



AGENDA
REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, MARCH 14, 2023
7 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 February 28, 2023

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: November Park Advisory Commission, January Environmental Advisory Commission, January White Bear Lake Conservation District, February Planning Commission
- B. Resolution approving Business License Renewals
- C. Resolution approving On-sale Wine and Sunday Liquor Licenses for Carse Inc. dba Keys Café
- D. Resolution granting three setback Variances for 4815 Lake Avenue
- E. Resolution granting a Conditional Use Permit for 955 Wildwood Road
- F. Resolution granting a Permanent Easement on the 8th Street parking lot property
- G. Resolution approving participation in the Minnesota Opioid Settlement
- H. Resolution approving an off-sale liquor license for TLC Liquors LLC, dba MGM Wine & Spirits
- I. Resolution approving a Logo Copyright Agreement

5. VISITORS AND PRESENTATIONS

None

6. PUBLIC HEARINGS

A. First Reading of an Ordinance Amending the 2023 Fee Schedule

7. UNFINISHED BUSINESS

None

8. NEW BUSINESS

A. Minnesota Public Employees Association Labor Agreement – Patrol

9. DISCUSSION

- A. Concept Plan Review for 2502 County Road E
- B. Abatement of Hazardous Property and Public Nuisance – 2239 Carlyle Court Update

10. COMMUNICATIONS FROM THE CITY MANAGER

11. ADJOURNMENT



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, FEBRUARY 28, 2023
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, Heidi Hughes, Dan Jones and Bill Walsh. Councilmember Steve Engstran was excused. Staff in attendance were City Manager Lindy Crawford, Assistant City Manager Rick Juba, Community Development Director Jason Lindahl, Public Works Director/City Engineer Paul Kauppi, Finance Director Kerri Kindsvater, City Clerk Caley Longendyke, and City Attorney Troy Gilchrist.

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

A. Minutes of the City Council Meeting on February 14, 2023

It was moved by Councilmember **Walsh**, seconded by Councilmember **Jones**, to approve the minutes. Motion carried 4-0.

B. Minutes of the City Council Work Session on February 21, 2023

It was moved by Councilmember **Hughes**, seconded by Councilmember **Walsh**, to approve the minutes. Motion carried 4-0.

3. APPROVAL OF THE AGENDA

Mayor Louismet added a consent agenda item (4D) relating to the Downtown Mobility and Parking Study. It was moved by Councilmember **Hughes**, seconded by Councilmember **Jones**, to approve the agenda as amended. Motion carried 4-0.

4. CONSENT AGENDA

- A. Resolution approving a special event application for WBLAS Community Services Bears Night Out **Res. No. 13152**
- B. Resolution approving a charitable gambling application for Lions Club at Big Wood Brewery **Res. No. 13153**
- C. Resolution requesting 2023 Recycling Grant funding through Washington County **Res. No. 13154**
- D. Resolution approving a professional services agreement for the Downtown Mobility and Parking Study **Res. No. 13155**

It was moved by Councilmember **Walsh**, seconded by Councilmember **Hughes**, to approve the consent agenda as amended. Motion carried 4-0.

5. VISITORS AND PRESENTATIONS

A. White Bear Lake Area Chamber of Commerce 100 Year Anniversary Proclamation

Mayor Louismet read a proclamation recognizing the 100-year anniversary of the White Bear Lake Area Chamber of Commerce. Councilmember Jones congratulated the Chamber for their achievements and thanked staff for their work.

B. Bi-annual Fire Department Update + Swear in Firefighters

Fire Chief Peterson presented the Fire Department's bi-annual update. The coverage for fire and medical services spans five communities totaling 35 square miles and over 40,000 people in population. The Fire Department has been in service for 135 years. Chief Peterson reported that the number of calls for 2022 totaled 5,283, a 7% increase from previous years, continuing an upward trend year after year. The categorical breakdown of calls continues to be around an 80-20 ratio for medical- and fire-related calls, respectively. He said the average response time to emergency calls is 6 minutes and 13 seconds, which he says is good considering the large coverage area. He said there were 47 all-call events in 2022, which involves help from various fire departments responding to an emergency.

Chief Peterson reported data for Fire Mutual Aid and said the Department was called 28 times to emergencies, and the department called others for support 18 times. For EMS Mutual Aid, the Department was called 533 times, and the department called others 106 times. He noted that the Department decided in fall 2022 to not send the last ambulance on calls in other communities, as a means to preserve resources for emergencies in the response area. Peterson thanked the City Council for approving two more full-time positions. He said currently there are 15 full-time and 26 part-time firefighters/paramedics, with one full-time position open. Additional employees help achieve proper coverage, increase service level, reduce stress and injuries, and help retention. He was excited to share that the EMS Regulatory Board issued a Certificate of Clinical Excellence to the Department. Chief Peterson provided an overview of the various community events and recent City Council approved purchases.

Mayor Louismet asked if there were particular areas that cause the imbalance of mutual aid. Chief Peterson responded that it's mostly private ambulance agencies, not specific cities. Councilmember Edberg asked if there is any indication of improvement of relief following the department's decision to dedicate its last ambulance to the response area. Chief Peterson estimates a slight improvement, but not by much. When asked about the next strategy to protect the department's resources, Chief Peterson said the department simply needs more staff, because it cannot limit any more mutual aid services. Councilmember Walsh addressed mutual aid and presumed there is financial benefit in providing services outside the response area. Chief Peterson said there is some revenue, but it depends on the criticality of the call and the insurance provider of patients.

The City Clerk administered the Oath of Service for the following recently-hired firefighters/paramedics: Jacob Bogdanovich, Mindy Fiester, Tou Lee, Charlie Penn, Brian St. Claire and Evan Young.

6. PUBLIC HEARINGS

Nothing scheduled.

7. UNFINISHED BUSINESS

A. Second Reading of an Ordinance Adopting New Chapter 1128 to Permit Sidewalk Cafés

Community Development Director Lindahl summarized a timeline of events preceding the second reading of an ordinance pertaining to sidewalk cafés, dating back to spring 2022. He provided a brief overview of the ordinance outline, similar to what was proposed at its first reading on February 14. Since the first reading, he said there were two changes implemented based on feedback from the City Council: implementing an earlier start date to the season, allowing businesses to use their sidewalk cafés starting April 15 instead of May 15, and gives the City Manager authority to adjust the dates as weather conditions warrant, and adjusting the hours of operation start time from 8 a.m. to 7 a.m.

Mayor Louismet stated concerns regarding prohibition of glass and requiring all establishments to have contiguous sidewalk cafés, whether they served alcohol or not. He didn't support requiring business to buy all new plasticware, and preferred allowing businesses to use their glassware and make changes if it becomes a problem. He thought the provision about businesses cleaning around the perimeter of their sidewalk café would address any potential broken glass. He also didn't find a purpose for requiring sidewalk cafés to abut to the building when they're not serving alcohol, and suggested this not be a requirement. Councilmember Edberg requested the Council reconsider the proposed radius around the sidewalk café where business owners would be required to clean. He stated a 100-foot-radius is far beyond what businesses should be responsible for and suggested eliminating or reducing a surrounding cleanup area. Lindahl said the measurement is a common standard in other ordinances, but staff would be open for discussion. Mayor Louismet noted the 100-foot gives staff the ability to enforce cleanup for debris blown away from sidewalk cafés. Councilmember Hughes proposed a 10-foot perimeter. Considering all feedback, Mayor Louismet proposed general language requiring the business to keep the sidewalk café and surrounding public space clean.

It was moved by Councilmember **Walsh**, seconded by **Hughes**, to amend §1128.070, Subd. 5, striking the 100-foot perimeter cleaning requirement, so that it just reads "Permittee shall keep the sidewalk café and the adjacent public space surrounding it clean..." Motion carried 4-0.

Councilmembers discussed the furniture material requirements. Councilmember Hughes noted the list of prohibited materials and questioned what would be allowed. Public Works Director/City Engineer Kauppi said in general the City is requiring materials heavy enough to not be blown by the wind and materials that will not stain or damage the City sidewalks. Councilmember Jones expressed concern about the expense for businesses to change out furniture and requested there be a grace period of at least one year for businesses to purchase new furniture. Councilmember Edberg questioned if one year was enough. Councilmember Walsh made note that the City is going from no regulations to a list of very detailed regulations, so he supported a longer grace period. Mayor Louismet expressed his opposition to forcing businesses to replace their furniture and suggested striking the whole section. Councilmember

Jones noted that he hasn't seen current furniture on sidewalks being blown around by the wind.

It was moved by Councilmember **Jones**, seconded by **Hughes**, to amend §1128.060, Subd. 7, striking "No plastic, unfinished wood, or pressure treated wood furniture is allowed." Motion carried 4-0.

Councilmembers addressed the no-glass provision. It was moved by Councilmember **Jones**, seconded by **Walsh**, to strike §1128.070, Subd. 10(f), regarding the prohibition of glass and breakable items within the sidewalk café. Motion carried 4-0.

Regarding the requirements that sidewalk cafés must be contiguous to the business storefront, the Council expressed desire to allow flexibility for business who don't serve alcohol. Those serving alcohol are required by state law to be compact and contiguous. It was moved by Councilmember **Edberg**, seconded by **Jones**, to amend §1128.060, Subd. 1, striking "directly abut the building in which the eligible business operates and." Motion carried 4-0.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Edberg**, to adopt **Ord. No. 23-01-2061** amending the Municipal Code of the City of White Bear Lake by adopting a new Chapter 1128 to permit sidewalk cafés, with the Council's amendments. Motion carried 4-0.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Walsh**, to approve **Res. No. 13156** approving the summary publication of an ordinance amending the Municipal Code of the adopting new Chapter 1128 to permit sidewalk cafés. Motion carried 4-0.

8. NEW BUSINESS

A. Dog Beach Operations

Public Works Director/City Engineer Kauppi introduced Parks Advisory Commission (PAC) members Bill Ganzlin and Mike Shepard to present a report on the dog beach located at Matoska Park. Ganzlin summarized a timeline of PAC activities of the summer and fall 2022. During this time, PAC members made 70 visits to the dog beach to observe and gather input from dog beach users. He said the feedback was mostly supportive and informed PAC members' recommendation for continued use of the dog beach and helped develop proposed improvements. Ganzlin said the process was initiated by complaints expressed at the July 21st PAC meeting, when the PAC met with a concerned resident who complained about dogs crossing into adjacent private properties, dogs on the swim dock, owners not having control of dogs, dogs off leash, aggressive dogs, and pet waste left in the area. The PAC responded to the concerns by visiting the dog beach as often as possible and reporting their findings at its August meeting. In September, after PAC members reexamined collective findings and input, as well as discussed possible alternative sites, they voted 7-0 in favor of keeping the dog beach open and at its current location and making improvements to the dog beach.

Commissioner Shepard presented the recommended improvements. One improvement was to replace the wordy signs with language that is easier to read and simplified. He described a permanent fence installed between the dog beach and swimming beach that can be adjusted with the lake level. To address dogs that cross Lake Avenue, PAC recommends gates at the

entrances of the beach, located at the top of the stairs. Shepard said a new buoy system would help separate the dog beach and swimming area. He reported that the PAC debated the leash rule and determined it was still necessary. He said the Parks Department would maintain the pet waste bag stations and noted that commissioners didn't observe a high amount of pet waste. The PAC recommended a "No Fishing" sign on the swim dock to prevent injury to dogs and people. Councilmember Hughes asked the PAC about their findings for alternative locations, specifically east of the Matoska Park boat launch. Ganzlin said the lake bottom off the shore is mucky and not amenable to dog owners walking alongside their dogs in the water, something that was desired by dog beach users.

Mayor Louismet decided to open up the meeting for public comment at 8:06 p.m. Sheryl Bolstad, resident at 2303 4th Street, expressed support for the dog beach and said it is a terrific asset to the community. She complimented the proposed improvements. Terry Honsa, resident at 2522 Cedar Avenue, mentioned attending a PAC meeting in the fall and said there was a suggestion to install another fence along the south edge of the dog beach, though she hasn't ever observed a dog running up the hill. She didn't think the gates at the top of the stairs were necessary, but otherwise supported all the proposed improvements. Josh Cermak, resident at 4152 White Bear Avenue, regularly uses the dog beach and said it is a phenomenal area. He said it's a great way to connect community members with each other and provide exercise for dogs. He shared that dog owners monitor one another, reminding each other of the rules. He acknowledged that dogs bark, but they're playing and it is no different than a park with children. Kyle Wiberg, resident at 2619 Cedar Avenue, said he enjoys using the dog beach and has conversed with others who enjoy it too, including non-residents who come to White Bear Lake to use it and potentially bring business to the downtown area. He understands there have been complaints, but believes it's a great asset to the community. There being no other comments, the Mayor closed the public comment portion at 8:11 p.m.

Mayor Louismet noted some of the history of this topic dating back at least six years, when the PAC recommended closing the dog beach in 2017, but the City Council voted to keep it open with rules in place. In 2018, the City Council voted 3-2 to keep the dog beach open. Mayor Louismet acknowledged that most dog owners are responsible and follow the rules at the dog beach, but has received complaints from several home owners around the area and wants to honor their right to enjoy their private property. He is skeptical that the proposed improvements will address the issues. Councilmember Hughes made it known that she is one of the residents who is not supportive of the dog beach and, as a councilmember, speaks on behalf of those who live in her Ward sharing the same concerns. She specifically addressed dogs on the swimming dock and was skeptical that the buoys would prevent dogs from entering the area, who have frightened children and families. She would like to see the beach reserved for swimming and the dog beach relocated to the east side of the boat launch, where it can be fully fenced in and dogs can be off lease. She suggested looking into ways to improve the lake bed to support people and dogs in the water.

Councilmember Jones shared his opposition to shutting down the dog beach. Instead of challenging the dog beach, he argued the swimming beach should be reconsidered because there seems to be more users of the dog beach. He mentioned having to listen to the amplification of the high school stadium's loud speakers and how it's a reality of living within

the community. He generally suggested the City study the use of all City parks to understand the most-used spots. Mayor Louismet responded to Councilmember Jones' comments on likening this matter to shutting down a road because of drivers who speed. He said the City has an enforcement mechanism for speeders, but doesn't have the resources to continuously monitor the dog beach. He talked about the legal argument "coming to the nuisance" for people moving to the area around schools that have been long established, but the dog beach is relatively new and residents moved to that area not knowing a dog beach would be opened. When asked by Councilmember Hughes if the City can remove advertising of the beach, Kauppi said there are some options for removing Google Map markers. Councilmember Walsh recalled previously voting in support of the dog beach only if issues were resolved, and felt he was in the same position, having desire to give it one more shot with the proposed solutions. He summarized the options for City Council—remain status quo with the dog beach, approve the resolution and spend money for improvements or vote to shut down the dog beach under a different resolution.

It was moved by Councilmember **Jones**, seconded by Councilmember **Walsh**, to approve **Res. No. 13157** approving continued operations of the public dog beach located at Matoska Park with improvements. Before the vote took place, Councilmember Hughes asked what would happen if the resolution was voted down, implying interest in seeking steps to close the dog beach. City Attorney Gilchrist advised that if it's the general consensus of the City Council to close the dog beach, there should be a motion to continue the matter to the next meeting with direction for staff to bring back a resolution to close the park. There being no further discussion, motion carried 3-0. Councilmember Hughes did not vote nor abstain from the vote.

Following the approval of the resolution, Councilmember Hughes inquired about redoing the vote and voting to close down the dog beach. When Mayor Louismet said the option to close the dog beach wasn't in front of the City Council, Councilmember Hughes requested a vote to continue the matter to the next meeting with a new resolution. The Mayor called upon City Attorney Gilchrist, who advised there could be a motion to bring back a vote within the same meeting to be reconsidered, then there could be a vote to continue the discussion to the next meeting and allow time for staff to prepare an alternative resolution. Both the original and new resolution would then be presented at the next meeting.

It was moved by Councilmember **Jones**, seconded by Councilmember **Walsh**, to reconsider the vote for **Res. No. 13157**. Motion carried 4-0.

Mayor Louismet and City Attorney Gilchrist discussed parliamentary procedure options to address Councilmember Hughes' desire to take a vote on closing the dog beach, one option being to strike all the language in the proposed resolution and replace it with language about closing the dog beach.

It was moved by Councilmember **Hughes**, seconded by Councilmember **Walsh**, to amend the resolution to strike all language and close the dog beach. Councilmember Jones expressed his displeasure for voting on something that wasn't on the agenda, especially voting to close down a City park when members of the City Council were absent. Councilmember Walsh shared that he would not be voting in support to close the dog beach and expressed his support for keeping

it open with the new improvements, seeing they address the issues, and if not then he would consider closing the dog beach. Councilmember Hughes challenged the decision to give the dog beach another chance, asking at what point is it enough that nearby property owners have to entertain dogs around the park and that swimmers have to swim near dogs they don't own. She compared other dog parks that have secure fencing around the entire area. She said the vote wouldn't be to shut down the whole park, but to get rid of the dog beach portion, and expressed interest in moving it to a different location. Councilmember Jones reiterated his disapproval for voting on an action that wasn't proposed on the agenda. Motion failed 1-3 to amend the resolution that would strike all language and would close the dog beach.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Jones**, to approve **Res. No. 13157** approving continued operations of the public dog beach located at Matoska Park with improvements. Motion carried 4-0.

