitations that require employees to be enrolled in an underlying ACA compliant health coverage program. Since the paid on call firefighters and emergency responders who received benefits in their HRA accounts did not receive health insurance benefits through the city, they were disqualified from receiving further HRA benefits. The City has only paid administration costs on the individual accounts with balances since December 31, 2013.

Effective January 1, 2019, the City entered into the most recent administration agreement with TASC/Genesis to remove minimum account charges and reduce participant fees. Not all participating employers in the REBA use TASC for their services as some have chosen to utilize different providers based on the needs of their city plans.

The REBA is being disbanded due to a business acquisition affecting the cities using the non-TASC administration partner. The termination of the REBA requires the City to find a replacement administrative service provider for the plan as there is no ability to create individual HRA participant accounts that stand alone from the City. After investigating administrative service providers, considering the current market for HRA accounts, and the level of service received from TASC in current years, staff recommends TASC to be the new HRA administrator. This decision will be the least disruptive for both the City and HRA account holder and does not interrupt service to the HRA participants.

This transition process requires each city to establish their own VEBA trust with a specific employee identification number (EIN), employer HRA plan and an administrative services agreement with TASC. The City's healthcare consultant (CBIZ) and account representatives from TASC will assist the City with the transition. Once these steps are completed, there will be no functional changes to City or individual accounts.

RECOMMENDATIONS

Staff recommends that the City Council adopt the attached resolution authorizing the application for a new employer identification number to create a trust in the City's name for the VEBA HRA Plan through TASC and delegate authority to the City Manager to complete the transition process.

ATTACHMENTS

Resolution

RESOLUTION NO. _____

RESOLUTION AUTHORIZING ESTABLISHMENT OF A NEW RECIPIENT VEBA AND EMPLOYEE TAX IDENTIFICATION NUMBER FOR THE VEBA

WHEREAS, the White Bear Lake City Council adopted Resolution 11018 on April 10, 2012, approving establishment of a Health Reimbursement Arrangement (HRA) through an agreement with Genesis Employee Benefits under the direction of a Reward and Employee Benefits Association (REBA) as a retention incentive for firefighters and emergency responders; and

WHEREAS, the REBA overseeing the HRA is disbanding as of December 31, 2022; and

WHEREAS, the City must establish a new trust and enter into an agreement for HRA administration given the end of the REBA; and

WHEREAS, based upon review of the current HRA market and staff discussion with our health benefits consultant representatives at CBIZ, Genesis Employee Benefits, now known as TASC, would provide the most favorable services to the City and the HRA participants.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of White Bear Lake authorizes the City to enter into an agreement with TASC for the administration of the individual health reimbursement accounts for HRA participants through a Voluntary Employee Beneficiary Association (VEBA); and

BE IT FURTHER RESOLVED, the City Council authorizes the City to apply for a new Employer Tax Identification Number for the VEBA HRA trust in the City's name; and

BE IT FURTHER RESOLVED, the City Council delegates authority to the City Manager to complete this transition.

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

Ayes:

Nays:

Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



City of White Bear Lake
Community Development Department

M E M O R A N D U M

TO: Lindy Crawford, City Manager
FROM: Ashton Miller, City Planner
DATE: October 11, 2022
SUBJECT: **AALFA Family Clinic Conditional Use Permit Amendment & Variances / 4465 White Bear Parkway / Case No. 04-18-Sa & 22-14-V**

SUMMARY

The applicant, Dr. Paul Spencer and AALFA Family Clinic, are requesting a Conditional Use Permit (CUP) amendment and two variances in order to construct a building addition and expand the existing parking lot. Site plan approval is required in both the Diversified Business District and the Shoreland Overlay District for construction or land alterations. Based on the findings made in this report, both staff and the Planning Commission finds that the standards for conditional use permits laid out in City Code Section 1301.050 have been satisfied and recommends approval of the request. Further, based on the findings made in this report, staff finds that the applicant has demonstrated a practical difficulty with meeting the City's zoning regulations as required by Minnesota Statute 462.357, Subd.6 and recommends approval of this request.

BACKGROUND INFORMATION

Applicant/Owner: Dr. Paul Spencer / AALFA Family Clinic

Existing Land Use / Zoning: Clinic; zoned DBD: Diversified Business Development & S: Shoreland Overlay District

Surrounding Land Use / Zoning: North: Manufacturing/Assembly; zoned DBD & S
 South: Office/Warehouse; zoned DBD & S
 West: Office/Warehouse; zoned DBD & S
 East: Townhomes; zoned R-5: Single Family – Two Family Medium Density Residential

Comprehensive Plan: Business Park

Lot Size & Width: Code: 1 acre; 150 feet
 Site: 0.92 acres; 150 feet

Planning Commission Action

The Planning Commission reviewed this item during their September 26, 2022 regular meeting. During the meeting, the commission heard a presentation from staff and held a public hearing that produced

comments from one neighbor and a representative of the applicant. Jill Hamer, representing 4469 White Bear Parkway, asked if the landscaping along the west side of the property would be impacted by the expansion of the parking lot. Mitch Honsa with Larson Engineering and representing the applicant, stated that the landscaping was not changing. He explained that they may consider an underground system to treat the water as opposed to a raingarden at the front of the property. Staff did not receive any written comments regarding the request. After hearing staff's presentation and comments from the public, there was no further discussion and the commission voted 7-0 to recommend the City Council approve this request.

Site Characteristics

The applicant is requesting a conditional use permit amendment for site plan approval in order to construct an addition that will be used as a breakroom for employees and to expand the parking lot on the west side of the lot. The proposed building addition is 350 square feet. The expansion of the parking lot includes a five foot variance from the ten foot hard surface side yard setback on both the north and south sides and a variance from the 30% impervious surface limit in order to allow 69% coverage on the property. The current number of stalls on site is 37, while the code requires 33. The new lot will add 13 more for a total of 50 parking stalls on the property.

The subject site is located on the west side of White Bear Parkway and south of Highway 96 E. The building was constructed in 1987 and was used as a daycare until the clinic moved in. In 2004, Dr. Spencer was granted a conditional use permit for site plan approval in order to redevelop the site to its current use as a medical clinic. A five foot side yard setback variance for hard surface adjacent to the north and south lot lines and a 29.6% impervious surface variance was also granted at the time to expand the parking lot. The impervious surface variance was granted with a condition that the rear parking lot be constructed from pervious pavers consistent with the approved plans, so a 12% credit was granted to the site. Since the property was already at 52.9% impervious, with the credit, only 7% additional impervious surface was proposed and required to be mitigated.

The parking lot was not constructed within the time frame allowed, so the variance approvals expired. Sometime within the next several years, the parking lot was expanded, first with a bituminous lot on the south side, and later with a gravel lot on the west side of the lot, without permit, and without following the approved stormwater infiltration paver design. The current request is to rectify the past work and to allow the paving of the west side lot. However, the 12% credit should not be applied to the site, and all impervious surface above the 52.9% should be mitigated.

A condition of the original approval was that the runoff generated from the additional impervious surface be treated on site through the use of two rain gardens. As noted in the Engineering Department memo, dated September 12, attached, the rain gardens appear to have been partially or fully filled over time, and are therefore currently not treating the runoff from the excess impervious surface. Staff is including a condition of approval that the raingardens be reconstructed to treat the existing and proposed impervious surface to the extent possible (see Engineering Memo Comment #2).

Conditional Use Permit Review

City review authority for conditional use permits are considered a Quasi-Judicial action. This means the city acts like a judge in evaluating the facts against the applicable review standards. The city's role is

limited to applying the review standards to the facts presented by the application. Generally, if the application meets the review standards, it should be approved. The standards for reviewing CUPs are detailed in City Code Section 1301.050.

According to City Code Section 1301.050, the City shall consider possible adverse effects of a proposed conditional use. This review shall be based upon (but not limited to) the factors listed below. Based on the findings made in this review, staff recommends approval of the requested conditional use permit.

1. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official City Comprehensive Land Use Plan and all other plans and controls.

Finding: The 2040 Comprehensive Plan Future Land Use Map guides the subject property “Business Park”, which “allows a mix of light industrial, warehouse, office, and limited retail uses. Uses should primarily be contained within primary structures with outdoor processing and storage generally prohibited.” The use as a medical office is consistent with the Business Park description.

2. The proposed use is or will be compatible with present and future land uses of the area.

Finding: The property is zoned DBD: Diversified Business District, which lists medical and dental services as a permitted use within the district. The purpose of the DBD district is “to provide for a limited mixture of land uses, made mutually compatible through controls and high quality standards; to facilitate moderate intensity development in environmentally sensitive areas and to encourage economic development which will enhance employment opportunities within the City. This district shall allow opportunities to integrate high quality office structures, hotels, restaurants, and selected office, office/warehouse, office/showroom, quality light manufacturing uses, and limited medium density housing, in areas with convenient access to the metropolitan market area and excellent visibility from major thoroughfares.” The surrounding properties are a mix of multi-tenant office, warehouse, and light industrial, which is reflective of the mix of businesses desired for both Business Park and the DBD zoning district and are compatible with the existing medical clinic.

3. The proposed use conforms with all performance standards contained herein.

Finding: The business conforms with the applicable zoning regulations, other than the two variances that accompany the request. The property complies with building setbacks and height, exterior wall finish requirements, and already provides the number of parking stalls required for a professional office of this size.

4. The proposed use will not tend to or actually depreciate the area in which it is proposed.

Finding: The parking lot and building addition will not depreciate the area, rather it will improve the site from a gravel to paved lot and provide off-street parking for those who visit the clinic. There are a number of trees along the perimeter of the property that will be retained to provide a buffer, and the general exterior of the building is aesthetically similar to other properties in the surrounding neighborhood.

5. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.

Finding: The property is served by city water and sewer and there is not anticipated to be a change in demand. As stated above, the City has included a condition that as much stormwater runoff as feasible be directed towards the rain garden.

6. Traffic generation by the proposed use is within capabilities of streets serving the property.

Finding: The traffic generated from the business is not anticipated to increase with the proposed building or parking lot addition. The building addition is to provide more employee breakroom space, so will not increase the capacity to see patients or build new office area. Further, the new parking lot will take parked cars off of White Bear Parkway, reducing the amount of pedestrian traffic potentially crossing the road.

Variance Review

City review authority for variance applications is considered a Quasi-Judicial action. This means the city acts like a judge in evaluating the facts against the legal standard. The city's role is limited to applying the legal standard of practical difficulties to the facts presented by the application. Generally, if the application meets the review standards, the variance should be approved.

The standards for reviewing variances are detailed in Minnesota State Statute 462.357, Subdivision 6. In Summary, variances may be granted when the applicant establishes there are "practical difficulties" in complying with the zoning regulations. A practical difficulty is defined by the five questions listed below. Economic considerations alone do not constitute a practical difficulty. In addition, under the statute the City may choose to add conditions of approval that are directly related to and bear a rough proportionality on the impact created by the variance.

The proposed parking lot expansion includes the following two variances: a five foot variance from the ten foot hard surface side yard setback on both the north and south sides and a variance from the 30% impervious surface limit in order to allow 69% coverage on the property. Staff has reviewed the variance request against the standards detailed in Minnesota State Statute 462.357, Subdivision 6 and finds the applicant has demonstrated a practical difficulty. The standards for reviewing a variance application and staff's findings for each are provided below.

1. Is the variance in harmony with purposes and intent of the ordinance?

Finding: The proposed variances are in harmony with the purpose and intent of the zoning regulations. Off street parking is required in the City to "alleviate or prevent congestion of the public right-of-way and to promote the safety and general welfare of the public", and providing additional parking meets this intent. Further, stormwater treatment of the increased impervious surface on site addresses the environmental sensitivity of the Birch Lake Shoreland Overlay district.

2. Is the variance consistent with the comprehensive plan?

Finding: The proposed variances are consistent with the comprehensive plan. As noted above, the medical clinic is aligned with the land use designation of “Business Park” as guided in the 2040 Comprehensive Plan. Staff recognizes the need for businesses to accommodate growing clientele and their parking demands, and since the Comprehensive Plan identifies the White Bear Parkway Business Park as a key economic area in the City, the City would like to work with the business to address those needs in order to retain a thriving business community.

3. Does the proposal put the property to use in a reasonable manner?

Finding: The proposed variances put the property to use in a reasonable manner. Expanding the parking lot to accommodate visitors that are currently parking off-site is a reasonable use of the property. The hard surface setback along the south side is an extension of what is existing, so is not intensifying the nonconformity, while the encroachment along the north side is just for turnaround space, so there is no vehicle parking within that encroachment.

4. Are there unique circumstances to the property not created by the landowner?

Finding: There are unique circumstances to the property. As stated in the applicant’s narrative, the existing building was originally constructed as a daycare in the center of the property to buffer a play area from the road. The location of the building limits the design of any parking lot expansion without encroaching into the required setback or making major modifications to the site.

5. Will the variance, if granted, alter the essential character of the locality?

Finding: The proposed variances will not alter the essential character of the neighborhood. Most of the commercial properties in the Birch Lake Shoreland Overlay district have impervious surface variances to accommodate parking and several of the businesses share drive aisles and parking lots, so it is not uncommon for there to be reduced hard surface setbacks.

RECOMMENDATION

The Planning Commission and staff recommend approval of the applicant’s 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 1301.050, 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. The 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 signed resolution of approval with the County Recorder pursuant to Minnesota State, Statute 462.3595 to ensure the compliance of the herein-stated conditions.

4. Per Section 1301.060, Subd.3, the variances 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.
5. A building permit shall be obtained before any work begins.
6. The applicant shall verify the property lines and have the property pins exposed at the time of inspection.
7. The applicant shall conform with the requirements of the Engineering and Fire Departments.

ATTACHMENTS

Resolution

Zoning/Location Map

Engineering Review Memo dated 9-12-22

Fire Review Memo dated 9-9-22

Applicant's Narrative & Plans

RESOLUTION NO.

RESOLUTION GRANTING A CONDITIONAL USE PERMIT AMENDMENT AND TWO VARIANCES FOR 4465 WHITE BEAR PARKWAY WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA

WHEREAS, Dr. Paul Spencer and AALFA Clinic (Case No. 04-18-Sa& 22-14-V) have requested a conditional use permit amendment for site plan approval in both the DBD zoning district, per code section 1303.225, Subd.4.i, and the Shoreland Overlay district, per 1303.230, Subd.6, and two variances: a 4.6 foot variance from the 10 foot setback for hard-surface from the north and south side lot lines, per 1303.225, Subd.6.e, and a variance from the 30% impervious area limitation to allow 69% impervious, per 1303.230, Subd.5.a.5, in order to construct an addition and parking lot at the following location:

LOCATION: 4465 White Bear Parkway

LEGAL DESCRIPTION: South 151.56 feet of Lot 2, Block 1 of White Bear Gateway Business Park, Ramsey County, MN. (PID #: 213022110010)

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on September 26, 2022; 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 and 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, in relation to the Conditional Use Permit, the City Council accepts and adopts the following findings of the Planning Commission:

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.

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

1. The requested variances are in harmony with purposes and intent of the ordinance.
2. The requested variances are consistent with the 2040 Comprehensive Plan.
3. Granting the requested variances will allow the property to be used in a reasonable manner.
4. There are unique circumstances to the property not created by the landowner.

RESOLUTION NO.

5. Granting the requested variances alone will not alter the essential character of the neighborhood.

BE IT FURTHER RESOLVED, that the City Council of the City of White Bear Lake hereby approves 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 1301.050, 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. The 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 signed resolution of approval with the County Recorder pursuant to Minnesota State, Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. Per Section 1301.060, Subd.3, the variances 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.
5. A building permit shall be obtained before any work begins.
6. The applicant shall verify the property lines and have the property pins exposed at the time of inspection.
7. The applicant shall conform with the requirements of the Engineering and Fire Departments.

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

Ayes:
 Nays:
 Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk

RESOLUTION NO.

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.

Applicant's Signature

Date



City of White Bear Lake
Engineering Department

MEMORANDUM

To: Ashton Miller, City Planner
From: Connie Taillon P.E., Environmental Specialist/Water Resources Engineer
Date: September 12, 2022
Subject: **Aalfa Family Clinic Engineering Stormwater Review Comments – Land Use Application Review**

The Engineering Department conducted a preliminary review of the stormwater calculations and civil plan sheets (C100, C200, C300, C400, C500, C501, C600) dated August 15, 2022 and received September 2, 2022 for the above referenced project and have the following stormwater related comments:

BACKGROUND

- As per the Planning Commission memo date September 23, 2004, the current site at that time was developed with 52.9% impervious surfaces. A 7% increase in impervious surfaces was granted by the 2004 variance for a future 12 stall parking lot on the west side of the building, and future driveway access on the south side of the building. This 7% increase calculation included a 12% credit for porous paver areas.
- As per the Planning Commission memo date September 23, 2004, in order to mitigate the additional hard surface areas, the applicant had been asked to develop ponding areas on the north side of the building and in the boulevard along White Bear Parkway. The two ponding areas were to be designed as raingardens using native plantings to treat stormwater runoff. The two raingardens were proposed to capture stormwater runoff from all existing and future hard surfaces with the exception of the driveway leading from the parkway into the site. Resolution No 9678, which was passed by City Council on October 10, 2004, listed the addition of the two raingardens as a condition of variance approval.
- Both raingardens were constructed as part of the 2004 project. The north raingarden was designed to accept runoff from the future west parking lot and the existing roof area. The east raingarden was designed to treat runoff from the east parking lot that was reconstructed as part of the 2004 project via a curb cut in the NE corner of the parking lot. Both raingardens appear to not have been built per design and have also been partially or fully filled in.

- Based on a 2008 aerial photo, the south bituminous parking lot was extended sometime between 2006 and 2008. As per an email from Sam Crosby to Greg Buchal at Larson Engineering on August 31, 2021, Sam reviewed the address file for the property, PIMS (permitting) system, and in Laserfiche, and there was no record of a permit found for this parking lot extension.
- Based on a 2011 aerial photo, a gravel parking lot was added on the west side of the building sometime between 2009 and 2011. A permit was not pulled for this work.

COMMENTS

- 1) The 2004 variance became null and void when the project was not completed within one calendar year after the approval date. A permit was not pulled for the construction of the expanded parking areas on either the south or west sides of the building, and the construction was not porous pavement as required by the 2004 variance. Therefore, for this project a variance will be required to mitigate additional impervious surfaces above 53%.
- 2) The applicant shall meet the intent of the Planning Commission memo dated September 23, 2004 and Resolution No 9678 to develop raingardens on the north side of the building and along the east side of the property to capture stormwater from all existing and future impervious surfaces, with the exception of the portion of the driveway leading from the parkway into the site that cannot feasibly be routed to a raingarden.
- 3) When adding the new impervious areas and the existing south parking lot impervious area that was installed without a permit, the project appears to be above the 10,000 square foot new and reconstructed impervious threshold; therefore, the project will trigger the City of White Bear Lake Engineering Design Standards for Stormwater Management. As per comment 2, the entire site shall meet these standards. Note that if the Engineering Design Standards are met for this project (including comment 2), the Shoreland Overlay District impervious mitigation requirements will also be met.
- 4) Sheet C200, Site Notes: please revise the following in the 'site areas' summary:
 - a) Itemize each 'other existing impervious' area (sidewalk areas, paved parking areas, curbs, sheds, etc.). For the existing parking areas, provide a separate parking area for the south parking lot that was constructed without a permit. Label this area as 'existing south parking lot constructed 20XX' (label the year it was constructed). Do the same for the other existing parking lot area(s) and include the year each was constructed.
 - b) For the new impervious calculations, please itemize each new impervious surface area including the new concrete sidewalk area(s), each new parking lot area (separating the west parking lot and south parking lot), and any other miscellaneous new pavement areas. If the new parking lot curb and gutter is included in the parking lot areas, note this next to each parking lot area calculation.
 - c) Add a total for all proposed impervious surfaces in the site areas summary.

- 5) For the rate control calculation, the existing conditions shall be modeled per the conditions of the site in 2004 when the site was at 52.9% impervious. The existing subcatchment area map shall show the 2004 site layout.
- 6) A detailed review of the stormwater calculations, civil plans, landscape plans, and geotechnical report will be completed after the above comments have been incorporated into the design.
- 7) An asbuilt survey and Stormwater Operations and Maintenance Agreement (SOMA) will be required for this project.

Larson Engineering, Inc.
3524 Labore Road
White Bear Lake, MN 55110-5126
651.481.9120 Fax: 651.481.9201
www.larsonengr.com



August 15, 2022

Jason Lindahl, AICP
Community Development Director
City of White Bear Lake
4701 Highway 61
White Bear Lake, MN 55110

Re: Land Use & Variance Application Narrative
4465 White Bear Parkway

Dear Jason Lindahl:

The landowner of this property, Paul J. Spencer, is seeking a variance related to the hard surface (parking lot pavement) for the side setback requirements and for the allowable amount of impervious surface.

A medical clinic is currently in operation at the property which is a permitted use in this zoning district, Diversified Business District, and the landowner would like to construct a breakroom addition to the west side of the existing building of about 350 square feet. In addition, the landowner would like to increase the number of available parking spaces to better accommodate the staff and patient parking needs for the facility, and reduce the need to park in the street (White Bear Parkway). To increase the amount of parking at the facility, it is proposed to construct parking on the west side of the building which would be used primarily by staff.

The existing parking lots on the east side of the building will not be modified. Currently the distance to the existing hard surface on the south side is 5 feet and a 10-foot setback is required. To align the new drive and parking areas to the west with those existing to the east, we are requesting a variance for the side setback to match that of the existing south side. Since these parking lots were in place when the property was purchased in 2003, these non-conforming setbacks represent an existing condition at that time that could not be mitigated without changes to the parking lot layout, with a loss of parking stalls, and significant cost beyond that intended for this project. The south lot will be modified slightly to make ADA compliant parking stalls, along with improved ADA access to the building.

With the added parking and building addition, the impervious surface of the site would be at approximately 69%. It is our understanding that the allowable limit for this property is currently 53% from the original CUP in 2004. The Owner is requesting approval of this variance to better accommodate staff and patient parking needs for safe and successful operation of the facility. Although parking is allowed on the adjacent street (White Bear Parkway), but it would be safer for the patients and families that utilize this medical facility to park on-site.

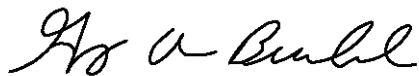
The overall size of the lot is relatively small (the smallest of those in the Gateway Business Park) such that when adequate parking and building space is provided for the current medical clinic facility, the relative percentage of impervious surface is higher and exceeds the standard coverage. The layout of the site with the building at the center of the lot was based upon the original use as a day care center which had a playground behind the building for separation and safety purposes. This configuration does not allow for efficient layout of parking spaces, such as typically having parking on both sides of a drive lane, due to space constraints.

It should also be mentioned that stormwater treatment is being provided for both the proposed building addition and the added parking at the facility, along with treating a portion (the building roof water) of the existing impervious surface at the site.

By approving these variances, the action would not impair the supply of light or air to the adjacent properties, increase congestion in the public street, increase the fire danger, or impair property values. Granting the variance would also be in harmony with the general purpose and intent of the Code for use in this zoning district and the Gateway Business Park and would not be detrimental to the public welfare.

If you have questions or need additional information, please let us know. Thank you for your consideration of these variance and land use requests.

Sincerely,
Larson Engineering, Inc.



Greg Buchal
Project Manager

Aalfa Clinic BREAK ROOM EXPANSION

DRAWING INDEX

SCOPE OF WORK:

THIS SCHEMATIC DESIGN SET PERTAINS TO THE EXPANSION OF THE BREAK ROOM ALONG WEST SIDE OF EXISTING STRUCTURE, UNDERNEATH EXISTING CANOPY AND NEW CANOPY EXTENSION. DEMOLITION OF OPENINGS TO ACCESS NEW BREAK ROOM EXPANSION AND INSTALLATION OF NEW FOUNDATION, FRAMING FOR NEW WALLS AND CANOPY EXPANSION.

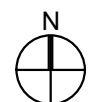
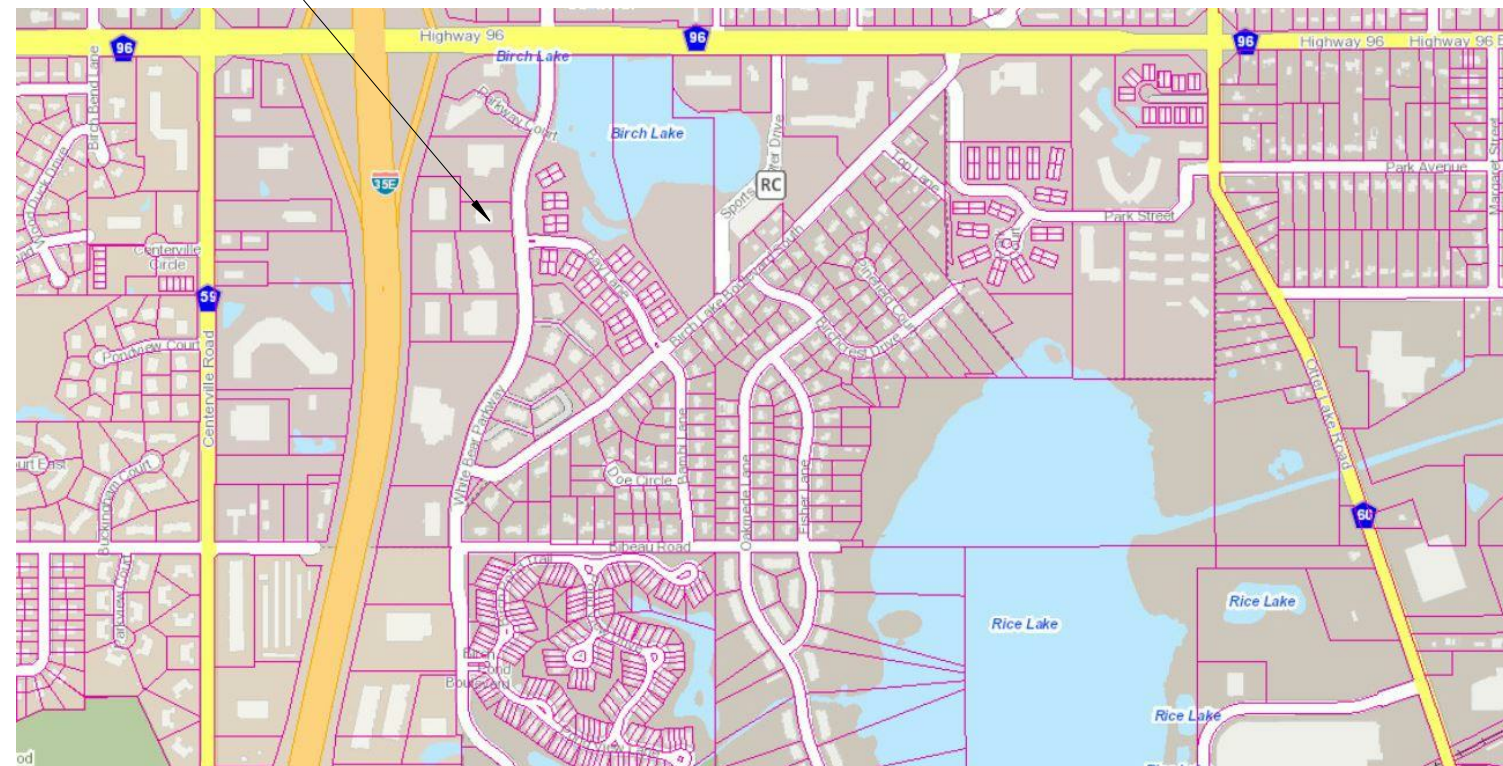
4465 White Bear Pkwy, White Bear Lake, MN 55110

No.	Sheet Name:	Rev:	Issue:	Date:
GENERAL				
G-100	COVER SHEET	A	30% SD	MAR 01, 2021
G-101	SITE PLAN	A	30% SD	MAR 01, 2021
ARCHITECTURAL				
A-100	GENERAL FLOOR PLAN	A	30% SD	MAR 01, 2021
A-110	FLOOR PLANS	A	30% SD	MAR 01, 2021
A-200	BUILDING DEMO ELEVATIONS	A	30% SD	MAR 01, 2021
A-201	BUILDING ELEVATIONS	A	30% SD	MAR 01, 2021



VIEW OF PROPOSED ADDITION

SITE LOCATION

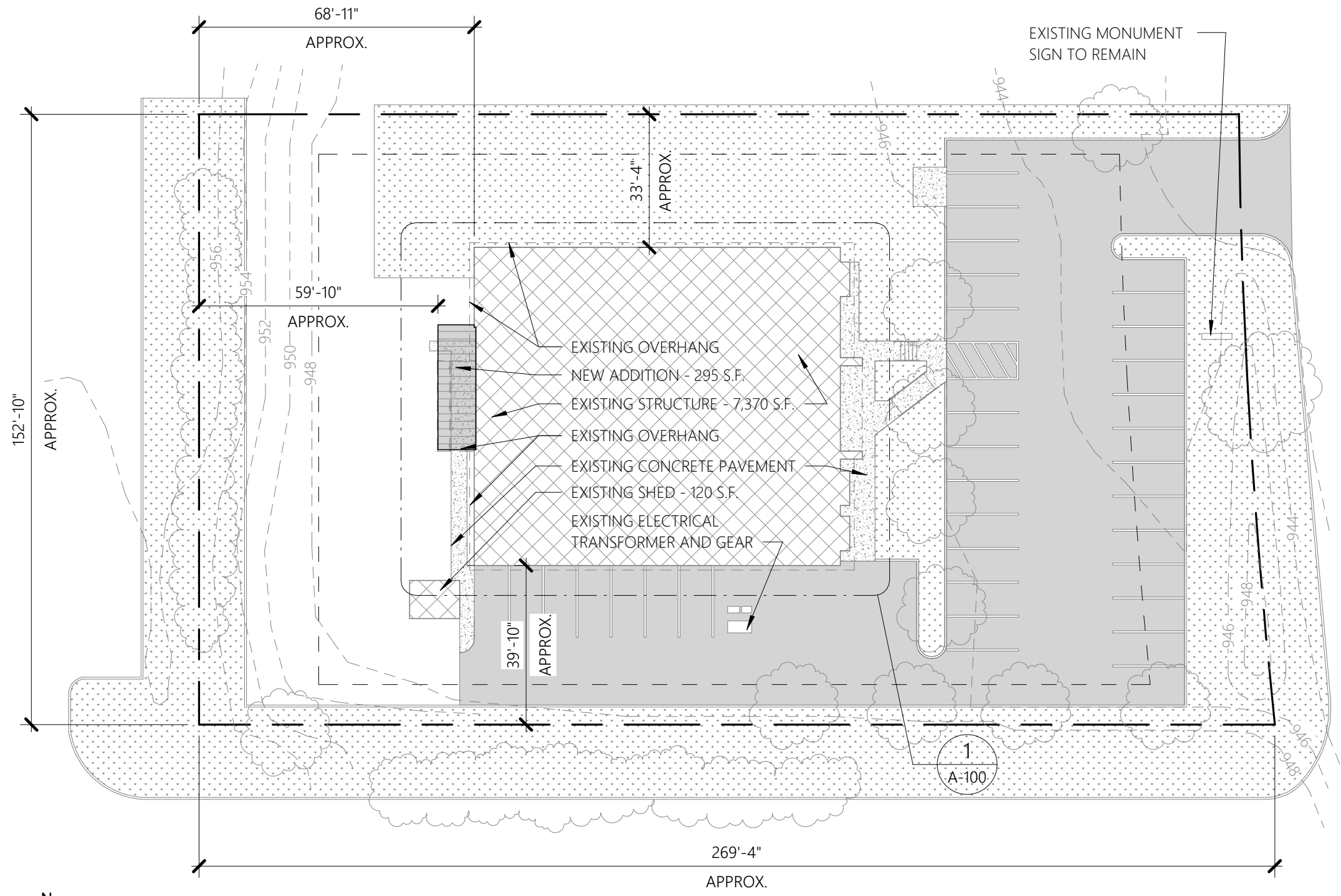


① SITE LOCATION
1 : 12000

Aalfa Clinic
BREAK ROOM EXPANSION

G-100

4465 White Bear Pkwy, White Bear Lake, MN 55110



SITE LEGEND:

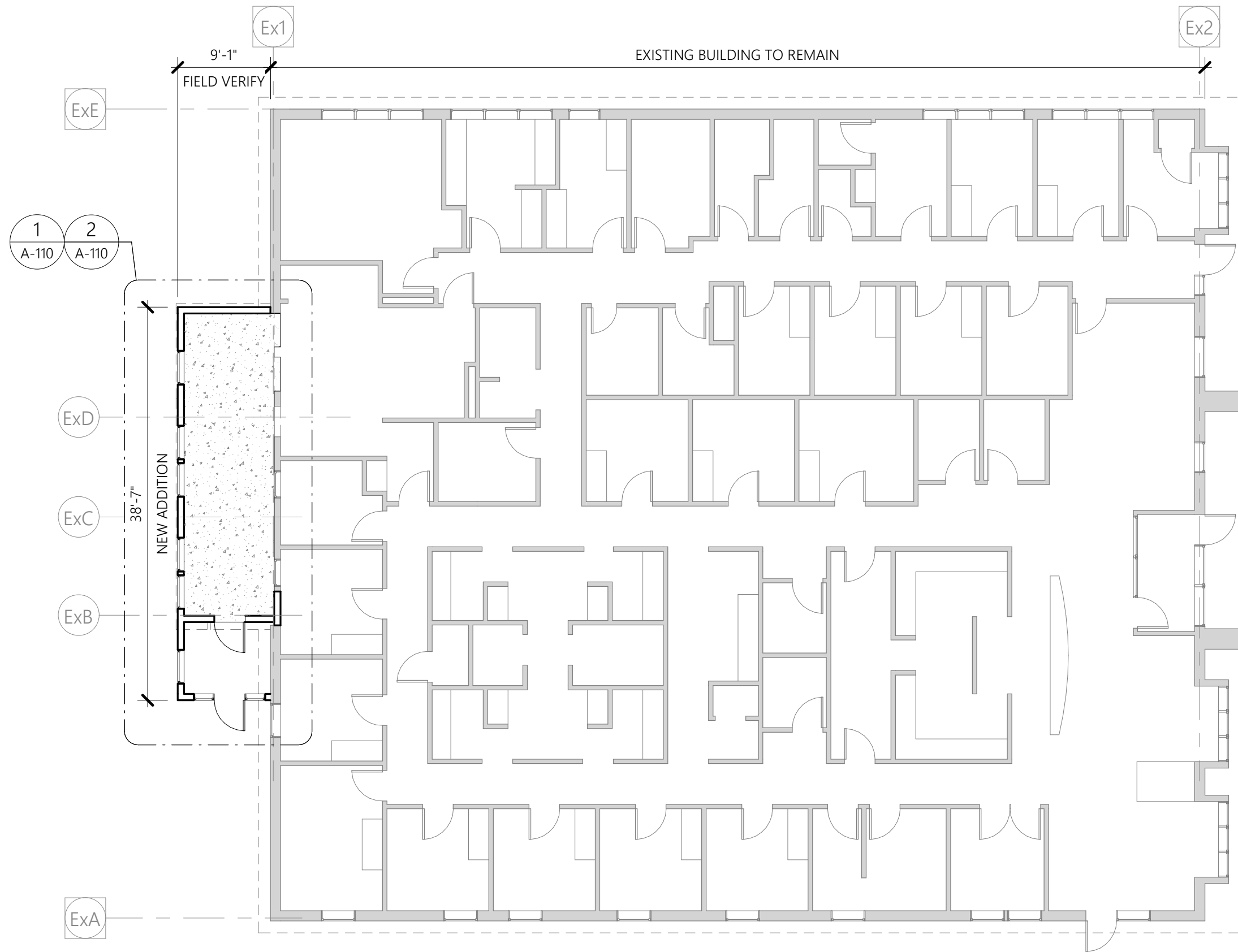
- EXISTING ONE STORY STRUCTURE TO REMAIN
- EXISTING ASPHALT PAVEMENT
- EXISTING LANDSCAPING
- EXISTING CONCRETE PAVEMENT TO REMAIN
- NEW ADDITION
- EXISTING TREE
- PROPERTY LINE
- YARD SETBACK
- REQUIRED SETBACK

1 SITE PLAN
1" = 30'-0"

Aalfa Clinic BREAK ROOM EXPANSION

G-101

4465 White Bear Pkwy, White Bear Lake, MN 55110



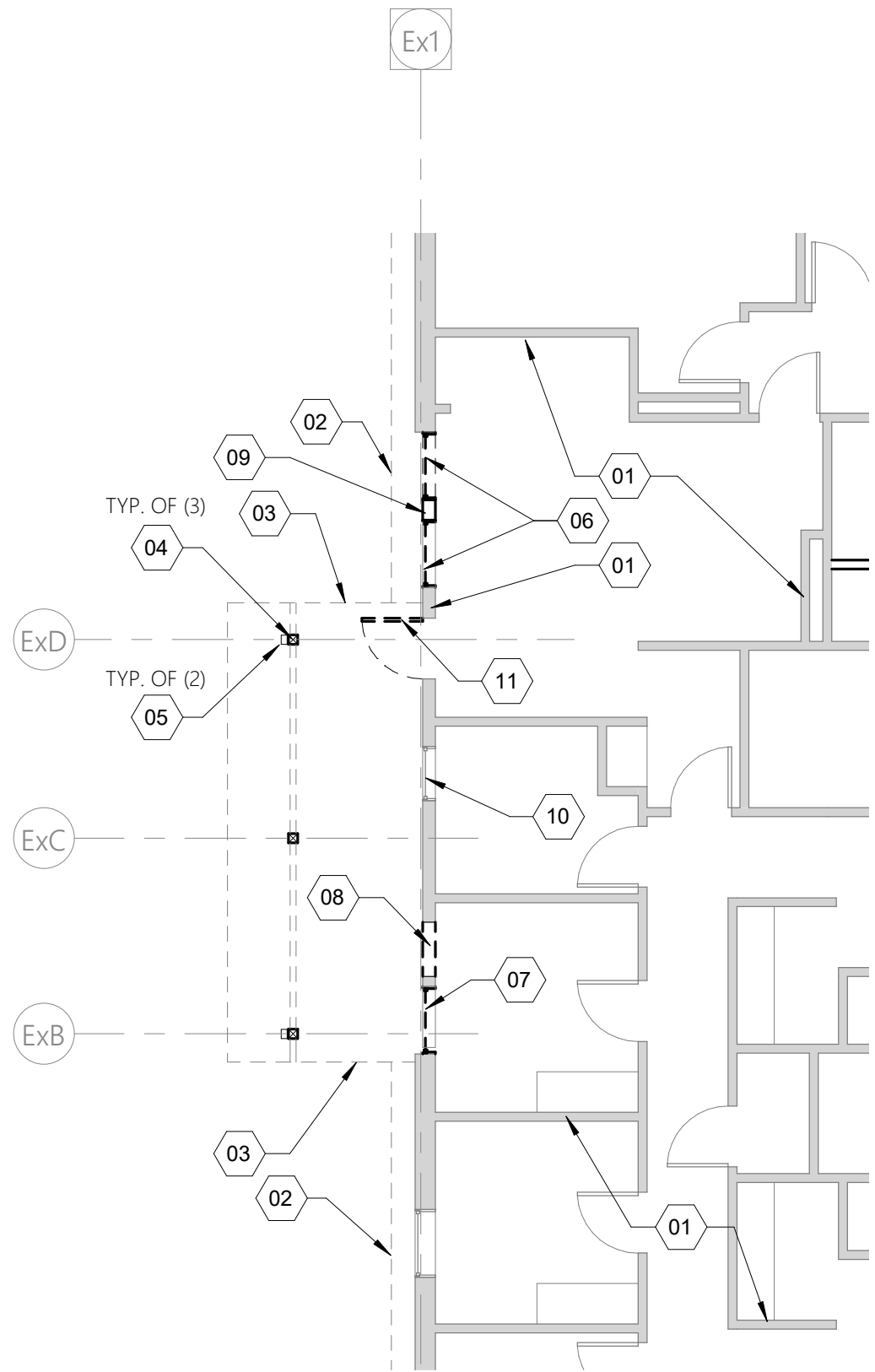
GENERAL PLAN NOTES:

- A. EXISTING ITEMS TO REMAIN SHOWN TONED DOWN - PROTECT AS NECESSARY.
- B. BRACE EXISTING STRUCTURE AS REQUIRED DURING DEMOLITION.
 - a. GENERAL CONTRACTOR IS RESPONSIBLE FOR VERIFYING STRUCTURAL CAPACITY OF EXISTING CANOPY TO REMAIN.
 - b. GENERAL CONTRACTOR IS RESPONSIBLE FOR DESIGN OF NEW STRUCTURAL MEMBERS, INCLUDING BUT NOT LIMITED TO CANOPY SUPPORT, LINTELS & FOUNDATIONS.
 - c. PROVIDE STRUCTURAL DEFERRAL SUBMITTAL AS REQUIRED BY LOCAL JURISDICTION.
- C. COORDINATE ITEMS TO BE SALVAGE WITH OWNER.
- D. PATCH ITEMS TO REMAIN AS REQUIRED AT INTERSECTION WITH DEMOLISHED ITEMS.

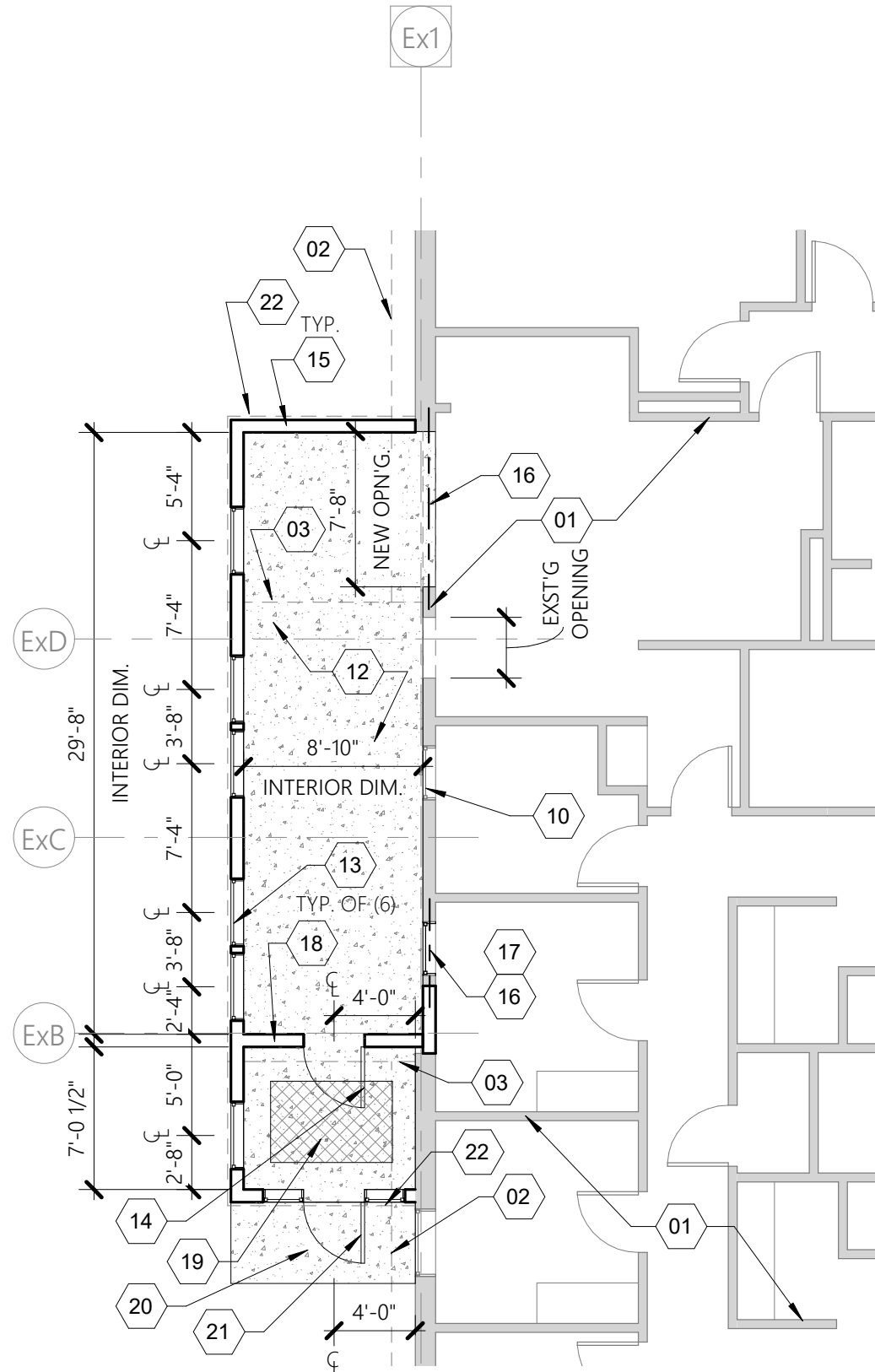

 1 1ST LEVEL - GENERAL FLOOR PLAN
 3/32" = 1'-0"

Aalfa Clinic
BREAK ROOM EXPANSION

A-100



1 1ST LEVEL - DEMOLITION PLAN
1/8" = 1'-0"



2 1ST LEVEL - FLOOR PLAN
1/8" = 1'-0"

GENERAL PLAN NOTES:

- A. EXISTING ITEMS TO REMAIN SHOWN TONED DOWN - PROTECT AS NECESSARY.
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PLAN KEY NOTES:

- 1. EXISTING ITEMS TO REMAIN SHOWN TONED DOWN - PROTECT AS NECESSARY.
- 2. EXISTING SOFFIT ABOVE TO REMAIN SHOWN DASHED.
- 3. EXISTING CANOPY ABOVE TO REMAIN SHOWN DASHED.
- 4. REMOVE EXISTING WOOD COLUMN AND ASSOCIATED BEAM - REFER TO GENERAL NOTES FOR STRUCTURAL DESIGN COMMENTS.
- 5. REMOVE EXISTING METAL DOWNSPOUT.
- 6. REMOVE EXISTING ALUMINUM WINDOW IN ITS ENTIRETY, INCLUDING SILL WALL FOR NEW OPENING - SALVAGE AND RETURN WINDOW TO OWNER.
- 7. REMOVE EXISTING WINDOW IN ITS ENTIRETY FOR INFILL - SALVAGE AND RETURN WINDOW TO OWNER.
- 8. REMOVE PORTION OF EXISTING WALL FOR NEW GLASS BLOCK WINDOW.
- 9. REMOVE PORTION OF EXISTING WALL FOR NEW OPENING INTO BREAK ROOM EXPANSION.
- 10. EXISTING GLASS BLOCK WINDOW TO REMAIN.
- 11. REMOVE EXISTING HOLLOW METAL DOOR - SALVAGE AND RETURN TO OWNER.
- 12. NEW 4" CONCRETE SLAB, SHOWN HATCHED, OVER POLY VAPOR BARRIER, 2" RIGID INSULATION AND 6" OF SAND, SHOWN HATCHED.
- 13. NEW ALUMINUM WINDOW TO MATCH EXISTING WINDOWS SIZE AND FINISH.
- 14. NEW 3'-0" x 7'-0" HOLLOW METAL DOOR.
- 15. NEW EXTERIOR WALL OVER FROST CONTINUOUS CONCRETE FOUNDATION - REFER TO BUILDING ELEVATIONS FOR CONSTRUCTION.
- 16. NEW LINTEL - REFER TO GENERAL NOTES FOR STRUCTURAL DESIGN COMMENTS.
- 17. NEW GLASS BLOCK WINDOW TO MATCH EXISTING.
- 18. NEW INTERIOR PARTITION (6" METAL STUDS WITH FULL BATT INSULATION & 5/8" GYP. BD. BOTH SIDES).
- 19. NEW 4'x6' RECESSED FLOOR MAT.
- 20. NEW 4' LONG CONCRETE STOOP.
- 21. NEW ALUMINUM STOREFRONT DOOR AND SIDELIGHTS.
- 22. NEW ROOF OVERHANG BELOW EXISTING ROOF OVERHANG - REFER TO BUILDING ELEVATIONS.

Aalfa Clinic
BREAK ROOM EXPANSION

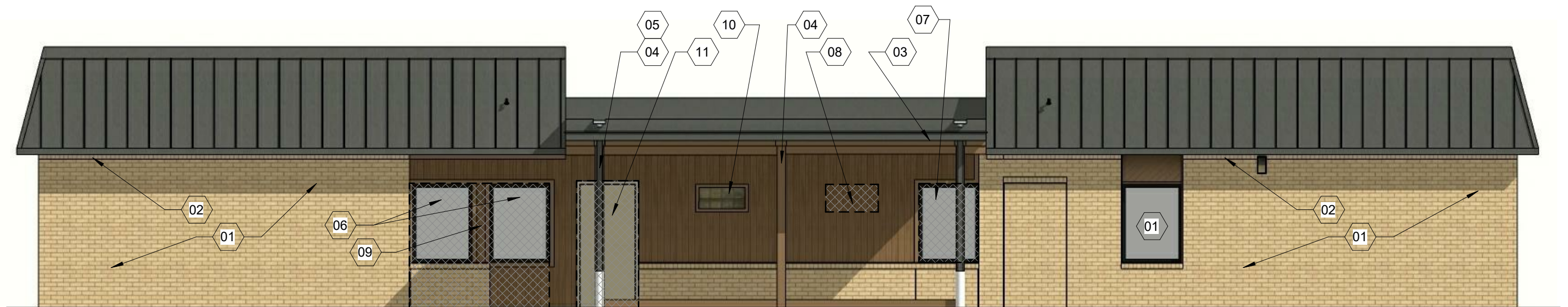
4465 White Bear Pkwy, White Bear Lake, MN 55110

GENERAL PLAN NOTES:

- A. EXISTING ITEMS TO REMAIN SHOWN TONED DOWN - PROTECT AS NECESSARY.
- B. BRACE EXISTING STRUCTURE AS REQUIRED DURING DEMOLITION:
 - a. GENERAL CONTRACTOR IS RESPONSIBLE FOR VERIFYING STRUCTURAL CAPACITY OF EXISTING CANOPY TO REMAIN.
 - b. GENERAL CONTRACTOR IS RESPONSIBLE FOR DESIGN OF NEW STRUCTURAL MEMBERS, INCLUDING BUT NOT LIMITED TO CANOPY SUPPORT, LINTELS & FOUNDATIONS.
 - c. PROVIDE STRUCTURAL DEFERRAL SUBMITTAL AS REQUIRED BY LOCAL JURISDICTION.
- C. COORDINATE ITEMS TO BE SALVAGE WITH OWNER.
- D. PATCH ITEMS TO REMAIN AS REQUIRED AT INTERSECTION WITH DEMOLISHED ITEMS.

PLAN KEY NOTES:

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- 11. REMOVE EXISTING HOLLOW METAL DOOR - SALVAGE AND RETURN TO OWNER.



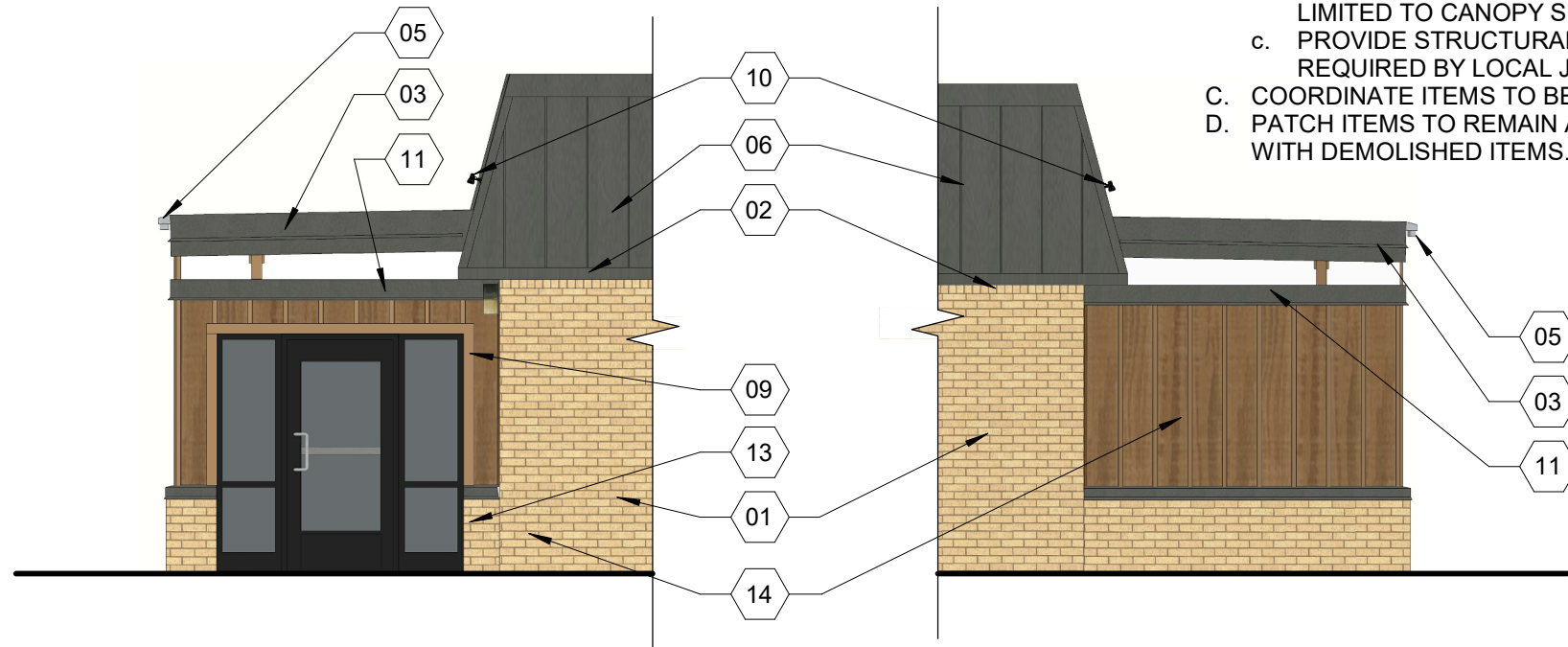
① DEMO WEST ELEVATION
3/16" = 1'-0"

GENERAL PLAN NOTES:

- A. EXISTING ITEMS TO REMAIN SHOWN TONED DOWN - PROTECT AS NECESSARY.
- B. BRACE EXISTING STRUCTURE AS REQUIRED DURING DEMOLITION:
 - a. GENERAL CONTRACTOR IS RESPONSIBLE FOR VERIFYING STRUCTURAL CAPACITY OF EXISTING CANOPY TO REMAIN.
 - b. GENERAL CONTRACTOR IS RESPONSIBLE FOR DESIGN OF NEW STRUCTURAL MEMBERS, INCLUDING BUT NOT LIMITED TO CANOPY SUPPORT, LINTELS & FOUNDATIONS.
 - c. PROVIDE STRUCTURAL DEFERRAL SUBMITTAL AS REQUIRED BY LOCAL JURISDICTION.
- C. COORDINATE ITEMS TO BE SALVAGE WITH OWNER.
- D. PATCH ITEMS TO REMAIN AS REQUIRED AT INTERSECTION WITH DEMOLISHED ITEMS.

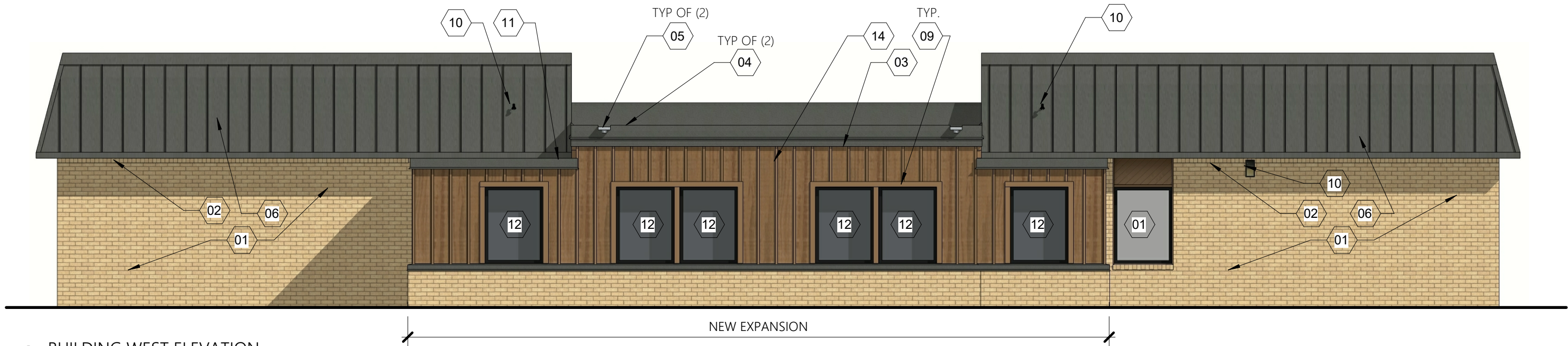
PLAN KEY NOTES:

- 1. EXISTING ITEMS TO REMAIN SHOWN TONED DOWN - PROTECT AS NECESSARY.
- 2. EXISTING SOFFIT ABOVE TO REMAIN.
- 3. EXISTING CANOPY ABOVE TO REMAIN.
- 4. REMOVE EXISTING CANOPY ROOF DRAIN.
- 5. EXISTING OVERFLOW SCUPPER TO REMAIN.
- 6. EXISTING METAL ROOF ABOVE TO REMAIN.
- 7. NEW THIN BRICK FINISH TO MATCH EXISTING BRICK.
- 8. NEW PREFINISHED METAL FLASHING TO MATCH EXISTING ROOF FLASHING COLOR.
- 9. NEW 3-1/2" WOOD TRIM AROUND WINDOWS TO MATCH EXISTING TRIM.
- 10. EXISTING LIGHT FIXTURE TO REAMIN.
- 11. NEW CANOPY EXTENSION.
- 12. NEW ALUMINUM WINDOW TO MATCH EXISTING WINODWS SIZE AND FINISH.
- 13. NEW 3'-0" x 7'-0" HOLLOW METAL DOOR.
- 14. NEW EXTERIOR WALL OVER FROST CONTINUOUS CONCRETE FOUNDATION:
 - BOARD AND BATTEN (12") LP SMART SIDING (INSTALL THIN BRICK SILL ON TOP OF 2" RIGID INSULATION AND CEMENT BOARD).
 - 4/8" SHEATHING
 - 2"x6" WOOD STUDS FILLED WITH BATT INSULATION
 - VAPOR BARRIER
 - 5/8" GYPSUM BOARD



② BUILDING SOUTH ELEVATION
3/16" = 1'-0"

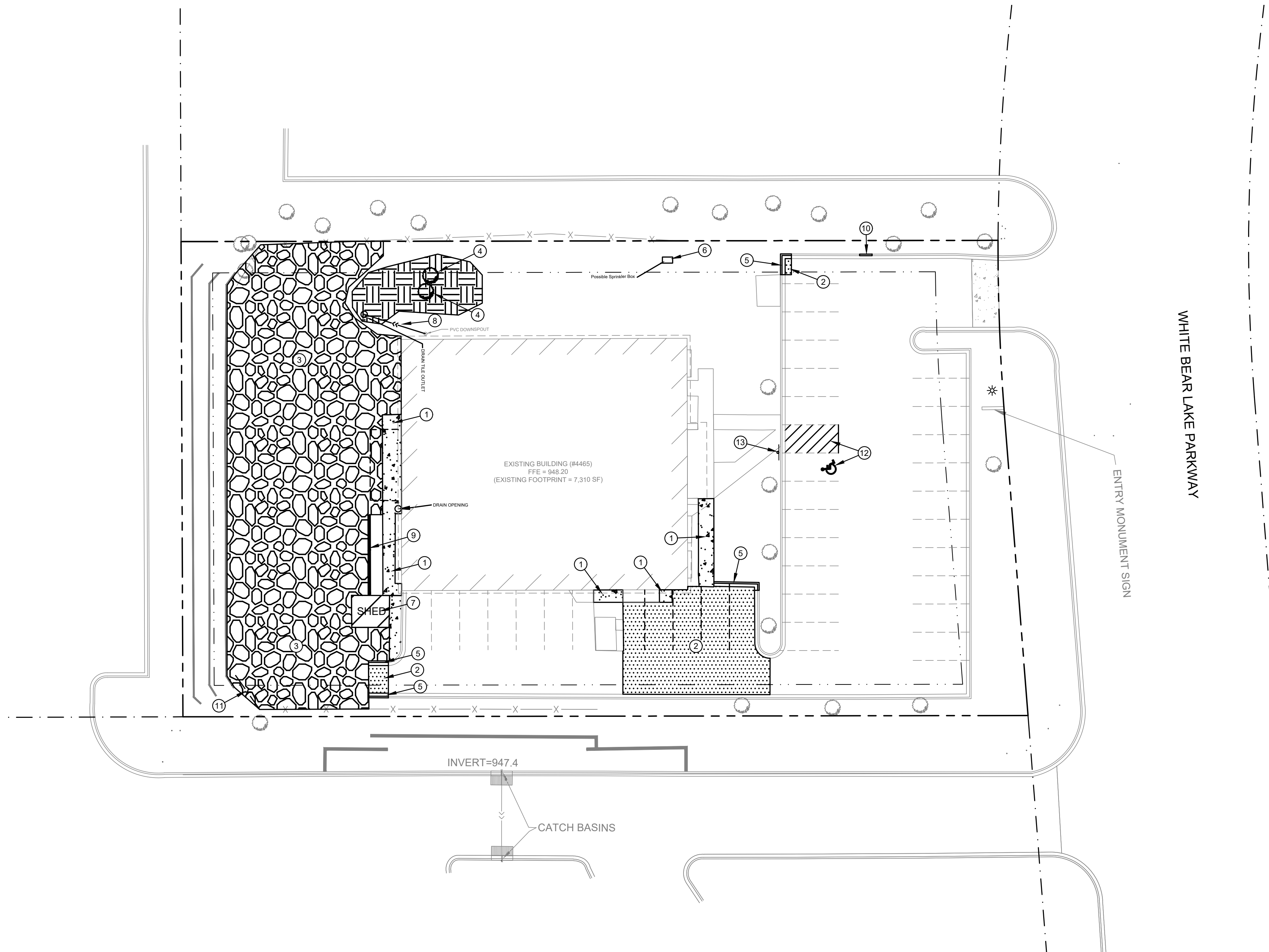
③ BUILDING NORTH ELEVATION
3/16" = 1'-0"



① BUILDING WEST ELEVATION
3/16" = 1'-0"

Aalfa Clinic
BREAK ROOM EXPANSION

A-201



SYMBOL LEGEND

- REMOVE AND DISPOSE OF EXISTING BITUMINOUS PAVEMENT SECTION.
- REMOVE AND DISPOSE OF EXISTING CONCRETE PAVEMENT SECTION
- REMOVE AND DISPOSE OF EXISTING GRAVEL PAVEMENT. AT CONTRACTORS OPTION, RECLAIM FOR USE AS BASE AGGREGATE
- REMOVE AND DISPOSE OF ALL UNDERBRUSH, TREES, AND ROOTS

KEY NOTES

- ① REMOVE AND DISPOSE OF EXISTING CONCRETE PAVEMENT.
- ② REMOVE AND DISPOSE OF EXISTING BITUMINOUS PAVEMENT.
- ③ REMOVE AND DISPOSE OF EXISTING GRAVEL PAVEMENT. AT CONTRACTORS OPTION, RECLAIM FOR USE AS BASE AGGREGATE.
- ④ REMOVE AND DISPOSE OF EXISTING TREE, STUMP, AND ROOTS.
- ⑤ REMOVE AND DISPOSE OF CONCRETE CURB.
- ⑥ REMOVE AND RELOCATE EXISTING IRRIGATION, COORDINATE WITH OWNER.
- ⑦ REMOVE AND RELOCATE EXISTING SHED, SEE SHEET C200 FOR PROPOSED LOCATION.
- ⑧ REMOVE AND DISPOSE OF EXISTING DRAINTILE LINE AND OUTLET.
- ⑨ REMOVE AND DISPOSE OF EXISTING TIMBER BEAM.
- ⑩ REMOVE AND DISPOSE OF EXISTING CURB BACK, GUTTER LINE TO REMAIN.
- ⑪ REMOVE AND DISPOSE OF EXISTING FENCE.
- ⑫ REMOVE EXISTING HANDICAP STRIPING.
- ⑬ REMOVE AND DISPOSE OF EXISTING HANDICAP SIGN, POST, AND ANY RELATED INFRASTRUCTURE.

DEMOLITION NOTES

1. Verify all existing utility locations.
2. It is the responsibility of the Contractor to perform or coordinate all necessary utility demolitions and relocations from existing utility locations to all onsite amenities and buildings. These connections include, but are not limited to, water, sanitary sewer, cable tv, telephone, gas, electric, site lighting, etc.
3. Prior to beginning work, contact Gopher State Onecall (651-454-0002) to locate utilities throughout the area under construction. The Contractor shall retain the services of a private utility locator to locate the private utilities.
4. Sawcut along edges of pavements, sidewalks, and curbs to remain.
5. All construction shall be performed in accordance with state and local standard specifications for construction.

SITE NOTES

ZONING DISTRICTS:
 DIVERSIFIED BUSINESS DISTRICT
 SHORELAND DISTRICT

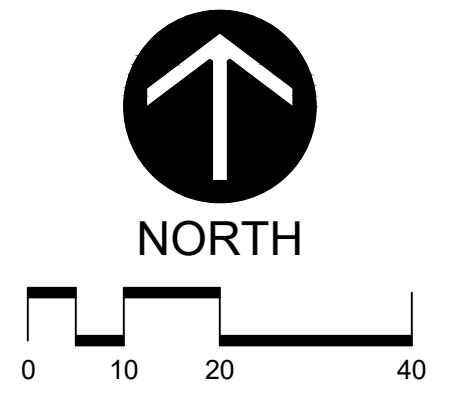
PARKING SETBACK REQUIREMENTS:
 FRONT SETBACK: 20 FEET
 SIDE/REAR SETBACK: 10 FEET

PARKING STALLS:
 EXISTING PAVED PARKING TOTAL STALL COUNT: 37 STALLS*
 ACCESS AISLES: 1 STALL
 HANDICAP PARKING STALLS: 1 STALL

*NOTE: NO PARKING STALLS WERE ACCOUNTED FOR IN THE PAVED GRAVEL AREA AT THE BACK OF THE BUILDING.