B. Sale of the 2023A General Obligation Bonds

Finance Director Kindsvater explained that the Council will be voting to authorize the issuance of \$10 million of General Obligation Capital Improvement Bonds, which were approved at the January 10th City Council meeting, to complete the City's funding for the Public Safety Renovation Project. Staff worked with S&P Global Ratings for a bond rating, and they affirmed the City's AA+ bond rating for the current issue and all outstanding bond issues. They reported that the City's financial state is stable, has a strong economy, has strong budgetary performance and has strong management with good financial policies. Kindsvater said the preliminary debt service report presented in January reflected an estimated true interest cost for the bond of 4.489%, which was determined by the market rate at the time and a buffer of 75 basis points. She reported that eight investment firms submitted competitive bids on the bond sale, with Northland Securities, Inc. submitting the lowest interest cost at 3.72%, which is .765 basis points less than the estimated true interest cost. The lower interest rate will reduce the principal and interest owed by \$704,123. The bid included a \$326,692 premium component. City staff chose to keep the premium funds as part of the bond issue to complete the facility monument and roof items, which were previously delayed due to funding, within phase one of project. Kindsvater explained that the pre-sale report presented in January estimated the annual tax levy for the bond's life to be in the range of \$630,017 to \$842,409. She said based on the proposed bond sale, the actual tax levy will be in the range of \$361,283 to \$805,004, with an average annual decrease of approximately \$17,876.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Jones**, to approve **Res. No. 13158** awarding the sale of General Obligation Capital Improvement Plan Bonds, Series 2023A, in the original aggregate principal amount of \$10,000,000; fixing their form and specifications; directing their execution and delivery, and providing for their payment. Motion carried 4-0.

Councilmember Edberg complimented staff on maintaining the City's AA+ long-range financial planning, and said it should bolster the community's confidence in the work of the Finance Department, City Manager and the City's financial advisers.

C. Law Enforcement Labor Services Union Labor Agreement – Police Sergeants

Assistant City Manager Juba provided an overview of the two-year contract for Law Enforcement Labor Services (LELS) Union Labor Agreement for Police Sergeants.

Councilmember Walsh sought clarification on the one hour of overtime pay. Assistant City Manager Juba said it is one hour of overtime pay per shift of field training, which is consistent with other police departments. He confirmed with Mayor Louismet that it is outlined more specifically in the contract.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Walsh**, to approve **Res. No. 13159** approving a labor agreement with Law Enforcement Labor Services for Police Sergeants. Motion carried 4-0.

D. Local 49 Union Labor Agreement – Public Works

Assistant City Manager Juba summarized the three-year contract for Local 49 Union Labor Agreement for Public Works employees.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Edberg**, to approve **Res. No. 13160** approving a labor agreement with Local 49 for Public Works employees. Motion carried 4-0.

9. DISCUSSION

Nothing scheduled.

10. COMMUNICATIONS FROM THE CITY MANAGER

City Manager Crawford addressed Councilmember Edberg’s earlier comments on the City’s long-term financial planning and also recognized staff. She thanked Assistant City Manager Juba for his work on the union contracts during what she described as an “exceptionally challenging year” due to the implementation of the new class and compensation study. She shared information on an upcoming event for the White Bear Area Chamber of Commerce’s legislative reception.

12. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Walsh**, seconded by Councilmember **Jones**, to adjourn the regular meeting at 9:03 p.m. Motion carried 4-0.

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



**MINUTES
PARK ADVISORY COMMISSION
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
THURSDAY, NOVEMBER 17, 2022
6:30 P.M. AT CITY HALL CONFERENCE ROOM**

1. CALL TO ORDER AND ATTENDANCE

Chair Bill Ganzlin called the meeting to order at 6:30 p.m.

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

MEMBERS ABSENT: Anastacia Davis

STAFF PRESENT: Andy Wietrecki, Parks Working Foreman

VISITORS PRESENT: None

2. APPROVAL OF AGENDA

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

Motion carried 6:0.

3. APPROVAL OF THE MINUTES

Minutes of October 20, 2022

It was moved by member **Ginny Davis** seconded by member **Victoria Biehn**, to approve the minutes of the October 20, 2022 meeting as presented.

Motion carried, 6:0.

4. VISITORS AND PRESENTATIONS

Nothing Scheduled.

5. UNFINISHED BUSINESS

A. Park Reservation and Rental Fees

Andy Wietrecki briefly reviewed the reservation totals and rates at each facility. Most of the discussion surrounded the rates and how affordable the rates are to rent the venue for the entire day. The Commission would like to compare the City's daily rate to the rates of other communities to ensure the City is competitive.

The Commission would like to see some changes made at Boatworks Community Room. Bryan Belisle has had discussions with Mark Sather (former City Manager and resident) and they both agree that the rates for this facility are too high and need to be adjusted. Victoria Biehn also reminded the Commission that she was going to reserve the Boatworks Community Room for an event but decided to choose a different venue

because of the high cost and minimal hours it was available. Bryan would like to see the hours expanded for use especially in the middle of summer. Paul Kauppi reminded the Commission to think about the extended hours as we may not want the room available until 10:00 pm. Extended hours may be a distraction/issue for residents that live there. Victoria asked when the process starts to make the recommended changes for 2024.

B. Dog Beach Memo

Paul Kauppi and the Park Advisory Commission reviewed the memo regarding the dog beach that will be presented at the City Council workshop in January. The memo was discussed and changes were incorporated as agreed upon by the group. Paul will send out the final draft of the memo to the Commission in early December.

6. NEW BUSINESS

A. Parks Capital Improvement Budget

Andy spoke briefly about the Parks CIP Budget highlighting projects that are necessary but are not in the current budget. Most of the projects that are currently in the CIP Budget are to make repairs on deferred maintenance items with only a few projects that are adding amenities. Andy explained the impacts of the rising costs of good services will likely impact the current budget. Paul suggested that the Commission identify some unfunded projects that are important additions to the community and stressed the importance of requesting additional funding for the Parks CIP budget to allow for adding new items without disrupting the City's current CIP plan. The Park Advisory Commission agreed that one of the biggest unfunded additions would be a new pickle ball court. Andy also mentioned the unfunded rebranding of the City's park signs as a priority. However, we do not want to delay other maintenance that is needed like roofs, painting and adding new trails to add new amenities.

7. DISCUSSION

A. Staff updates

- Lions Park Project Update – Andy updated the Commission that the project is on schedule and will be completed by May of 2023.
- Hidden Hollow Project Update – The weather was not cooperating for paving the Hidden Hollow trail in the fall and will now happen Spring of 2023 when the weather permits.

8. ADJOURNMENT

There being no further business before the Commission, it was moved by member **Bryan Belisle** seconded by member **Ginny Davis** to adjourn the meeting.

Motion carried, 6:0



**MINUTES
ENVIRONMENTAL ADVISORY COMMISSION
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
WEDNESDAY, JANUARY 18, 2023
6:30 P.M. IN THE CITY HALL CONFERENCE ROOM**

1. CALL TO ORDER AND ATTENDANCE

Chair Schroeher called the meeting to order at 6:37 p.m.

MEMBERS PRESENT: Sheryl Bolstad, Chris Frye, Bonnie Greenleaf, Chris Greene, Rick Johnston (virtual), Jeff Luxford, Gary Schroeher (Chair)

MEMBERS ABSENT: None

STAFF PRESENT: Connie Taillon, Environmental Specialist

VISITORS PRESENT: None

2. APPROVAL OF AGENDA

The commission members reviewed the agenda and had the following change: move item 7A. work session to item 5A, and the 2023 work plan to item 5B.

It was moved by member **Greenleaf** seconded by member **Luxford**, to approve the agenda as amended.

Motion carried 7:0.

3. APPROVAL OF THE MINUTES

A. Minutes of the Environmental Advisory Commission meeting on December 21, 2022

In response to Taillon's question on the draft meeting minutes if Member Greene or Member Frye seconded the agenda approval in item 2, Member Greene stated that he seconded approval of the agenda as presented. Taillon will change the December 21, 2022 minutes accordingly.

It was moved by member **Greenleaf** seconded by member **Frye**, to approve the minutes of the December 21, 2022 meeting as amended.

Motion carried, 7:0.

4. VISITORS AND PRESENTATIONS

None

5. UNFINISHED BUSINESS

A. Work session recap

Member Greenleaf congratulated Chair Schroeher for a great job presenting at the joint

work session. Member Frye mentioned that he was pleased that the Mayor wants to hold a joint workshop again next year, but was hoping for a higher attendance at this workshop.

Chair Schroeher summarized the feedback from the Mayor and Council for member Johnston who was not able to attend the joint workshop. He said that the Mayor directed the commission to contact the City Manager for any requests in support of environmental legislation. The Mayor is not interested in proposing a charge for single use bags at the City level, but is very supportive of water conservation efforts. Chair Schroeher stated that Councilmember Walsh mentioned Dillon's ditch as a possible location for pollinator plantings. There was also discussion at the workshop about adding pollinator plantings on the sloped areas in Bossard Park. The Mayor responded favorably when Taillon offered to draft a natural resources plan in partnership with the Parks Commission, which would assist City Council in prioritizing and budgeting restoration projects.

Chair Schroeher reported that he stayed for most of the workshop and that the Parks Commission and Planning Commission sessions did not have formal presentations and instead were more conversational. He mentioned that the Parks Commission had a booth at Marketfest and used QR codes for all of the parks. He thought this was a good idea and that the Environmental Advisory Commission should consider creating QR codes for recycling information for use at the Environmental Resources Expo. Member Bolstad suggested that the Environmental Advisory Commission consider planning for more informal conversation at the joint workshop in 2024, and to keep the formal presentation for the volunteer dinner.

The members brainstormed topics for the next joint work session. Member Frye suggested bringing a project idea and asking for feedback on the project and funding options, and also asking for feedback on what environmental topics the Mayor and Council think the community is interested in.

Member Bolstad suggested that Chair Schroeher write a thank you letter to the Mayor and Council. Chair Schroeher will draft a letter and email it to the commission members for review and comment.

B. 2023 Work Plan

The commission members reviewed the work plan priority ratings. Member Luxford suggested that they choose two or three priorities to work on in 2023. Member Frye suggested taking the top three priorities from the priority ratings spreadsheet and work on those until they reach a point where they are able to start another project. The top three priorities from the priority ratings spreadsheet are: reduce recycling contamination education, pollinator plantings, and solar on buildings. The commission members also agreed to include buckthorn removal on the list of priorities in 2023. The downtown recycling project will remain on the priority list for staff to complete in 2023

if funding becomes available. The downtown tree priority will also be considered during downtown revitalization project planning.

Member Bolstad asked Taillon if City Council would be supportive of the No Mow May initiative this year. Taillon stated that they do not plan to support the initiative again this year because it is in conflict with City code. Taillon mentioned that this initiative mainly encourages the growth and spread of dandelions. Because dandelions can be considered a nuisance, their spread to other properties could result in additional pesticide use. In addition, based on email correspondence with Zero Waste Advocates, dandelions support the non-native honeybee but lack the proper nutrients to support our native bees.

6. NEW BUSINESS

A. Environmental Resources Expo – July 27, 2023

Taillon stated that the Marketfest coordinator scheduled the Environmental Resources Expo on the last night of Marketfest again, which falls on July 27th. The commission members discussed planning for the event and asked Taillon to include the Expo on the February agenda.

7. DISCUSSION

A. Staff updates

- RCWD Climate Resiliency Workshops

Taillon stated that Rice Creek Watershed District received a grant from the MPCA to understand how to reduce the risk of climate impacts due to changes in precipitation patterns. One part of the process is a series of workshops to identify community vulnerabilities and strengths, actions to improve resilience, priorities, and an implementation timeline. Workshops have now been scheduled and will take place on February 28th and March 22nd from 3pm to 7pm at the Shoreview Community Center. Taillon asked who she should invite. Chair Schroeher asked Taillon to send the invitation to all commission members and they will choose one or two members to attend.

- Oak Knoll Pond Spent Lime public meeting

Taillon mentioned that a public meeting is scheduled on February 1st from 5:30pm to 7:30pm in the City Hall Council Chambers to go over the results of the Spent Lime Feasibility Study and to gather feedback from landowners around the pond regarding their interest in the project. The meeting will be posted in the White Bear Press, and invite postcards will be sent to resident who live around the pond.

B. Commission member updates

Chair Schroeher announced that the Metro Environmental Commissions meeting is coming up in May.

Chair Schroeher mentioned that he will be attending a “meet your local Legislators” event on Saturday from 10:15am to noon at the White Bear Lake Library. He plans to ask

their thoughts on a 'bring your own bag' ordinance.

C. Do-outs

New do-out items for January 18, 2023 include:

- Chair Schroeder to draft a thank you letter to the Mayor and City Council and email to commission members for review.
- Taillon to send the RCWD Climate Resiliency Workshop invite to all commission members. Commission members will choose one to two members to attend.

D. February agenda

Commission members discussed the February agenda items and asked Taillon to include the 2023 work plan and Environmental Resources Expo on the agenda.

8. ADJOURNMENT

There being no further business before the Commission, it was moved by member **Greene** seconded by member **Frye** to adjourn the meeting at 8:37 p.m.

Motion carried, 7:0



**White Bear Lake Conservation District
Regular Board Meeting – Approved Minutes**

Jan. 17, 2023, 7:00 p.m., White Bear Lake City Hall Council Chambers
(6:00 pm LUC meeting)

1. **Roll Call/Quorum** – Present: Chair Bryan DeSmet, Vice Chair Mark Ganz, Secretary/ Treasurer Mike Parenteau, Chris Churchill, Scott Costello, Susie Mahoney, Darren DeYoung, and Alan Kantrud. Absent: Diane Longville, and Meredith Walburg. One director position from Dellwood is vacant. A quorum was present.
2. **Call to Order** – The meeting was called to order at 7:03 pm by Bryan DeSmet.
3. **Approval of Agenda** – A surveying request for bid was added to the Executive Committee report. Motion to approve the agenda as amended made by Mark Ganz, seconded and passed.
4. **Approval of Prior Board Meetings Minutes** – Motion to approve the November 2022 Board meeting minutes made by Mike Parenteau, seconded, and passed.
5. **Public Comments** – none
6. **New Business**
 - Nominations for Executive Board members: Motion to nominate Bryan DeSmet as chair, Meredith Walburg as vice chair, and Mike Parenteau as Treasurer was made by Mark Ganz, seconded and passed.
 - The nomination process will remain open until the February board meeting in case of additional nominations.
 - Streamlining the permit application process:
 - Darren DeYoung noted that improving the permit application process - such as updating current forms, and creating an online application form -- was discussed at the November LUC meeting. A subcommittee was formed to complete the task, including Mark Ganz, Chris Churchill, Darren DeYoung, Mike Parenteau, Luke Michaud, and Cheri Howe.
 - Phase I is to review the current application forms to clean them up; Phase II is to determine the process of making an online form.
 - The suggested application changes will be brought to the February board meeting.
 - Non-conflict of interest forms required by the auditor: Copies were distributed to directors to sign and return to Cheri.
7. **Unfinished Business** - none
8. **Reports/Action Items**
 - **Executive Committee** – Bryan DeSmet
 - Surveying request for bid:
 - The committee discussed requesting survey services to identify the edges of where the ADUAs are in Commercial Bay to inform the WBLCD when evaluating if the docks are staying within their ADUA, and whether there is enough room for boaters to exit and enter a dock area without entering into a neighboring ADUA.
 - A scope of work for surveying services was discussed. The survey company will identify the Ordinary High Water Level (OHWL) line along the shore and identify the two outside corners of ADUAs 300 ft out (with coordinates). Stakes will mark

COI is still being processed, and the change in application fees need to be confirmed.)


- Scott Bohnen - Asked for an additional 24 ft of dock, and has 6 boats. Motion to approve a permit was made by Mark Ganz, seconded and passed
- Update on November's Conditionally-Approved Applications: Tally's has not sent an updated drawing on their dock configuration; Cheri will send a reminder. Docks of White Bear Lake will be sending a letter to the Board prior to the February board meeting regarding its application.
- **Lake Education** - Scott Costello
 - Lake Cleanup: The cleanup will be held on March 11 and run by the Boy Scouts. The pandemic changed how the cleanup is handled: people will be assigned different parts of the lake; there'll be no gathering at Bellaire Beach or meal. The WBLCD will provide yellow trash bags, and publicize it on our website, and social media.
 - Social Media Update: no update
- **Treasurer's Reports** – Mike Parenteau
 - Approval of December 2022 Treasurer's Report (as of 12/31/2022): Motion to approve debit card transactions 1-3, and checks 4811 to 4815, was made by Mike Parenteau, seconded and passed.
 - Approval of January 2023 Treasurer's Report: Motion to approve the report, and debit card transactions 1-3, and checks 4816 to 4819 was made by Mike Parenteau, seconded and passed.
- **Board Council Report** – Alan Kantrud
 - The DNR and sheriff's patrol report very low activity on the lake due to lack of ice access.
 - The legislature will be holding a conference hearing on the water appropriation case this Friday. The consensus is that much of this will be pushed off until an August timeframe.

9. Announcements – Cheri Howe

- Remember to return non-conflict of interest forms.
- The City of Dellwood continues to seek a representative to fill the vacancy on the WBLCD Board. If you know a Dellwood citizen who would be interested to apply, have them contact the City of Dellwood. Three board directors will be at the end of their terms this year. Cheri will contact the representative municipalities who will reach out to the board directors prior to the end of the term.
- The 2020 audit is underway by MMKR and should be completed by the last week of January. (Cheri will check in regard to plans for a presentation by MMKR.)

10. Adjournment – Motion to approve adjournment at 7:48 pm was made by Scott Costello, seconded and approved.

ATTEST:

Bryan DeSmet, Chair 

Date: 2-21-2023

Cheri Howe, Administrator 

Date: 2/21/2023



**MINUTES
PLANNING COMMISSION MEETING
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
MONDAY, FEBRUARY 27, 2023
7:00 P.M. IN THE COUNCIL CHAMBERS**

1. CALL TO ORDER AND ATTENDANCE

- MEMBERS PRESENT:** Mike Amundsen, Ken Baltzer, Jim Berry, Pamela Enz, Mark Lynch, Erich Reinhardt, Andrea West
- MEMBERS ABSENT:** None
- STAFF PRESENT:** Jason Lindahl, Community Development Director; Ashton Miller, City Planner; Tracy Shimek, Housing and Economic Development Coordinator; Shea Lawrence, Planning Technician
- OTHERS PRESENT:** Lee Branwall, Mark Bigalk, Susan Welles, Ryan McKilligan, Josi Heron, Elisheba Churchill, Julie Crawford, Frank Watson, Joy Erickson, Jan Johnson, Ben Triplett, Mark Newstrand, Ann Koves, Al Rivard, Chris Greene, Nick Davis, Henry Elgersma

2. APPROVAL OF AGENDA

It was moved by Member **Lynch** and seconded by Member **West** to approve the agenda as presented.

Motion carried, 7:0.

3. APPROVAL OF THE MINUTES

- A. Minutes of January 30, 2023

It was moved by Member **West** and seconded by Member **Enz** to approve the minutes of January 30, 2023.

Motion carried, 7:0.

4. CASE ITEMS

- A. **Case No. 23-6-V:** A request by **Tammy and Mike Hilliard** for a variance from the 15 foot side yard setback on both the north and south side, per code section 1303.040, subd.5.c.2, and a variance from the 40 foot rear yard setback, per section 1303.040, Subd.5.c.3, in order to tear down and rebuild a single family home on the property located at 4815 Lake Avenue.

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

Member Berry opened the public hearing. No public comments were made. Member Berry closed the public hearing.

Member Amundsen explained that he appreciates that the applicants tried to stay within the grandfathered in conditions on the lot.

It was moved by Member **Baltzer** to recommend approval of Case No. 23-6-V, seconded by Member **Enz**.

Motion carried, 7:0.

- B. Case No. 23-7-CUP:** A request by **A New Hope Preschool** for a conditional use permit, per code section 1302.140, in order to operate a day care facility on the property located at 955 Wildwood Road.

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

Member West asked City staff for details on the condition of approval regarding transporting children to and from the park. Miller responded that the City doesn't have specific requirements listed in the code. Miller explained that the State is responsible for licensing childcare facilities, so they may have more specific requirements to look in to.

Member West explained that she has concerns about the feasibility of transporting children of varying ages to the nearby park. Miller explained that the applicant is also exploring adding an outdoor play area in the rear of the property.

Member Lynch explained that he has similar concerns as Member West in regards to transporting the children. He continued that he recently drove around the back of the building and that it doesn't appear to be a very inviting place.

Member Lynch asked where the current location is. Miller responded they are on the County Rd E on the west side of the city. Member Berry added that it is located off Linden by the strip mall.

Member Berry mentioned that the fire department had concerns about the maintaining access to the back of this building during a previous case the commission considered at this strip mall, which may conflict with a potential play area. Member Berry asked if any of these concerns came up during the review process.

Miller responded that the City only received the play area plans earlier in the day and staff have not yet analyzed it and have not had the opportunity to send to the Fire Marshal.

Elisheba Churchill, the applicant, agreed that using the nearby park's playground is not ideal. She explained that she also has concerns about travel and she would hope to use the proposed play space in the rear of the building for the toddlers so that they would not have to bus them to a park. Churchill also explained that there are many childcare bus options nowadays that have good safety features. She added that there is plenty of play space inside the facility as well.

Chris Greene, 3587 Glen Oaks Ave, noted that the proposed daycare is located next to a nail salon which can have poor air quality and pose a health risk. He asked if the unit has their own separate HVAC system independent from the neighbors or if there is the intent to do air quality testing.

Churchill explained that their unit has a separate HVAC system from the nail salon and strip mall. The daycare site has 2 of their own HVAC systems. Churchill continued by explaining that she works with many different organizations during this process including the State of Minnesota for licensing, the Fire Marshal and City Inspectors. She explained that she was able to successfully turn an office building into a childcare facility at her current location.

Churchill discussed the need for daycare in general, and the particular need amongst the middle class for accessible child care. She explained that she wants to be able to provide quality care at low cost while also properly compensating her employees.

Al Rivard, 3590 Glen Oaks Ave, explained that the parking lot at the nearby park isn't close to the playground equipment.

Julie Crawford, 3596 Linden Ave, the Assistant Director for the New Hope Preschool, explained that when traveling with children it is standard that they provide an extra staff member for the trip. She also explained that they use a rope with handles for the children to hold on to while walking and they typically use brightly colored safety vests and a handheld stop sign on their trips.

Member Enz expressed that she agrees with the applicant about the need for childcare.

Member Lynch explained that he has fewer concerns now after hearing from Churchill.

It was moved by Member **Enz** to recommend approval of Case No. 23-7-CUP, seconded by Member **West**.

Motion carried, 7:0.

5. DISCUSSION ITEMS

- A. **Case No. 23-8-C:** A presentation by **Element Design-Build** of their Concept Plan proposing to redevelop the 2502 County Rd. E site to build apartments and townhomes.

Jason Lindahl, Community Development Director, discussed the case. After discussing the case, Lindahl explained that because this is a concept review there will be no staff recommendation for approval or denial at this stage. He explained staff could take comments from the Commission or the public at this time.

Member West asked for clarification on the rear deviation listed as 96 feet on the map although it also lists a 25 foot setback. Lindahl explained that on a corner lot the shortest side of the lot is considered the front. He explains that measured from the back of the apartment build to the property line at Jansen Avenue is approximately 96 ft. Member Berry clarified that the 96 ft. is reflective of the apartment building's setback, not the townhomes. Lindahl responded yes, and that there is a table in the staff report that reflects the setbacks of both the apartments and townhomes. Lindahl explained it shows that the structure's rear and interior side yard meet the requirements for the R-6 district but the front and street facing side yard do not. Member Amundsen clarified that the apartment building is oriented north and the townhomes are oriented to the west.

Member Enz asked if staff foresees a problem for people trying to take a left turn when heading north on Bellaire Ave if the building is too close to the road. Member Berry responded that there is a sidewalk already there that won't be encroached, so sight lines will be retained.

Ryan McKilligan, the founder and project manager for Element Design-Build, explained that they originally became aware of the site through the County Rd E Corridor Action Plan Process. He explained they have done significant door knocking and visited nearby properties to hear from the local community and research the area. He noted that the following topics came up during their research: parking, concerns about number of units, and the long term management of the property.

McKilligan noted the uniqueness of the lot because the northwest corner would make sense for high density housing and would benefit the nearby businesses with the foot traffic, but the southwest corner of the lot is near a low density neighborhood. Because of this, their design focuses the greatest density housing with the 3 story apartment building closest to the County Rd E and Bellaire Ave intersection and then steps down to lower density 2 story townhomes towards the residential neighborhood. There will be a vegetative buffer space in the 25 ft. setback on the east side of the property. He explained that the design focuses on activating the street space on the first floor by locating communal spaces, such as the fitness area, reception and meeting spaces towards the street and then utilizes the rest of the ground floor for parking.

McKilligan discussed that the property is guided Neighborhood Mixed Use in the Comprehensive Plan which allows for a wide range of commercial uses. After talking to various developers and realtors, they determined other uses would not be economically

viable because the current building would need to be torn down for new construction.

McKilligan discussed that a lot of the feedback he received from the community was that they didn't want parking to overflow on to Bellaire or Jansen. He explained that they have a management plan to address the parking issue. Rather than assign stalls, each unit in the building will be permitted to park in any of the stalls. He explained that parking in the lot will not come at an additional cost. Each unit will be permitted the same number of parked cars as bedrooms. Based on the number of bedrooms and parking stalls, that would leave 6 extra stalls for guest parking.

McKilligan expressed that people want to see something done at this location and it's a shame this intersection hasn't been able to find a fitting use. He believes that having this residential anchor could help increase foot traffic and therefore viability for other potential businesses at the intersection.

Member Berry explained that he is the president of his townhome association, and he understands that parking can be an issue. He explained that he likes the concept for the lot. Member Berry then asked for more clarification on parking regulations, including what would happen if tenants have an extra, unregistered car parked in the lot. McKilligan explained that if an unregistered car is consistently in the lot they would be able to find out whose car it is and rectify the situation. Member Berry expressed that he knows that parking can be difficult to manage and that residents in the community probably don't want to see overflow parking on Jansen, considering it is a school bus route.

Member Lynch explained that he believes parking will be more of an issue on Bellaire than Jansen. He added that street parking occurs in all neighborhoods, both single family and high density areas, with visitors and families with children who drive. Member Lynch explained that he sees two main issues with the parking. One issue being that there could be couples who rent a one bedroom apartment who will have 2 cars but only be allowed one registered car. He also explained that it appears the covered parking area would not be easy to navigate. Member Lynch added that he doesn't think the apartments at the other end of Bellaire are comparable to this concept in regards to their parking situation. The Bellaire apartment's parking lot is farther away and so it's more convenient for the tenants to park on the street.

Member Lynch added that the developers should plan to plant a line of trees that grow both fast and trees that grow slow so the tree line develops quickly and lasts. He explained he likes the concept overall and that it tapers down towards residential.

Member Amundsen explained that he appreciates the design, and believes White Bear Lake needs a lot more projects like this. He explained that because White Bear Lake is a fully developed community, we should take these smaller opportunities when they come. Member Amundsen added that parking tends to figure itself out and that people

who have more parking needs may choose to live somewhere else. Member Amundsen also added that he thinks the project could even be greater density. He explained that he really likes the concept overall.

Member Enz explained that she appreciates that the largest part faces the busiest part and then tapers down so it blends into the neighborhood. She continued to say she agrees that the covered parking area may be tricky to navigate. She explained that she really liked the concept and that it could serve as an impetus for the other corners.

Member West explained that she agrees with Member Enz about the tapering down to the nearby neighborhood. She explained that it has been hard to see the gas station close and the lot to sit vacant and get worse over time. She added that she appreciates the proposed concept and that the developers are listening to the community, participated in the Corridor study and are addressing the concerns they heard at the community meeting.

Member Baltzer commented that he likes the concept.

Member Reinhardt echoed that he agrees it's a great concept and use of the space considering its current condition, but is concerned about the parking situation. He appreciates that they want to manage the parking but that in reality it may not be that easy.

Member Enz added that this is a step in the right direction for affordable housing options for the younger generation in White Bear Lake. She explained that they should focus more on this than on the parking situation. She added that she agrees with Member Amundsen that parking does tend to straighten itself out.

Lee Branwall of 3583 Glen Oaks Ave explained that he represents 12 people who live in the area who have discussed their concerns about the project. He noted that there would be a significant number of variances for the project. He explained they have concerns about the following things: building height, design compatibility, unit density, parking and increased traffic on Jansen. Branwall also added that there are not commercial buildings over 1 story on the south side of County Rd E. Member Berry noted that Level Up Academy is a multi-story building.

Branwall explained that there has not been any building like this on County Rd E. He explained he is concerned about increased storm water runoff and doesn't think the proposed underground tanks will be sufficient in the winter. He has concerns that the snow piles will melt into the neighbor's properties and there will be increased runoff into Peppertree Pond. Branwall asked if Ramsey County has been contacted in regards to storm water management. Member Berry explained that because there has not be an official proposal they have not been contacted, but if there is an official proposal, they will be contacted.

Branwall mentioned they have concerns about the trees on the lot being removed. He added that they would prefer a single story building on the lot and that they do want to see something developed on there. He explained that 2 story townhouses might be acceptable to them depending on the height of the roofs. He also suggested an office building for the lot. Member Berry explains that a 1 story commercial or office type building would likely involve even more asphalt parking.

Member Lynch asked City Staff about the City's tree preservation requirement. Miller responded that a tree survey would be required before tree removal and that the survey would guide the developer's to know how many trees they must replace on the lot.

Branwall suggested that the developers could trade their property for another to develop elsewhere. He also noted the proposed 6 ft. fence and added that a fence won't have much impact on preserving the privacy for the neighboring community. He also added that the anonymous comments the Community Development Department received should not be considered if they don't live in the area.

Member Lynch, noted that the plan doesn't show any windows on the east side of the building and asked the developer if there will be windows there. McKilligan explained that it is still in the design phase, so there is potential for more windows.

Branwall asked if the townhomes will be sold or rented. McKilligan answered that they are still deciding about that.

Al Rivard, of 3591 Glen Oaks Ave discussed concerns about water runoff for the site. Member Berry explained that storm water management will be assessed if there is an official application.

Rivard asked if the developers have received the results of the soil borings from the site and where they were taken from on the site. McKilligan responded that there were no issues with environmental concerns at this time and that they received a clean phase one report. He added that they do have some soil corrections that need to be made. McKilligan explained that 4 borings were taken from various locations on the site.

Rivard brought up concerns about long term pollution issues on the site because it is a former gas station. Member Berry mentioned that the State did a test on the site when they took the tanks out and the report was clean.

Rivard explained that Jansen is not a wide street. He also inquired if it would be difficult to make a right turn from Bellaire to County Rd E when there are cars parked there. He asked the developers what the dimensions on the parking stalls are. The architect for the project, Henry Elgersma, responded that he believes they are 9 feet by 18 or 20 feet

and that the drive aisle is 24 feet.

Chris Greene, 3587 Glen Oaks Ave, encouraged the Commissioners to visit the site and picture a 3 story building on that corner. He explained that he is hopeful something can be done in order to scale this project back.

Jan Johnson who owns the building at 2479 County Rd E. and used to live on Glen Oaks Ave, explained that when she opened her business in 1988 it was a viable business area. She explained she was involved in the Corridor E Project and appreciated the opportunity to better understand the issues and opportunities facing this area. She continued that she appreciates the comments and concerns regarding parking and height, but suggested that maybe it is time to consider something new and more attractive to a younger generation. She added that there are people who support something being done on this site.

Joy Erickson, who lives on the North Side of the White Bear Lake explained she is passionate about the development of this corridor and she that appreciates the approach the developers took with their concept. She also added that people with 3 cars probably won't want to live here so parking might not be such an issue.

Ben Triplett, 3596 Glen Oaks Ave, explained that he thinks it's a really nice design but that the lot is too small for it. He added that it will add too much traffic. He explained that he wants to see something go on that lot, but this should not be it. He suggested that they tear the existing building down and put some benches so people can enjoy it.

Mike Bigalk, 3594 Glen Oaks Ave, explained that a 3 story building would tower over all the nearby houses. He added that a 1 or 2 story building would be better and that the additional traffic would make it less safe for pedestrians. He encouraged the commissioners to visit the property.

Fred Watson, 3569 Glen Oaks Ave, mentioned that parking on the street is not illegal and that's where the overflow parking will park. He added that everyone on the pond would probably like to know how this apartment complex will impact them in regards to water runoff. He would like to see something built on the lot. He overall likes the design and the step down but would like to see something less dense.

Member Berry asked City staff if the storm water has been considered at this point in the process. Lindahl responded that the concept plan process does not require the developer to include storm water runoff details. If the applicant chooses to move forward with a formal application, they would be required to meet all the standards and regulations of the City and Watershed District.

In response to a question from Member Lynch, Lindahl confirmed that the applicant would be required to submit a storm water management plan for the City and

Watershed district to review prior to building permit approval.

Branwall mentioned runoff and that he believes the lot currently drains to the south and thinks that if this is constructed it will drain to the southeast. Member Berry explained that we cannot know where the water runoff will drain to because the storm water management plan has not been created yet.

McKilligan explained that through the geotechnical report, they will learn what methods they can use to manage the storm water. He added that the 25 foot setback area could potentially be used as a bio swale. He concluded that they will not be able to build on the lot without first addressing storm water management and that it would be an improvement from the current site that doesn't have much for storm water treatment in place.

Rivard asked about the size of the meeting space shown on the concept plan, and explained that it appears small. Member Berry explained that this is only a concept plan at this phase. Member Lynch added that not every tenant would use the communal spaces at the same time.

Lindahl added that there are certain zoning standards regarding the amount of open space related to unit count. These standards would be considered if and when the applicant chooses to submit a formal application.