SITE AREAS:
 EXISTING ROOF: 7,310 SF
 EXISTING GRAVEL PARKING: 6,992 SF
 OTHER EXISTING IMPERVIOUS (SIDEWALKS, PAVED PARKING AREAS, CURB, ETC.): 14,363 SF

TOTAL AREA OF IMPERVIOUS (PRE-CONSTRUCTION): 28,665 SF
 TOTAL AREA OF LOT: 40,023 SF
 PERCENT COVERAGE OF IMPERVIOUS: 71.62%



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 WHITE BEAR LAKE, MN 55110

2022 BUILDING AND PARKING LOT ADDITION
 ALPHA FAMILY CLINIC
 WHITE BEAR LAKE, MN 55110

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First M. Last, P.E.
 Date: 08.15.2022 Lic. No.: 23793


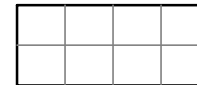
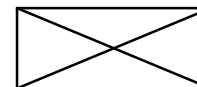
Rev.	Date	Description

Project #: 12216110
 Drawn By: MTH
 Checked By: GAB
 Issue Date:
 Sheet Title:

DEMOLITION PLAN

Sheet:
C100

SYMBOL LEGEND

-  NEW BITUMINOUS PAVEMENT
SEE DETAIL 1/C500
-  NEW CONCRETE PAVEMENT
SEE DETAIL 2/C500
-  NEW CONCRETE STOOP
SEE STRUCTURAL

KEY NOTES

- ① NEW B612 CONCRETE CURB, SEE DETAIL 3/C500
- ② NEW BITUMINOUS PAVEMENT, SEE DETAIL 1/C500
- ③ NEW CONCRETE PAVEMENT, SEE DETAIL 2/C500
- ④ NEW CURB CUT, SEE DETAIL 3/C501
- ⑤ NEW CURB BACK, SEE DETAIL 4/C500
- ⑥ RELOCATE EXISTING SHED TO NEW CONCRETE PAD
- ⑦ NEW ADA SIGN AND POST, SEE DETAIL 5/C500

PAVING NOTES

1. Mill and overlay existing bituminous pavement areas adjacent to new bituminous pavement as needed to ensure proper drainage.
2. Concrete joints are shown for general reference only to signify new light-duty and/or heavy-duty concrete pavement. Actual joints shall be constructed per the project specifications.

SITE NOTES

ZONING DISTRICTS:
DIVERSIFIED BUSINESS DISTRICT
SHORELAND DISTRICT

PARKING SETBACK REQUIREMENTS:
FRONT SETBACK: 20 FEET
SIDE/REAR SETBACK: 10 FEET

PARKING STALLS:
EXISTING PAVED PARKING STALLS: 37 STALLS
ACCESS AISLES STALLS: 1 STALL
HANDICAP PARKING STALLS: 2 STALL
NEW PAVED PARKING STALLS: 13 STALLS
TOTAL PARKING STALLS: 50 STALLS

SITE AREAS:
EXISTING ROOF: 7,310 SF
NEW ROOF: 350 SF
NEW IMPERVIOUS PAVEMENT:
OTHER EXISTING IMPERVIOUS (SIDEWALKS,
PAVED PARKING AREAS, CURB, ETC.): 7,847 SF
12,170 SF

TOTAL AREA OF IMPERVIOUS: 27,677 SF
TOTAL AREA OF LOT: 40,023 SF
PERCENT COVERAGE OF IMPERVIOUS: 69.15%

PRELIMINARY NOT FOR CONSTRUCTION

Client:

ALPHA FAMILY CLINIC
4465 WHITE BEAR PARKWAY
WHITE BEAR LAKE, MN 55110

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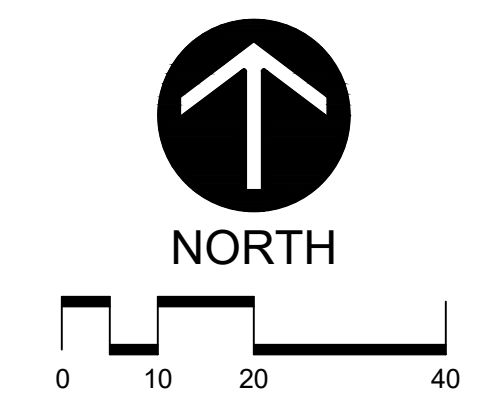
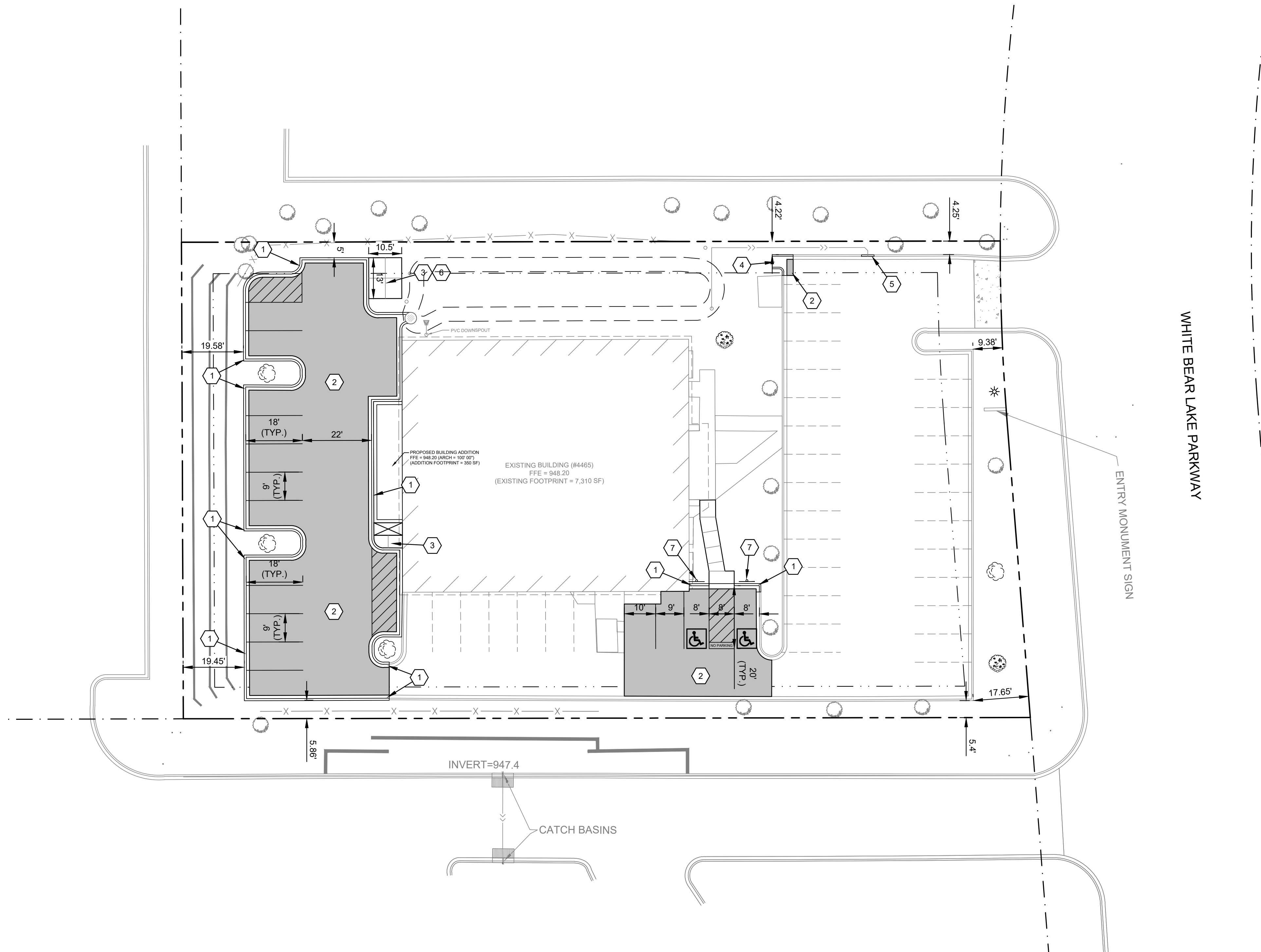
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Rev.	Date	Description

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Sheet Title:

PAVING AND DIMENSION PLAN

Sheet:
C200

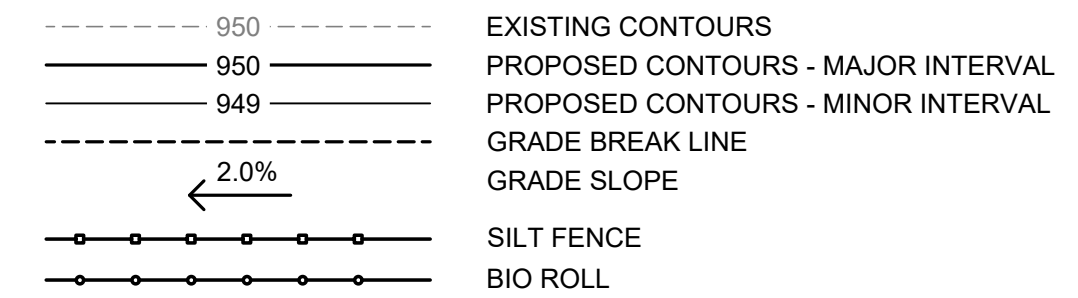


EROSION CONTROL NOTES

- Owner and Contractor shall obtain MPCA-NPDES permit. Contractor shall be responsible for all fees pertaining to this permit. The SWPPP shall be kept onsite at all times.
- Install temporary erosion control measures (inlet protection, silt fence, and rock construction entrances) prior to beginning any excavation or demolition work at the site.
- Erosion control measures shown on the erosion control plan are the absolute minimum. The contractor shall install temporary earth dikes, sediment traps or basins, additional siltation fencing, and/or disk the soil parallel to the contours as deemed necessary to further control erosion. All changes shall be recorded in the SWPPP.
- All construction site entrances shall be surfaced with crushed rock across the entire width of the entrance and from the entrance to a point 50' into the construction zone.
- The toe of the silt fence shall be trenched in a minimum of 6". The trench backfill shall be compacted with a vibratory plate compactor.
- All grading operations shall be conducted in a manner to minimize the potential for site erosion. Sediment control practices must be established on all down gradient perimeters before any up gradient land disturbing activities begin.
- All exposed soil areas must be stabilized as soon as possible to limit soil erosion but in no case later than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased. Temporary stockpiles without significant silt, clay or organic components (e.g., clean aggregate stockpiles, demolition concrete stockpiles, sand stockpiles) and the constructed base components of roads, parking lots and similar surfaces are exempt from this requirement.
- The normal wetted perimeter of any temporary or permanent drainage ditch or swale that drains water from any portion of the construction site, or diverts water around the site, must be stabilized within 200 lineal feet from the property edge, or from the point of discharge into any surface water. Stabilization of the last 200 lineal feet must be completed within 24 hours after connecting to a surface water. Stabilization of the remaining portions of any temporary or permanent ditches or swales must be complete within 14 days after connecting to a surface water and construction in that portion of the ditch has temporarily or permanently ceased.
- Pipe outlets must be provided with energy dissipation within 24 hours of connection to surface water.
- All riprap shall be installed with a filter material or soil separation fabric and comply with the Minnesota Department of Transportation Standard Specifications.
- All storm sewers discharging into wetlands or water bodies shall outlet at or below the normal water level of the respective wetland or water body at an elevation where the downstream slope is 1 percent or flatter. The normal water level shall be the invert elevation of the outlet of the wetland or water body.
- All storm sewer catch basins not needed for site drainage during construction shall be covered to prevent runoff from entering the storm sewer system. Catch basins necessary for site drainage during construction shall be provided with inlet protection.
- In areas where concentrated flows occur (such as swales and areas in front of storm catch basins and intakes) the erosion control facilities shall be backed by stabilization structure to protect those facilities from the concentrated flows.
- Inspect the construction site once every seven days during active construction and within 24 hours after a rainfall event greater than 0.5 inches in 24 hours. All inspections shall be recorded in the SWPPP.
- All silt fences must be repaired, replaced, or supplemented when they become nonfunctional or the sediment reaches 1/3 of the height of the fence. These repairs must be made within 24 hours of discovery, or as soon as field conditions allow access. All repairs shall be recorded in the SWPPP.
- If sediment escapes the construction site, off-site accumulations of sediment must be removed in a manner and at a frequency sufficient to minimize off-site impacts.
- All soils tracked onto pavement shall be removed daily.
- All infiltration areas must be inspected to ensure that no sediment from ongoing construction activity is reaching the infiltration area and these areas are protected from compaction due to construction equipment driving across the infiltration area.
- Temporary soil stockpiles must have silt fence or other effective sediment controls, and cannot be placed in surface waters, including stormwater conveyances such as curb and gutter systems, or conduits and ditches unless there is a bypass in place for the stormwater.

- Collected sediment, asphalt and concrete millings, floating debris, paper, plastic, fabric, construction and demolition debris and other wastes must be disposed of properly and must comply with MPCA disposal requirements.
- Oil, gasoline, paint and any hazardous substances must be properly stored, including secondary containment, to prevent spills, leaks or other discharge. Restricted access to storage areas must be provided to prevent vandalism. Storage and disposal of hazardous waste must be in compliance with MPCA regulations.
- External washing of trucks and other construction vehicles must be limited to a defined area of the site. Runoff must be contained and waste properly disposed of. No engine degreasing is allowed onsite.
- All liquid and solid wastes generated by concrete washout operations must be contained in a leak-proof containment facility or impermeable liner. A compacted clay liner that does not allow washout liquids to enter ground water is considered an impermeable liner. The liquid and solid wastes must not contact the ground, and there must not be runoff from the concrete washout operations or areas. Liquid and solid wastes must be disposed of properly and in compliance with MPCA regulations. A sign must be installed adjacent to each washout facility to inform concrete equipment operators to utilize the proper facilities.
- Upon completion of the project and stabilization of all graded areas, all temporary erosion control facilities (silt fences, hay bales, etc.) shall be removed from the site.
- All permanent sedimentation basins must be restored to their design condition immediately following stabilization of the site.
- Contractor shall submit Notice of Termination for MPCA-NPDES permit within 30 days after Final Stabilization.

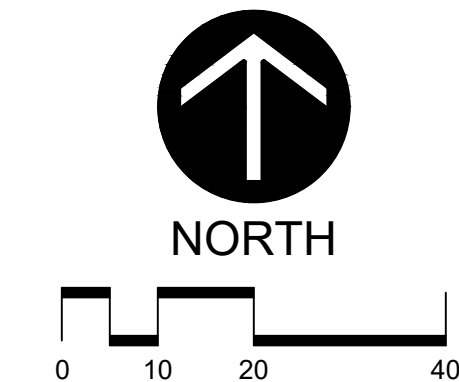
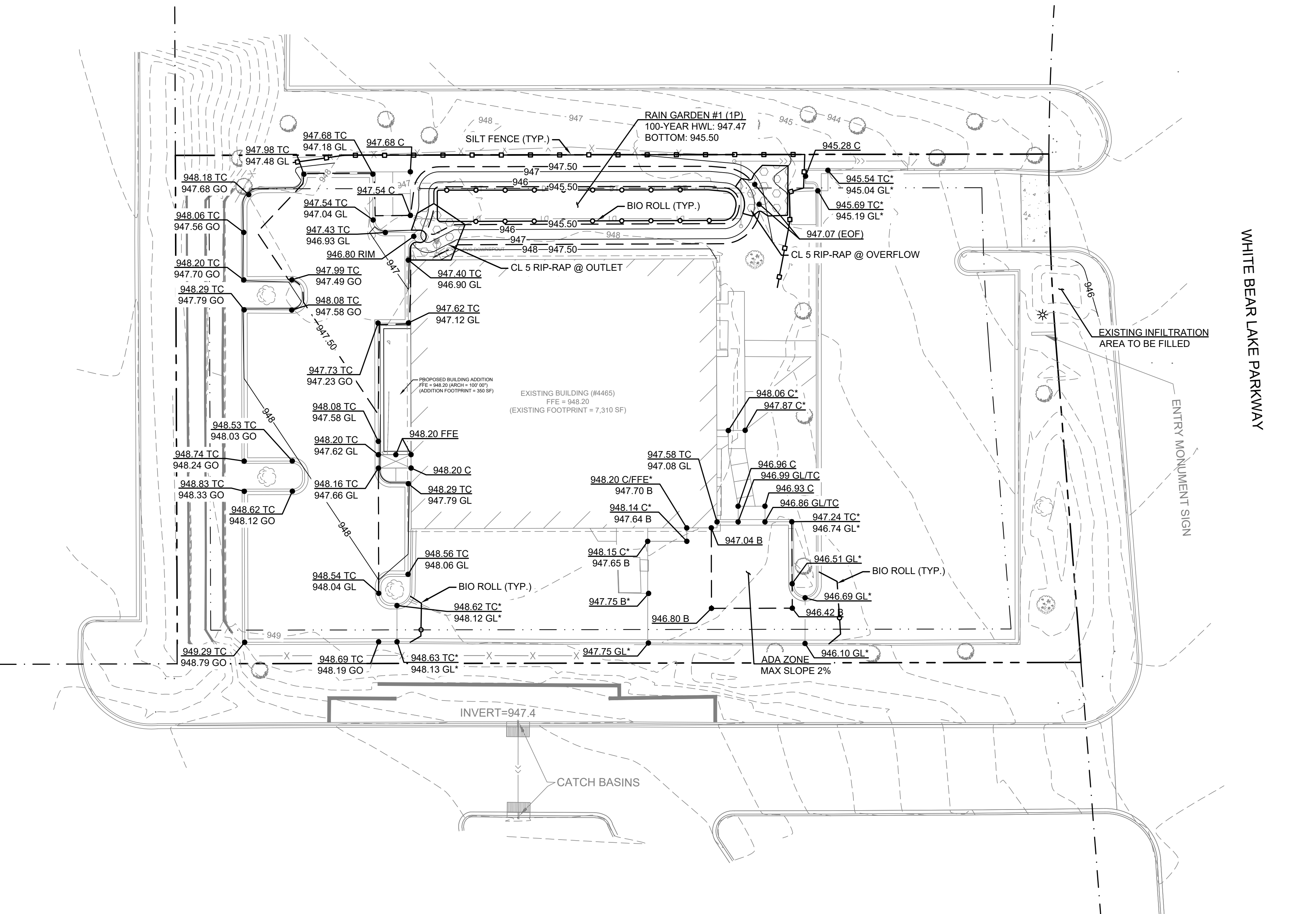
SYMBOL LEGEND



SPOT ABBREVIATIONS:
 TC - TOP OF CURB
 GL - GUTTER LINE
 GO - GUTTER OUT
 B - BITUMINOUS
 C - CONCRETE
 EOF - EMERGENCY OVERFLOW
 TW - TOP OF WALL
 BW - BOTTOM OF WALL (F/G)
 (*) - EXISTING TO BE VERIFIED

GRADING NOTES

- Tree protection consisting of snow fence or safety fence installed at the drip line shall be in place prior to beginning any grading or demolition work at the site.
- All elevations with an asterisk (*) shall be field verified. If elevations vary significantly, notify the Engineer for further instructions.
- Grades shown in paved areas represent finish elevation.
- Refer to sheet C600 for all landscaping requirements.
- All construction shall be performed in accordance with state and local standard specifications for construction.



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Rev.	Date	Description

Project #: 12216110
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 Checked By: GAB
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 Sheet Title:
GRADING AND EROSION CONTROL PLAN

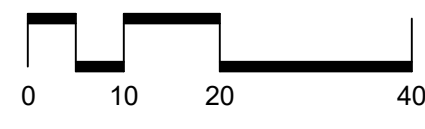
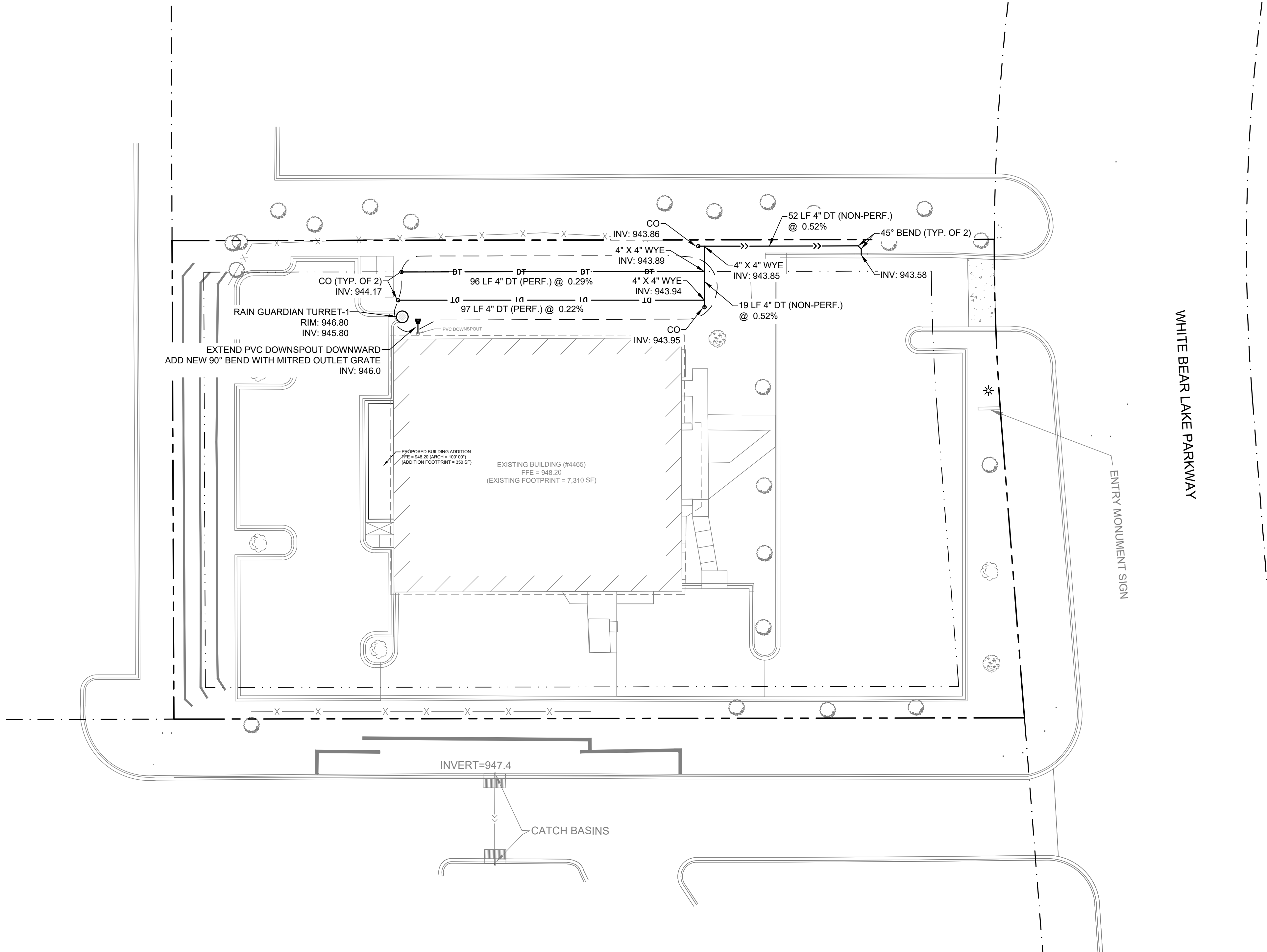
Sheet:
C300

SYMBOL LEGEND

	STORM MANHOLE		CABLE UNDERGROUND LINE
	CATCH BASIN		ELECTRIC OVERHEAD LINE
	CURB INLET		ELECTRIC UNDERGROUND LINE
	FLARED END		FIBER OPTIC UNDERGROUND LINE
	SANITARY MANHOLE		NATURAL GAS UNDERGROUND LINE
	HYDRANT		SANITARY SEWER PIPE
	GATE VALVE & BOX		STORM SEWER PIPE
	WATER SHUTOFF		TELEPHONE UNDERGROUND LINE
	LIGHT POLE		WATERMAIN PIPE
			DRAINTILE PIPE

UTILITY NOTES

- It is the responsibility of the contractor to perform or coordinate all necessary utility connections and relocations from existing utility locations to the proposed building, as well as to all onsite amenities. These connections include but are not limited to water, sanitary sewer, cable TV, telephone, gas, electric, site lighting, etc.
- All service connections shall be performed in accordance with state and local standard specifications for construction. Utility connections (sanitary sewer, watermain, and storm sewer) may require a permit from the City.
- The contractor shall verify the elevations at proposed connections to existing utilities prior to any demolition or excavation.
- The contractor shall notify all appropriate engineering departments and utility companies 72 hours prior to construction. All necessary precautions shall be made to avoid damage to existing utilities.
- Storm sewer requires testing in accordance with Minnesota plumbing code 4714.1109 where located within 10 feet of waterlines or the building.
- HDPE storm sewer piping shall meet ASTM F2306 and fittings shall meet ASTM D3212 joint pressure test. Installation shall meet ASTM C2321.
- See Project Specifications for bedding requirements.



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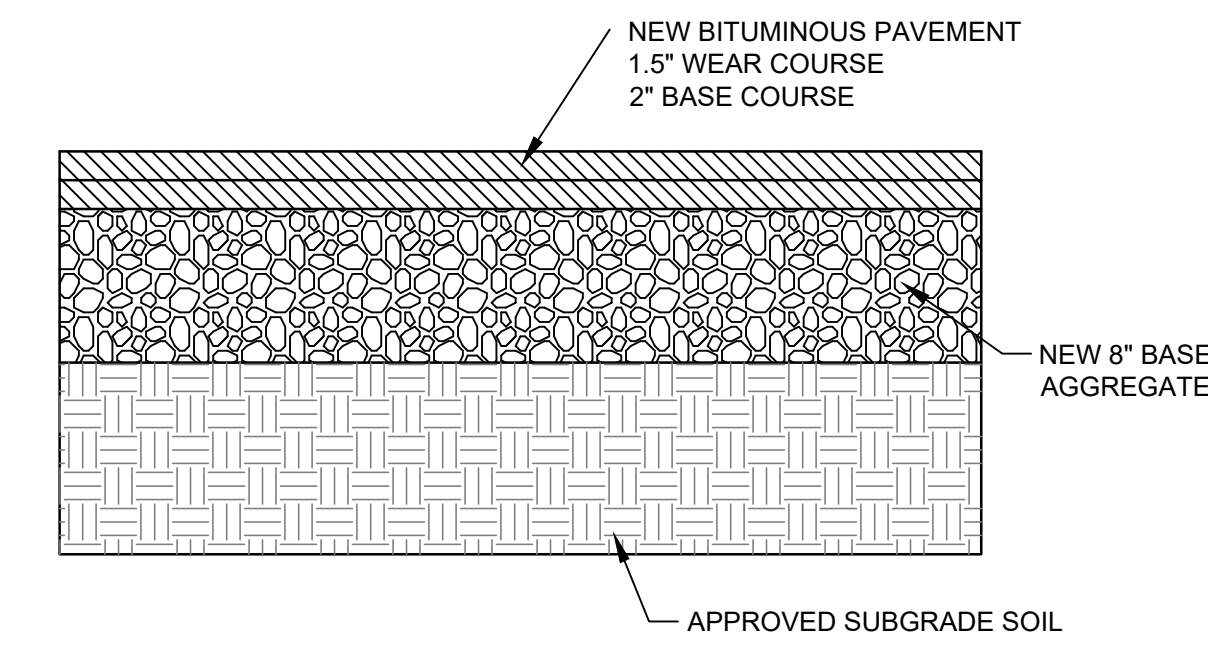
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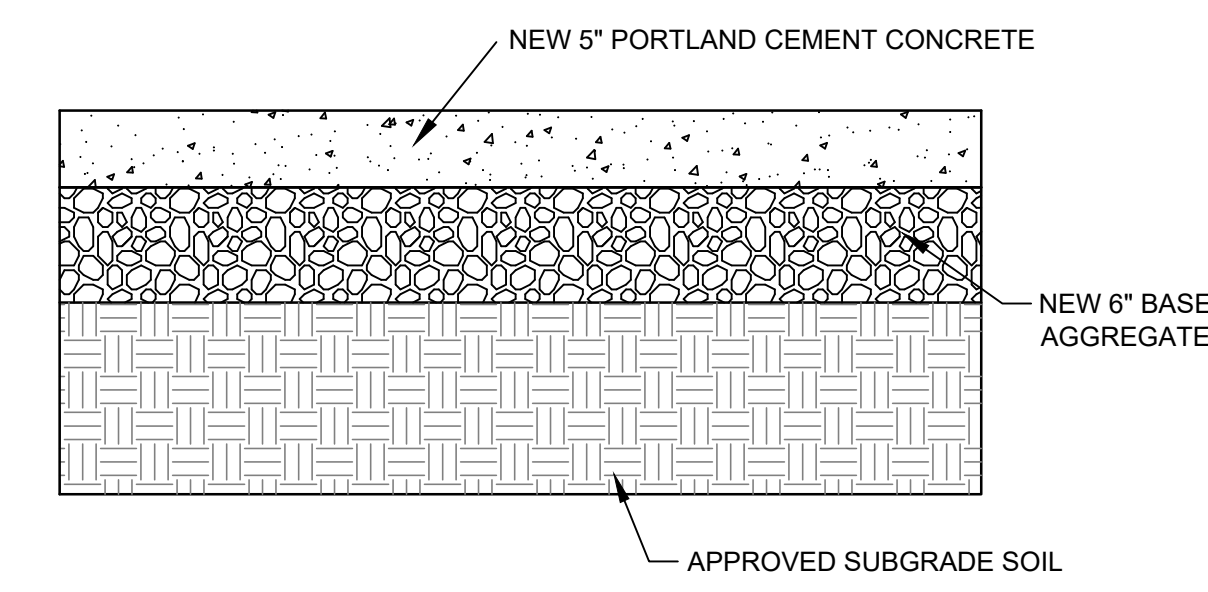
Project #: 12216110
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 Sheet Title:

UTILITY PLAN

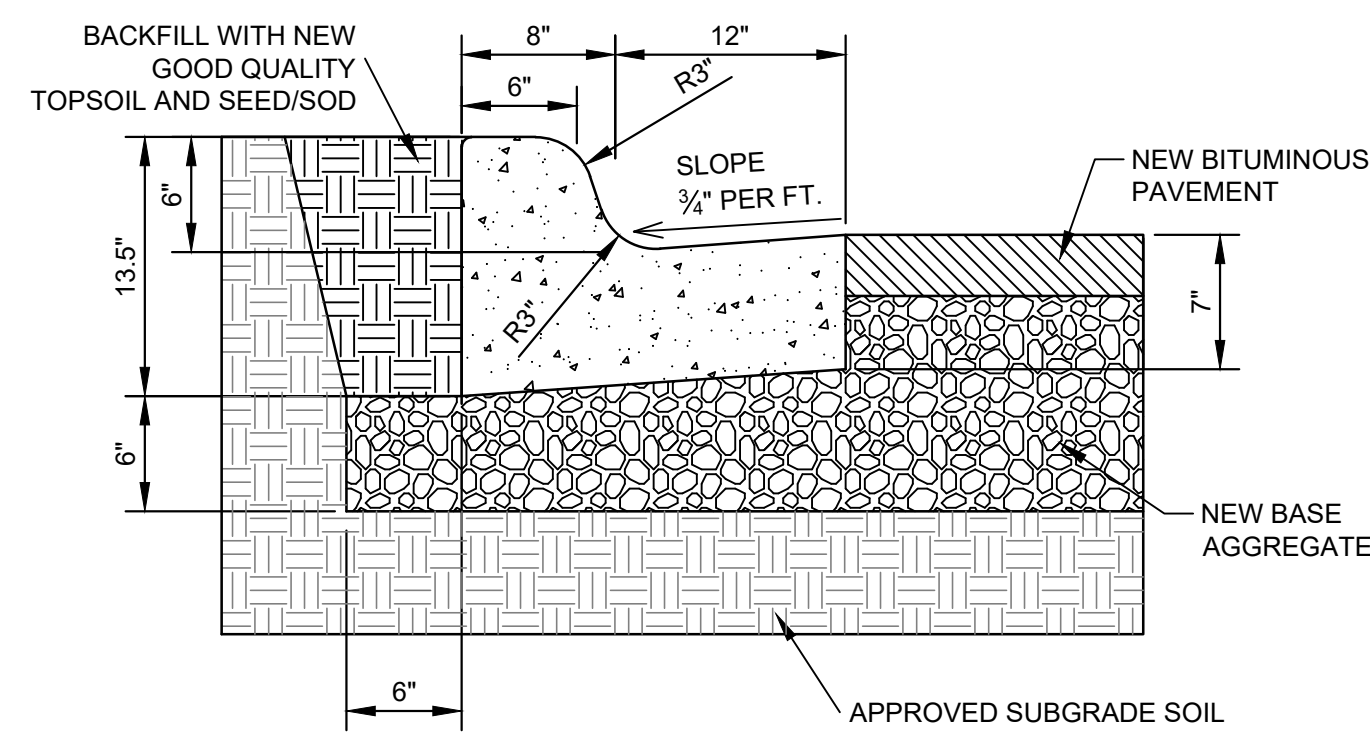
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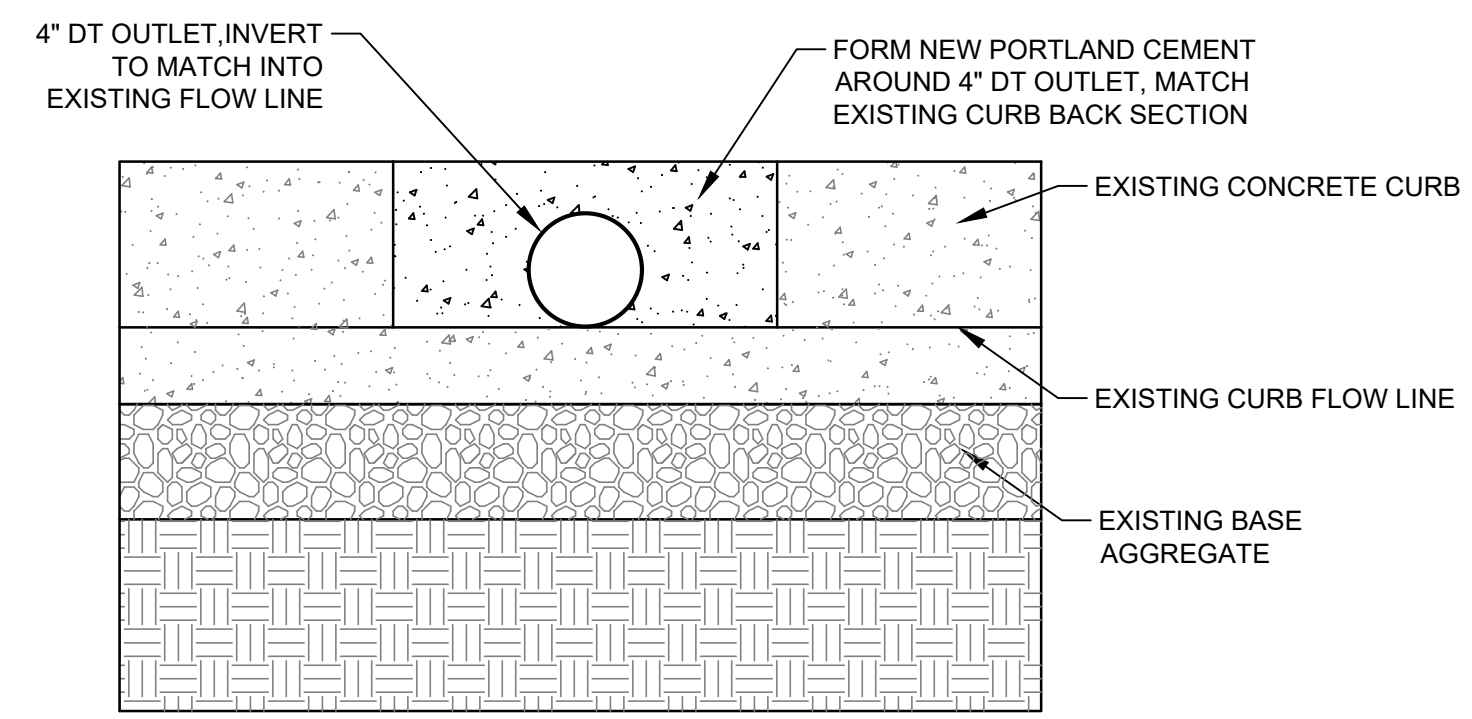
1
C500
LIGHT-DUTY BITUMINOUS PAVEMENT SECTION
NOT TO SCALE



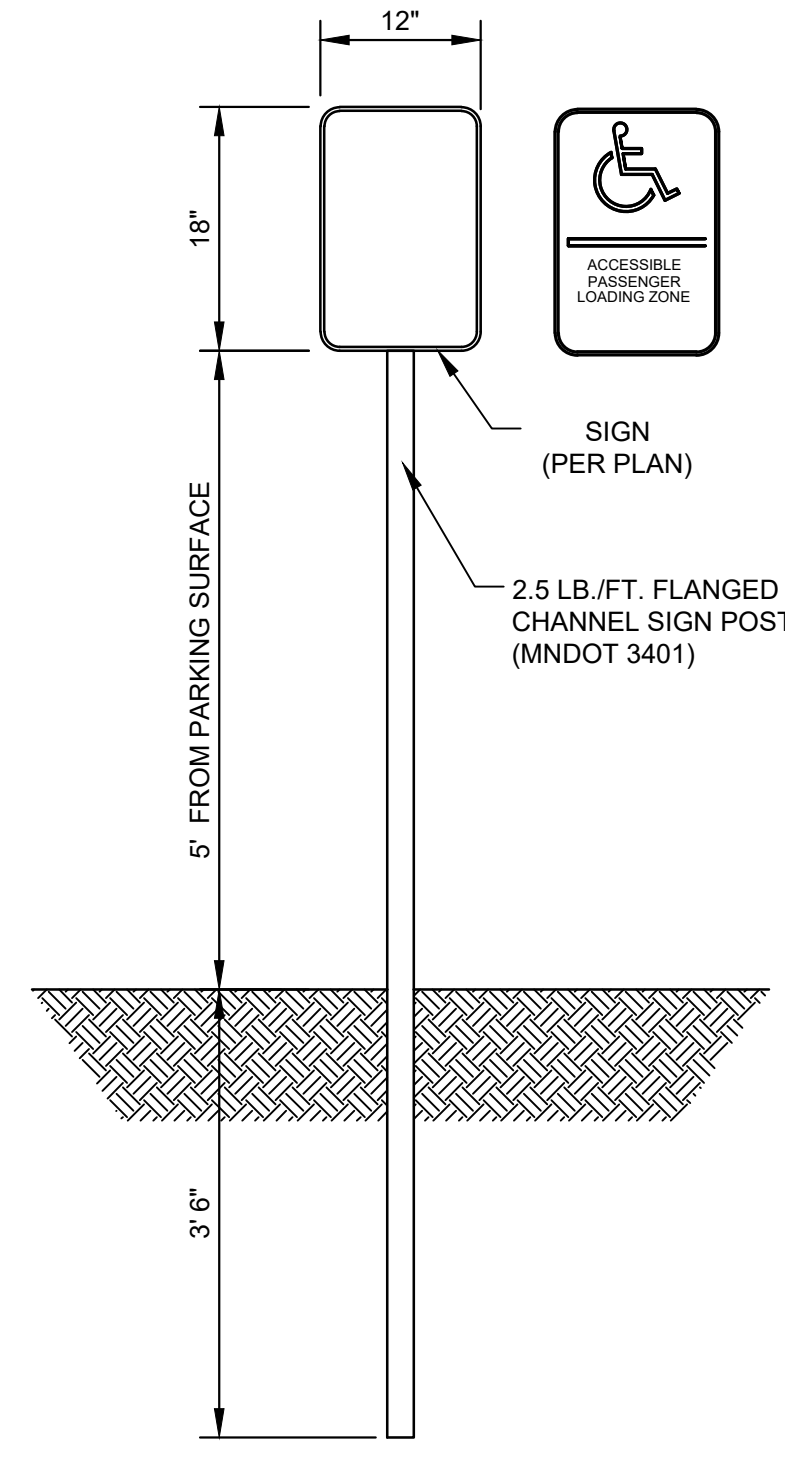
2
C500
CONCRETE CONSTRUCTION DETAIL
NOT TO SCALE



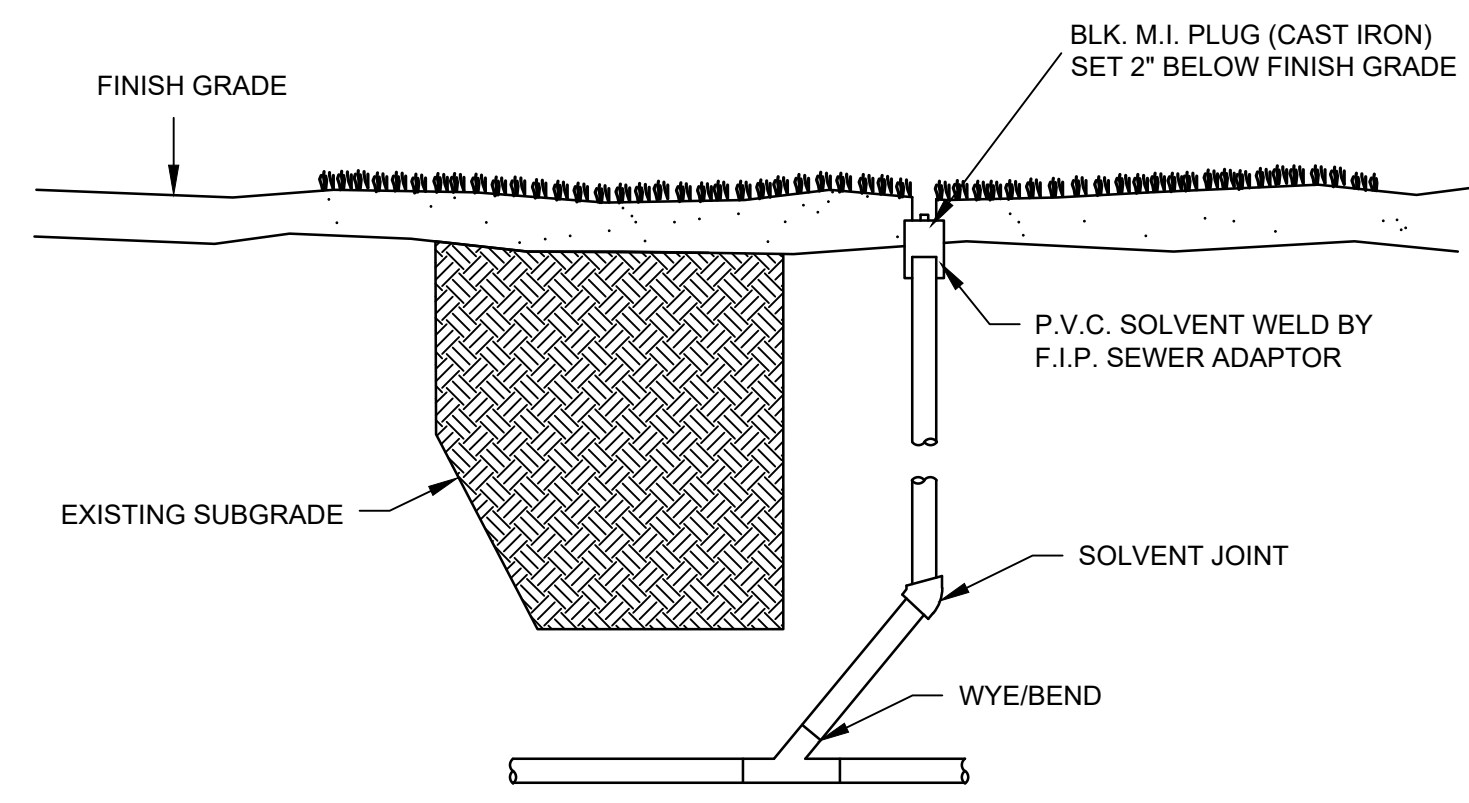
3
C500
B612 CONCRETE CURB & GUTTER DETAIL
NOT TO SCALE



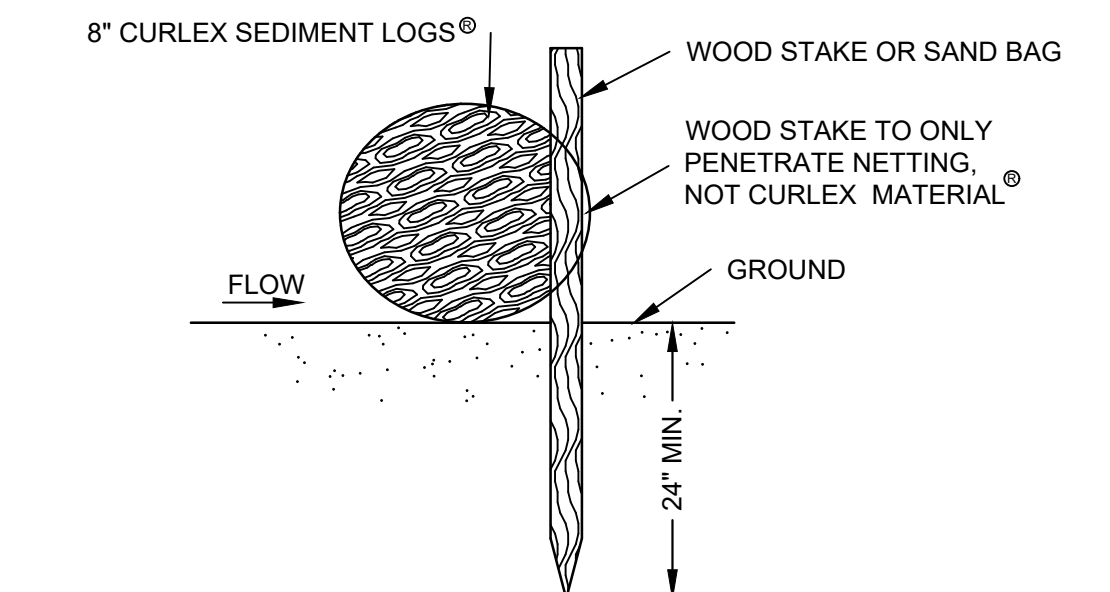
4
C500
CONCRETE CURB INLET CONSTRUCTION DETAIL
NOT TO SCALE



5
C500
PARKING SIGN AND POST DETAIL
NOT TO SCALE

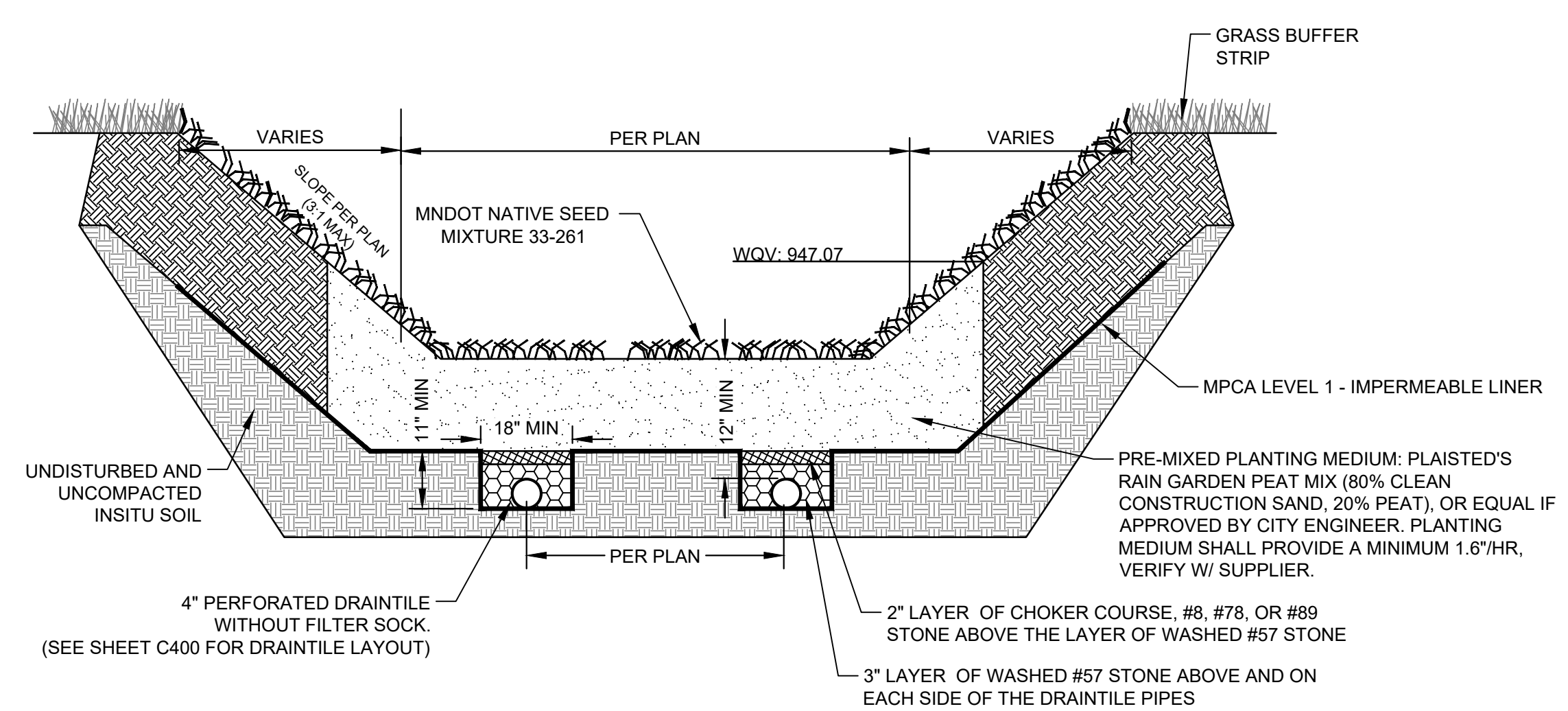


6
C500
CLEANOUT DETAIL
NOT TO SCALE



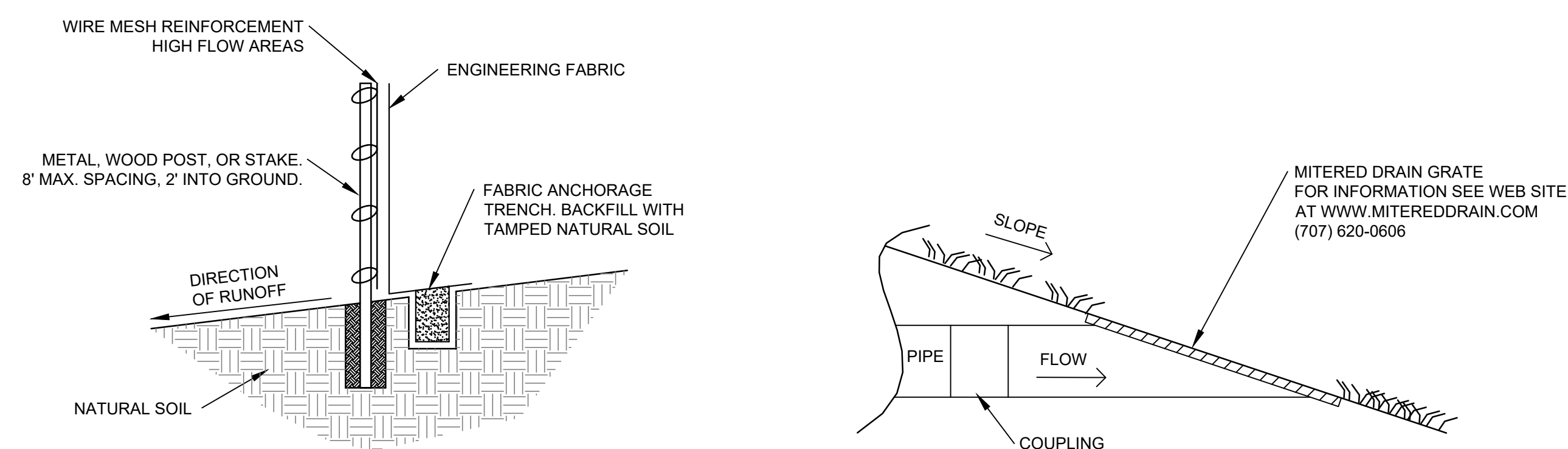
7
C500
BIO ROLL DETAIL
NOT TO SCALE

NOTES:
1. STAKE OR SAND BAG SPACING SHALL BE 2 FEET O.C.



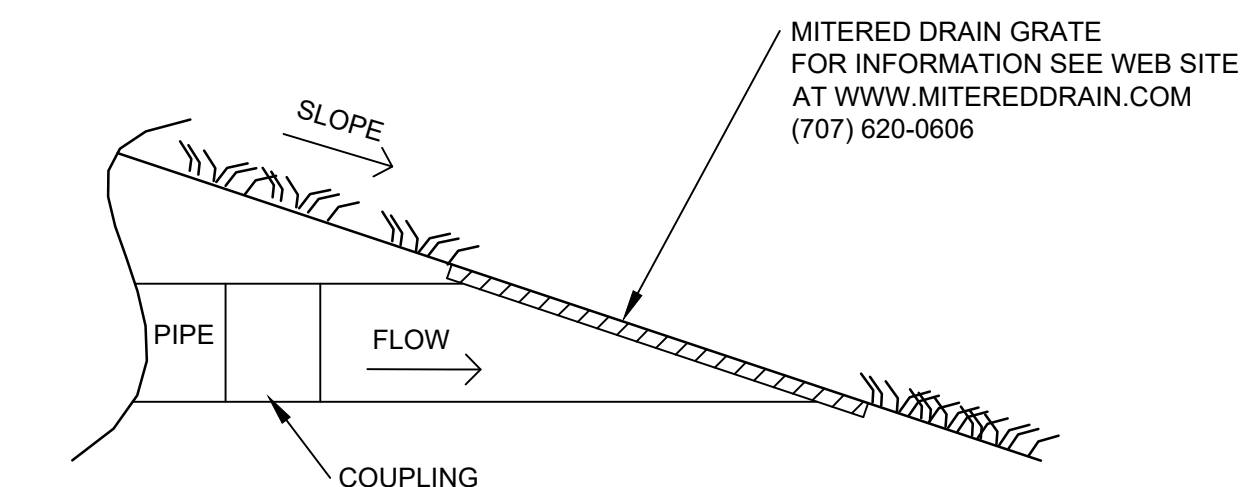
FILTRATION BASIN NOTES:
1. SOILS WITHIN FILTRATION AREAS SHALL BE PROTECTED FROM COMPACTION DUE TO CONSTRUCTION TRAFFIC. AREAS SHALL BE STAKED AND MARKED OFF, WITH ONLY LOW IMPACT EQUIPMENT (TRACKED OR SIMILAR) ALLOWED.
2. BASIN BOTTOM MUST EXCAVATED TO THE BOTTOM INVERT OF DRAINTILE, ROCK, AND SAND SECTIONS AND SIT OPEN AND DRY FOR AT LEAST 48 HOURS AND PRIOR TO INSTALLATION OF ROCK, DRAINTILE, STONE, AND SAND SECTIONS.
2.1. IF THE BASIN BOTTOM IS ABLE TO MAINTAIN A DRY BOTTOM, A LEVEL 1 - CLAY IMPERMEABLE LINER MAY BE INSTALLED. ON SITE CLAY SOILS MAY BE USED AS THE IMPERMEABLE LINER AS LONG AS THEY MEET THE MINNESOTA STORMWATER MANUALS DESIGN GUIDELINES FOR AN LEVEL 1 - IMPERMEABLE CLAY LINER.
2.2. IF BASIN BOTTOM IS UNABLE TO MAINTAIN A DRY BOTTOM A LEVEL 1 - PVC OR HDPE IMPERMEABLE LINER SHALL BE INSTALLED THROUGHOUT THE BASIN BOTTOM UP TO THE WATER QUALITY ELEVATION (WQV).
3. PROVIDE AS-BUILT SURVEY TO VERIFY CONSTRUCTED VOLUME. CORRECT NON-COMPLIANT BASINS.

8
C500
BIOFILTRATION BASIN RAINGARDEN CROSS SECTION
NOT TO SCALE



NOTE: DEPENDING UPON CONFIGURATION, ATTACH FABRIC TO WIRE MESH WITH HOG RINGS, STEEL POSTS WITH WIRES, OR WOOD POSTS WITH STAPLES.

9
C500
SILT FENCE INSTALLATION DETAIL
NOT TO SCALE



10
C500
MITRED END GRATE DETAIL
NOT TO SCALE

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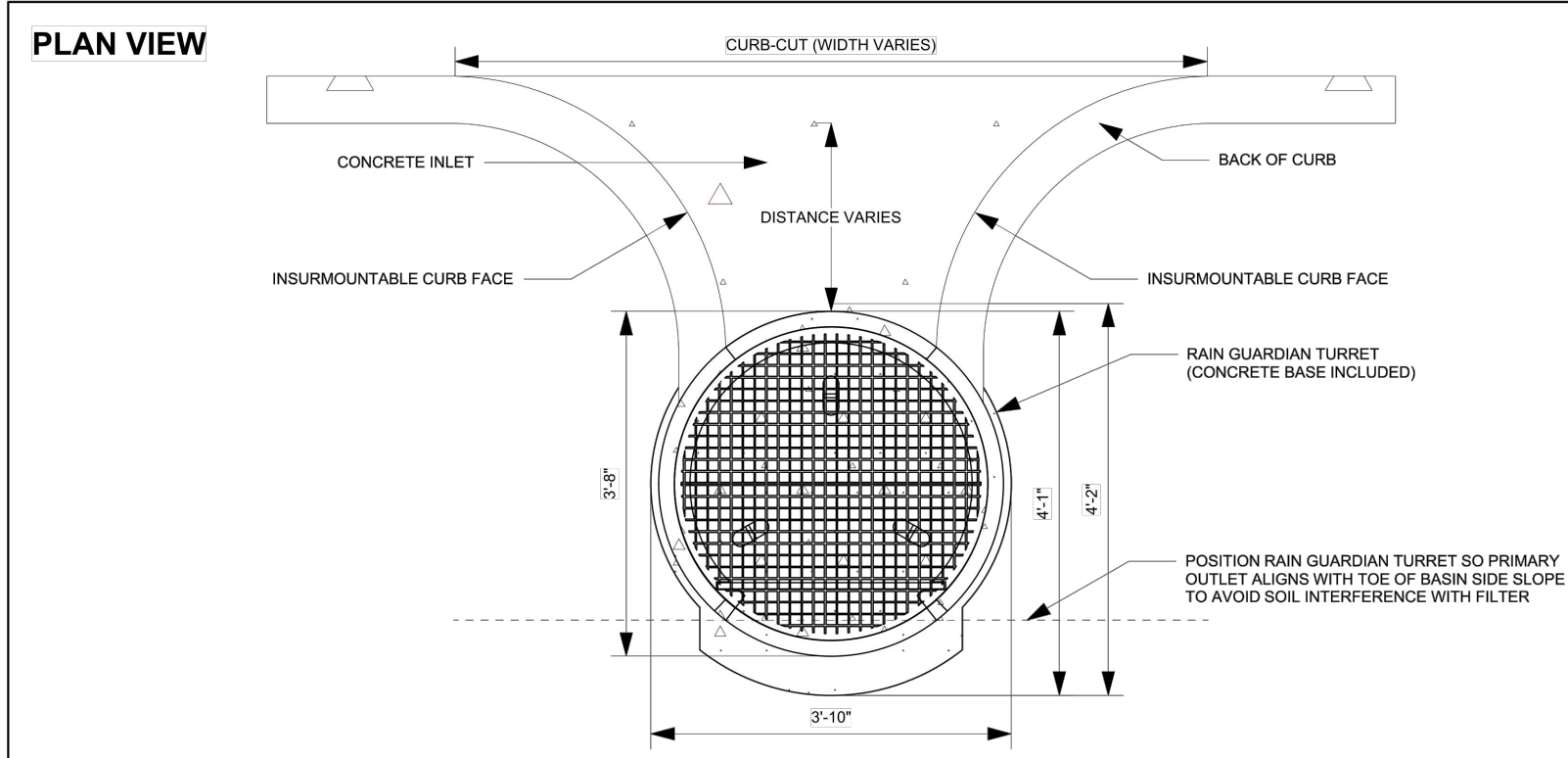
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DETAILS
Sheet:
C500



PLAN VIEW NOTES

1. INLET WIDTH AND DISTANCE BETWEEN BACK OF CURB AND RAIN GUARDIAN TURRET MAY VARY WITH SITE CONDITIONS.
2. CONCRETE BASE EXTENDS BEYOND THE FILTER WALL OF THE RAIN GUARDIAN TURRET TO SERVE AS A SPLASH DISSIPATOR.

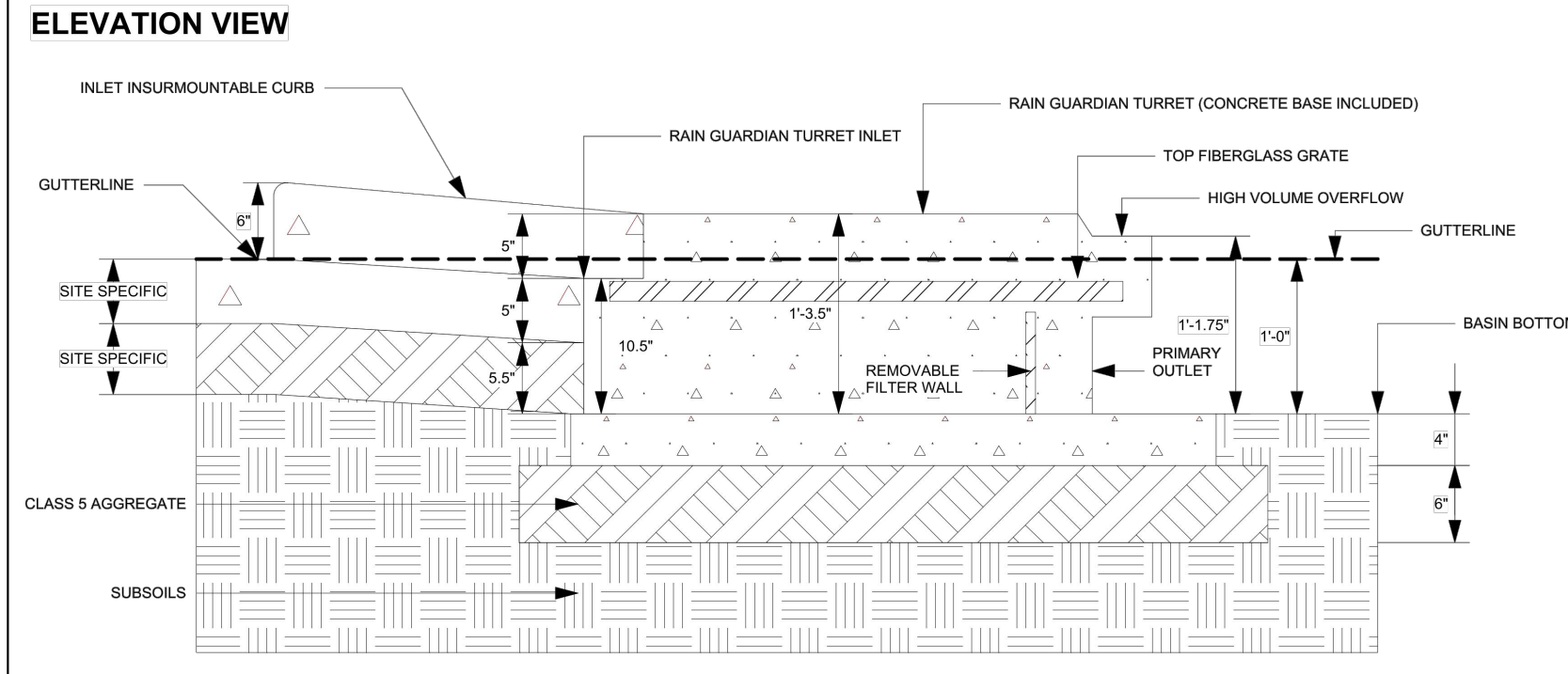


SPECIFICATIONS

1. STEEL REINFORCED, COLD JOINT SECURED MONOLITHIC CONCRETE STRUCTURE (1,030 LBS). CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAYS. CONCRETE AIR ENTRAINMENT (4% TO 8% BY VOLUME). MANUFACTURED AND DESIGNED TO ASTM C88.
2. THREE-POINT PICK USING RECESSED LIFTING POCKETS WITH A STANDARD HOOK.
3. TWO-PIECE FIBERGLASS TOP GRATE (16 LBS/PIECE, 1-1/2" THICK) - 1,760 LB CONCENTRATED LOAD OR 409 LB/SQ-FT UNIFORM LOAD.

INSTALLATION NOTES

1. INSTALL THE CLASS 5 BASE (COMPACTED TO 95% STANDARD PROCTOR). THE DISTANCE FROM THE BACK OF THE CURB MAY VARY BASED ON SITE CONDITIONS, BUT CONSIDERATIONS SHOULD INCLUDE SLOPE OF THE INLET AND BASIN SIDE SLOPES ADJACENT TO THE RAIN GUARDIAN TURRET. POSITION RAIN GUARDIAN TURRET SO PRIMARY OUTLET ALIGNS WITH TOE OF BASIN SIDE SLOPE TO AVOID SOIL INTERFERENCE WITH REMOVABLE FILTER WALL. EXCAVATE 1' 10" BELOW THE GUTTERLINE ELEVATION (I.E. THE BIORETENTION OVERFLOW ELEVATION) TO ACCOMMODATE THE 1' PONDING DEPTH, 6" CLASS 5 AGGREGATE, AND 4" RAIN GUARDIAN TURRET BASE (INCLUDED). THEREFORE, THE TOP OF THE CLASS 5 COMPACTED BASE IS PRECISELY 1' 4" BELOW THE GUTTERLINE ELEVATION. THE INLET TO THE RAIN GUARDIAN TURRET WILL BE 10-1/2" ABOVE THE TOP OF THE CONCRETE BASE AND 1-1/2" BELOW THE GUTTERLINE ELEVATION TO ACCOMMODATE A SLOPED INLET FROM THE GUTTER TO THE RAIN GUARDIAN TURRET.
2. SET RAIN GUARDIAN TURRET ON THE PREPARED CLASS 5 BASE.
3. INSTALL FRAMING FOR INLET BETWEEN RAIN GUARDIAN TURRET AND BACK OF CURB. TOP ELEVATIONS OF THE FRAMING SHOULD MATCH THE TOP OF THE CURB ON THE STREET SIDE AND THE TOP OF THE RAIN GUARDIAN TURRET ON THE BIORETENTION SIDE.
4. INSTALL EXPANSION/CONTRACTION JOINT MATERIAL OR A SHEET OF POLY TO SERVE AS A BOND BREAK BETWEEN RAIN GUARDIAN TURRET AND CONCRETE INLET BEFORE POURING INLET.
5. SIDE CURBS OF THE POURED INLET MUST HAVE AN INSURMOUNTABLE PROFILE TO PREVENT WATER FLOW FROM OVERTOPPING THE DOWNSTREAM SIDE OF THE INLET.
6. REMOVABLE FILTER WALL SHOULD BE INSTALLED WITH FILTER FABRIC FACING THE RAIN GUARDIAN TURRET INLET.



CROSS-SECTION VIEW NOTES

1. THE TOP OF THE CLASS 5 BASE (COMPACTED TO 95% STANDARD PROCTOR) IS PRECISELY 1' 4" BELOW THE GUTTERLINE ELEVATION.

MANUFACTURED BY: **FORTERRA**
Structural & Specialty

REVISION HISTORY

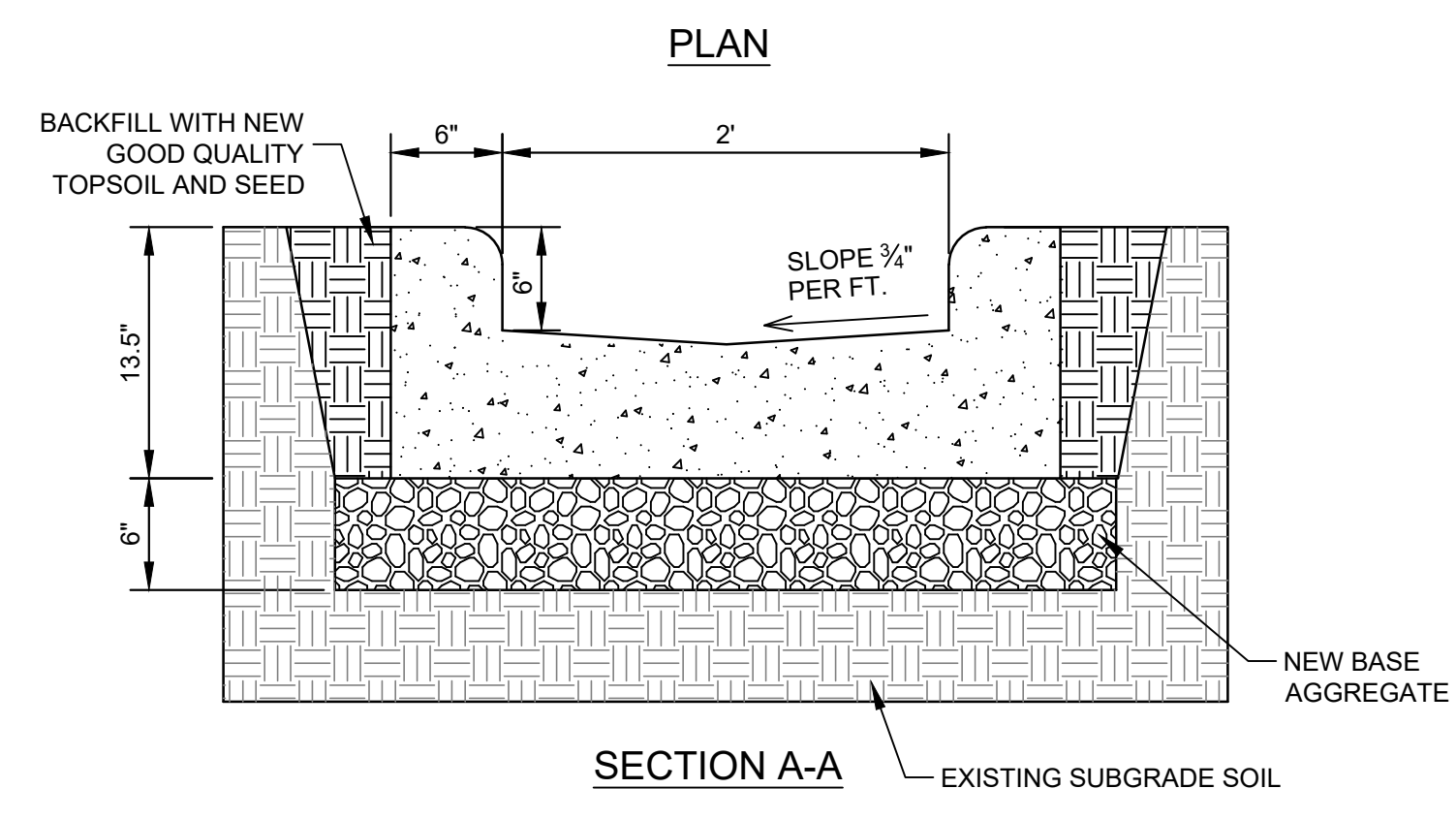
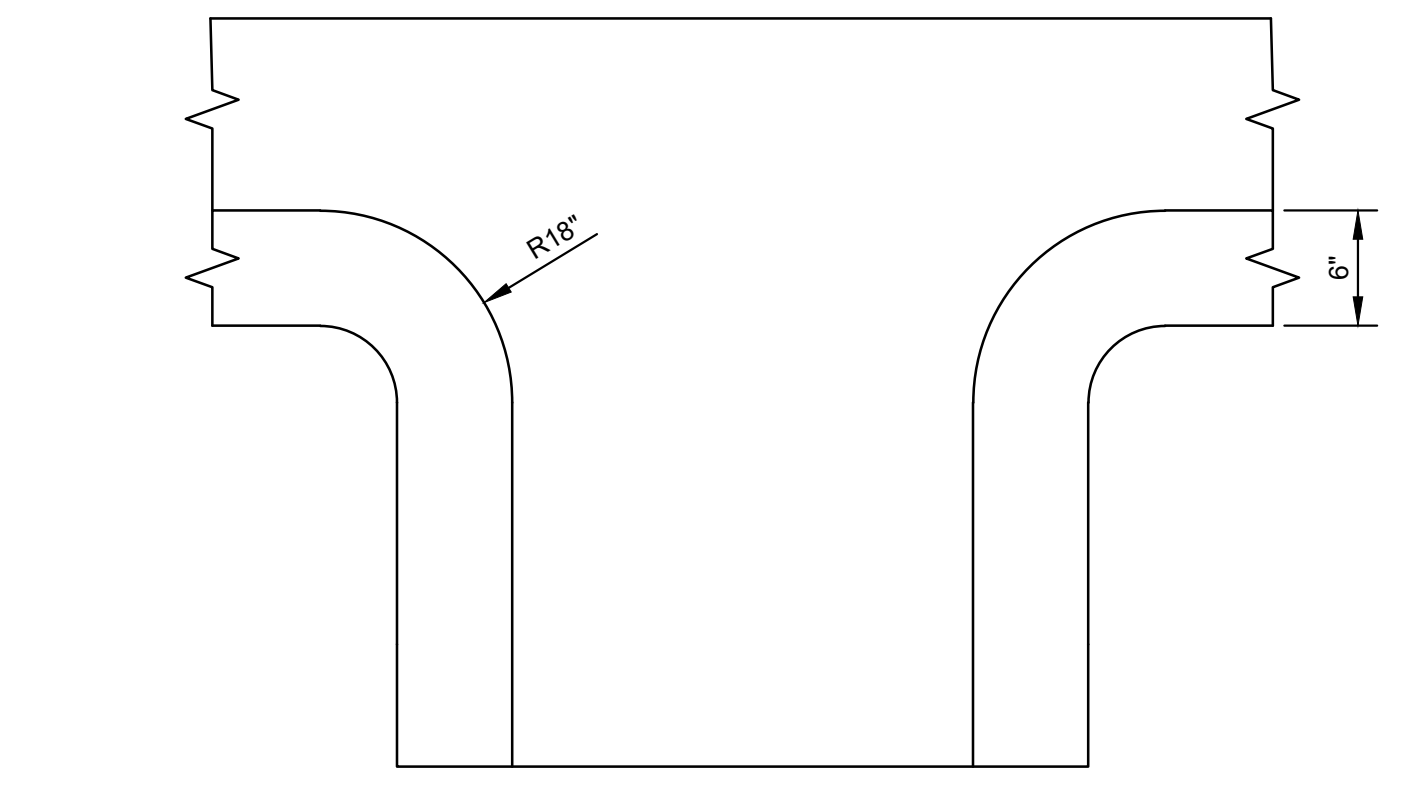
REV	BY	DATE	DESCRIPTION
A	MDH	08/29/18	TURRET - 1'

ANOKA CONSERVATION DISTRICT

Anoka Conservation District
1318 McKay Dr. NE, Suite 300
Ham Lake, MN 55304
763-434-2030

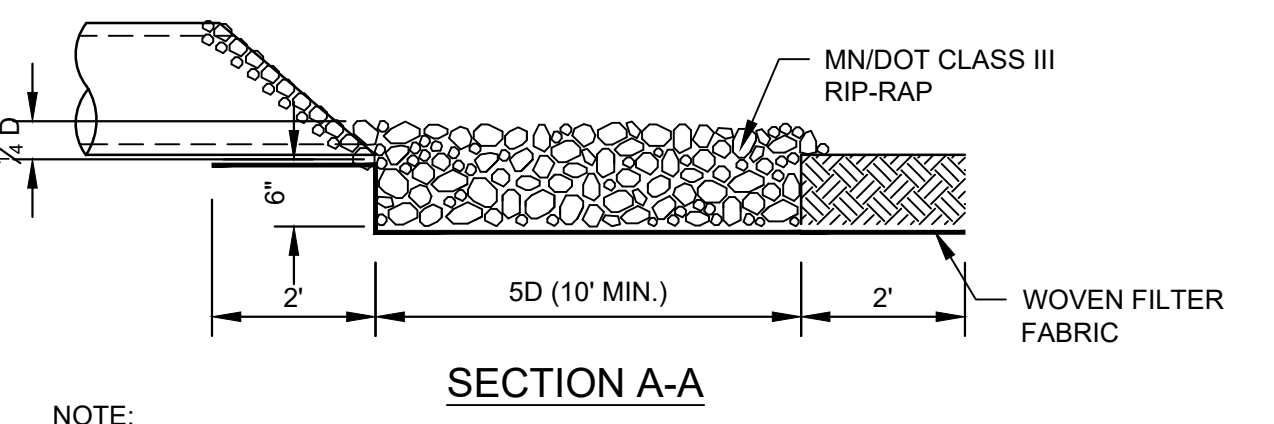
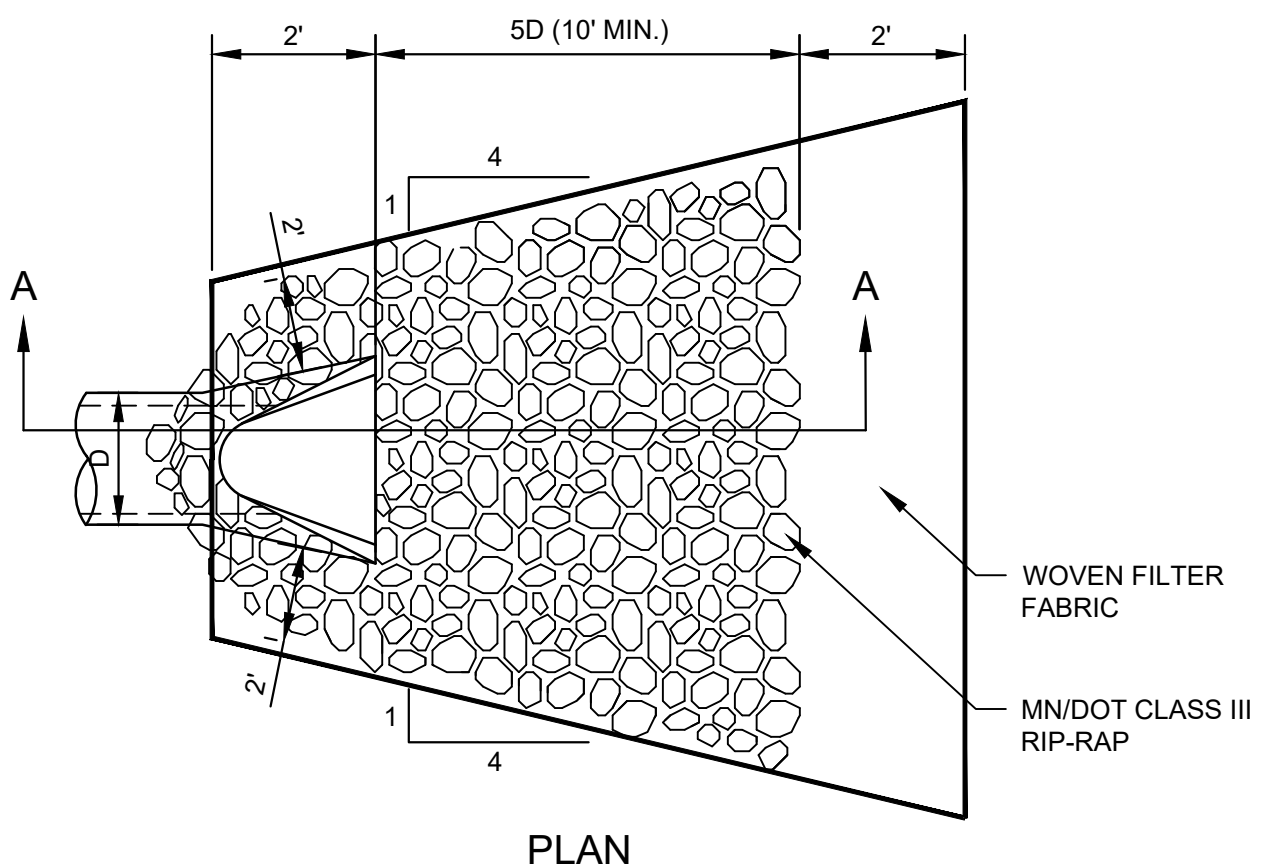


**RAIN GUARDIAN TURRET
PRETREATMENT CHAMBER
BIORETENTION PONDING DEPTH: 1'
TYPICAL DETAIL**



3 C501
NOT TO SCALE

1 C501
NOT TO SCALE



NOTE:
FW300 MIRAFI FABRIC OR EQUAL

2 C501
NOT TO SCALE

PRELIMINARY NOT FOR CONSTRUCTION

Client:
ALPHA FAMILY CLINIC
4465 WHITE BEAR PARKWAY
WHITE BEAR LAKE, MN 55110

Project Title:
2022 BUILDING AND PARKING LOT ADDITION
ALPHA FAMILY CLINIC
WHITE BEAR LAKE, MN 55110

I hereby certify that this plan, specifications or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the state of Minnesota.

First M. Last, P.E.
Date: 08.15.2022 Lic. No.: 23793

Rev.	Date	Description

Project #: 12216110
Drawn By: MTH
Checked By: GAB
Issue Date:
Sheet Title:

DETAILS

Sheet:
C501

Larson Engineering, Inc.
3524 Labore Road
White Bear Lake, MN 55110
651.481.9120 (f) 651.481.9201
www.larsonengr.com

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TREE PLANTING SCHEDULE

QTY	COMMON NAME	BOTANICAL NAME	SIZE	CONTAINER
OVERSTORY TREES, SEE DETAIL 1/C600				
-	White Oak	Quercus Alba	2-1/2" Cal	B & B
-	Sienna Glen Maple	Acer x Freemanii 'Sienna'	2-1/2" Cal	B & B

RAIN GARDEN PLANTING SCHEDULE

QTY	COMMON NAME	BOTANICAL NAME	SIZE
5	Black Chokeberry	Aronia Melanocarpa	2" Plug
5	Grey Dogwood	Cornus Racemosa	2" Plug
46	Switchgrass	Panicum Virgatum	2" Plug
33	Joe-Eye Weed	Eupatorium Purpureum	2" Plug
56	Fox Sedge	Carex Vulpinoidea	2" Plug
70	Marsh Blazing Star	Liatris Spicata	2" Plug
28	Blue Flag Iris	Iris Versicolor	2" Plug
53	Butterfly Weed	Ascepias Tuberosa	2" Plug
63	Swamp Milkweed	Ascepias Incarnata	2" Plug

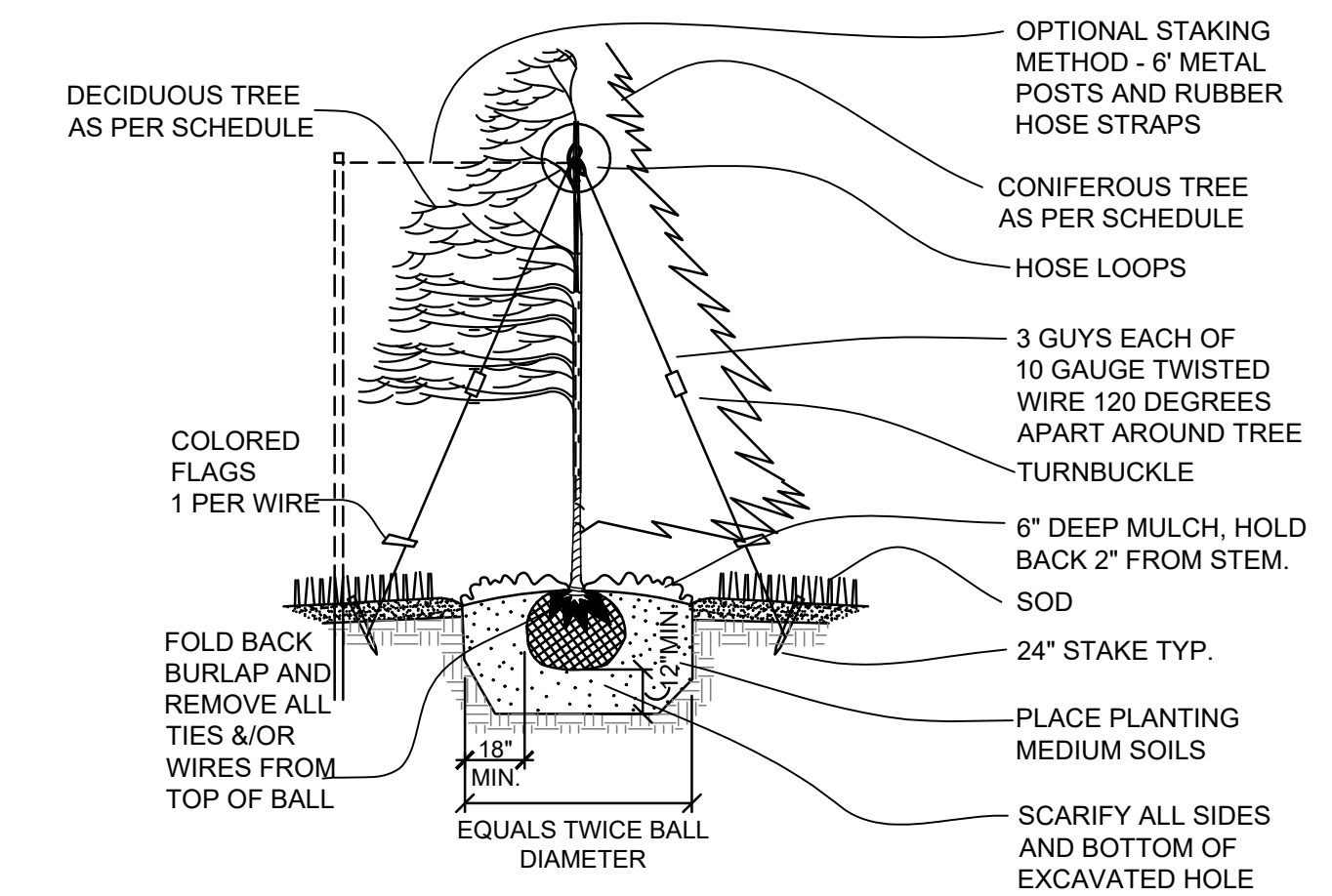
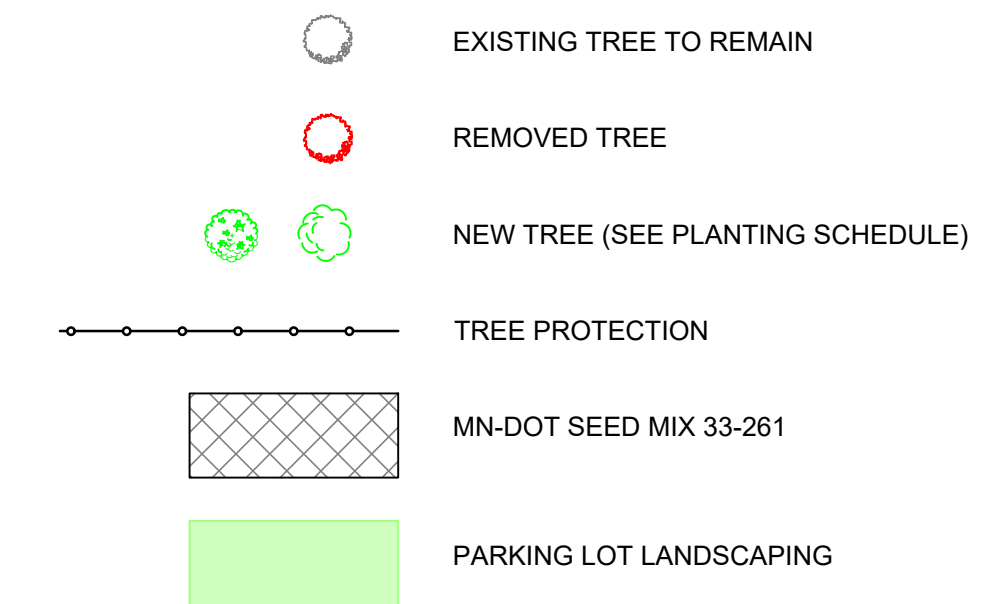
LANDSCAPING NOTES

- Landscape Contractor is responsible for coordination with other contractors to protect the new improvements during landscape work activities. Report any damage to the Construction Manager immediately.
- Plant size and species substitutions must be approved in writing prior to acceptance in the field.
- Landscape Contractor is responsible for ongoing maintenance of all newly installed material until time of owner acceptance. Any acts of vandalism or damage which may occur prior to owner acceptance shall be the responsibility of the contractor. Contractor shall provide the owner with a maintenance program including, but not limited to, pruning, fertilization and disease/pest control.
- Landscape Contractor shall provide the owner with a watering schedule appropriate to the project site conditions and to plant material growth requirements.
- Landscape Contractor shall guarantee newly planted material through one calendar year from the date of written owner acceptance. Plants that exhibit more than 10% die-back damage shall be replaced at no additional cost to the owner. The contractor shall also provide adequate tree wrap and deer/rodent protection measures for the plantings during the warranty period.
- Planting areas shall be edged with 6" black vinyl edging and have 4" colored hardwood wood mulch over a weed barrier fabric.
- All trees not planted in landscaped areas shall have shredded hardwood mulch placed around the tree at 4' diameter and 6" deep.
- Restore all disturbed turf areas with 6" of good quality topsoil and seed.
- Filtration basin plantings to be 2" plugs. Filtration basin plantings are to be placed in the side slopes.

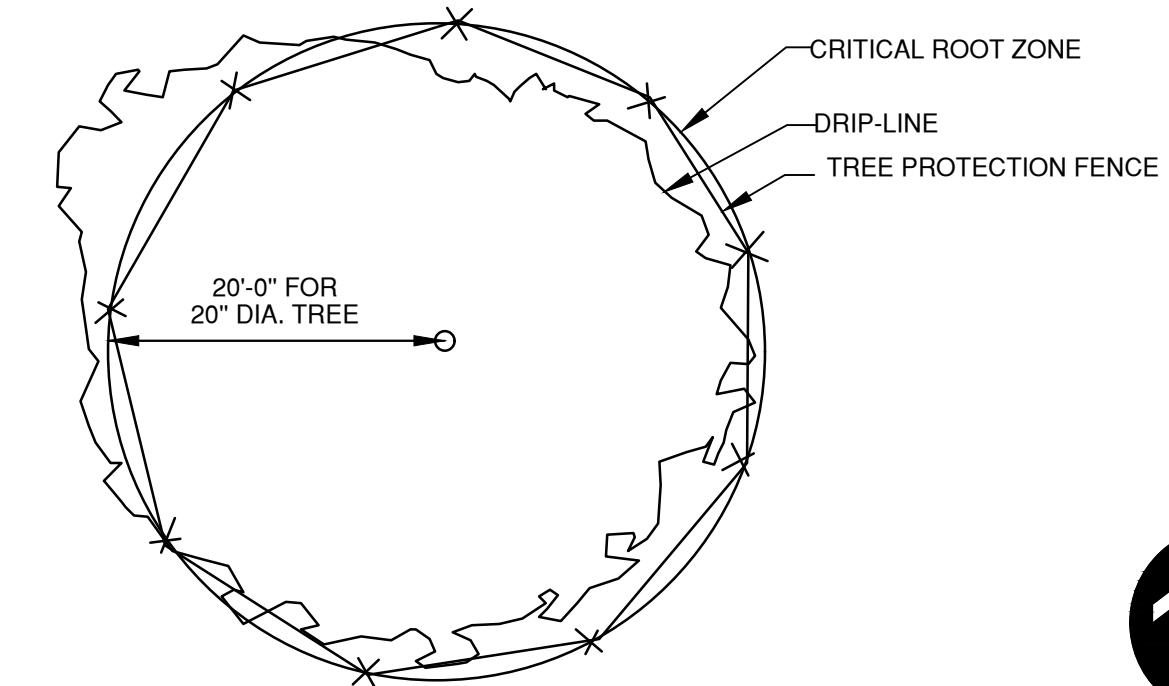
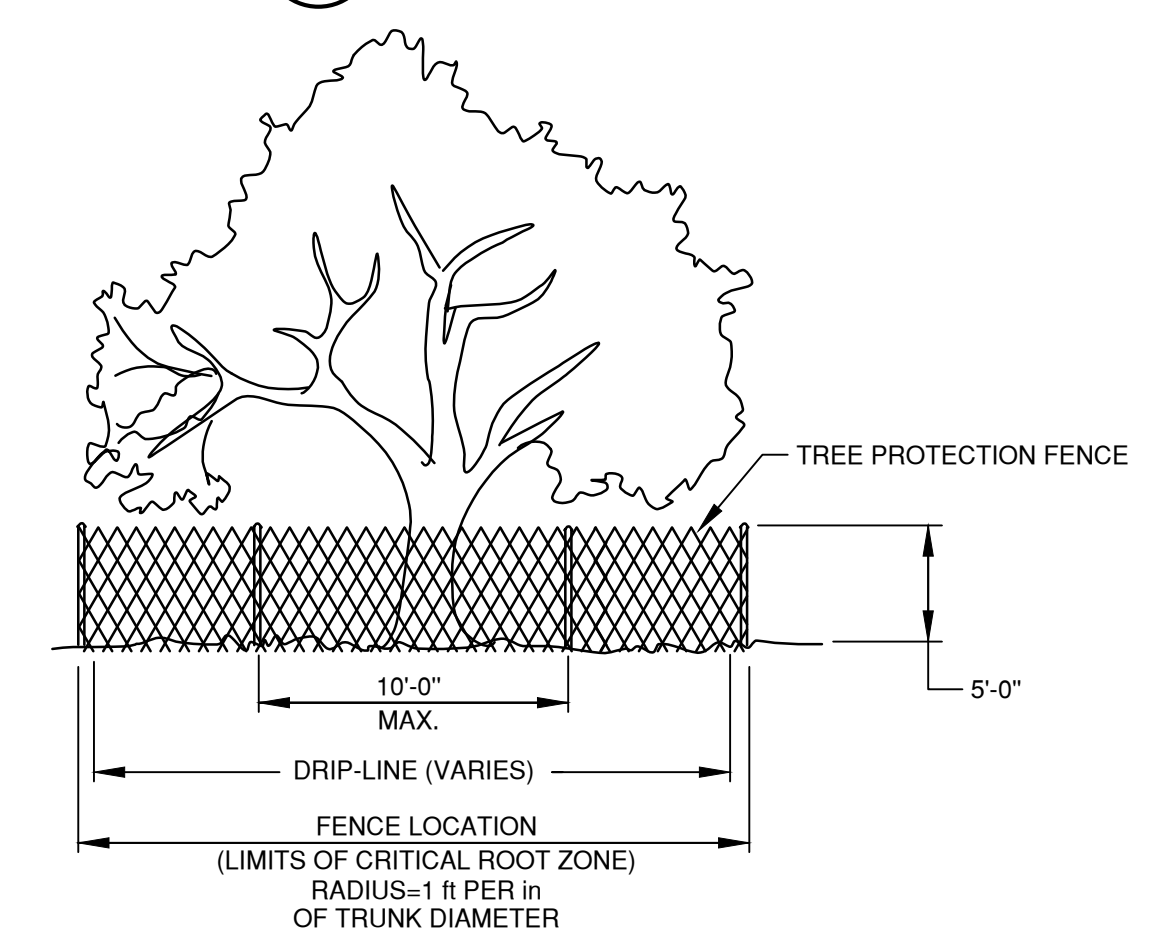
PARKING LOT LANDSCAPING

TOTAL PARKING = 50 STALLS
 INTERIOR LANDSCAPING REQUIRED:
 50 STALLS @ 144 SF / 10 STALLS = 720 SQUARE FEET
 INTERIOR SHADE TREES REQUIRED:
 720 SF / 144 = 5 SHADE TREES
 INTERIOR LANDSCAPING PROVIDED:
 = 726 SQUARE FEET
 INTERIOR SHADE TREES PROVIDED:
 4 EXISTING TREES + 6 NEW TREE = 10 SHADE TREES

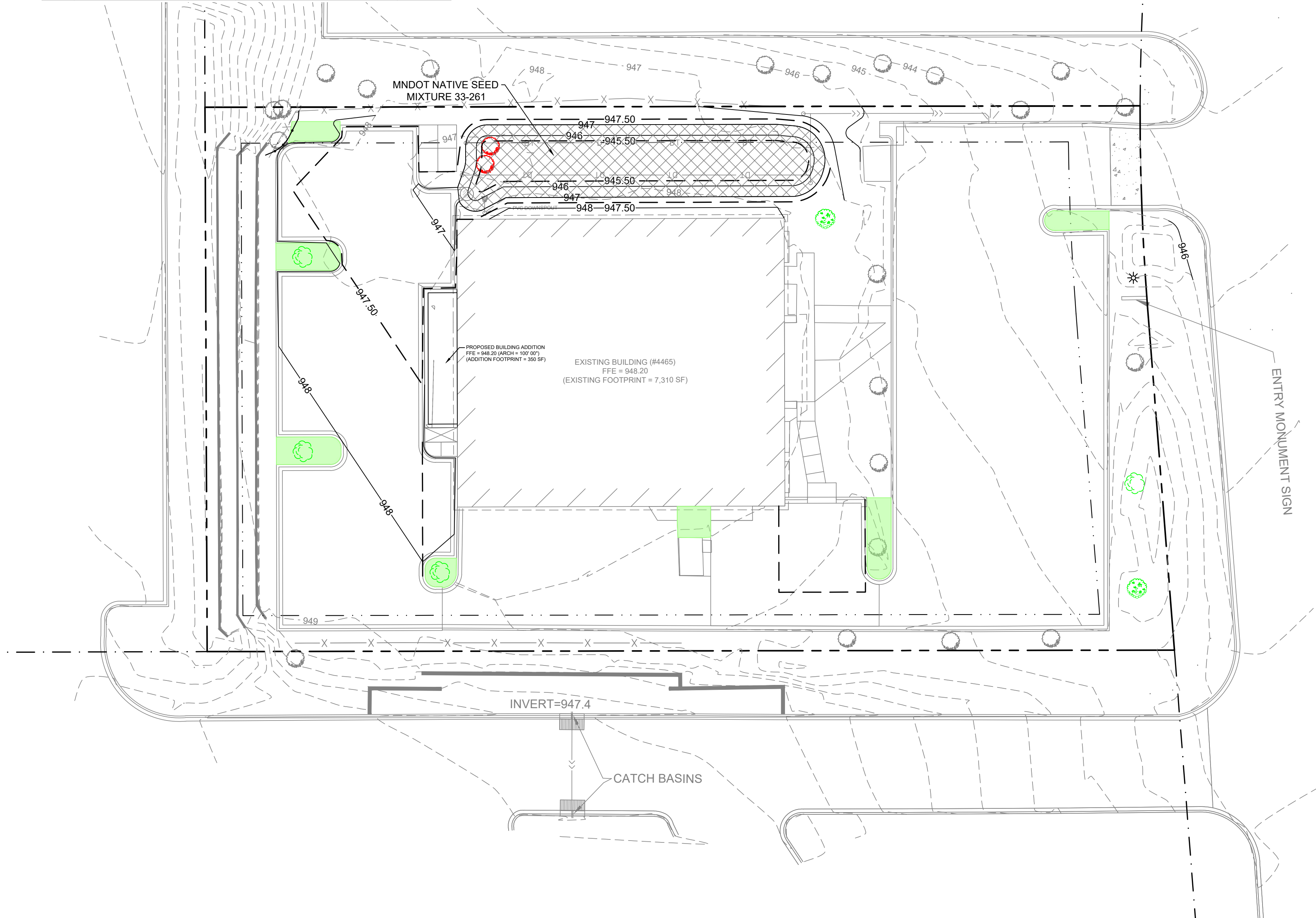
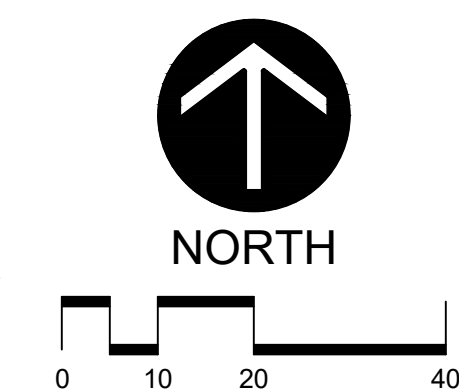
SYMBOL LEGEND



1 TREE PLANTING DETAIL
 NOT TO SCALE



2 TREE PROTECTION
 NOT TO SCALE



PRELIMINARY NOT FOR CONSTRUCTION

Larson Engineering, Inc.
 3524 Labore Road
 White Bear Lake, MN 55110
 651.481.9120 (f) 651.481.9201
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ALPHA FAMILY CLINIC
 4465 WHITE BEAR PARKWAY
 WHITE BEAR LAKE, MN 55110

2022 BUILDING AND PARKING LOT ADDITION
 ALPHA FAMILY CLINIC
 WHITE BEAR LAKE, MN 55110

I hereby certify that this plan, specifications or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the state of Minnesota.