Branwall asked if the building will be handicap accessible. Elgersma answers that it will meet all required standards and codes and that there will be designated handicap parking spots and an accessible unit. He explained that the building will not have an elevator, so the entire building is not accessible.

Member Lynch explained that he likes the proposal. He added that with some possible tweaks it is close to perfect.

Lindahl explained that this item will move on to the City Council Meeting on March 14. Member Enz asked if community will be invited to speak on this item at the City Council meeting. Lindahl responded yes.

B. City Council Meeting Overview

Lindahl provided an overview of last month's Planning Commission cases that went to City Council. He explained that all 6 items from last month received unanimous approval from the Planning Commission and that 5 were on the consent agenda. The application for a Conditional Use Permit for The Minnesotan was a discussion item. All 6 cases were approved by City Council. The Minnesotan's next step will be to acquire their liquor licensing.

Lindahl explained that City Council also approved an RFP for updating the City's Zoning Code. Staff are currently drafting the RFP to have it out by early March and open for 30 days so that proposals can be reviewed in April and staff can make recommendations to City Council and have a consultant selected by early May.

Member Lynch asked about the timeline for the zoning code update. Lindahl responded that there would be a few months of internal work with the consultant before the portion of the process that includes the community which would likely start in July or August. The process will be completed over the course of about a year, by the end of 2024. Lindahl added that once there is a consultant selected, staff will work with them to recommend a steering committee. The steering committee should include some City Council members, Planning Commissioners and some advisory people from the community. The City Council will be responsible for approving that committee.

Lindahl also discussed the Housing Work Session that the City Council held last week that looked back at the Housing Taskforce Report and the implementation strategies from it. Staff asked Council to identify a priority redevelopment site out of the eight city owned properties. Council identified the site located at the corner of County Rd E and Bellaire. Council would like staff to draft an RFP for Council to review. The timeline for this would be to have the RFP in place within the first half of the year.

Lindahl explained that part of the process for this site would include connecting with the neighboring sites.

Member Lynch asked if this lot is smaller than the lot owned by Element Design-Build. Tracy Shimek, Housing and Economic Development Coordinator responded that yes, the lot is slightly smaller.

Member Berry explained that he's heard it has been hard to get in touch with anybody about the sale of the Super America lot, 2491 County Road E. Shimek added that she has heard they have switched to a local realtor and that people have been touring the site. She explained that staff have also received multiple inquires about potential uses for the site.

6. ADJOURNMENT

There being no further business before the Commission, it was moved by Member **Lynch**, seconded by Member **Baltzer** to adjourn the meeting at 9:44 p.m.

Motion carried, 7:0.



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Caley Longendyke, City Clerk
Date: March 14, 2023
Subject: Annual business license renewals

SUMMARY

The City Council will consider adopting a resolution approving renewal of various annual business and liquor licenses for the business cycle April 1, 2023- March 31, 2024.

BACKGROUND INFORMATION

The City's Municipal Code requires that certain business activities in the City be licensed and comply with the terms of the license or ordinance. City licenses have a one-year term expiring on March 31. The attached resolution is categorized by license type, under which each business applicant for the 2023-2024 business cycle is listed. No licenses will be issued until all required paperwork has been submitted including insurance, fees and fire inspection corrections have been implemented.

License Modifications

The following businesses have closed and will not be renewing their licenses:

- *The Stadium LLC*, dba Stadium Sports Bar and Grill (on-sale liquor licensee) – The building has been torn down and is being replaced by newly developed apartments.
- *JJ's Bierstube Inc.*, dba JJ's Bierstube (on-sale liquor licensee) – The business has been replaced with the Little Village Pub, who received their full liquor license in fall 2022.
- *Jeej Incorporated*, dba Birch Lake Liquor (off-sale liquor licensee) – The establishment is no longer in business.
- *Classic Auto Restoration & Sales Inc.*, dba White Bear Amstar (tobacco licensee) – The business has been torn down and a new car wash is being constructed.

K & T King City Restaurant Inc., dba King City, applied to renew their on-sale liquor license, but will not be renewing their Sunday liquor license based on business hours.

Kelly USA Inc., dba Pagoda Restaurant, and *The Waters Senior Living Management LLC*, dba The Waters of White Bear Lake, have decided to no longer offer alcoholic beverages. They both will not be renewing their 3.2% malt liquor and wine on-sale licenses.

The following massage therapists did not renew their licenses and are no longer working in the

City: *Hui Peng* of Vita Day Spa, *Curtis Cirhan* of Family First Chiropractic and Wellness Center, *Stephen Walker* of Blue Balance Wellness, and *Mica Nordquist, Jasie Barbour, Terry Kirchhoff, Taylor Heitkamp and Connie Carlblom*, all from Sunbear Salon and Spa.

City Club, Inc., dba *Hollihan's Pub*, was not responsive to the City's attempts to contact them regarding their business license renewal or required fire inspection. Staff didn't include them in the recommendation for renewal.

Carse, Inc., dba *Keys Café*, has applied for a wine on-sale license. This will be a new liquor license for the existing establishment and is included on the March 14 City Council agenda for approval.

TLC Liquors LLC, dba *MGM Wine & Spirits*, is in process of purchasing the property currently owned by *C & C Wine & Spirits LLC*, dba *MGM Liquor Warehouse*. Their license approval is on the March 14 City Council agenda, but will be issued following the closing date of the property.

New owners are taking over *Pendulum Industries LLC*, dba *Washington Square Bar & Grill* and are currently undergoing a background check. Staff recommends the approval of the establishment's renewal and will issue the renewed license upon clearance from the Police Department.

Tobacco Compliance Checks

Each year the Police Department conducts tobacco compliance checks. The City Council is notified if a business has two consecutive failures with consideration, then given to a temporary suspension of its license. Tobacco compliance checks were conducted at 24 licensed establishments in June of 2022 for educational purposes only. The MN Department of Human Services Behavioral Health Division, in partnership with the Association for Nonsmokers-MN, offered police departments an educational tobacco compliance check opportunity, Congratulate and Educate. This opportunity allowed staff to conduct one-on-one education on local, state and federal laws around youth access with tobacco retailers. The goal was to educate retailers about the important role they play in keeping young people tobacco-free. Six establishments failed this compliance check:

Speedway #4340 – 3235 White Bear Avenue
 North Oaks Holiday – 4540 Highway 96
 White Bear Bait - 4648 Highway 61
 MGM Liquor Warehouse – 4444 Highway 61
 Freedom Valu #33 – 4852 Highway 61
 Speedway #52 – 2055 County Road E

None of the establishments were issued a citation for failures during the educational compliance checks. A second tobacco compliance check was conducted in the fall of 2022, and there were no failures during this check.

At the City Council meeting on September 27, 2022, a moratorium was approved to prohibit the

sale of THC products for a 12-month term during which the City conducts a study to consider the development and adoption of appropriate local regulations. While the moratorium has been in effect, the Police Department has conducted compliance checks on the prohibited sale of THC products. A first round of compliance checks was conducted in November 2022. The following tobacco-licensed establishments failed the compliance check:

Convenience and Tobacco – 2004 County Road E E
 E-Cig Smoke Shop – 4711 Highway 61
 FireHouse ECig Shop – 4438 Highway 61
 MNJ Tobacco – 4074 White Bear Avenue
 Nothing But Hemp – 4762 Banning Avenue

A second round of compliance checks was completed at the beginning of March 2023. The following establishments failed a second time:

MNJ Tobacco – 4074 White Bear Avenue
 Nothing But Hemp – 4762 Banning Avenue

Alcohol Compliance Checks

The Police Department conducted alcohol compliance checks in March 2022 and October 2022. Three establishments failed the first compliance check in 2022, each of which was issued an administrative citation as follows:

Carbone's Pizzeria – 1350 Highway 96, Suite 7
 Brickhouse Food & Drink – 4746 Washington Square
 Burger Bar – 2125 4th Street

Follow-up was conducted with each licenseholder to ensure a procedure is in place for verifying the age of purchasers, and to educate the business on the potential consequences for a failed compliance check. It has been the Council's practice to consider action against an establishment if they have a second failure within a 12-month period. There were no failures during the second compliance check.

Police Calls for Service

Calls for concern are those calls in which a person or persons experience behavioral changes due to alcohol consumption. These calls include disorderly conduct, lewd behavior, fights, intoxication leading to medical responses and intoxicated driving incidents, particularly when the recorded alcohol content is 0.16 or greater. Bar staff have recently been very responsible in managing their clientele, which has minimized the need to call police. Of the calls to police, most are initiated by bar staff to help with unruly or intoxicated customers in an effort to ensure there are not problems with other customers. When there is a pattern of these calls for concern, police administration contact management to provide education and guidance on the incident, and to limit similar incidents in the future.

As in years past, the Police Department offers Alcohol & Gambling Enforcement Division (AGED)

server training to license holders and staff. Training was conducted at one establishment in 2022, and several other businesses reported they have hired an outside company to provide similar training for their staff. In 2022, bar staff routinely denied service to patrons who arrived at the bar already intoxicated. The calls for service and calls for concern have dropped significantly in the past three years. After COVID-19 pandemic restrictions were lifted, many establishments continued to operate at a lower capacity due to staffing issues. Many of the City's liquor establishments continue to close between 10 p.m. and midnight.

Fire Marshal Inspections

The Fire Marshal conducted initial fire and life safety inspections on all liquor license applicants and renewals with the exception of two properties, which are seasonal (Tally's and Admirals D's). These businesses will need to complete the inspection process prior to opening for the 2023 season.

The Fire Marshal is working with a few of the businesses on safety modifications and will conduct follow-up inspections to ensure compliance with the State Fire Code that has been adopted by the City. Issuance of licenses will be contingent upon final inspection and successful correction of noted violations upon re-inspection. A corrective action plan shall be in place no later than March 31, 2023.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution as presented, in which renewal of any City licenses listed shall be contingent upon receipt of insurance, license fees, utility bill payments and an action plan in place to address corrections to items cited by the Fire Marshal.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION APPROVING BUSINESS LICENSES FOR THE LICENSE YEAR
APRIL 1, 2023 – MARCH 31, 2024**

BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that the following business licenses be approved for renewal for business cycle April 1, 2023-March 31, 2024, subject to receipt of all related documentation, applicable fees, utility payments and insurance.

Tobacco Licenses

Company Name	DBA	Street Address
Applegreen Midwest LLC	Freedom Valu Center #33	4852 Highway 61
Applegreen Midwest LLC	Speedway #52	2055 County Road E E
C & C Wine & Spirits LLC	MGM Liquor Warehouse	4444 Highway 61
Convenience & Tobacco, Inc.	Convenience & Tobacco	2004 County Road E E
ECig Smoke Shop, Inc.	FireHouse ECig Smoke Shop	4438 Highway 61
Haskell's, Inc.	Haskell's	1219 Gun Club Road
Holiday Stationstores Inc.	Holiday Station Store #215	1800 County Road F
Mahmood Enterprises, LLC	White Bear Bait	4648 Highway 61
MNJ Tobacco Inc.	MNJ Tobacco	4074 White Bear Ave
North Oaks Holiday	North Oaks Holiday	4540 Centerville Road
Northern Tier Retail LLC	Speedway #4357	1447 Highway 96
Northern Tier Retail LLC	Speedway #4317	3155 Century Ave N
Northern Tier Retail LLC	Speedway #4340	3235 White Bear Ave
Nothing But Hemp	Nothing But Hemp	4762 Banning Avenue
Obtainworld LLC	Cotroneo's Wine and Spirits	2148 3 rd Street
Say LLC	Summit Liquors	2000 County Road E E
Smoke Shop II	Smoke Shop	929 Wildwood Road
Supervalu, Inc.	Cub Foods	1920 Buerkle Road
Supervalu, Inc.	Cub Wine and Spirits	1910 Buerkle Road
Walgreen Company	Walgreens #3187	1075 Highway 96 E
Walgreen Company	Walgreens #02769	915 Wildwood Road
WBL Smoke Shop Inc.	E-Cig Smoke Shop	4711 Highway 61
White Bear Brewing Company LLC	Elevated Beer Wine and Spirits	2141 4 th Street
White Bear Express Inc.	White Bear Express	2490 County Road F E

RESOLUTION NO.

Massage Establishment and Massage Therapist Licenses

Establishment Licenses	Address	Therapist Licenses
A Little TLC	1310 Highway 96, #104D	Kelly Cadmus Cassandra Tracy
BeKIND Salon & Spa	2479 County Rd E E	None at this time.
Blue Balance Wellness	2033 County Road E E	Jen Stack Sarah Crandall Vickie Schulte
Home occupation dba Body & Spirit	2333 Mayfair Avenue	Katy Fick
Center for Therapeutic Massage	4860 Banning Avenue	Ramona Barry Ronald Plante
DW's Therapeutic Massage	4066 White Bear Avenue #2	Dauna Zaudtke Rachael Wright Brandon Vernig
Elevated Massage and Bodywork	1310 Highway 96	Adrienne Lind
Family First Chiropractic & Wellness	1247 Gun Club Road	None at this time.
Fresh Face Loftique	2179 4 th Street	Cynthia Lalley
Naturally Well	2025 4 th Street, Suite 100	Therese Faison
Indulge Salon & Spa	2183 3 rd Street	Mary Jo Lohn Amanda Mars
LTF Club Operations Company, Inc. dba Life Spa	4800 White Bear Parkway	Sommar Watson Scott James Bye Shelley Tschida Emily Hector Nicole Hallan
Luna Blue Massage	4860 Banning Avenue	Mary Staus
Massage Eden	1350 Highway 96, Suite 16	Dingjuan Lu
The Waters of White Bear Lake	2830 Hoffman Road	Gigi Ortiz
Points of Serenity	2025 4 th Street, Suite 100	Tammy Gerber
Rehab Massage Specialists	1904 4 th Street	Paula Frost
Relax Lounge	4711 Clark Avenue	Guiping Hu
Sky Thai Massage Therapy	3634 White Bear Avenue	Netnapha Phoosam Ratirose Vasquez
Sunbear Salon & Medical Spa	2207 3 rd Street	Danielle Pearson Danielle Watters Monika Fulton Rebecca Pacheco Ruth Atherly
The Mane Tease Salon	4780 Washington Square	None at this time.
Home occupation	3390 Auger Avenue	Therese Picha
Vita Day Spa	1979 Whitaker Street	Pusya Wang-Anderson

RESOLUTION NO.

Refuse Hauling Licenses

Company Name	DBA
Ace Solid Waste, Inc.	Ace Solid Waste
Allied Waste Services of North America	Republic Services
Aspen Waste Systems, Inc.	Aspen Waste Systems
Gene's Disposal Service	Gene's Disposal Service
Gorilla Dumpster Bag LLC	Gorilla Dumpster Bag
Nitti Sanitation Inc.	Nitti Sanitation
Anderson's Dumpster Box Service	Anderson's Dumpster Box Service
Walter's Recycling & Refuse, Inc.	Walter's Recycling & Refuse
Waste Management of MN, Inc.	Waste Management

Miscellaneous Business Licenses

Company Name	DBA	License
Birch Lake Animal Hospital	Birch Lake Animal Hospital 4830 White Bear Parkway	Dog Kennel
U.S. Bench Corporation	U.S. Bench Corporation	Benches (Qty. 27)

Charitable Gambling Premises Licenses

Company Name	DBA	Charitable Gambling Organization*
American Legion #168	White Bear American Legion Club	White Bear American Legion Club
Boleen Enterprises, Inc.	Carbone's Pizzeria & Pub	White Bear Lake Lions Club
MKM 617, LLC	617 Lounge	White Bear Lake Lions Club
Big Wood Brewery LLC	Big Wood Brewery	White Bear Lake Lions Club
Cabin 61 LLC	Cabin 61	Midwest Ski Otters
Doc's Landing Inc.	Doc's Landing	White Bear Lake Area Hockey Assoc.
T.R. Inc.	White Bear Bar	White Bear Lake Area Hockey Assoc.
Sanger LLC	Bear Town Bar & Grill	White Bear Lake Area Hockey Assoc.
Keep Zimmer Post 1782	VFW Post 1782	VFW Post 1782
Manitou Hospitality	Manitou Grill & Event Center	Merrick, Inc.
Little Village LLC	Little Village	Merrick, Inc.