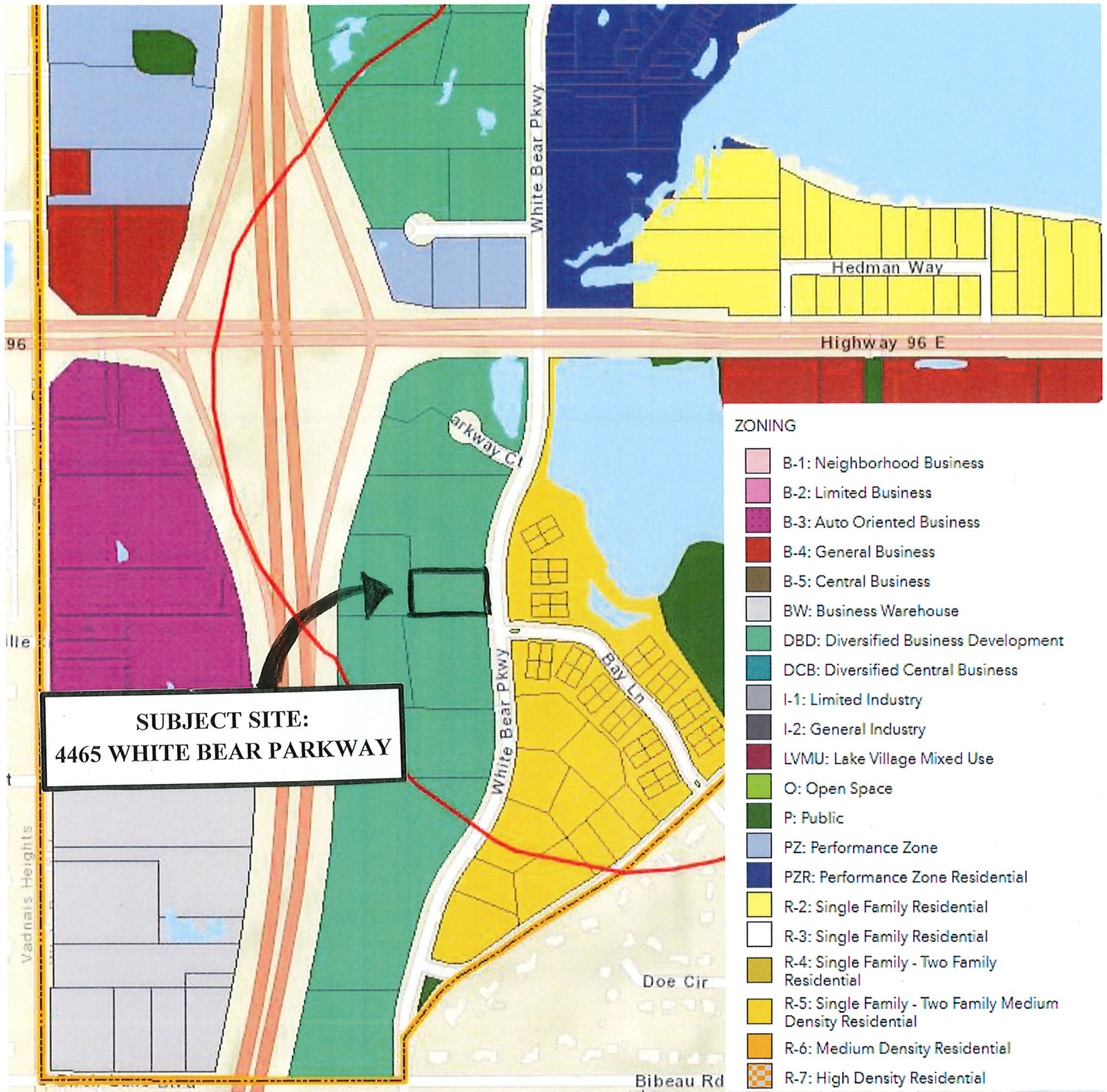
First M. Last, P.E.
 Date: 08.15.2022 Lic. No.: 23793

Rev.	Date	Description

Project #: 12216110
 Drawn By: MTH
 Checked By: GAB
 Issue Date:
 Sheet Title:

TREE PRESERVATION AND PLANTING PLAN

Sheet: **C600**



**SUBJECT SITE:
4465 WHITE BEAR PARKWAY**



City of
White Bear Lake
Planning & Zoning
651-429-8561

CASE NO. : 04-18-Sa + 22-14-V

CASE NAME : AALFA Family Clinic

DATE : September 26, 2022



City of White Bear Lake Fire Department

4701 Highway 61 N.
White Bear Lake, Minnesota 55110
651-429-8568 | www.whitebearlake.org



September 9, 2022

Alpha Family Clinic
4465 White Bear Parkway
White Bear Lake, MN 55110

Dear Alpha Family Clinic:

Thank you for submitting documents for Fire Department review. The plans for the above project located at 4465 White Bear Parkway have been evaluated. Please review the comments within this document.

Please let me know if I can assist you further.

Sincerely,

Kurt Frison
Assistant Fire Chief / Fire Marshal
651-762-4842

Encl.



City of White Bear Lake Fire Department

4701 Highway 61 N.
White Bear Lake, Minnesota 55110
651-429-8568 | www.whitebearlake.org



General Comments

1. Provide layout showing White Bear Lake Fire Apparatus turning radius overlay on drive lanes for the east and south lots. Trees are currently overhanging into the drive lanes, the trees shall be trimmed for a vertical clearance of 13 feet 6 inches.
2. Address number shall be plainly visible from the street fronting the property and shall contrasting color from the background.
3. Provide keys for emergency access into and throughout the occupancy as required. The White Bear Lake Fire Department will lock the keys in the fire department key box on the exterior of the building.
4. The fire sprinkler system shall be installed compliant with provisions of 2016 NFPA Standard 13, Installation of Sprinkler Systems. The new additional shall be protected by the fire sprinkler system. City permit required **prior** to initiation of work.
5. The sprinkler system shall be current on annual inspection and testing. Any deficiencies noted during those reports shall be corrected.
6. The sprinkler system shall be properly monitored by a qualified monitoring company.
7. Install emergency egress illumination in the means of egress including exit discharge compliant with 2020 MSFC.
8. Install compliant exit signage as required by the 2020 MSFC.
9. Provide and install dry chemical fire extinguishers certified for service and tagged as required. Service classification rating shall be a minimum 2A classification rating and maximum travel distance of 75 feet to extinguishers. The minimum classification rating may be upgraded for special or extra hazard areas within the occupancy.
10. Provide information concerning combustible interior finish materials used for this project. Interior finish materials shall be classified as required by 2020 MSFC as to flame spread and smoke development characteristics. Interior wall and ceiling finish shall have a flame spread index not greater than that specified in 2020 MSFC for the group of proposed occupancy and location of interior finish. Please furnish product specification sheets listing this information.
11. The required fire-resistance rating of rated construction shall be maintained. Openings through rated construction for the passage of wiring, sleeves, conduit, piping, etc. shall be protected by repair with approved materials which maintains the rating of the construction damaged, altered, breeched or penetrated.



City of White Bear Lake Fire Department

4701 Highway 61 N.
White Bear Lake, Minnesota 55110
651-429-8568 | www.whitebearlake.org



12. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.

Codes and Standards Used for this Review

This review is based on the following codes and standards as adopted and in effect in the State of Minnesota at the time of plan submittal.

- 2020 Minnesota State Fire Code
- NFPA 72, 2016 edition
- NFPA 13, 2016 edition



City of White Bear Lake
Finance Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Kerri Kindsvater, Finance Director
Date: October 11, 2022
Subject: **Resolution approving a 10-Year commitment to LOGIS for a new ERP and Utility Billing software applications**

SUMMARY

The City Council will consider adopting a resolution approving a 10-year commitment to Local Government Information Systems (LOGIS) as the association prepares to implement new Enterprise Resource Planning (ERP) and Utility Billing software systems.

BACKGROUND INFORMATION

LOGIS began in 1972 through a Joint Power Agreement (JPA) when a number of communities in the metropolitan area identified the benefits, cost effectiveness and efficiency of joining together to purchase computer equipment and develop or implement software programs designed to meet city needs.

The White Bear Lake City Council recognized the advantages of a LOGIS membership by authorizing participation in the JPA at their November 12, 1987. As an association member, each city can select which available software applications to use and pays its respective share of the costs for those systems. The current members realize lower costs as more organizations join the LOGIS JPA for software services.

LOGIS is in the process replacing the current ERP system for finance/payroll and Utility Billing software that were implemented in 2000 and 2007, respectively. After an extensive search process, LOGIS staff and member organization representatives chose Oracle Corporation as the vendor of the new ERP software and Sprypoint Solutions as the vendor of the new utility billing software.

LOGIS negotiated a new 10-year contract with each vendor to provide the membership with greater certainty over the expected minimum life of the each software system. This not only results in a lower overall cost to the membership but allows a lower entry price point for prospective members to join LOGIS and reduce overall costs for all member organizations moving forward. In the absence of a 10-year contract commitment, vendors will re-price their offering at a higher level and reduce any future price guarantees. This will significantly reduce LOGIS's ability to control long term costs.

In recognition of the substantial investment and operational impact of implementing a new software system, LOGIS is asking each member organization to approve a 10-year membership commitment to match the proposed vendor contract.

Staff recognizes the benefits of ensuring the long-term financial and operational certainty as part of our LOGIS membership.

RECOMMENDATIONS

Staff recommends that the City Council adopt the attached resolution approving a 10-year commitment to LOGIS for participation in the new ERP and Utility Billing software systems.

ATTACHMENTS

Resolution

RESOLUTION NO. _____

**RESOLUTION APPROVING A 10-YEAR COMMITMENT
FOR THE LOGIS ERP AND UTILITY BILLING SOFTWARE APPLICATIONS**

WHEREAS, The City of White Bear Lake is a member of the Local Government Information Systems (LOGIS) association; and

WHEREAS, the City of White Bear Lake desires to remain in the LOGIS-supported ERP and utility billing software application systems; and

WHEREAS, LOGIS has negotiated new long-term contracts with Oracle Corporation and Sprypoint Solutions, Inc. to serve the ERP and utility billing needs of its membership; and

WHEREAS, in recognition of the substantial investment and operational impact of implementing a new software system, the City of White Bear Lake acknowledges the benefits of ensuring long-term financial and operational certainty; and

WHEREAS, each member participant is asked to adopt a 10-year commitment to secure its ERP and utility billing software pricing and support through LOGIS.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of White Bear Lake, that this resolution affirms our long-term commitment to the LOGIS ERP and utility billing software applications and associated software support effective January 1, 2023 through December 31, 2032.

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

Ayes:

Nays:

Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and City Council
From: Lindy Crawford, City Manager
Date: October 11, 2022
Subject: **Resolution approving a 5-year Fire Services agreement with contracting jurisdictions**

SUMMARY

The City Council will consider adopting a resolution approving a 5-year Fire Services Agreement with the cities of Birchwood Village, Dellwood, Gem Lake, and White Bear Township, and authorizing the Mayor and City Manager to execute the Agreement.

BACKGROUND INFORMATION

In addition to the City of White Bear Lake, the White Bear Lake Fire Department (WLBFD) provides fire and emergency medical services to the cities of Birchwood Village, Dellwood, Gem Lake, and White Bear Township through a Fire Services Agreement (the Agreement).

The existing Agreement expires on December 31, 2022. Attached is an updated five-year Agreement. The Agreement was reviewed by the City Manager and City Attorney, and restructured based on the League of Minnesota Cities template service agreement. After Council adoption, the City Manager will distribute the Agreement to the contracting jurisdictions.

Please note, per the terms of the existing Agreement, the 2023 budget and payment amounts have already been distributed to the contracting jurisdictions.

Agreement Terms

Terms of the Agreement have not changed. For clarity, the Agreement was updated with current practices and further outlines terms and requirements of all parties.

Fire services have traditionally included fire fighting, rescue services, fire prevention, fire investigation, and emergency medical services.

An annual fee is charged to each contracting jurisdiction for services provided. The calculation of the fee is determined by the cost of fire services budgeted by the City, building, equipment and vehicle depreciation, dispatch fees, administrative fees, and percentages of tax capacity valuation and population for the contracting jurisdiction.

In addition, WBLFD also provides fire inspection services to the City of Gem Lake and White Bear Township for an additional fee. That fee is calculated by the annual cost of the fire inspector position and the percentage of commercial businesses for the contracting jurisdiction. Other contracting jurisdictions will now have the opportunity to receive inspection services through the Agreement should they wish.

The Agreement is set to be effective January 1, 2023 and automatically renew effective January 1, 2028. The Agreement may be terminated by serving a two-year written notice. Again, the same terms as the existing Agreement.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution approving a Fire Services Agreement with contracting jurisdictions, and authorizing the Mayor and City Manager to execute the Agreement.

ATTACHMENTS

- Resolution
- Fire Services Agreement

RESOLUTION NO.

**RESOLUTION APPROVING A FIRE SERVICES AGREEMENT BETWEEN
WHITE BEAR LAKE FIRE DEPARTMENT AND CONTRACTING JURISDICTIONS**

WHEREAS, the City of White Bear Lake has traditionally entered into a Fire Services Agreement with the cities of Birchwood Village, Dellwood, Gem Lake, and White Bear Township; and

WHEREAS, City of White Bear Lake has a Fire Department and desires to continue to provide fire and emergency medical services to area jurisdictions who do not have their own fire department; and

WHEREAS, the existing Fire Services Agreement is set to expire on December 31, 2022.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of White Bear Lake that an updated Fire Services Agreement with contracting jurisdictions is hereby adopted.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of White Bear Lake, Minnesota that the Mayor and City Manager are hereby authorized to enter into and execute said Fire Services Agreement with contracting jurisdictions.

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

Ayes:
Nays:
Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk

**CITY OF WHITE BEAR LAKE, MINNESOTA
FIRE SERVICES AGREEMENT**

This Fire Services Agreement (“**Agreement**”) is made and entered into by and between the City of White Bear Lake, a Minnesota municipal corporation located at 4701 Highway 61 White Bear Lake, MN 55110 (“**White Bear Lake**”), and _____, a Minnesota public corporation located at _____ (“**Contracting Jurisdiction**”). White Bear Lake and Contracting Jurisdiction may hereinafter be referred to individually as a “party” or collectively as the “parties.”

RECITALS

- A. White Bear Lake has a fire department (“**Fire Department**”) and is willing to offer fire services to Contracting Jurisdiction in accordance with the terms and conditions of this Agreement.
- B. Contracting Jurisdiction does not have its own fire department and desires to contract with White Bear Lake to receive fire services.

AGREEMENT

In consideration of the mutual promises and agreements hereinafter set forth the parties do hereby agree as follows:

- 1. **Fire Services.** White Bear Lake agrees to provide, and Contracting Jurisdiction agrees to purchase, fire services (“**Fire Services**”) from White Bear Lake through its Fire Department. The Fire Services provided by White Bear Lake under this Agreement are of the type provided by its Fire Department within its own jurisdiction and include, but are not limited to, fire fighting, rescue services, fire prevention, fire investigation, and emergency medical services. Upon request of Contracting Jurisdiction, the Fire Services provided by White Bear Lake will include fire inspection services for an additional charge.
 - (a) Allocation of Resources. The parties understand the Fire Department’s officer in charge of the particular scene shall exercise judgment to determine, in consideration of all the established policies, guidelines, procedures, and practices, how best to allocate the available resources of the Fire Department under the circumstances of a given situation. Failure to provide Fire Services because of poor weather conditions or other conditions beyond the control of White Bear Lake shall not be deemed a breach of this Agreement.
 - (b) No Guarantee. The parties understand and agree White Bear Lake will endeavor to reasonably provide Fire Services under the given circumstances, but White Bear Lake makes no guarantees that the Fire Services it actually provides in a given situation will meet any particular criteria or standard. White Bear Lake and its officers and employees shall not be liable to Contracting Jurisdiction or any other person for failure to furnish Fire Services under this Agreement or for recalling Fire Services.
- 2. **Payment.** Contracting Jurisdiction agrees to annually pay White Bear Lake the amount as determined in accordance with this section (“**Payment Amount**”). If White Bear Lake

provides fire inspection services as part of the Fire Services, the Payment Amount will include an additional amount for those services as indicated in this section.

(a) Fire Services Formula. The Payment Amount shall be determined by White Bear Lake using the following factors:

- (1) Projected annual cost of Fire Services as budgeted by White Bear Lake.
- (2) Cost of Fire Department buildings depreciated (straight line) over the asset's useful life.
- (3) Cost of Fire Department vehicles depreciated (straight line) over the asset's useful life.
- (4) Cost of Fire Department equipment depreciated (straight line) over the asset's useful life.
- (5) Cost of dispatch service for Fire Services calls.
- (6) Surcharge for administrative costs five (5%) percent.
- (7) An adjustment (debit or credit) for the prior year's actual charges.
- (8) 35% of total contract costs are allocated based on Contracting Jurisdiction's percentage of tax capacity valuation out of the total area served by Fire Services of White Bear Lake (Dellwood, Birchwood Village, Gem Lake, White Bear Township and White Bear Lake).
- (9) 65% of total contract costs are allocated based on the Contracting Jurisdiction's percentage of population out of the total area served by Fire Services from White Bear Lake.

(b) Fire Inspection Services. If White Bear Lake provides fire inspection services to Contracting Jurisdiction, the additional amount charged as part of the annual Payment Amount shall be determined using the following factors:

- (1) Projected annual cost of the Fire Inspector position as budgeted by White Bear Lake.
- (2) Contracting Jurisdiction's percentage of commercial businesses out of the total area served by fire inspection services from White Bear Lake.

(c) Annual Update. White Bear Lake will give to Contracting Jurisdiction, on or before September 1st of each year, the costs budgeted for the following year and the most recent figures for tax capacity valuation and population.

(d) Invoice. Before the end of each year during the term of this Agreement, White Bear Lake will provide Contracting Jurisdiction an invoice for the Payment Amount for the upcoming year. The invoice shall contain the details used to calculate the Payment Amount.

(e) Payment. Contracting Jurisdiction shall pay the Payment Amount as invoiced to White Bear Lake in four equal installments on or before the first day of January, April, July, and October of each year.

3. **Term**. This Agreement shall be effective on January 1, 2023 and shall have in initial term of five years. This Agreement shall automatically renew effective January 1, 2028 and each year thereafter, unless terminated as provided herein.

4. **Emergency Service Charge.** Contracting Jurisdiction, in its sole discretion, may exercise its authority to impose and collect an emergency service charge on those receiving emergency services, including Fire Services, within Contracting Jurisdiction. White Bear Lake shall have no right to, or interest in, any service fees collected by Contracting Jurisdiction. If Contracting Jurisdiction imposes an emergency service charge it shall provide White Bear Lake a list of the specific types of information it determines it needs collected in order to successfully impose and collect the charge. White Bear Lake shall make a good faith effort to collect the requested information for each service call to the Service Territory and promptly provide Contracting Jurisdiction with the information it collected. The parties understand and agree the information White Bear Lake may turn over to others is limited by federal and state laws.
5. **Service Territory.** White Bear Lake shall provide Fire Services as indicated in this Agreement within the jurisdictional boundaries of Contracting Jurisdiction. That area shall constitute Contracting Jurisdiction's Service Territory for the purposes of this Agreement:
6. **Ownership.** White Bear Lake owns the buildings and equipment associated with the Fire Department and the amounts paid by Contracting Jurisdiction do not give rise to any ownership interest in, or responsibility toward, those items or the Fire Department.
7. **White Bear Lake's Responsibilities.** In addition to any other obligations described herein, White Bear Lake shall:
 - (a) Authorize and direct its Fire Department to provide the Fire Services described herein, including fire inspection services if requested, within Contracting Jurisdiction's Service Territory;
 - (b) Develop a detailed annual operational budget for each year during the term of this Agreement and present it to Contracting Jurisdiction along with sufficient information to explain the items included in the budget figures;
 - (c) Upon Contracting Jurisdiction's request, provide Contracting Jurisdiction access to financial and cost data related to the Fire Department for five years prior to the current service year;
 - (d) Disclose to Contracting Jurisdiction any proposed action White Bear Lake or its Fire Department intends to take that can reasonably be expected to affect the Insurance Services Office Fire Protection Grade in the Service Territory or White Bear Lake's ability to provide the Fire Services; and
 - (e) Promptly disclose to Contracting Jurisdiction any information White Bear Lake can reasonably anticipate will directly affect its ability to perform its obligations under this Agreement.

8. **Contracting Jurisdiction's Responsibilities.** In addition to any other obligations described herein, Contracting Jurisdiction shall:
 - (a) Promptly pay White Bear Lake the Payment Amount as indicated above for the year of service;
 - (b) Levy a sufficient amount to pay the Payment Amount each year; and
 - (c) Promptly disclose to White Bear Lake any information Contracting Jurisdiction can reasonably anticipate will directly affect its ability to perform its obligations under this Agreement.
9. **Limitations on Responsibility.** It is understood and agreed Contracting Jurisdiction shall have no responsibility whatsoever toward White Bear Lake's firefighters or other emergency personnel including any employment related issues such as training, supervision, performance reviews, discipline, compensation, benefits, insurance coverages, compliance with any employment related federal, state, and local laws and rules such as OSHA, ERISA, RLSA, FMLA, or any other employment related issues. It is further agreed Contracting Jurisdiction has no responsibility, beyond paying the agreed upon Payment Amount, for acquiring, operating, maintaining, housing, or replacing equipment as needed to provide the Fire Services described herein.
10. **Insurance Requirements.** White Bear Lake shall maintain general liability insurance for its Fire Services and shall include Contracting Jurisdiction as an additional insured for the term of this Agreement. White Bear Lake shall maintain insurance equal to or greater than the maximum liability applicable to municipalities as set forth in Minnesota Statutes, Section 466.04, subdivision 1, as amended. The parties agree the general liability, inland marine, automobile, property, and workers' compensation coverages obtained through the League of Minnesota Cities Insurance Trust constitutes sufficient insurance coverages under this Agreement.
11. **Indemnification.** White Bear Lake agrees to defend and indemnify Contracting Jurisdiction against any claims brought or actions filed against Contracting Jurisdiction or any officer, employee, or volunteer of Contracting Jurisdiction for injury to, death of, or damage to the property of any third person or persons, arising from White Bear Lake's performance of Fire Services under this Agreement. Under no circumstances, however, shall White Bear Lake be required to pay on behalf of itself and Contracting Jurisdiction, any amounts in excess of the limits on liability established in Minnesota Statutes, Chapter 466 applicable to any one party. The limits of liability for Contracting Jurisdiction and White Bear Lake may not be added together to determine the maximum amount of liability for White Bear Lake. The intent of this section is to impose on White Bear Lake a limited duty to defend and indemnify Contracting Jurisdiction for claims arising out of the performance of this Agreement subject to the limits of liability under Minnesota Statutes, Chapter 466. The purpose of creating this duty to defend and indemnify is to simplify the defense of claims by eliminating conflicts between the parties and to permit liability claims against both parties from a single occurrence to be defended by a single attorney.

12. **No Waiver.** Nothing herein shall be construed to waive or limit any immunity from, or limitation on, liability available to either party, whether set forth in Minnesota Statutes, Chapter 466 or otherwise.
13. **Modification.** This writing, including the recitals, which are incorporated herein, contains the entire agreement between the parties and no alterations, variations, modifications, or waivers of the provisions of this agreement are valid unless reduced to writing and signed by both parties.
14. **Subcontracting & Assignment.** White Bear Lake shall not subcontract or assign any portion of this Agreement to another without prior written permission from Contracting Jurisdiction. Services provided to Contracting Jurisdiction pursuant to a mutual aid agreement White Bear Lake has, or may enter into, with another entity does not constitute a subcontract or assignment requiring prior approval of Contracting Jurisdiction so long as White Bear Lake remains primarily responsible for providing Fire Services to Contracting Jurisdiction's Service Territory.
15. **Termination.** This Agreement may be terminated at any time by mutual agreement of the parties. Either party may terminate this Agreement for any reason by personally serving a two-year written notice of termination on the other party. This Agreement shall terminate at the end of the day on December 31st in the year in which the two-year notice period ends (e.g., if the 24 month notice period ends in July, the termination is effective December 31st in the same year). The party serving the notice may withdraw it in writing before the termination is effective. If Contracting Jurisdiction fails to timely pay for the Fire Services according to the schedule established herein, White Bear Lake may terminate this Agreement if Contracting Jurisdiction fails to pay all outstanding amounts within 120 days of written notice and default by White Bear Lake. If Contracting Jurisdiction fails to fully cure its breach before the end of the 120 day notice period, White Bear Lake may immediately terminate this Agreement by providing a written notice of termination to Contracting Jurisdiction. Notice to White Bear Lake shall be served on the City Manager. Notice to Contracting Jurisdiction shall be served on its City Clerk.
16. **Service Contract.** This is a service contract. The parties do not intend to undertake or create, and nothing herein shall be construed as creating, a joint powers agreement, joint venture, or joint enterprise between the parties.
17. **Minnesota Law Governs.** This Agreement shall be governed by and construed in accordance with the internal laws of the State of Minnesota. All proceedings related to this Agreement shall be venued in the State of Minnesota and Ramsey County.
18. **Severability.** The provisions of this Agreement shall be deemed severable. If any part of this Agreement is rendered void, invalid, or otherwise unenforceable, such rendering shall not affect the validity and enforceability of the remainder of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement effective as of the effective date indicated above.

THE CITY OF WHITE BEAR LAKE

CONTRACTING JURISDICTION

By: _____

By: _____

Its: Mayor _____

Its: _____

Date: _____

Date: _____

By: _____

By: _____

Its: City Manager _____

Its: _____

Date: _____

Date: _____



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Caley Longendyke, City Clerk
Date: October 11, 2022
Subject: **Special Event Application for Big Wood Brewery**

SUMMARY

The City Council will consider approving the special event application for a Halloween party at Big Wood Brewery, involving use of a city parking lot, live amplified outdoor music and a single-event liquor extension.

BACKGROUND INFORMATION

On behalf of Big Wood Brewery, Jamey Worley submitted a special event application to host a Halloween party from 12 p.m. - 11:30 p.m. on Saturday, October 29. The request involves hosting the event in the city-owned parking lot in the space behind Big Wood Brewery. The event will have outdoor amplified music, which will end promptly at 10 p.m. to stay in compliance with the city's noise ordinance.

In order to host an event with liquor outside the premises of Big Wood Brewery, the event will require a single-event liquor extension. Approval of the liquor extension would be conditioned on a staff-approved alcohol control plan such that people with open containers are confined to the area contiguous to the event center, in addition to receipt of liquor liability insurance covering the consumption area.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution authorizing a Halloween party hosted by Big Wood Brewery to take place in the city-owned parking lot with amplified music with a single-event liquor extension with conditions.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION AUTHORIZING AN OUTDOOR HALLOWEEN PARTY AT
BIG WOOD BREWERY IN WHITE BEAR LAKE**

WHEREAS, a proposal has been submitted by Big Wood Brewery to host an outdoor Halloween party from 12 p.m. to 11:30 p.m. on Saturday, October 29; and

WHEREAS, the request entails blocking off parking lot space behind Big Wood Brewery for live amplified outdoor music concluding at 10 p.m. and liquor service; and

WHEREAS, the applicant has plans for restrooms, electricity use and refuse; and

WHEREAS, Big Wood Brewery has requested an on-sale liquor license extension in order to service attendees of the event.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota hereby approves blocking off portions of the City-owned parking lot behind Big Wood Brewery in order to host a Halloween party.

BE IT FURTHER RESOLVED that event attendees would be permitted to consume alcohol within the controlled area in the parking lot behind Big Wood conditioned upon the following:

1. Outdoor amplified music ends firmly at 10:00 p.m.
2. A plan for control of a designated area of alcohol consumption, which has been approved by the White Bear Lake Police Department.
3. Proof of liquor liability insurance which includes the cordoned area.

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

Ayes:
Nays:
Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



City of White Bear Lake
Community Development Department

M E M O R A N D U M

TO: Lindy Crawford, City Manager
FROM: Ashton Miller, City Planner
DATE: October 11, 2022
SUBJECT: Huston/Jacobs Variance / 1525 Birch Lake Blvd N / Case No. 22-18-V

SUMMARY

The applicants, Rick Huston and Tracy Jacobs, are requesting a 10.5 foot variance from the front yard average setback, in order to construct an addition to the front of the home. Based on the findings made in this report, both staff and the Planning Commission find that the applicant has not demonstrated a practical difficulty with meeting the City's zoning regulations as required by Minnesota Statute 462.357, Subd.6 and therefore recommends denial of this request.

BACKGROUND INFORMATION

Applicant/Owner: Rick Huston & Tracy Jacobs

Existing Land Use / Zoning: Single Family; zoned R-2: Single Family Residential & S – Shoreland Overlay District

Surrounding Land Use / Zoning: North, East, & West: Single Family; zoned R-2: Single Family Residential & S – Shoreland Overlay District; South: Birch Lake

Comprehensive Plan: Low Density Residential

Lot Size & Width: Code: 15,000 square feet; 100 feet
 Site: 23,000+/- square feet; 100 feet

Planning Commission Action

The Planning Commission reviewed this item during their September 26, 2022 regular meeting. During the meeting, the commission heard a presentation from staff and held a public hearing where the applicants and one neighbor spoke. The applicants provided a written response to the staff memo and described the conditions of the many trees on their property and the existence of an old chicken coop foundation that limits the viable location of an addition in the rear and the chimney which prevented them from building over the garage. They also explained the desire to build solar panels on the home and an addition on the south side would provide the space needed. The neighbor at 1531 Birch Lake Boulevard North, John Reinhardt, stated that overall he did not have an opinion on the proposal. He was unsure whether a 15 foot expansion would impact him, but was glad it wasn't proposed to be closer to his home. Staff did

not receive any written comments regarding the request. After hearing staff's presentation and comments from the public, the commissioners discussed whether a practical difficulty existed and if there were alternative designs available to the applicants. The Commission voted 4-3 to recommend the City Council deny this request. Members Berry, Lynch, Enz, and West voted in favor of the recommendation to deny the variance request while members Reinhardt, Baltzer, and Amundsen opposed it.

Site Characteristics

The subject site is located on the north side of Birch Lake Blvd N., west of Otter Lake Rd. The lot contains a single family home, attached garage and a shed at the back of the property. The home is set back 85 feet from the property line. The front yard setback is based on an average of the two neighbors, which are 83 feet and 78 feet from the front property line, making the required setback 80.5 feet. The applicants are proposing a 15 foot addition, and are therefore requesting a 10.5 foot variance from the front yard average setback in order to construct the addition 70 feet from the front property line.

Variance Review

City review authority for variance applications is considered a quasi-Judicial action. This means the City acts like a judge in evaluating the facts against the legal standard. The City's role is limited to applying the legal standard of practical difficulties to the facts presented by the application. Generally, if the application meets the review standards, the variance should be approved.

The standards for reviewing variances are detailed in Minnesota State Statute 462.357, Subdivision 6. In summary, variances may be granted when the applicant establishes there are "practical difficulties" in complying with the zoning regulations. A practical difficulty is defined by the five questions listed below. Economic considerations alone do not constitute a practical difficulty. In addition, under the statute the City may choose to add conditions of approval that are directly related to and bear a rough proportionality on the impact created by the variance.

Staff has reviewed the variance request against the standards detailed in Minnesota State Statute 462.357, Subdivision 6 and finds the applicant has not demonstrated a practical difficulty and is therefore recommending denial of the variance request. The standards for reviewing a variance application and staff's findings for each are provided below.

1. Is the variance in harmony with the purposes and intent of the ordinance?

Finding: The proposed variance is not in harmony with the purpose and intent of the zoning regulations. The subject property is zoned R-2: Single Family Residential and is within the S – Shoreland Overlay District of Birch Lake. Averaging the front yard setback ensures uniformity within a neighborhood and maintains open spaces. The zoning code permits properties to deviate up to 10 feet from the average through an administrative variance, however, it specifically excludes properties that abut lakes from this process, acknowledging the ecological importance of shorelands and indicating the intent of the code is to prevent properties from encroaching closer to the body of water.

2. Is the variance consistent with the comprehensive plan?

Finding: The proposed variance is not consistent with the 2040 Comprehensive Plan. The 2040 Comprehensive Plan Future Land Use Map guides the subject property as Low Density Residential, which is defined as 3 to 9 units per acre. While the proposed addition would be consistent with the overall density range, it would allow a development pattern inconsistent with the surrounding properties that conform to both the density and zoning regulations.

3. Does the proposal put the property to use in a reasonable manner?

Finding: The proposed variance does not put the property to use in a reasonable manner. There are other options on the property that would allow an addition while meeting all required setbacks. The zoning standards, lot conditions or layout of the home do not preclude an addition to be constructed in the rear of the home.

4. Are there unique circumstances to the property not created by the landowner?

Finding: There are not unique circumstances to the property not created by the landowner. The property exceeds the lot size requirements for the R-2 zoning district and the home is situated in roughly the middle of the property, so there is a large rear yard that would provide enough space to build an addition and still meet the required setback, which in this zoning district is 40 feet from the rear property line.

5. Will the variance, if granted, alter the essential character of the locality?

Finding: Granting the requested variance will alter the essential character of the surrounding neighborhood. The homes along Birch Lake Boulevard North are generally all the same distance from the street right-of-way and provide large front yards. Allowing the property to encroach into that setback would lessen the neighboring properties front yard average setback, opening the possibility for development to creep closer to the front property line and the lake.

RECOMMENDATION

The Planning Commission and staff recommend denial of the request based on the following findings of fact:

1. The variance as requested is not necessary for the reasonable use of the land or buildings. Other design options exist to allow the construction of the addition without the issuance of a variance;
2. There are no unique physical characteristics to the lot which create a practical difficulty for the Applicant. The Applicant is simply desiring to construct an addition of a size and at a location that is not consistent with the City Code;
3. Granting the variance would be contrary to the general purpose and intent of the zoning code; and
4. Deviation from the City Code without the Applicant demonstrating the existing of

practical difficulties under the State and local regulations would be contrary to the law.

ATTACHMENTS

Resolution

Zoning/Location Map

Applicant's Narrative & Plans

Applicant's Response to Staff Memo

RESOLUTION NO.

**RESOLUTION DENYING A SETBACK VARIANCE FOR 1525 BIRCH LAKE BOULEVARD NORTH
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, Rick Huston and Tracy Jacobs (collectively, the “Applicant”) (22-18-V) have requested a 10.5 foot variance from the 80.5 foot required average front yard setback, established by City Code, Section 1303.040, Subd. 5(c)(1), in order to construct an addition on the home located at:

LOCATION: 1525 Birch Lake Boulevard

LEGAL DESCRIPTION: The West one hundred feet of the East two hundred thirty-three feet except the North one thousand six hundred thirty-one and eleven hundredths feet of Government Lot two, Section fifteen, Township thirty, Range twenty-two, except that portion thereof dedicated as Birch Lake Road, Ramsey County, MN (PID: 153022310006)

WHEREAS, the Planning Commission held a public hearing, after due notice having been provided, on September 26, 2022 and voted to forward the Applicant’s request to the City Council with a recommendation that it be denied; and

WHEREAS, the City Council has considered this matter and hereby finds and determines as follows:

1. The City processes applications for a variance in accordance with City Code, Section 1301.060 and Minnesota Statutes, section 462.357, subdivision 6(2);
2. Under Minnesota Statutes, section 462.357, subdivision 6(2), the City Council may only grant a variance “when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance.”
3. The Applicant carries the burden of establishing its variance request satisfies the requirements for issuance by the City;
4. The criteria that must be satisfied to obtain a variance are set out in City Code, Section 1301.060, subd. 1 and Minnesota Statutes, section 462.357, subdivision 6(2);
5. The City Council finds the Applicant did not establish the existence of practical difficulties to grant the requested variance because:
 - a) The variance as requested is not necessary for the reasonable use of the land or buildings. Other design options exist to allow the construction of the addition without the issuance of a variance;
 - b) There are no unique physical characteristics to the lot which create a practical

RESOLUTION NO.

difficulty for the Applicant. The Applicant is simply desiring to construct an addition of a size and at a location that is not consistent with the City Code;

- c) Granting the variance would be contrary to the general purpose and intent of the zoning code; and
- d) Deviation from the City Code without the Applicant demonstrating the existing of practical difficulties under the State and local regulations would be contrary to the law.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of White Bear Lake, Minnesota, sitting as the Board of Appeals and Adjustments, based on the record of this matter and the findings and determinations contained herein, hereby denies the Applicant's setback variance application.

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

Ayes:
Nays:
Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk

Attachment #4

The current situation is that all of the rooms in the house are small and unable to accommodate our desire to have a large enough master bedroom that allows for a master bathroom and a master walk in closet for the two of us.

Our ask is to allow us to expand into the current setback of 70.5', which represents the average setback of our property compared to the neighbors on either side. This encroachment would be 15' which represents what is needed to allow of the room expansion and addition of the bathroom and the closet for the master bedroom. We understand that an administrative variance is possible but only gets up to 10'. We really need 15' to accommodate the room and on-suite amenities.

We have further explored the possibility of the addition off the back of the house and found that it really isn't possible because of the current bathroom. Expanding off of the north side would mean that the existing bathroom wouldn't be able to serve the other two bedrooms of the house.

1. Is the variance in harmony with purposes and intent of the ordinance?

Yes. This variance request is in harmony with the intent of the ordinance as the ordinance allows for two opportunities. An administrative variance and a City Variance. The administrative variance won't provide the space required to make the improvements to the property, that is the reason for the City Variance Request. All information has been provided to show the need and the reasoning for the need.

2. Is the variance consistent with the comprehensive plan?

I am not sure what the comprehensive plan is, but if it has to do with the overall owner comprehensive plan to add amenities to the existing property to add square feet for a more suitable living condition, then yes. If this has to do with a city comprehensive plan, I am not sure what that would be.

3. Does the proposal put the property to use in a reasonable manner?

Yes. If approved, this would render the property to reasonable use. The property is set back from the road and heavily secluded by mature trees. None of this will change and the properties use and appearance will only be improved greatly.

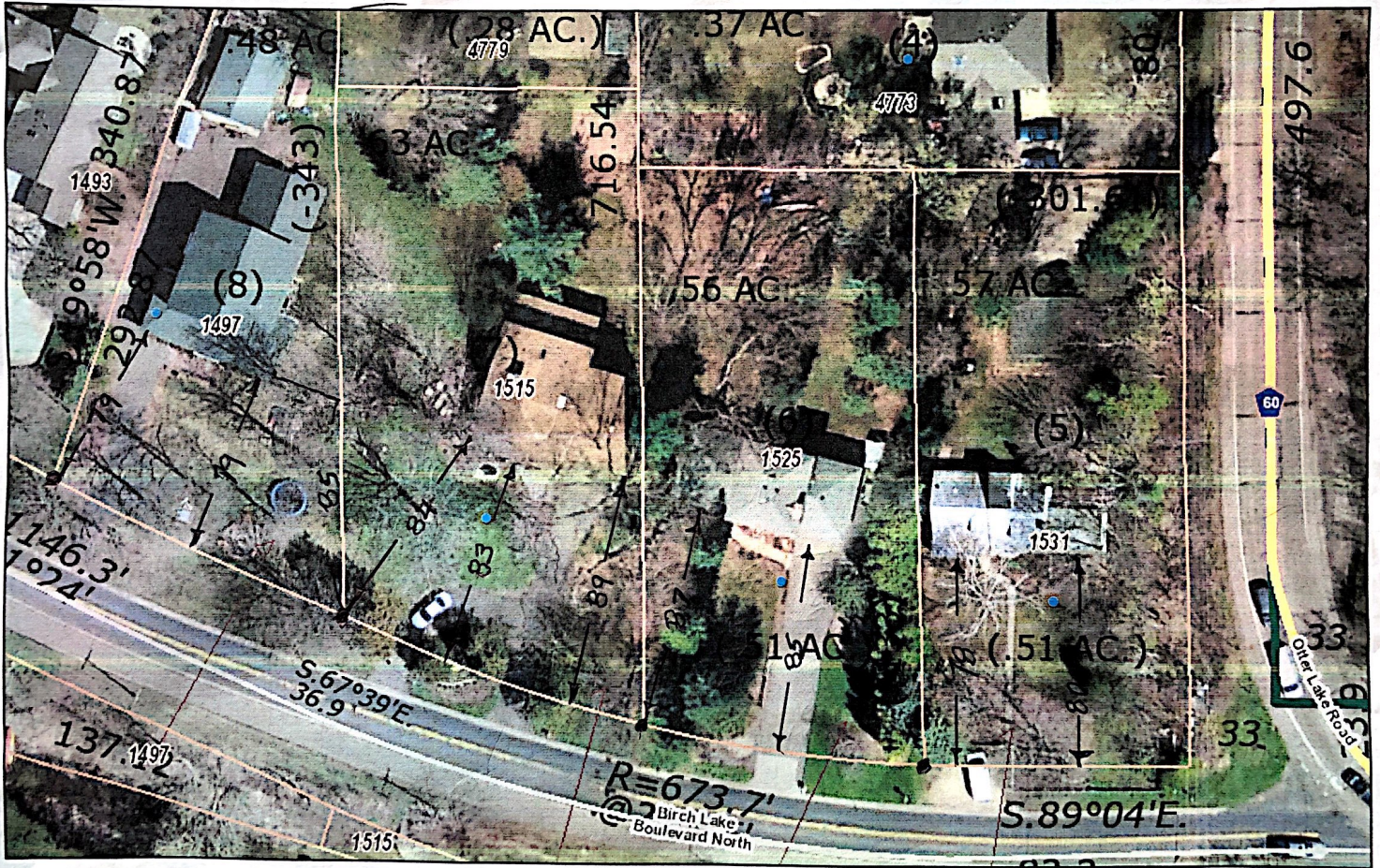
4. Are there unique circumstances to the property not created by the landowner?

Yes, there are unique circumstances not created by the owner. This property was build in the 60's when design was very simple. Private bathrooms and walk-in closets were not the standard. Today, it is the standard. To improve this property to a more modern design and afford all three bedrooms with reasonable and private amenities, this addition is necessary. Adding to the rear of the house would not allow for the addition as desired whereas an additional bathroom will be added.

5. Will the variance, if granted, alter the essential character of the locality?

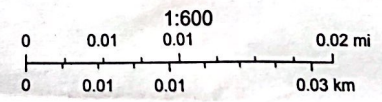
No, this property is located well off of the road and again, very secluded by very mature trees, that will not change. This house, by appearance, looks to be the least improved of the properties in this area. This addition will improve appearance and functionality of the property. It will improve the character of the property and the neighborhood. we have discussed this with neighbors along Birch Lake and have had not negative feedback about our desire.

70.5. 80.5. 70.5. Map Ramsey *Found corner*



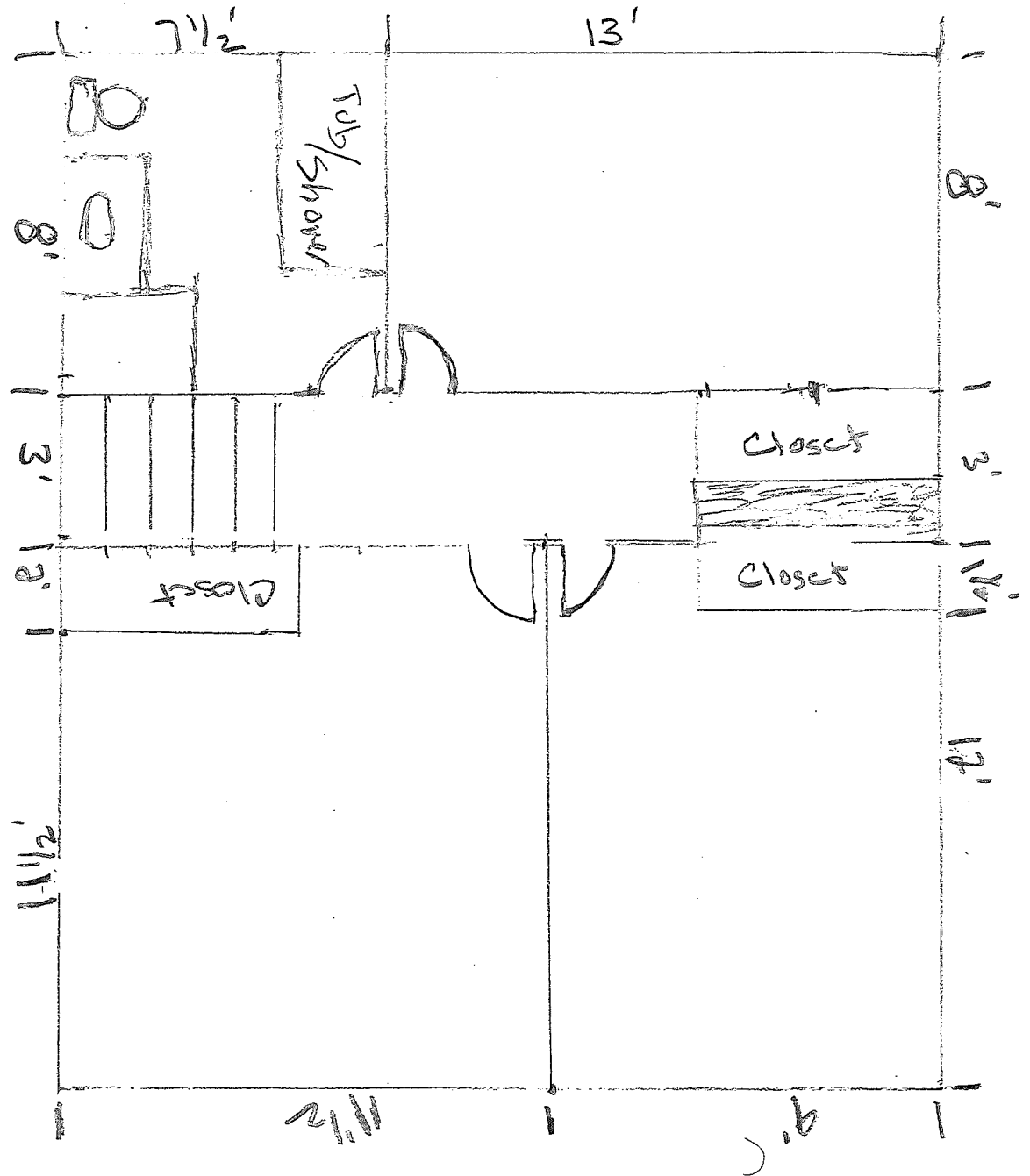
8/5/2022, 8:45:37 AM

- Addresses (Occupants)
- US or State Highway
- Local Road
- Personal Property
- Connector (Ramp)
- Privately Maintained Public Access Road
- Tax Parcels
- Interstate
- County Road
- Alleyway
- Cities



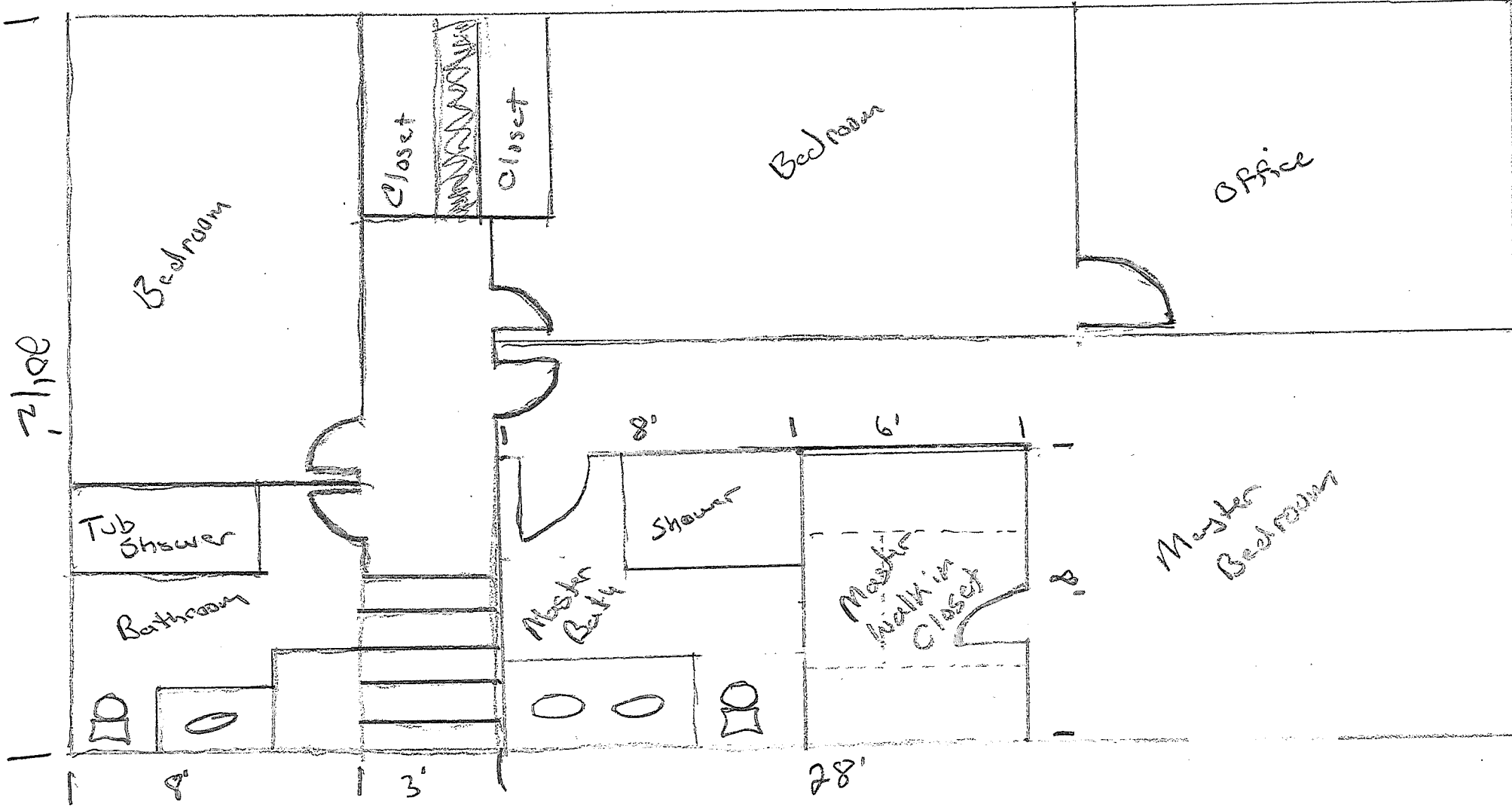
(Dick S.)

Attachment # 1



1/4" = 1'

Existing floor plan



N ←

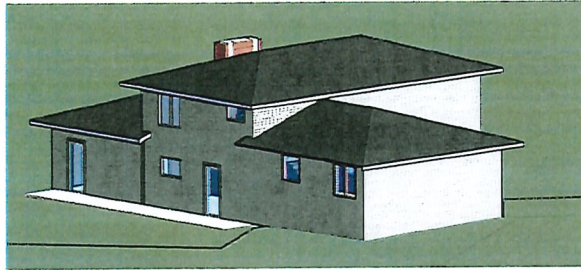
1/4" = 1'

Desired floor plan

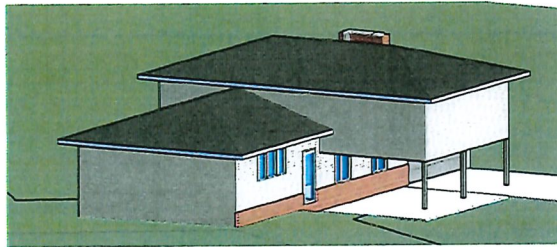
Attachment #2

→ Lake View

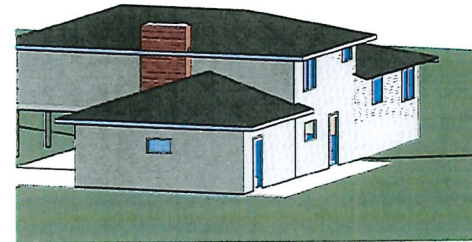
Attachment #3



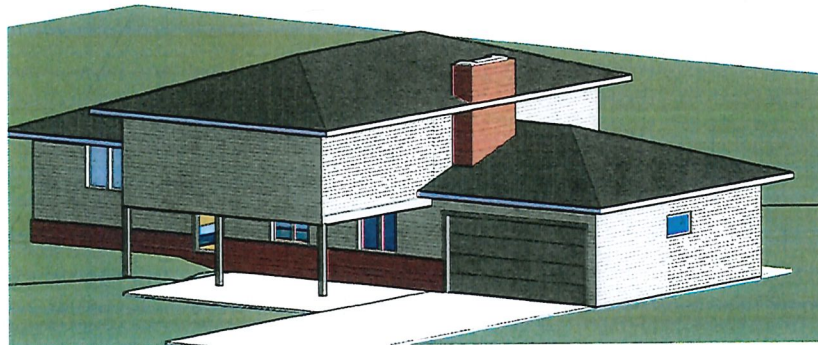
2
D-1 3-D PERSPECTIVE NORTH WEST VIEW



4
D-1 3-D PERSPECTIVE SOUTH WEST VIEW



3
D-1 3-D PERSPECTIVE NORTH EAST VIEW



1
D-1 3-D PERSPECTIVE SOUTH EAST VIEW

PROJECT: REMODEL
16'-0" ADDITION FROM BLOCK
14'-0" ADDITION FROM CANT

OWNER:
RICK HUSTON
ADDRESS:
1525 BIRCH LAKE BLVD N.
WHITE BEAR LAKE, MN.

CONTRACTOR:
ROC HOMES PRO
CONTACT: RICH BERRY
PHONE: 612-368-1189
E-MAIL:
handyman@rochomespro.com

REVISIONS			
NO.	DATE	DESCRIPTION	BY

PRELIMINARY PLAN

AUGUST 09, 2022

NOT FOR CONSTRUCTION

PLANS PROVIDED BY:

SCHWIETERS HOME DESIGN
1628 COUNTY HIGHWAY 10 N.E.
SPRING LAKE PARK, MN 55432

TEL: (763) 785-2105
SchHornDsgn@aol.com

DATE: 02/28/16

DATE: 08/09/2022 DRAWN: DICK S.
JOB NO: 02264 CHECKED: R.J.S.

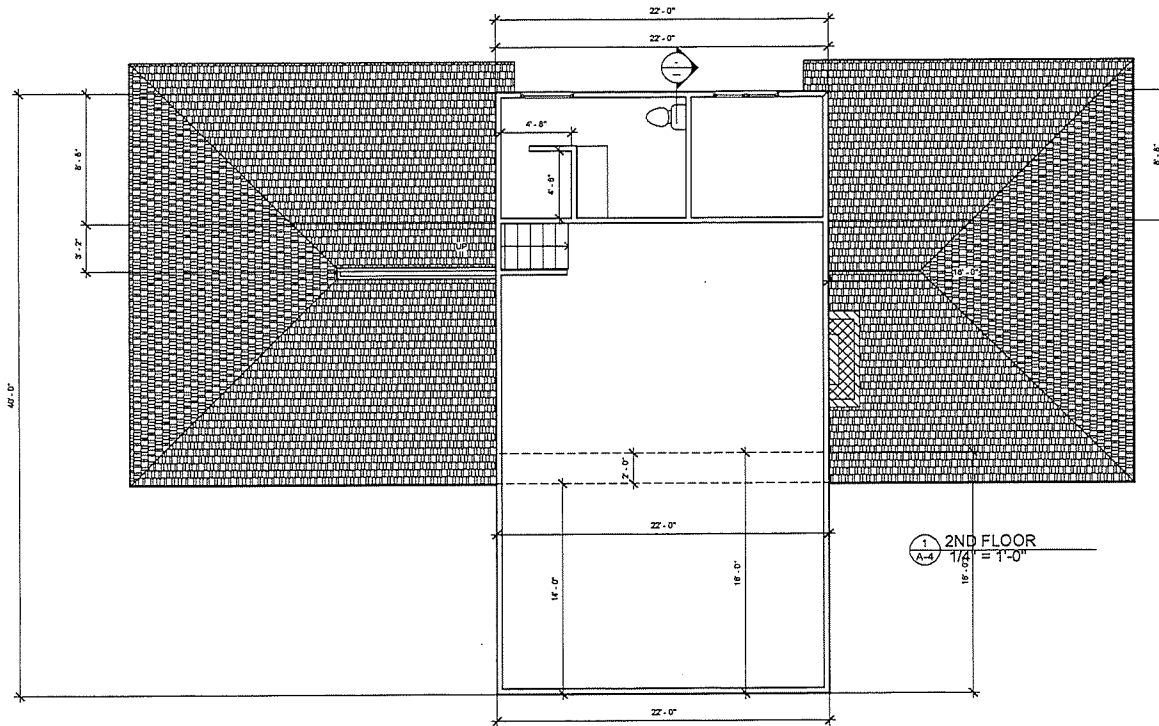
3-D PERSPECTIVES

SCALE:

PAGE NO:

D-1

Attachment # 3.1



PROJECT: REMODEL
 16'-0" ADDITION FROM BLOCK
 14'-0" ADDITION FROM CANT

OWNER:
 RICK HUSTON
 ADDRESS:
 1525 BIRCH LAKE BLVD N.
 WHITE BEAR LAKE, MN.

CONTRACTOR:
 ROC HOMES PRO
 CONTACT: RICH BERRY
 PHONE: 612-368-1189
 E-MAIL:
 handyman@rochomespro.com

REVISIONS			
NO.	DATE	DESCRIPTION	BY
PRELIMINARY PLAN			
AUGUST 09, 2022			
NOT FOR CONSTRUCTION			

PLANS PROVIDED BY:
 SCHWIETERS HOME DESIGN
 1628 COUNTY HIGHWAY 10 N.E.
 SPRING LAKE PARK, MN 55432
 TEL: (763) 785-2105
 SchHomDsgn@aol.com

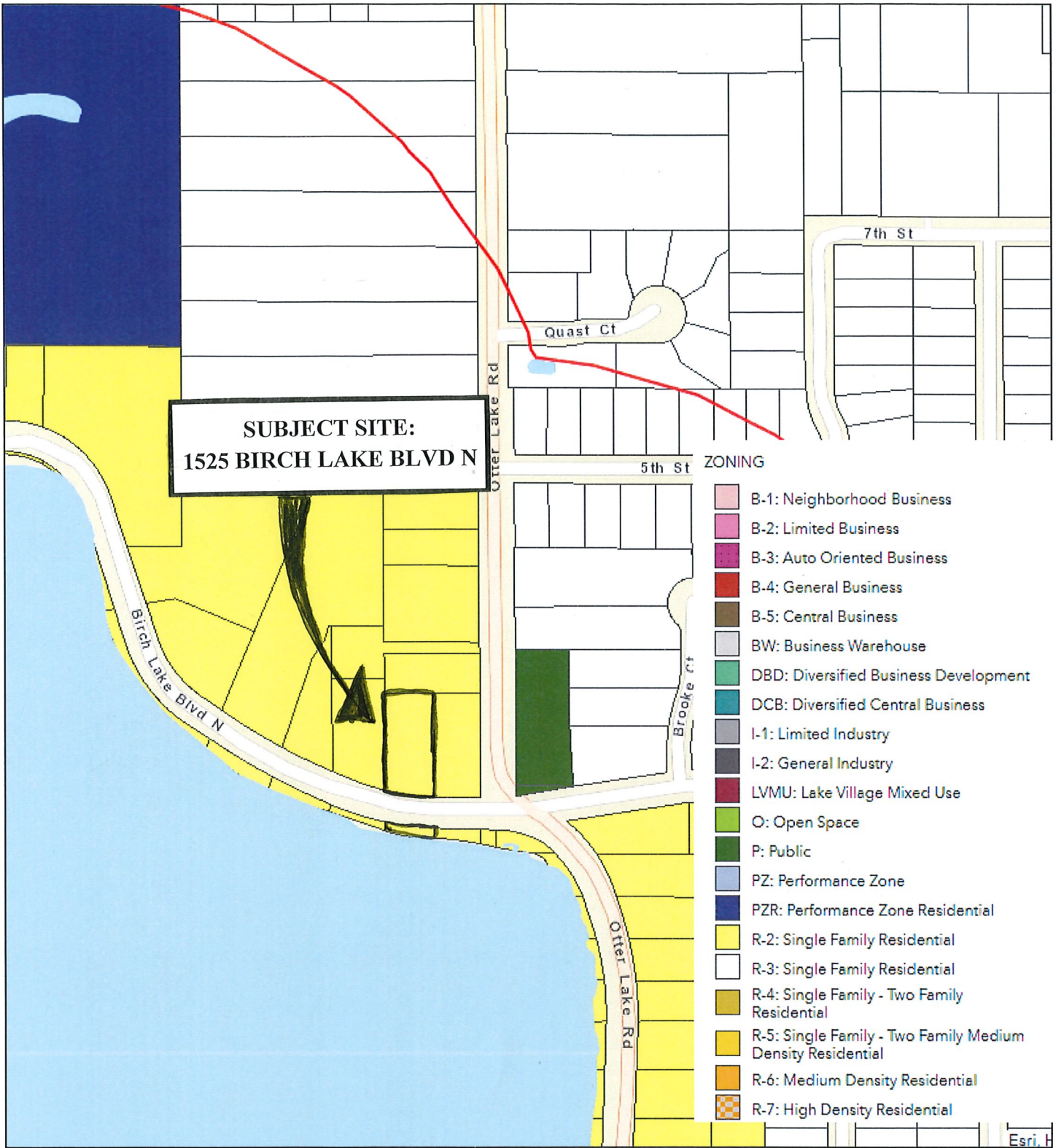
DATE: 06/07/2022

DATE: 08/09/2022 DRAWN: DICK S.
 JOB NO: 02254 CHECKED: R.J.S.

2ND FLOOR PLAN

SCALE: 1/4" = 1'-0"

PAGE NO:
A-4



City of
White Bear Lake
Planning & Zoning
651-429-8561

CASE NO. : 22-18-V

CASE NAME : Huston/Jacobs

DATE : September 26, 2022



City of White Bear Lake
Community Development Department

MEMORANDUM

TO: The Planning Commission
FROM: Ashton Miller, City Planner
DATE: September 26, 2022
SUBJECT: Huston/Jacobs Variance – 1525 Birch Lake Blvd N – Case No. 22-18-V

SUMMARY

The applicants, Rick Huston and Tracy Jacobs, are requesting a variance from the front yard average setback, in order to construct an addition to the front of the home.

Based on the findings made in this report, staff finds that the applicant has not demonstrated a practical difficulty with meeting the City's zoning regulations as required by Minnesota Statute 462.357, Subd.6 and therefore recommends denial of this request.

GENERAL INFORMATION

Applicant/Owner: Rick Huston & Tracy Jacobs

Existing Land Use / Zoning: Single Family; zoned R-2: Single Family Residential & S – Shoreland Overlay District

Surrounding Land Use / Zoning: North, East, & West: Single Family; zoned R-2: Single Family Residential & S – Shoreland Overlay District; South: Birch Lake

Comprehensive Plan: Low Density Residential

Lot Size & Width: Code: 15,000 square feet; 100 feet
Site: 23,000+/- square feet; 100 feet

ANALYSIS

The subject site is located on the north side of Birch Lake Boulevard North, west of Otter Lake Road. The lot contains a single family home, attached garage and a shed at the back of the property. The home is set back 85 feet from the property line. The front yard setback is based on an average of the two neighbors, which are 83 feet and 78 feet from the front property line, making the required setback 80.5 feet. The applicants are proposing a fifteen foot addition, and are therefore requesting a 10.5 foot variance from the front yard average setback in order to construct the addition 70 feet from the front property line.

Community Comment

Under state law and the City's zoning regulations, variance applications require a public hearing. Accordingly, the City published notice of this request in the White Bear Press and mailed notice directly to all adjacent property owners. That notice directed all interested parties to send questions or comments to the Planning Department by mail, phone, or email or to attend the public hearing where they could learn about the request, ask questions, and provide feedback. As of the writing of this report, city staff has not received any comments regarding this request. During the public hearing, staff will provide an update if any other public comments are received prior to the Planning Commission meeting.

Variance Review

City review authority for variance applications is considered a Quasi-Judicial action. This means the city acts like a judge in evaluating the facts against the legal standard. The city's role is limited to applying the legal standard of practical difficulties to the facts presented by the application. Generally, if the application meets the review standards, the variance should be approved.