**Charitable gambling organizations are permitted up to three premises in White Bear Lake.*

Club

Company Name	DBA	Liquor License
American Legion #168	White Bear American Legion Club 2210 3 rd Street	Club On-Sale and Sunday Outdoor Extension

RESOLUTION NO.**3.2 Off-Sale**

Company Name	DBA	Liquor License(s)
Applegreen Midwest, Inc.	Freedom Valu #33 4852 Highway 61	3.2 Off-Sale
Applegreen Midwest, Inc.	Speedway #52 2055 County Road E	3.2 Off-Sale
Knowlan's Super Markets, Inc.	Festival Foods 2671 County Road E E	3.2 Off Sale
Kowalski's White Bear Lake Market, Inc.	Kowalski's 4391 Lake Avenue South	3.2 Off Sale
Northern Tier Retail LLC	Speedway 3235 White Bear Avenue	3.2 Off-Sale
Northern Tier Retail LLC	Speedway 3155 Century Avenue North	3.2 Off-Sale
Northern Tier Retail, LLC	Speedway 1447 Highway 96	3.2 Off-Sale
Supervalu, Inc.	Cub Foods 1920 Buerkle Road	3.2 Off-Sale

Liquor Off-Sale

Company Name	DBA	Liquor License(s)
Big Wood Brewery, LLC	Big Wood Brewery 2222 4 th Street	Brewer Off-Sale
C & C Wine & Spirits	MGM Liquor Warehouse 4444 Highway 61	Liquor Off-Sale
Cellars WHL Inc.	Cellars Wine & Spirits 2675 County Road EE	Liquor Off-Sale
Haskells, Inc.	Haskell's 1219 Gun Club Road	Liquor Off-Sale
Lund Beverages LLC	Lunds & Byerlys Wines & Spirits 4620 Centerville Road	Liquor Off-Sale
Obtainworld LLC	Cotroneo's Wine & Spirits 2148 3 rd Street	Liquor Off-Sale
Sam's West, Inc.	Sam's Club #6309 1850 Buerkle Rd	Liquor Off-Sale
Say LLC	Summit Liquors 2000 County Rd EE	Liquor Off-Sale
Supervalu, Inc.	Cub Wine & Spirits 1910 Buerkle Rd	Liquor Off-Sale
White Bear Brewing Company LLC	Elevated Beer Wine & Spirits 2141 4 th Street	Liquor Off-Sale

RESOLUTION NO.**Liquor On-Sale**

Company Name	DBA	Liquor License(s)
Banquetes El Pariente Lupe, LLC	El Pariente Mexican Grill 961 Wildwood Road	On-Sale and Sunday
Big Wood Brewery, LLC	Big Wood Brewery 2222 4 th Street	On-Sale Brew Pub/Taproom Small Brewer Off-Sale, Sunday Outdoor Extension
Boleen Enterprises	Carbone's Pizza 1350 Highway 96	On-Sale and Sunday Outdoor Extension
Cabin 61 LLC	Cabin 61 4150 Hoffman Road	On-Sale and Sunday Outdoor Extension
DC Restaurant Group Inc	Acqua Restaurant and Wine Bar 4453 Lake Avenue S.	On-Sale and Sunday Outdoor Extension
Dockside Water Ski Co.	Tally's Dockside 4441 Lake Avenue S.	On-Sale and Sunday Outdoor Extension
Doc's Landing, Inc.	Doc's Landing 3200 White Bear Avenue	On-Sale and Sunday Outdoor Extension
Don Julio White Bear, Inc.	Don Julio 4660 Highway 61	On-Sale and Sunday Outdoor Extension
Golf Services Corporation	Manitou Ridge Golf Course 3200 McKnight Road	On-Sale and Sunday Outdoor Extension
K & T King City Restaurant Inc.	King City Restaurant 3959 Linden Avenue	On-Sale
Keep Zimmer Post 1782	VFW Post 1782 4496 Lake Avenue S.	On-Sale and Sunday
Lakeside Eats LLC	Mizu Japanese 4495 Lake Avenue S.	On-Sale and Sunday Outdoor Extension
Little Village LLC	Little Village 2670 County Road E E	On-Sale and Sunday Outdoor Extension
Manitou Hospitality	Manitou Grill & Event Center 2171 4 th Street	On-Sale and Sunday Outdoor Extension
McGoldrick, Inc	Admiral D's 4424 Lake Avenue	On-Sale and Sunday Outdoor Extension
MKM 617 LLC	617 Lounge 2185 4 th Street	On-Sale and Sunday
Pendulum Industries LLC	Washington Square Bar & Grill 4736 Washington Square	On-Sale and Sunday Outdoor Extension
Pezzo Per Pezzo White Bear Lake LLC	Pizzeria Pezzo 2143 4 th Street	On-Sale and Sunday Outdoor Extension
Sanger, Inc.	Bear Town Bar & Grill 4875 Highway 61	On-Sale and Sunday Outdoor Extension

...continued on the next page

RESOLUTION NO.

Liquor On-Sale (continued)

Company Name	DBA	Liquor License(s)
T.R., Inc.	White Bear Bar 2135 4 th Street	On-Sale and Sunday Outdoor Extension
The Alchemist, Inc.	The Alchemist & Kellerman's Event Center 2222 4 th Street	On-Sale and Sunday
The Brickhouse LLC	Brickhouse Food & Drink 4746 Washington Square	On-Sale and Sunday
The Good Table Restaurant Group, LLC	Ingredients Café 4725 Highway 61 North	On-Sale and Sunday Outdoor Extension
White Bear Restaurant Company	Rudy's Redeye Grill 4940 Highway 61 North	On-Sale and Sunday Outdoor Extension

Wine and/or 3.2 On-Sale

Company Name	DBA	Liquor License(s)
Carse, Inc. <i>New licensee</i>	Keys Café in White Bear Lake 2208 4 th Street	Wine On-Sale Sunday
Cossville LLC	Alley Cat's Gourmet Sandwiches 1971 Whitaker Street	Wine and 3.2 On-Sale Sunday Outdoor Extension
Lakeshore Players, Inc.	Lakeshore Players Inc. 4941 Long Avenue	Wine and 3.2 On-Sale Sunday
LTF Cub Operations Company, Inc.	Life Time Fitness 4800 White Bear Parkway	Wine and 3.2 On-Sale Sunday
Lund Food Holdings, Inc.	Lunds & Byerlys 4630 Centerville Road	Wine and 3.2 On-Sale Sunday Outdoor Extension
White Bear Lake Grill, LLC	Donatelli's 2692 County Road E E	Wine and 3.2 On-Sale Sunday
The Good Table Restaurant Group II, LLC	Burger Bar 2125 4 th Street	Wine and 3.2 On-Sale Sunday Outdoor Extension

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

Ayes:
Nays:
Passed:

Dan Louismet, Mayor

RESOLUTION NO.

ATTEST

Caley Longendyke, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Caley Longendyke, City Clerk
Date: March 14, 2023
Subject: **On-sale wine license and Sunday liquor license for Keys Cafe**

SUMMARY

The City Council will consider adopting a resolution approving an on-sale wine license and Sunday liquor license for Keys Café.

BACKGROUND INFORMATION

Celine Dinauer, owner of Keys Café (Carse Inc.), submitted an application for an on-sale wine license and Sunday liquor license. Keys Café is located at 2208 4th Street and has been a long-standing restaurant in the downtown area of White Bear Lake since 1990. The restaurant currently doesn't have any liquor licenses, but the owner is now interested in offering beverages containing wine.

The Police Department conducts background investigations on Liquor/Tobacco License applicants to provide the City Council with objective data regarding any concerns with the applicant. These elements have been shown to contribute significantly to the successful and legal operation of our community business establishments. The Police Department conducted a background investigation and found nothing to preclude the issuance of liquor licenses to Keys Cafe.

The business license cycle is April 1-March 31. Due to the short time span between the issuance of a new license and the renewal period, the licenses will take effect during the new cycle on April 1.

RECOMMENDATIONS

Staff recommends the City Council adopt the attached resolution approving an on-sale license and Sunday liquor license to Keys Café, effective for the new business license cycle on April 1.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION APPROVING ON-SALE WINE AND SUNDAY LIQUOR LICENSES FOR
CARSE INC., DBA KEYS CAFE**

WHEREAS, the City of White Bear Lake received an application from Celine Dinauer on behalf of Carse Inc., dba Keys Café, for an on-sale wine and Sunday liquor licenses at 2208 4th Street, White Bear Lake, MN; and

WHEREAS, the city clerk has reviewed all submittals and found the application to be in conformance with the criteria for issuing an on-sale wine and Sunday liquor license; and

WHEREAS, upon completion of the applicants' background checks, the White Bear Lake Police Department found nothing to preclude issuance of these liquor licenses; and

WHEREAS, these approved licenses would take effect April 1, 2023 and would be valid through the end of the business cycle on March 31, 2024.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota approves the issuance of an on-sale wine and Sunday liquor license, effective April 1, for the following:

Celine Dinauer on behalf of
Carse Inc.
dba Keys Café in White Bear Lake
2208 4th Street
White Bear Lake, MN 55110

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

MEMORANDUM

TO: Lindy Crawford, City Manager
FROM: Jason Lindahl AICP, Community Development Director
 Ashton Miller, City Planner
DATE: March 14, 2023
SUBJECT: Hilliard Variance – 4815 Lake Avenue – Case No. 23-6-V

SUMMARY

The applicant, Susan Welles on behalf of homeowners, Tammy & Mike Hilliard, is requesting a 10.8 foot variance from the required 15 foot side yard setback on both the north and south sides and a 25 foot variance from the 40 foot rear yard setback in order to tear down and rebuild a single family home on the property located at 4815 Lake Avenue. Based on the findings made in this report, both the Planning Commission and staff find 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 recommend approval of this request.

GENERAL INFORMATION

Applicant/Owner: Susan Welles / Tammy & Mike Hilliard

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

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

Comprehensive Plan: Low Density Residential

Lot Size & Width: Code: 15,000 sq. ft.; 100 feet
 Site: 3,445 sq. ft.; 39.8 feet

BACKGROUND

The subject site is located on the west side of Lake Avenue, in between 5th and 6th Street. The property does not have riparian rights on White Bear Lake since Matoska Park is to the east of the lot. The lot contains a single family home that was constructed in 1924. In 1979, a side yard setback variance was granted to allow a one stall garage with living space above it on the north side of the property.

The proposed home will be the same width as the existing home, but will be centered on the lot to provide an equal setback to both side lot lines. The home will also be expanded in the rear and pushed back so that it meets the required front yard average setback. A third story will be added on the front of the home that will measure 34 feet and 7 inches at the mean of the roofline. The maximum allowed is 35 feet, so the proposed will be just under what is allowed by right. The property is currently grandfathered in at 54% impervious surface and the proposal will be the same with the removal of a portion of the existing driveway and walkway.

Planning Commission Action. The Planning Commission reviewed this item during their January 30, 2023 regular meeting. During the meeting, the commission heard a presentation from staff and held a public hearing that produced no comments. Since the Planning Commission meeting, staff has received one phone call from the neighbor at 2329 5th Street who did not support the variances as requested. After hearing staff's presentation and comments from the applicant and residents, the commission voted 7-0 to recommend the City Council approve this request.

ANALYSIS

Review Authority. 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.

Variance Review. 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 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 the purposes and intent of the ordinance?

Finding: The property is zoned R-2: Single Family Residential and S: Shoreland Overlay. The purpose of the R-2 zoning district is "to provide for urban density single family detached residential dwelling units". The neighborhood was platted in 1887, before the city adopted a formal zoning code, at a lot width and size that is substandard to current requirements. At some point in time, the subject site was part of a subdivision that combined the western half and southern 10 feet of the property to the three abutting parcels on the south. This resulted in the existing lot to become further substandard in both size and width. The variances make the

reconstruction of the single family home on a substandard lot possible and therefore the proposal will be in harmony with the purpose of the zoning district.

2. Is the variance consistent with the comprehensive plan?

Finding: The property is guided for “low density residential”, which has a density range of 3 to 9 units per acre. Typical housing includes single family detached. The property is at a density of 12.6 units per acre, which is above the guided density range, however when the city block is taken as a whole, the immediate neighborhood has a density of 5.22 units per acre, which is within the density range. Reconstructing a single family home on the lot will not change the neighborhood’s density, therefore, the proposed variances are not inconsistent with the 2040 Comprehensive Plan.

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

Finding: The proposal puts the subject property to use in a reasonable manner. Both the Comprehensive Plan and the purpose and intent of the R-2 zoning district allow for single family dwelling units, so the request to reconstruct a single family home with attached garage on the lot is reasonable.

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

Finding: There are unique circumstances not created by the landowner. The property is only 39 feet wide and the required setbacks on each side are 15 feet, resulting in a build envelope on which to be a home of only 9 feet in width. Since the zoning code also requires a principal structure to be at least 22 feet in width, a variance from the 22 foot width requirement would be required to build on the lot and be within the setbacks. Alternatively, a 22 foot wide home would need a combined 17 feet in side yard setback variance to build a new home. The request for 21.6 feet in side yard setback variances is not the minimum required, but does allow the construction of a home and attached garage that is the same width as the existing home and similar to the surrounding homes.

Further, the property is only 23% of the required lot size, meaning the overall buildable area of the lot is limited due to the larger setback requirements for the district. Additionally, the angle of the front and rear lot lines creates an irregular buildable area. The proposed rear yard setback is 37.5% of what is required at the closest point. The rear yard widens and the setback increases to 26 feet, or 65% of the required setback. Given the constraints on the lot, staff finds the request to be reasonable.

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

Finding: Granting the requested variance will not alter the essential character of the surrounding neighborhood. Many of the properties in the Old Downtown White Bear area are similar in width. Staff conducted a quick analysis of the other homes on the block of the subject site and found that all but two are substandard in width. Of those 12 properties substandard in

width, 11 have structures that encroach into the side yard setback, like the home to the north, which is only 1.6 feet from the shared lot line. Many of the encroachments are legally nonconforming, but setback variances have been granted for 2322 6th Street, 2346 6th Street, 2345 5th Street, and 2355 5th Street, indicating the proposal is consistent with past approvals.

RECOMMENDATION

The Planning Commission and staff recommend approval of the request, subject to the following conditions:

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

ATTACHMENTS

Resolution

Zoning/Location Map

Applicant's Narrative & Plans

RESOLUTION NO.

**RESOLUTION GRANTING THREE SETBACK VARIANCES
FOR 4815 LAKE AVENUE WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, Tammy & Mike Hilliard have requested a 10.8 foot variance from the required 15 foot setback on both the north and south side, per code section 1303.040, Subd.5.c.2, and a 25 foot variance from the 40 foot rear yard setback, per section 1303.040, Subd.5.c.3 in order to tear down and reconstruct a single family home on the property at the following location:

LEGAL DESCRIPTION: The North 40 feet of the East Half of Lot 4, STEWARTS SUBDIVISION OF BLOCK 46 OF WHITE BEAR, Ramsey County, Minnesota. Also including 7.5 feet lying West of Lot 3, being the East Half of the alley running North and South in rear of said Lot.

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on February 27, 2023; and

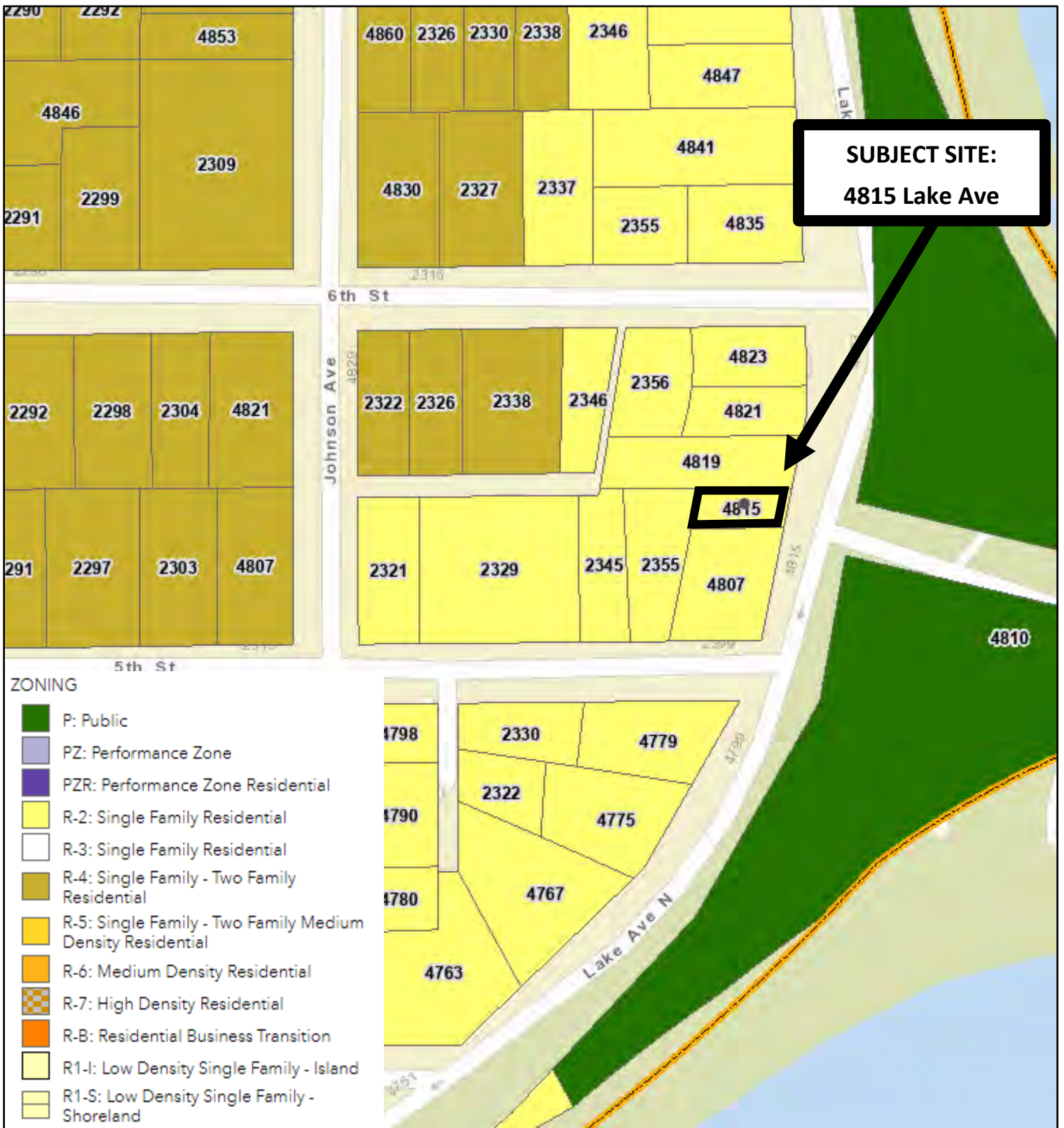
WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed variances upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic, property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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that 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.
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 requested variances, subject to the following conditions:

1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
2. Per Section 1301.060, Subd.3, the variance shall become null and void if the project has not been completed or utilized within one (1) calendar year after the approval date, subject to



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

CASE NO. : 23-6-V

CASE NAME : Hilliard Variance

DATE : 2-27-2023

January 17, 2023

To White Bear Lake Planning Commission/White Bear Lake City Council,

I am petitioning you today to ask for a variance to the side and rear setbacks at 2815 Lake Ave. to allow my clients Tammy and Mike Hilliard to construct a new home to replace an existing two-story from the 1920's. The existing structure began as a modest lake home and has seen several additions through the years. Currently the main level has different finished floor elevations that vary by as much as 2.5". The current garage is only 9' in width and does not allow a car to be parked inside and have access in or out of both sides of the vehicle. The existing stairs are steep and non-conforming. My clients have lived in the home for the last 20 years and would like to construct a new residence that will better suit their needs as they look to the future.

The existing lot is in the Shoreland District of Old Town and is non-conforming per the City's Code for R-2 which states lots to be a minimum of 15,000 sq. ft. This lot encompasses only 3,445 sq. ft. It currently has an impervious coverage of 1,882 sq. ft. – (54%) with existing house, driveway and sidewalks.

The East facing front setback of the home encroaches the City's average setback on the SE corner by over 4'. The existing South side setback is 3' at its closet corner and the North side 4.5' from the nearest corner. The house does not run parallel to the side lot lines which exacerbates the proximity to the neighbors at the near corners. The rear set back to the West is 28'-2 at its nearest corner.

I am asking the city for a variance for the 10' side setback requirement {1303.400, Subd. 5.c.2}. We plan on setting the new structure centered and parallel to the side lot lines and maintain a house width of 30'-8 which is equal to the current house width. This will result in a 4'-2 setback on each side of the new home thus gaining more space from the South neighbor (1'-2) and only a slight decrease (-10") to the North neighbor.

I intend to pull the front of the new house back into compliance with City standard of average front yard setback {1302.040, Subd. 4.c (Ref. Ord. 10-1-1063, 1/12/10)} based on neighbors to the North

and South. I will also be asking for a variance to the rear yard setback {1303.040, Subd.5.c.3} of 40' to a setback of 14'-11 at the nearest corner. Since the house will not run parallel to the rear lot line the 14'-11 is the minimum closest corner. The maximum closest corner will be 26'. I believe by pulling the front back into conformity and squaring the house on the lot it will provide a better situation for the new home versus the current structure's position. To achieve this goal, it was necessary to push the rear portion of the house further into the rear of the lot. I will be replacing existing concrete along the north property line with material that will be able to handle stormwater runoff and will not be impervious.

Proposed impervious surface will be slightly under existing (-8 sq. ft.) and will maintain 54% coverage on the lot as it currently exists. I have enlarged the main floor foundation footprint to accommodate a wider double deep garage for 2 vehicles with a small amount of extra storage. In doing so I have not exceeded the standard square footage coverage of a basic 24' by 24' two stall garage.

Tree replacement will not be affected with the new construction and the new home will conform with all other White Bear Lake Ordinances as outlined for new construction in the Shoreland District.

Please review the attached proposal for the new home along with site plan that outlines the above conditions. We are asking variance only for the side and rear setbacks to construct this home as designed and submitted for your review.

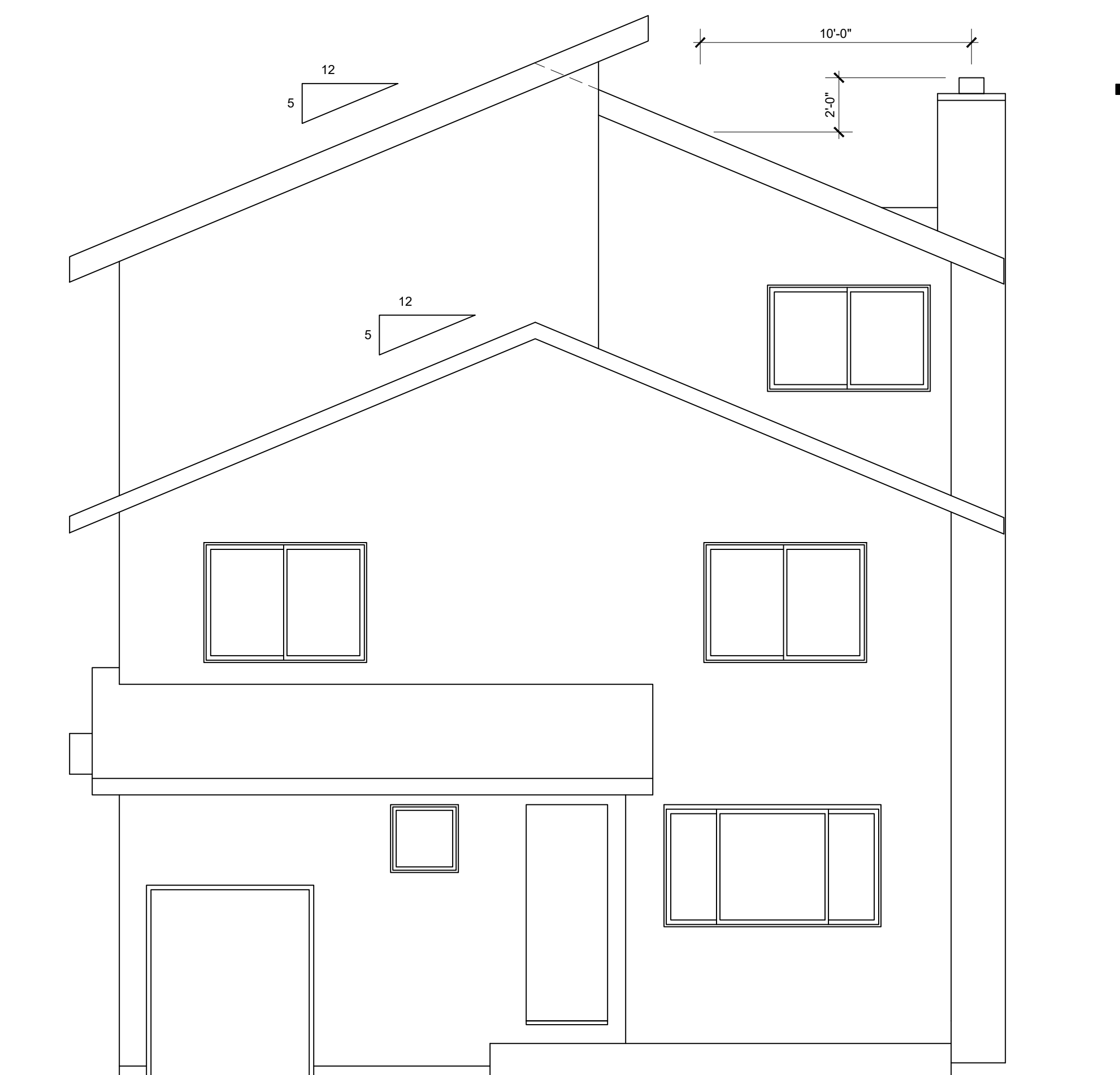
Sincerely,

Susan Hebert Welles-Project Designer

On behalf of Tammy and Mike Hilliard, owners of 4815 Lake Ave., White Bear Lake, MN

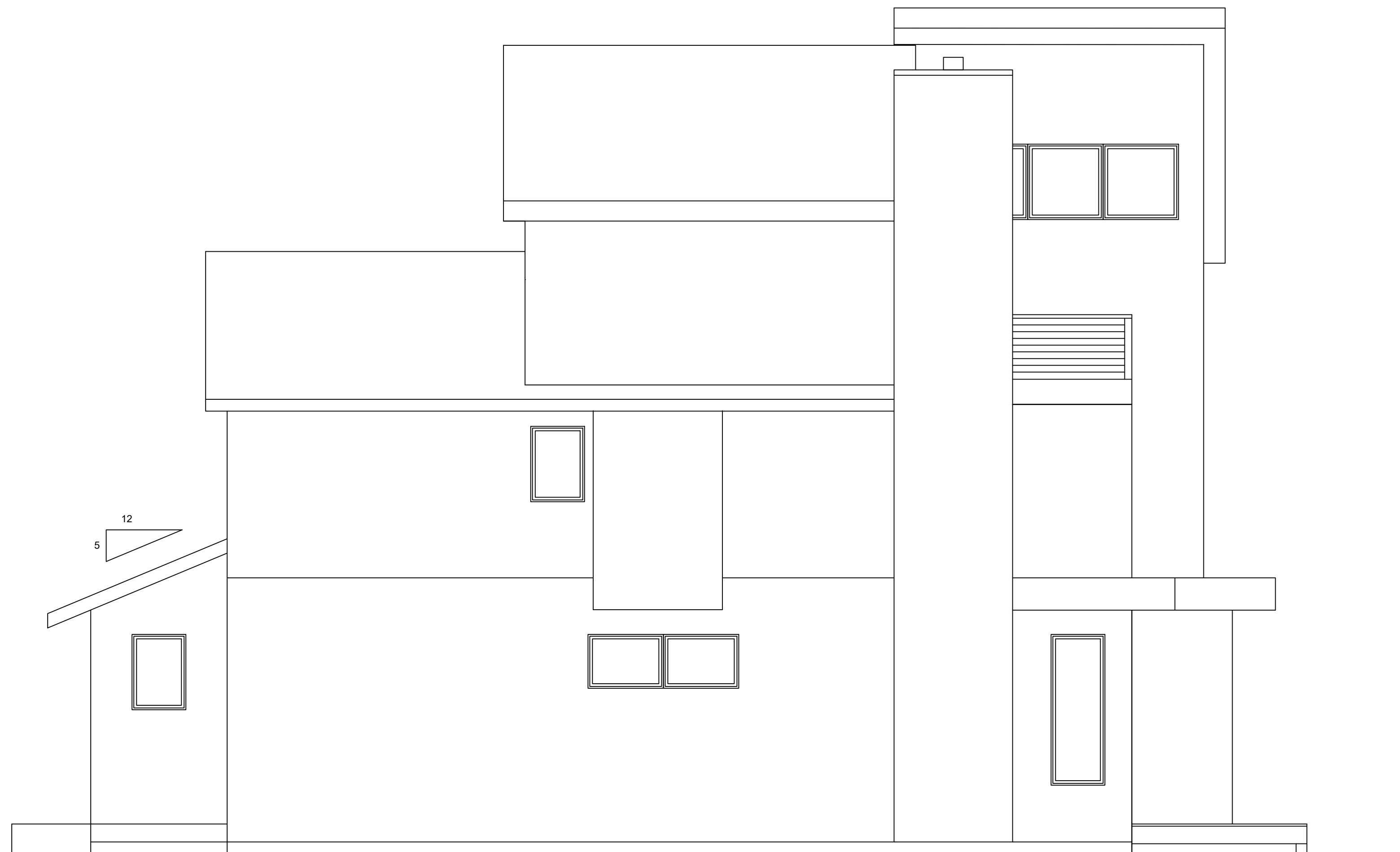


1 FRONT ELEVATION
A1 1/4" = 1'-0"



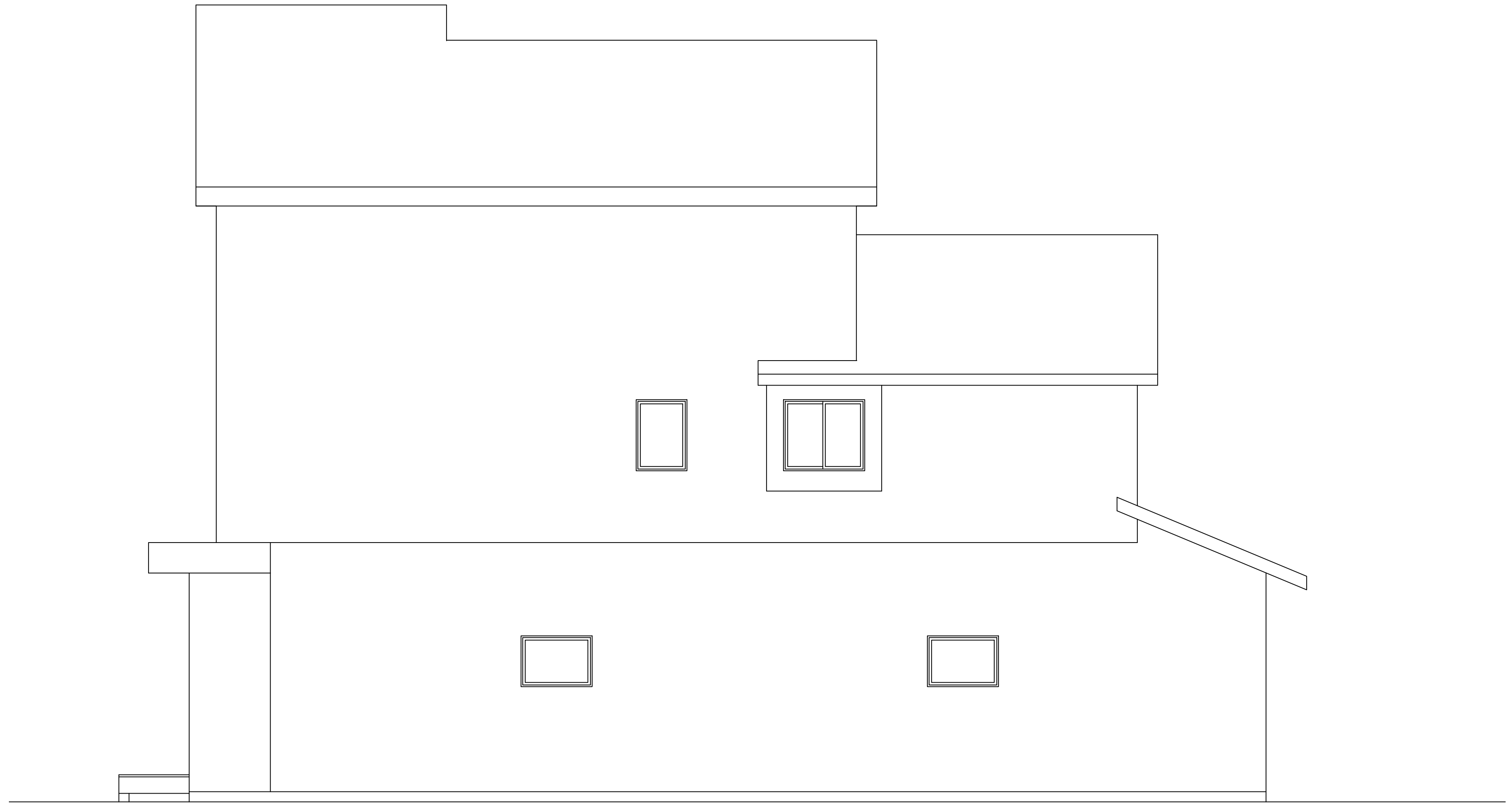
2 REAR ELEVATION
A1 1/4" = 1'-0"