The standards for reviewing variances are detailed in Minnesota State Statute 462.357, Subdivision 6. In Summary, variances may be granted when the applicant establishes there are "practical difficulties" in complying with the zoning regulations. A practical difficulty is defined by the five questions listed below. Economic considerations alone do not constitute a practical difficulty. In addition, under the statute the City may choose to add conditions of approval that are directly related to and bear a rough proportionality on the impact created by the variance.

Staff has reviewed the variance request against the standards detailed in Minnesota State Statute 462.357, Subdivision 6 and finds the applicant has not demonstrated a practical difficulty and is therefore recommending denial of the variance request. The standards for reviewing a variance application and staff's findings for each are provided below.

Thank you for your time and consideration in reviewing our variance request. As set forth more fully below, we respectfully disagree with the Community Development Department's (the "Department's") findings. We believe the additional information below, however, will provide further insight into the basis and logistics regarding the addition we would like to make to our home. Although we love the home and the neighborhood, we purchased it always with the intent to make improvements to it. The home was built around 1968, and no updates or improvements have been made since that time. The requested improvements are necessary both to bring the home up to date with the other homes in the neighborhood and, more importantly, create much-needed functional living space that is standard by today's measures.

In regard to any community comment, we have discussed our plans for the addition with our immediate neighbors and they do not have any opposition to it. The addition is situated toward the center of our property and will not affect their views of the lake or encroach toward their properties. We were advised by the Department staff that we did not need any letters of approval from them, but are happy to get those if wanted or needed.

In addition, as discussed below, this variance request comports with the purpose and intent set forth in Minn. Stat. § 462.357, Subd. 6. We therefore respectfully request that that the Department recommend approval of this variance to the City Council.

1. Is the variance in harmony with the purposes and intent of the ordinance?

Finding: The proposed variance is not in harmony with the purpose and intent of the zoning regulations. The subject property is zoned R-2: Single Family Residential and is within the S – Shoreland Overlay District of Birch Lake. Averaging the front yard setback ensures uniformity within a neighborhood and maintains open spaces. The zoning code permits properties to deviate up to 10 feet from the average through an administrative variance, however, it specifically excludes properties that abut lakes from this process, acknowledging the ecological importance of shorelands and indicating the intent of the code is to prevent properties from encroaching closer to the body of water.

Response: We respectfully disagree with this finding. While the proposed addition to the property brings the home slightly closer to the water, it would still be set farther back than many other homes on the lake. The properties on the north side of the lake are also separated from the lake by a road, and therefore there will never be any development or encroachment to the water on the north side of Birch Lake. In short, the proposed addition will have no effect on the shoreland.

Furthermore, the purpose and intent of the addition is not directly related to the lake. Rather, the existing bedrooms are not currently functional by today’s standards, and therefore expanding two of the bedrooms to allow for a master bedroom and office space would more closely align with the intent of single-family residential home zoning which is at least in part to draw and maintain long-term ownership of homes that support a stable neighborhood and community as opposed to townhomes or starter-homes that are not suited for long-term single family living.

This addition will also create more uniformity within the neighborhood, as it will not by appearances be a significant deviation from adjacent homes and give the home a much-needed update that will conform to improvements made to other homes in the area. Furthermore, it will only cover a 15 foot space that is currently not an “open” space as it is covered by rocks and bordered by the existing deck and home. Therefore the proposed addition would turn non-usable space into a functional living area.

2. Is the variance consistent with the comprehensive plan?

Finding: The proposed variance is not consistent with the 2040 Comprehensive Plan. The 2040 Comprehensive Plan Future Land Use Map guides the subject property as Low Density Residential, which is defined as 3 to 9 units per acre. While the proposed addition would be consistent with the overall density range, it would allow a development pattern inconsistent with the surrounding properties that conform to both the density and zoning regulations.

Response: We respectfully disagree with this finding. The proposed variance would maintain the property as a single family home and would be in harmony with the Low Density, Residential property as defined. In addition, the variance would add greater consistency to the current development pattern in the neighborhood.

By way of background, the north side of Birch Lake consists of numerous different styles of homes, built anywhere from the late 1800s up until as recently as around the last decade. Other homes surrounding the lake and nearby areas also vary widely in age, style, appearance, and property size. Therefore, there are both newer builds and significantly older houses within the neighborhood. Each house is unique in style and architecture, ranging from large southern-style three story homes with wide porches to very modern and updated new builds. Some homes are set back from the lake, while others are much closer to the road that separates the lakeshore from the properties' front yards. Some of the yards are heavily wooded, including the subject property and both homes adjacent to it, while others have essentially been clear cut to provide open views of the lake. In addition, the properties that the houses sit on are also widely different within the neighborhood, with no two properties being the same in shape or size. Homes on the south and west side of the lake sit directly on the lake shore, and most of those homes are newer builds that sit closer to the water's edge.

Other than the subject home, all of the houses within the neighborhood have had additions, updates, or other improvements made to them and/or are newer builds. Upon information and belief, this is also the smallest home in the neighborhood. As such, the home currently does not conform to the development pattern within the neighborhood; it appears to be the final remaining home on the north side of the lake that has not undergone significant improvements or updates since it was first built in the late 1960s. Extending the two bedrooms in the front of the house would add greater consistency and conformity with the surrounding properties and improve the appearance of the home and the neighborhood overall.

We also question the Department's finding that the surrounding properties conform to the zoning regulations set forth in city ordinance, as that is clearly not the case. For example, the house directly to the east of the subject home appears to have an addition added to the west side of the home that would have required a zoning variance as it is only set a few feet from the property line. There are other homes within the neighborhood that do not align in any way with the adjacent homes. In addition, by all appearances, some homes in the neighborhood likely fall within the set-back requirements set forth in the city ordinances, both in regard to the right-of-way from the road and the surrounding homes.

3. Does the proposal put the property to use in a reasonable manner?

Finding: The proposed variance does not put the property to use in a reasonable manner. There are other options on the property that would allow an addition while meeting all required setbacks. The zoning standards, lot conditions or layout of the home do not preclude an addition to be constructed in the rear of the home.

Response: We respectfully disagree with this finding. For numerous reasons, (also set forth below) the rear of the home is not suitable for an addition. First, the layout of the home does indeed preclude the addition, since it is the two bedrooms on the front (south) side of the house that the variance is being requested for. By today's standards, all of the bedrooms in the home are extremely small. There is not a single closet within the home that can accommodate clothing for two people, nor a bedroom that will fit two dressers. The variance would allow for a true "master" bedroom, as well as a much-needed office space within the home. There is nothing on the back of the home to add on to that would achieve the same purpose. Lifestyles and needs have changed since the home was built in 1968. The requested variance is reasonable because it would allow for what by today's standards is a more typical three-bedroom home consisting of a master bedroom, office, and (still very small) guest bedroom.

In addition, prior to construction being put on hold due to the zoning restrictions, we had been discussing (via Lindsey Madden at All Solar Energy) the possibility of installing a solar energy system on the home, which would be attached to the proposed addition. Although the solar company cannot evaluate the potential efficiency of a solar system until there is construction to put it on, any addition on the rear (north) side of the home would preclude solar as an option.

4. Are there unique circumstances to the property not created by the landowner?

Finding: There are not unique circumstances to the property not created by the landowner. The property exceeds the lot size requirements for the R-2 zoning district and the home is situated in roughly the middle of the property, so there is a large rear yard that would provide enough space to build an addition and still meet the required setback, which in this zoning district is 40 feet from the rear property line.

Response: We respectfully disagree with this finding. There are numerous unique aspects to this property that result in the need for a variance. For example, as discussed above, the rear of the home is not a good option since the layout of the home does not support adding a master bedroom to the north side. This also would not solve the need for additional office space and updated bathroom facilities. Any addition to the back of the home would also require cutting down entire trees, and significant cutting back of large branches from existing oak trees. Furthermore, there is a significant difference in sun-exposure between the north and south side of the home that make the proposed addition the only possible option for future solar system installation.

Perhaps most unique is the fact that approximately fifty percent of the back-yard is not in fact a yard. Rather, the back half of the rear yard consists of an old concrete foundation where, upon information and belief, an old chicken-house once stood. This foundation runs the entire width of the property, as well as part of the width of the properties on either side of the home. Because of this, an addition to the back of the house would effectively cut the usable (grass) yard-space by approximately fifty percent, whereas the proposed addition on the south side of

the home would leave the entire front-yard intact since it would only cover existing gravel/rocks that is currently not usable space.

5. Will the variance, if granted, alter the essential character of the locality?

Finding: Granting the requested variance will alter the essential character of the surrounding neighborhood. The homes along Birch Lake Boulevard North are generally all the same distance from the street right-of-way and provide large front yards. Allowing the property to encroach into that setback would lessen the neighboring properties front yard average setback, opening the possibility for development to creep closer to the front property line and the lake.

Response: We respectfully disagree with this finding. As discussed above, while the two immediately adjacent houses to the subject home are similar distances from the street, the homes within the neighborhood are varying distances from the road. The locality also consists of other homes surrounding the lake, some of which sit much closer to the lake and are not separated from the lake by a road. Therefore the proposed addition would not in any way alter the “essential character” of the locality, and in fact the addition would place the home more in harmony with the character of the neighborhood because it would create an improvement to the property that would conform more closely with the other improved houses in the area.

In addition, because there is a road on the north side of the lake between the lakeshore property and the front yards of the homes, there is no risk that developments on the north side of the lake will ever encroach upon the lakeshore. Again, the purpose of the proposed addition is not to encroach closer to the lake, but to add functional space to the home that would better support single-family residential living.

Finally, since we understand that the Department has some concerns regarding the proposed variance, we invite members of the planning committee and/or City Counsel to stop by the home and drive around the neighborhood. We would be happy to show more specifically what the proposed addition would entail, and discuss further why the north side of the home is not a viable option.

RECOMMENDATION

Staff recommends denial of the request based on the following findings of fact:

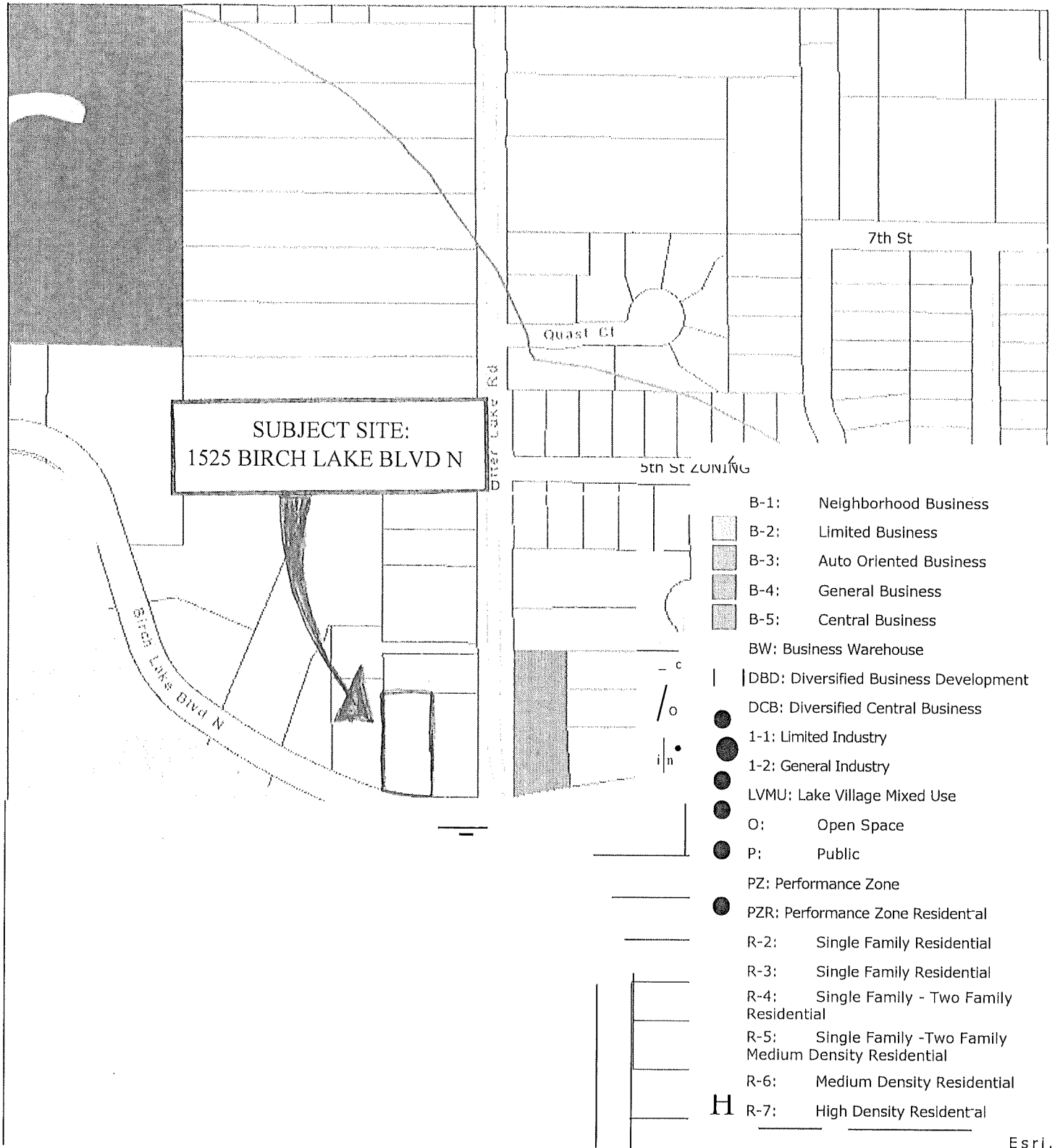
1. The variance is not in harmony with purposes and intent of the ordinance.
2. The variance as requested is not necessary for the reasonable use of the land or building; other design options exist.
3. There are not unique circumstances to the property not created by the landowner.
4. Deviation from the code without reasonable justification will slowly alter the City’s essential character.

Attachments:

Draft Resolution of Denial
Zoning/Location Map

Applicant's Narrative (2 pages) & Plans (4 pages)

Conclusion: The variance request comports with the purpose and intent set forth in Minn. Stat. § 462.357, Subd. 6. The proposed addition is the only reasonable and viable option because other design options do not exist for purposes of adding bedrooms or installing solar energy. In addition, the orientation of the home, tree growth, and concrete foundation covering the rear yard are unique circumstances that were not created by the current landowner. There is no indication or likelihood that this particular variance will alter or change the character of the neighborhood or the City. Indeed, if the home once fit into a common scheme or theme, that is no longer apparent. The addition would only improve upon the neighborhood and create greater consistency and conformity with the current homes within the locality.



Esri.

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Attachment #4

The current situation is that all of the rooms in the house are small and unable to accommodate our desire to have a large enough master bedroom that allows for a master bathroom and a master walk in closet for the two of us.

Our ask is to allow us to expand into the current setback of 70.5', which represents the average setback of our property compared to the neighbors on either side. This encroachment would be 15' which represents what is needed to allow of the room expansion and addition of the bathroom and the closet for the master bedroom. We understand that an administrative variance is possible but only gets up to 10'. We really need 15' to accommodate the room and on-suite amenities.

We have further explored the possibility of the addition off the back of the house and found that it really isn't possible because of the current bathroom. Expanding off of the north side would mean that the existing bathroom wouldn't be able to serve the other two bedrooms of the house.

1. Is the variance in harmony with purposes and intent of the ordinance?
Yes. This variance request is in harmony with the intent of the ordinance as the ordinance allows for two opportunities. An administrative variance and a City Variance. The administrative variance won't provide the space required to make the improvements to the property, that is the reason for the City Variance Request. All information has been provided to show the need and the reasoning for the need.

2. Is the variance consistent with the comprehensive plan?
I am not sure what the comprehensive plan is, but if it has to do with the overall owner comprehensive plan to add amenities to the existing property to add square feet for a more suitable living condition, then yes. If this has to do with a city comprehensive plan, I am not sure what that would be.

3. Does the proposal put the property to use in a reasonable manner?
Yes. If approved, this would render the property to reasonable use. The property is set back from the road and heavily secluded by mature trees. None of this will change and the properties use and appearance will only be improved greatly.

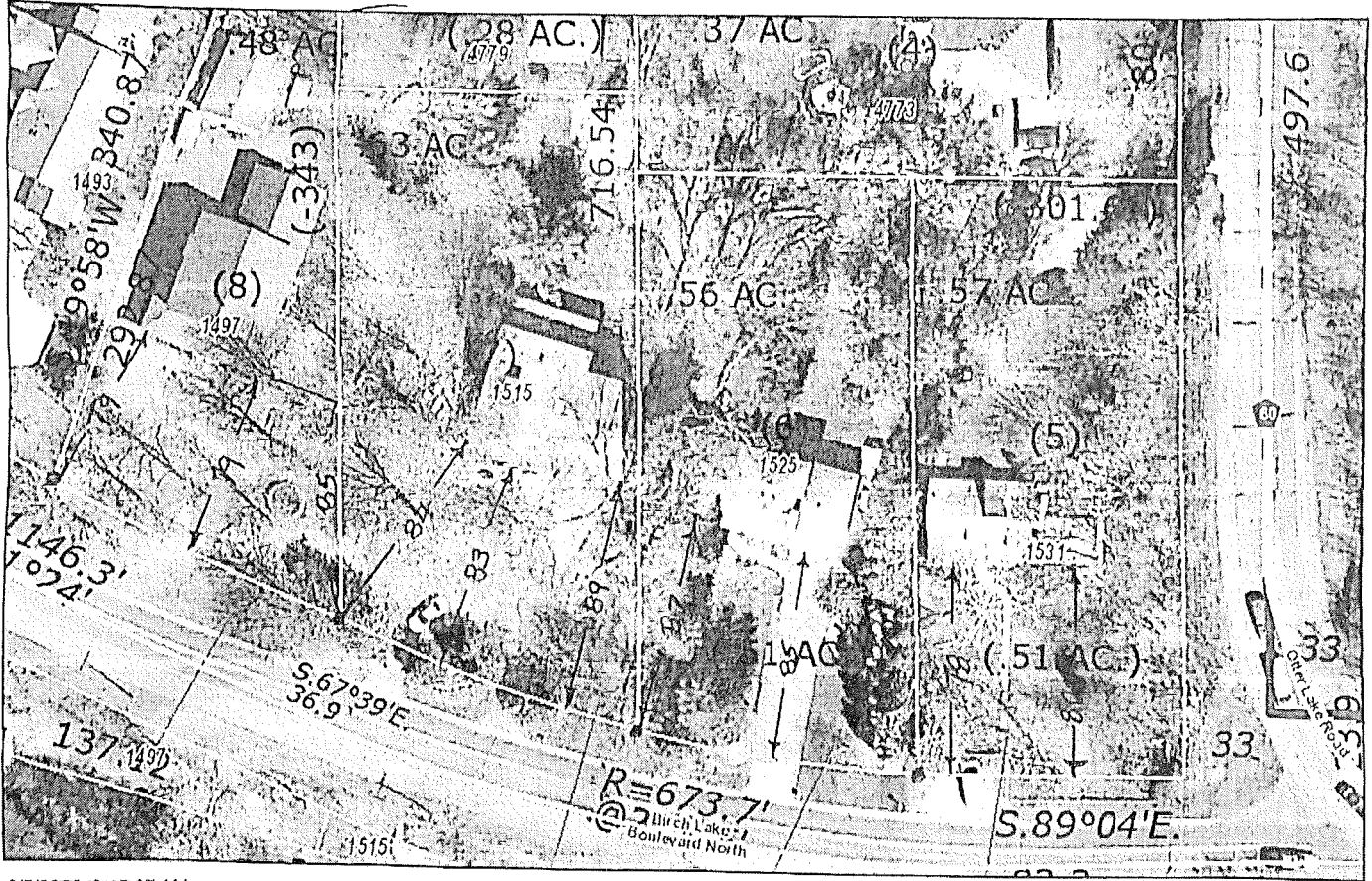
4. Are there unique circumstances to the property not created by the landowner?
Yes, there are unique circumstances not created by the owner. This property was built in the 60's when design was very simple. Private bathrooms and walk-in closets were not the standard. Today, it is the standard. To improve this property to a more modern design and afford all three bedrooms with reasonable and private amenities, this addition is necessary. Adding to the rear of the house would not allow for the addition as desired whereas an additional bathroom will be added.

5. Will the variance, if granted, alter the essential character of the locality?
No, this property is located well off of the road and again, very secluded by very mature trees, that will not change. This house, by appearance, looks to be the least improved of the properties in this area. This addition will improve appearance and functionality of the property. It will improve the character of the property and the neighborhood. we have discussed this with neighbors along Birch Lake and have had not negative feedback about our desire.

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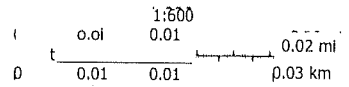
10' / Map Ramsey

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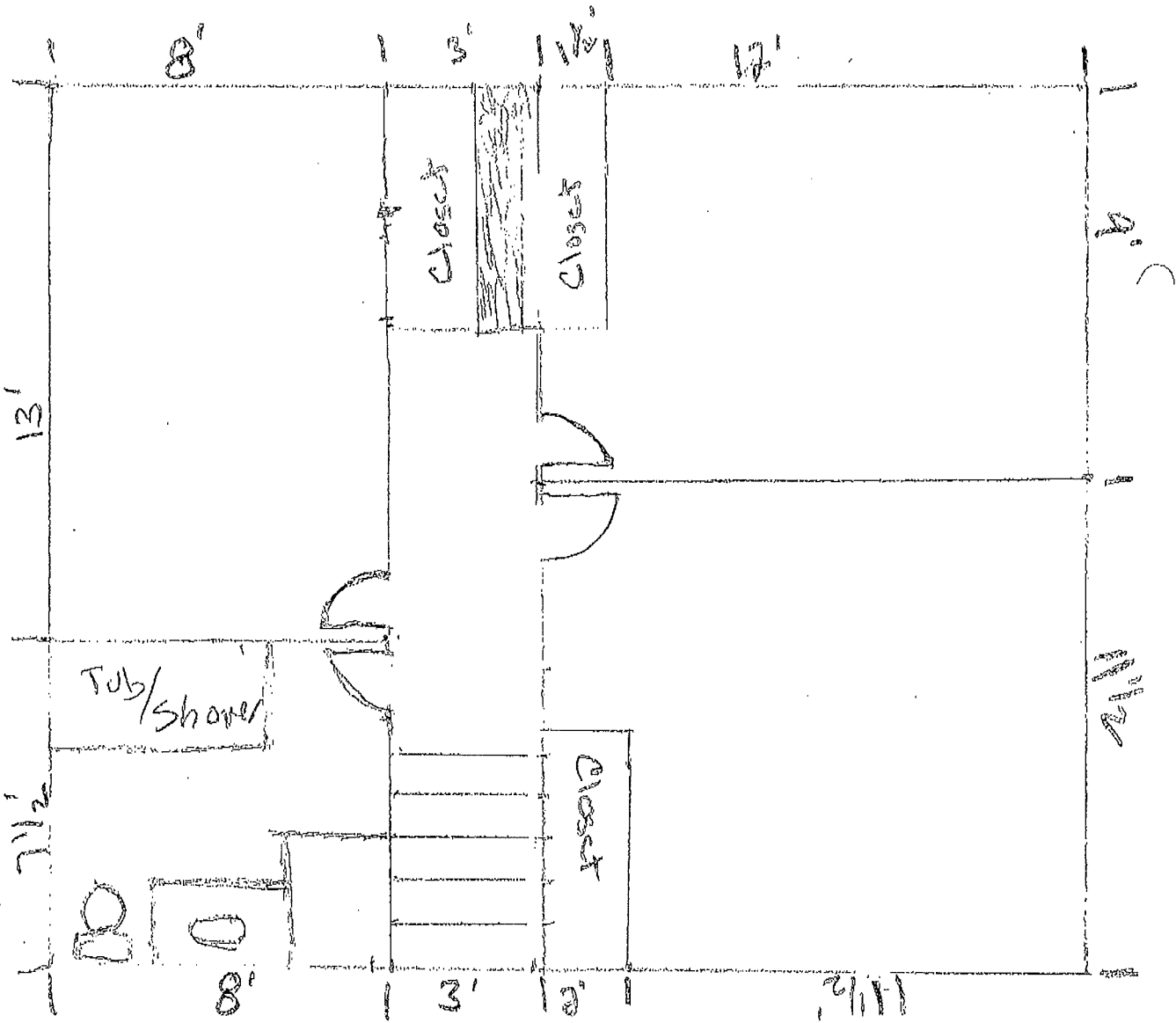
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- Addresses (Occupants)
- US or State Highway
- Local Road
- Personal Property
- Streets
- Connector (Ramp)
- Privately Maintained Public Access Road
- Tax Parcels
- Interstate



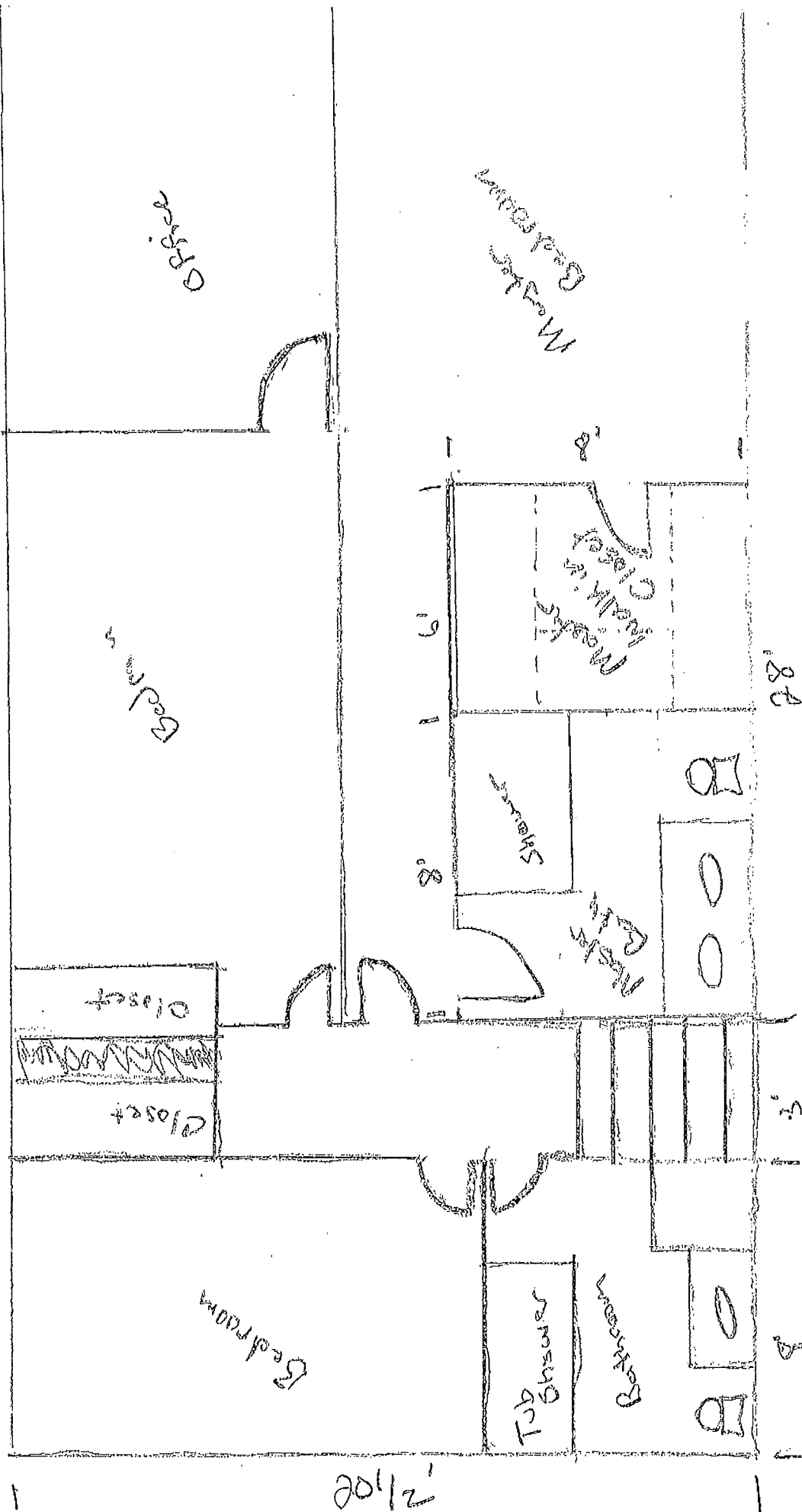
Ramsey County
Ramsey County MN

Attachment #1



Living Floor Plan

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Lake View



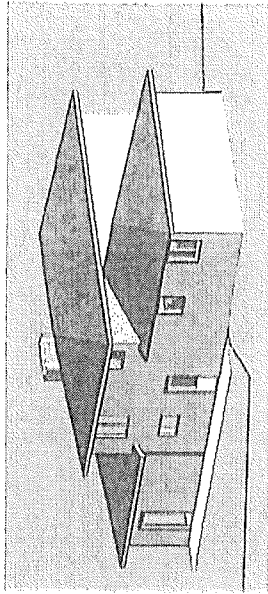
Attachment #2

Desired floor Plan

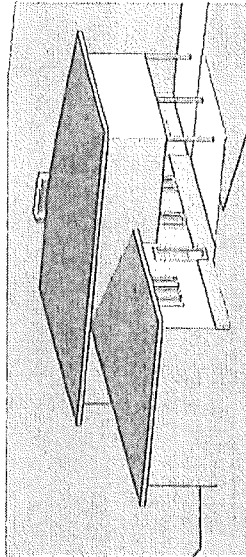
1/4" = 1'

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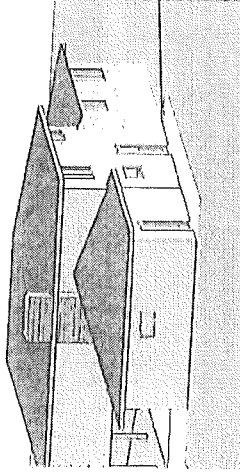
Attachment #3



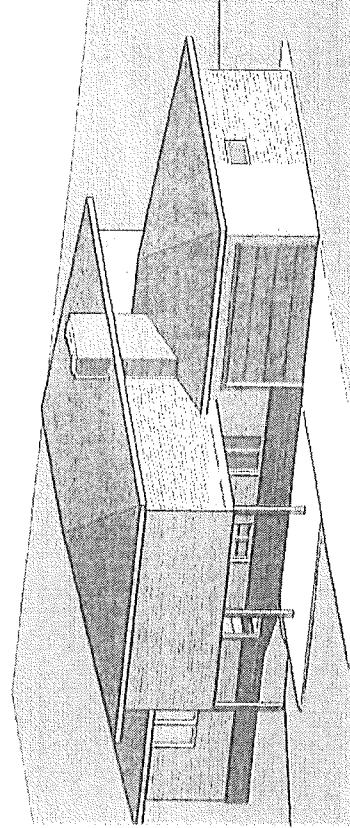
3-D PERSPECTIVE NORTH WEST VIEW



3-D PERSPECTIVE SOUTH WEST VIEW



3-D PERSPECTIVE NORTH EAST VIEW



3-D PERSPECTIVE SOUTH EAST VIEW

PROJECT: REMODEL
16'-0" ADDITION FROM BLOCK
14'-0" ADDITION FROM CANT

OWNER:
RICK HUSTON
ADDRESS:
1525 BIRCH LAKE BLVD N.
WHITE BEAR LAKE, MN.

CONTRACTOR:
ROC HOMES PRO
CONTACT: RICH BERRY
PHONE: 612-368-1189 E.
MAIL:
handyman@rochomespro.com

REVISIONS
NO. DATE DESCRIPTION BY

PRELIMINARY PLAN

AUGUST 09, 2022

NOT FOR CONSTRUCTION

PLANS PROVIDED BY:

SCHWIETERS HOME DESIGN
1628 COUNTY HIGHWAY 10 N.E.
SPRING LAKE PARK, MN 55432

TEL: (763) 785-2105
SchHornDson@aol.com

DATE: 02/29/16

DATE: 08/09/2022 DRAWN: DICK S.
JOB NO: 02204 CHECKED: R.J.S

3-D PERSPECTIVES

SCALE

PAGE NO.

D.1

PROJECT: REMODEL
16'4" ADDITION FROM BLOCK
14'4" ADDITION FROM CANT

OWNER:
RICK HUSTON
ADDRESS:
1525 BRCH LAKE BLVD N.
WHITE BEAR LAKE, MN.

CONTRACTOR:
ROC HOMES PRO
CONTACT: RICH BERRY
PHONE: 612-368-1189 E-
MAIL:
handyman@rochomespro.com

REVISIONS
NO. DATE DESCRIPTION BY

PRELIMINARY PLAN

AUGUST 09, 2022

NOT FOR CONSTRUCTION

PLANS PROVIDED BY:

SCHWIETERS HOME DESIGN 1628
COUNTY HIGHWAY 10 N.E.
SPRING LAKE PARK, MN 55432

TEL: (763) 785-2105
SchHfomDsgn@aol.com

DATE 08/09/2022 DRAIN/DICK S.
JOB NO. 02264 CHECKED R.J.S.

2ND FLOOR PLAN

SCALE: 1/4"=1'-0"

PAGE NO:

A-4