PRELIMINARY



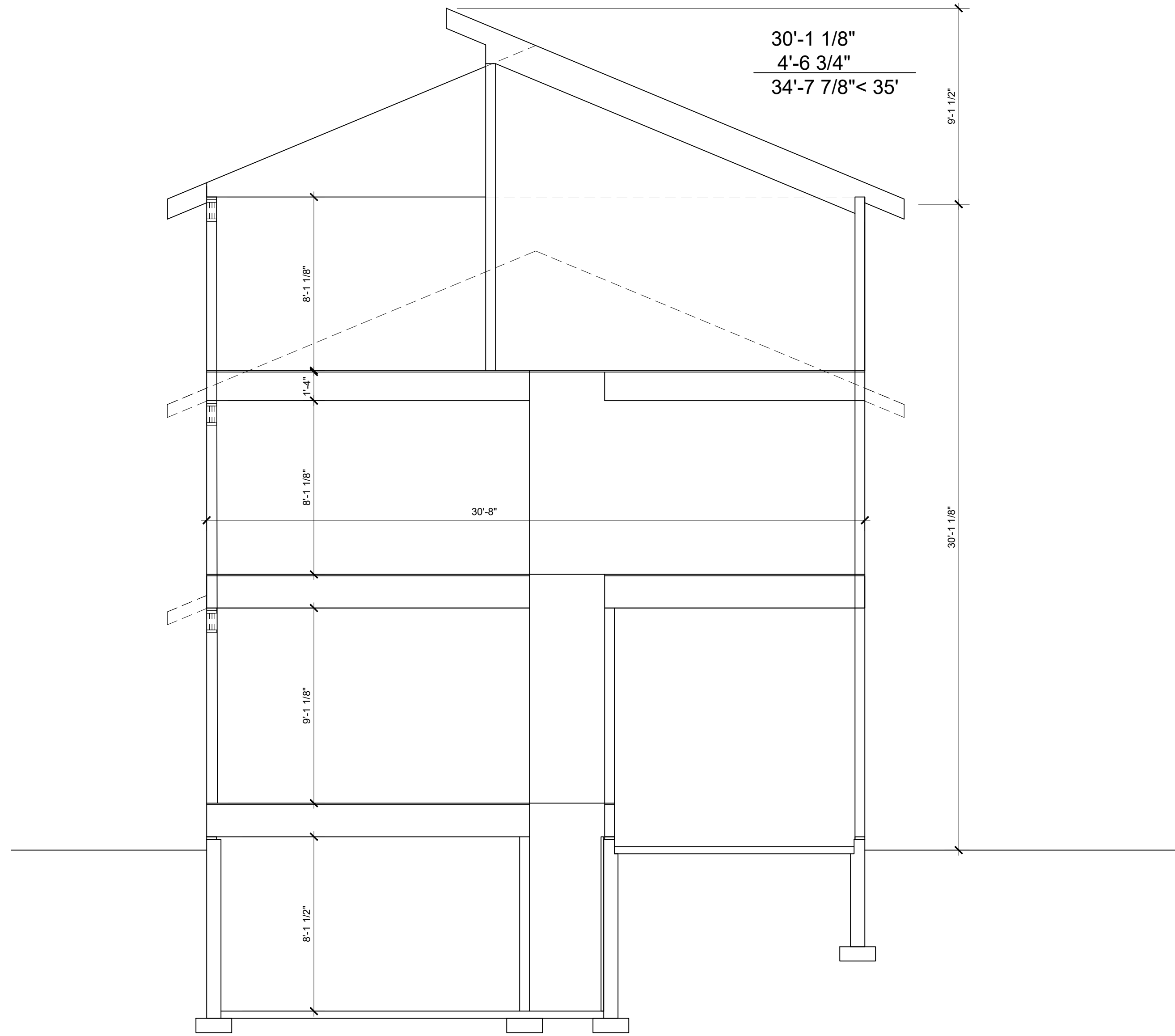
2 RIGHT ELEVATION
A2 1/4" = 1'-0"

PRELIMINARY



1 LEFT ELEVATION
A3 1/4" = 1'-0"

PRELIMINARY



$30'-1 \frac{1}{8}''$
 $4'-6 \frac{3}{4}''$
 $34'-7 \frac{7}{8}'' < 35'$

1 SECTION THROUGH HOUSE-GARAGE
 A8 1/4" = 1'-0"

PRELIMINARY

CERTIFICATE OF SURVEY

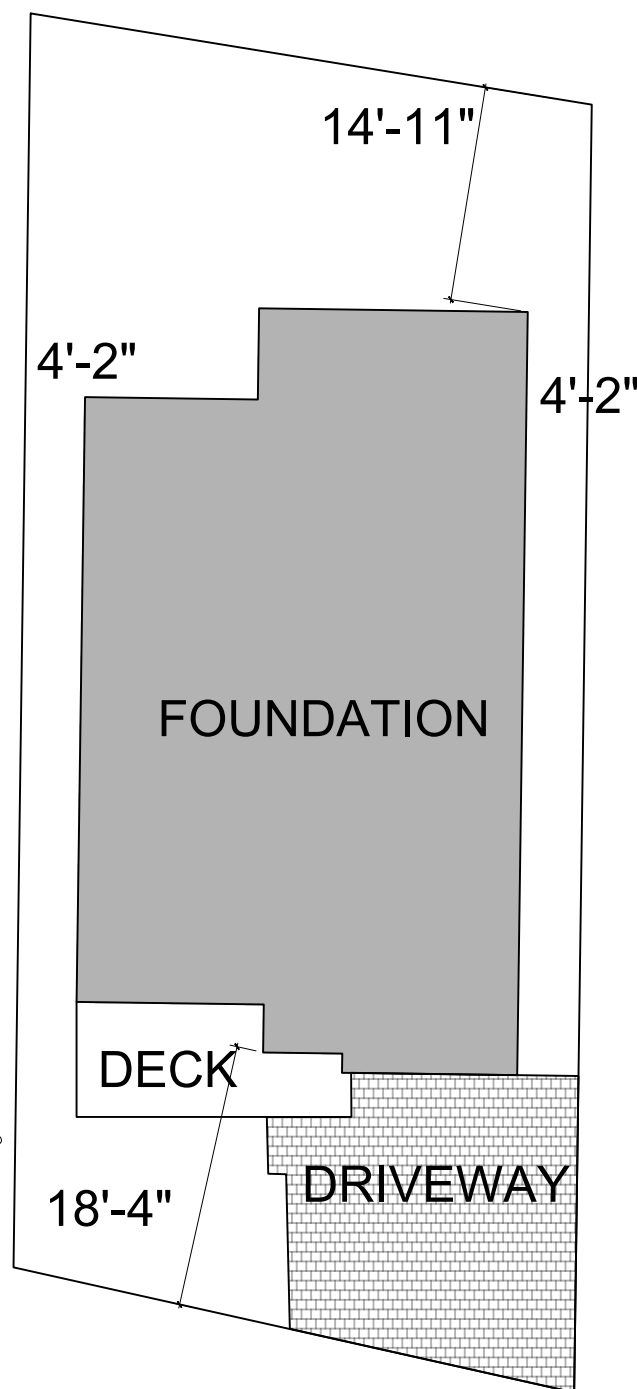
~for~ TAMMY AND MIKE HILLIARD
 ~of~ 4815 Lake Avenue
 White Bear Lake, MN

EXISTING LEGAL DESCRIPTION

(PER RAMSEY COUNTY DOCUMENT NO. 3508061)

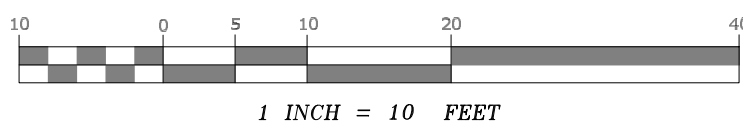
The North 40 feet of the East Half of Lot 4, STEWARTS SUBDIVISION OF BLOCK 46 OF WHITE BEAR, Ramsey County, Minnesota. DESCRIPTION OF PARCEL SURVEYED

Also including 7.5 feet lying West of Lot 3, being the East Half of the alley running North and South in rear of said Lot.



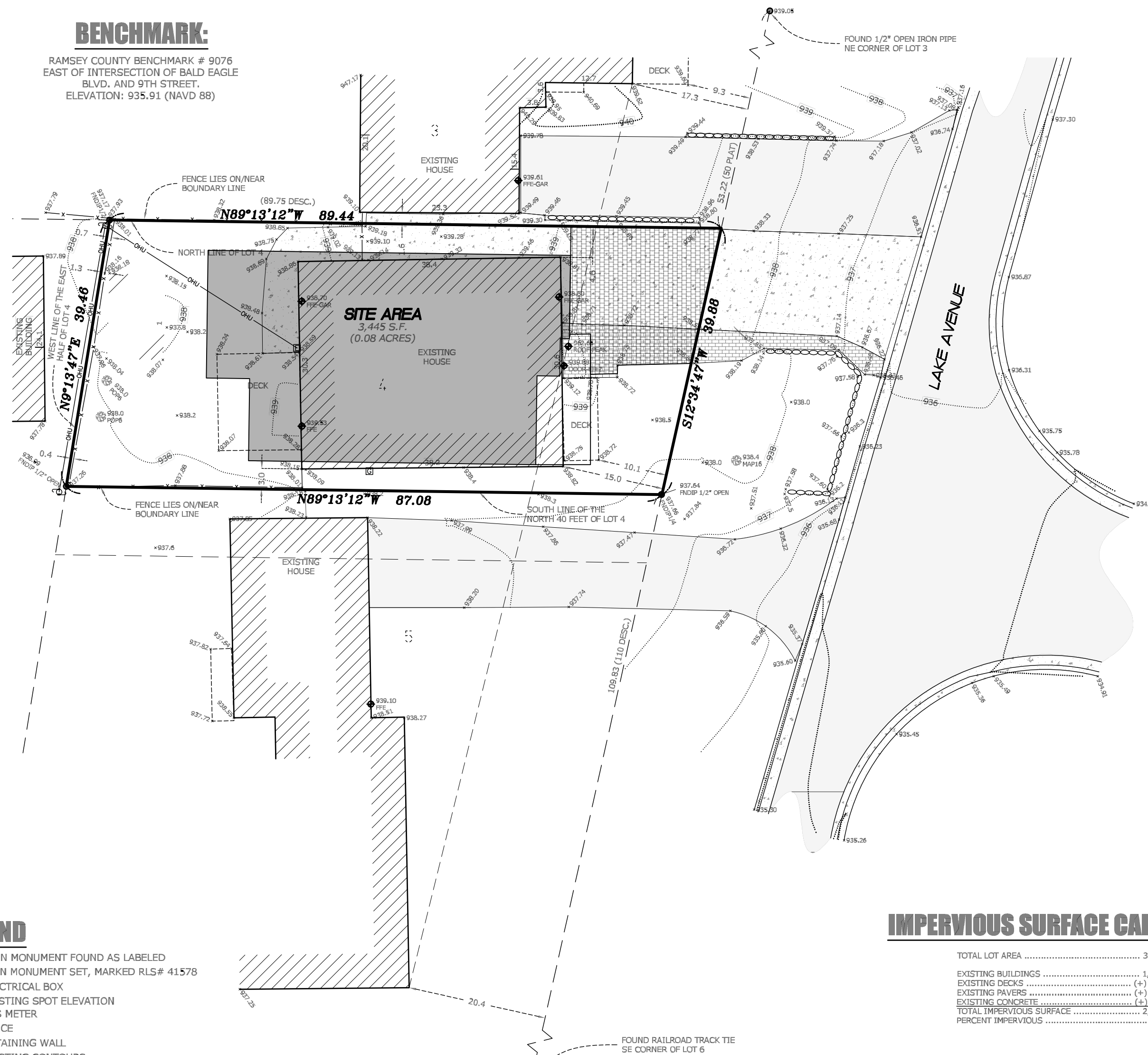
NORTH

GRAPHIC SCALE



BENCHMARK:

RAMSEY COUNTY BENCHMARK # 9076
 EAST OF INTERSECTION OF BALD EAGLE
 BLVD. AND 9TH STREET.
 ELEVATION: 935.91 (NAVD 88)



LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 41578
- DENOTES ELECTRICAL BOX
- DENOTES EXISTING SPOT ELEVATION
- DENOTES GAS METER
- DENOTES FENCE
- DENOTES RETAINING WALL
- DENOTES EXISTING CONTOURS
- DENOTES OVERHEAD UTILITY
- DENOTES BITUMINOUS SURFACE
- DENOTES CONCRETE SURFACE
- DENOTES PAVER SURFACE

TREE DETAIL

- DENOTES ELEVATION
- DENOTES TREE QUANTITY
- DENOTES TREE SIZE IN INCHES
- DENOTES TREE TYPE

PROPOSED:

FOUNDATION 1481 SQ. FT.
 DRIVEWAY 391 SQ. FT

HOUSE IS 30'-8" WIDE AND WILL
 BE CENTERED ON LOT WITH
 APPROX. 4'-2" SIDE SETBACKS

HOUSE REAR SETBACK WILL BE
 14'-11" FROM NEAREST NW
 CORNER

HOUSE FRONT SETBACK WILL
 BE THE AVERAGE OF
 ADJACENT NEIGHBORS-18'-4"

IMPERVIOUS SURFACE CALCULATIONS

TOTAL LOT AREA	3,445 SQ. FT.
EXISTING BUILDINGS	1,269 SQ. FT.
EXISTING DECKS	(+) 232 SQ. FT.
EXISTING PAVERS	(+) 124 SQ. FT.
EXISTING CONCRETE	(+) 589 SQ. FT.
TOTAL IMPERVIOUS SURFACE	2,215 SQ. FT.
PERCENT IMPERVIOUS	64.3%

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

JASON E. RUD
 JASON E. RUD
 Date: 8/22/2022 License No. 41578

NO.	DATE	DESCRIPTION
1	8-22-22	ADD IMPERVIOUS CALCULATIONS
2	11-08-22	ADD SOUTHERLY BLDG DIMENSION
3		

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

S:\RUD\CAD\22PROJ\22081081\22081081.DWG

22081

Susan Hebert Welles
 Residential Design & Consulting

P. 612.998.8404
 e-mail: hebertwelles@gmail.com

NEW HOME FOR:

TAMMY AND MIKE HILLIARD
 4815 LAKE AVE.
 WHITE BEAR LAKE, MINNESOTA

ISSUE DATE
 JANUARY 17, 2023
 REVISIONS

1 PROPOSED SITE PLAN
 A10 N.T.S.

JOB #2023001

SHEET
A10
 OF



City of White Bear Lake
Community Development Department

MEMORANDUM

TO: Lindy Crawford, City Manager
FROM: Jason Lindahl AICP, Community Development Director
 Ashton Miller, City Planner
DATE: March 14, 2023
SUBJECT: **A New Hope Preschool Conditional Use Permit, 955 Wildwood Road,
 Case No. 23-7-CUP**

SUMMARY

The applicant, Elisheba Churchill, is requesting a conditional use permit in order to operate a day care facility out of tenant space at the Wildwood Shopping Center located at 955 Wildwood Road. Based on the findings made in this report, both the Planning Commission and staff find that the standards for conditional use permits laid out in City Code Section 1302.140 have been satisfied and recommend approval of the request.

GENERAL INFORMATION

Applicant/Owner: Elisheba Churchill / Chung Dang

Existing Land Use / Zoning: Shopping Center; zoned B-4: General Business

Surrounding Land Use / Zoning: North: Bank; zoned B-4: General Business
 South: Commercial buildings; zoned B-4: General Business & Pet Store; zoned B-4 General Business (Mahtomedi)
 East: Senior Housing & Drug Store; zoned B-4: General Business
 West: Restaurants & Auto Repair Store; zoned B-4: General Business

Comprehensive Plan: Neighborhood Mixed Use

Lot Size & Width: Code: None & 100 feet
 Site: 169,652 sq. ft. & 400 feet

BACKGROUND INFORMATION

The subject site is located on the northeast quadrant of County Road E and Century Avenue/East County Line Road in the Washington County portion of White Bear Lake. The Wildwood Shopping Center is roughly 30,000 square feet in size. The building was expanded from a grocery store into a “strip mall” in 1958. In 2008, the east end of the strip mall was sold

off to Walgreen's, reducing the size of the property and building. The proposed day care will move into a tenant space on the north side of the shopping center that fronts East County Line Road.

Planning Commission Action. The Planning Commission reviewed this item during their January 30, 2023 regular meeting. During the meeting, the commission heard a presentation from staff and held a public hearing that produced comments from two residents. Since the Planning Commission, staff received emails from two residents in favor of the request.

Chris Greene spoke at the Planning Commission meeting and asked if the tenant space had its own HVAC system and if there was any concern with the day care being next to a nail salon. Al Rivard commented that the parking lot at the park was not close to the playground equipment. The applicant, Elisheba Churchill, spoke about the importance of affordable childcare in the area. In response to questions from the Planning Commission, she confirmed that transportation buses would follow all state regulations and have three point harnesses. She works closely with her state licenser and the city to ensure all regulations are being met. She confirmed that the space had its own HVAC system. She would like to install a play area in the back of the parking lot. Julie Crawford, assistant to Ms. Churchill, added that when traveling, whether it be to the park or on field trips, extra staff are provided and all safety protocols are followed. After hearing staff's presentation and comments from the applicant and residents, the commission voted 7-0 to recommend the City Council approve this request.

Since the Planning Commission meeting, the applicant has submitted plans for a toddler play area behind their tenant space. This plan is under review by planning and fire department staff. Should the toddler play area be approved, the applicant still plans to use the park for the outdoor play area needs of their other children

ANALYSIS

City review authority for conditional use permits is 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 conditional use permits 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, in this case a day care facility. 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 as

Neighborhood Mixed Use. Neighborhood Mixed Use is intended to be for commercial retail or service businesses and offices serving the local community, and medium to high-density housing. The proposed day care is a service business that will serve the local community and is therefore consistent with the Comprehensive Land Use Plan.

Additionally, one of the guiding principles in the Comprehensive Plan is “complete community,” which aims to enhance the complete community concept to create and enhance opportunities for residents to conveniently meet daily needs without having to make long trips. A day care in a neighborhood commercial hub provides the opportunity for parents/guardians to have childcare that is close to home or close to work.

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

Finding: The proposed use is compatible with present and future land uses of the area. All of the surrounding properties are zoned B-4: General Business and are comprised of various businesses and high-density residential that enhance the commercial, high-density residential, and neighborhood mixed use designations for the area as guided in the 2040 Comprehensive Plan. While in Mahtomedi, there are a number of apartment buildings in the immediate area whose residents may benefit from and utilize a day care facility within walking distance.

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

Finding: The zoning code permits day care facilities as a conditional use in all zoning districts. City code section 1302.140 outlines the requirements for day care facilities and each requirement is detailed below.

Lot Requirements and Setbacks. There is not a minimum lot size requirement in the B-4 zoning district. The minimum lot width is 100 feet, which the property exceeds. The day care is proposed to move into existing tenant space and there are no changes proposed to the exterior of the building. The building meets the street side setback, the rear yard setback and the side yard setback requirements.

Municipal Sanitary Sewer and Water. The shopping center is connected to city sewer and water. All new commercial businesses must submit to the Metropolitan Council for a Sewer Availability Charge (SAC) and Water Availability Charge (WAC) determination. A determination letter will need to be submitted and all applicable fees paid to the city prior to issuance of any building permits.

Parking. The zoning code does not have specific parking standards for day care facilities. When a standard does not exist, the code allows for “other” standards to be used, subject to City Council approval. Staff has applied the parking requirements for elementary schools in the past, which require one stall per classroom, plus one stall for every 50 students, and then required additional stalls for staff. The proposed floor plan has four unique spaces for different age groups. The applicant has indicated that up to 15 staff could be on site at once, so based on

maximum capacity, 20 parking stalls would be required on-site. Other communities in the Twin Cities metro require one parking stall per every six children at child care facilities. If this standard were applied, with 82 children, 14 stalls would be required for the exclusive use of the day care.

Parking requirements for the whole shopping center are based on the type of tenant. Retail and service require one stall for every 200 square feet of gross floor area, while restaurants require one stall for every 2.5 seats. There are approximately 190 stalls on site. Based on the breakdown of tenant, if the vacant spaces are assumed to be retail, 148 parking stalls are required, so the site has more than enough adequate space.

Most of the occupied tenant spaces are retail/service that operate during normal business hours. However, there is a restaurant on the north end of the shopping center that is generally busiest in the evening and on weekends when the day care is closed, so peak parking demands are offset.

Screening. The shopping center has vegetative screening between the property and the abutting senior living facility as well as along the right-of-way.

Loading. One off-street loading space is required on site. There is existing loading space in the rear of the building that complies with section 1302.060 of the zoning code.

Signage. A wall sign is permitted in the B-4 zoning district and there is a freestanding sign on site for the tenants of the shopping center. Separate permits are required for signage.

Day Care or Group Care Facility. There are no plans to alter the exterior of the building. An interior remodel of the space is proposed and plans will be reviewed and approved by the Building Department before issuance of a permit.

Primary Space. A minimum of 35 square feet of useable floor space is required per child. Excluding hallways, bathrooms, kitchens and lockers, the tenant space is roughly 3,000 square feet. The proposal shows the facility will have 8 infants, 14 toddlers, 20 preschoolers, and 5 school age children, for a total of 47 students. At this rate, the floor space per child greatly exceeds the requirement. The Minnesota Department of Human Services has issued a license for the day care at a program capacity of 82 children, which would be the greatest number of children allowed and still have the business meet the city's space requirements.

Bathroom Facilities. The applicant's plans call for the space to include two restrooms, two additional toilets for young children and four sinks. One toilet per every 15 children is required, so with 47 children attending the day care, the applicant is exceeding the city's requirements.

Day Care Facility Sick Room. The code requires space for a sick child to be separated from the group. The space need not be permanent, but be equipped with a child's cot and be used for compatible purposes, such as an office. The floor plan shows the main office will have a cot

available for a sick child. The space allows separation from the main activity area, but also keeps the child within sight and hearing of an adult.

Day Care Facility Sleeping Area. The code requires a cot or crib to be provided for each child taking a nap in a program that includes a rest. As denoted on the floor plan, cots and cribs will be provided in each of the classrooms where a rest is part of the day program and each room has adequate space for napping children.

Day Care Facility Outdoor Play Area. The zoning code requires that outdoor play space is provided for children. This requirement can be fulfilled if the proposed day care is within 1,000 feet of a park or more than 1,000 feet away if daily transportation is provided. The applicant is proposing to use the neighboring Wedgewood Park in Mahtomedi to fulfill this requirement. The park facility is approximately 2,100 feet from the day care tenant space as measured along the most direct pedestrian route. As a result, staff recommends a condition of approval require the applicant to provide daily transportation to and from the park. Since the Planning Commission meeting, the applicant has submitted plans for a toddler play area behind their tenant space. This plan is under review by planning and fire department staff. Should the toddler play area be approved, the applicant still plans to use the park for the outdoor play area needs of their other children and would still be required to provide transportation to and from the park.

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

Finding: The use of tenant space will not depreciate the area in which it is proposed. The tenant space is currently vacant and a new business moving in is an asset to the community. The applicant's investment in the space will appreciate the shopping center.

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

Finding: As noted above, the property is served by city water and sewer and the utilities have the capacity to serve the proposed use.

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

Finding: Traffic generated by the proposed day care is within the capabilities of the streets serving the property. Both County Road E and Century Avenue/East County Line Road are arterial roads, which as defined by the Metropolitan Council are meant to "provide interconnection of major traffic generators within the metro centers." The roads are designed to accommodate higher levels of traffic, so there is the capacity to accommodate the 47 to 82 pick-up and drop off trips the day care will generate on a daily basis. Further, there are multiple entrances into the shopping center, which allow the use of both streets to access the lot. Each entrance has dedicated turn lanes, so those visiting the day care will not impede through traffic.

RECOMMENDATION

The standards outlined in the zoning ordinances have been met, therefore, 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. A building permit shall be obtained before any work begins.
5. All signage will be in compliance with city code and applicant will submit for signage permit as needed.
6. The applicant shall provide a Sewer Availability Charge (SAC) and Water Availability Charge (WAC) determination from the Metropolitan Council and pay all applicable fees prior to the issuance of a building permit.
7. The applicant shall comply with the applicable zoning and building codes and with the Fire Department memo, dated January 31, 2023.
8. The applicant shall continue to be licensed by the Minnesota Department of Human Services.
9. Based on the distance from the day care tenant space to the nearest park facility (Wedgewood Park in Mahtomedi), the applicant shall be required to provide daily transportation to and from the park.

ATTACHMENTS

Resolution

Zoning/Location Map

Fire Review Memo, dated 01/31/23

Applicant's Narrative & Plans

Neighbor Comments – Spsychalla & Tettey

RESOLUTION NO.

**RESOLUTION GRANTING A CONDITIONAL USE PERMIT
FOR 955 WILDWOOD ROAD WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, A New Hope Preschool (Case No. 23-7-CUP) has requested a conditional use permit, per code section 1302.140, in order to operate a daycare facility at the property located at:

LOCATION: Attached as Exhibit A (PID # 3003021330073)

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on February 27, 2023; and

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

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

1. The 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, 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 (i.e. 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. A building permit shall be obtained before any work begins.
5. All signage will be in compliance with city code and applicant will submit for signage

RESOLUTION NO.
EXHIBIT A
LEGAL DESCRIPTION

Parcel A:

Parcel I: (Abstract)

Lot 5, Block 1, Alla-Bar City Second Addition, Washington County, Minnesota.

Parcel II: (Torrens)

Lot 4, Block 1, Alla-Bar City Second Addition, according to the recorded plat thereof on file and of record in the office of the Registrar of Titles, Washington County, Minnesota, except that part described as follows:

Beginning at the Southeast corner of said Lot 4, thence South 90 degrees 00 minutes 00 seconds West, assumed bearing, along the South line of said Lot 4, a distance of 254.50 feet; thence North 00 degrees 04 minutes 40 seconds East, a distance of 37.57 feet; thence South 89 degrees 55 minutes 20 seconds East, a distance of 22.50 feet; thence North 00 degrees 04 minutes 40 seconds East, a distance of 47.50 feet; thence South 89 degrees 55 minutes 20 seconds East, a distance of 30.50 feet; thence North 00 degrees 04 minutes 40 seconds East, a distance of 219.00 feet to the North line of said Lot 4; thence South 90 degrees 00 minutes 00 seconds East along the North line of said Lot 4, a distance of 201.50 feet to the East line of said Lot 4; thence South 00 degrees 04 minutes 40 seconds West, along the East line of said Lot 4; a distance of 304.00 feet to the point of beginning.

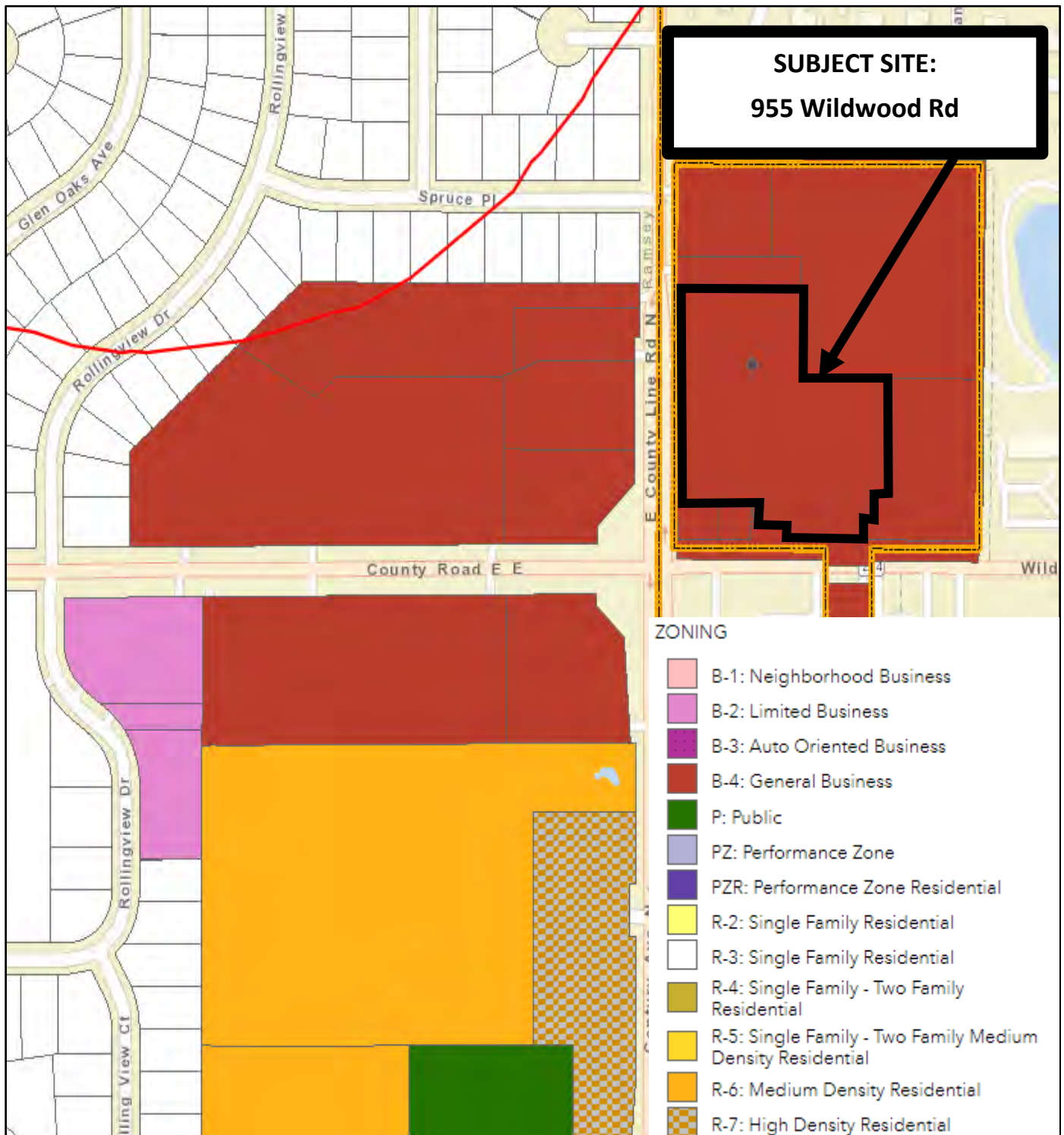
Parcel B: (Abstract)

Outlot B, Alla-Bar City Second Addition, Washington County, Minnesota.

EXCEPT that part of Outlot B, Alla-Bar City Second Addition, Washington County, Minnesota described as follows: Commencing at the northwest corner of said Outlot B; thence on an assumed bearing of South 00 degrees 16 minutes 21 seconds West along the west line of said Outlot B a distance of 0.74 feet to the Point of Beginning; thence South 89 degrees 43 minutes 39 seconds East a distance of 3.85 feet; thence South 00 degrees 16 minutes 21 seconds West a distance of 12.20 feet; thence South 89 degrees 43 minutes 39 seconds East a distance of 1.51 feet; thence South 00 degrees 16 minutes 21 seconds West a distance of 1.52 feet; thence South 89 degrees 43 minutes 39 seconds East a distance of 3.99 feet; thence South 00 degrees 16 minutes 21 seconds West a distance of 15.11 feet; thence North 89 degrees 43 minutes 39 seconds West a distance of 9.35 feet to the said west line of Outlot B; thence North 00 degrees 16 minutes 21 seconds East a distance of 28.83 feet to the point of beginning.

Parcel C: (Abstract)

Outlot A, Alla-Bar City Second Addition, Washington County, Minnesota.



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

CASE NO. : 23-7-CUP

CASE NAME : A New Hope Preschool

DATE : 2-27-2023



City of White Bear Lake Fire Department

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



January 31, 2023

A New Hope Childcare
955 Wildwood Rd
White Bear Lake, MN 55110

Dear Elisheba:

Thank you for submitting documents for Fire Department review. The plans for the above project located at 955 Wildwood Rd. 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. All State daycare licensing requirements shall be met including a fire / life safety inspection and licensing inspection.
2. The fire sprinkler system shall be installed compliant with provisions of 2016 NFPA Standard 13, Installation of Sprinkler Systems. The alterations of this location will require a City permit **prior** to initiation of work.
3. The sprinkler system shall be current on annual inspection and testing. Any deficiencies noted during those reports shall be corrected.
4. A fire alarm system, shall be installed compliant with provisions of 2016 NFPA Standard 72, National Fire Alarm Code for an I-4 occupancy. A City permit is required **prior** to initiation of work. Carbon Monoxide detection is required and shall be monitored by the fire alarm system.
5. Address number shall be plainly visible from the street fronting the property and shall contrasting color from the background.
6. Provide keys for emergency access into and throughout the occupancy as required. The White Bear Lake Fire Department will secure the keys within the fire department lock box.
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.



City of White Bear Lake Fire Department

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



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, breched or penetrated.
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

Ashton Miller

From: Alexandra Spychalla <lexandraaetersonp@gmail.com>
Sent: Thursday, March 2, 2023 1:27 PM
To: Ashton Miller
Subject: A New Hope Preschool's Impact on My Family

Hi there,

My name is Allie Spychalla and I am writing to let you know how A New Hope Preschool has impacted my family.

My son joined the infant classroom in August 2022. Prior to that, he was at a different daycare that was not a good fit – they would let him cry in a bouncer for sometimes 30 minutes straight (among other examples). You can't prepare a new mom to hear and see your baby not being taken care of – nor should you! My husband and I both work full time – I am a Sr Content Analyst and my husband is a Sheet Metal worker. Daycare is our only option to support our family. I was heartbroken and on the search for a new daycare. I think I called every daycare center and in home daycare for availability within a 25 mile radius. Places either didn't have availability for an infant or were outrageously expensive. Finally, my search lead us to meet with Elisheba and Julie at A New Hope Preschool. As their name suggests, they were a new hope and saving grace for my family. Not only were they affordable and understanding, but after attending A New Hope Preschool, I could see a change in my son's behavior almost immediately. Instead of my son coming home without a voice from crying all day (at the old daycare), he was engaged and smiling. He was taking naps during the day! When I drop him off in the morning, he gets the biggest smile on his face and kicks his legs for being so excited to spend the day with his teacher(s) and other classmates. I can tell that he feels safe and loved. That means everything to me. They keep me informed during the day to let me know when he naps, eats /drinks bottles, bathrooms and does learning activities. I love that they have circle time, music class, etc. which will prepare him for school as he gets older. They also send the most adorable photos of him which is so awesome. Because I work full time, it means a lot to stay up to date with what he is doing. Everyone at A New Hope is very flexible, understanding, and down to earth. If I need to send them a message, they are very responsive in their app (Procare). They send regular updates to everyone about changes in process/news for the daycare. They also do amazing programs for the daycare and community such as the Scholastic program, Fresh Threads Express (clothing drive), Trunk or Treat, Pie Social, and a Holiday Show. They are a daycare that CARES! I am so thankful for them!

To hear that they are in the process of approval to move locations is exciting! This will help them so much and will be very beneficial to the children, including my son. They have my family's fullest support!

Please do not hesitate to reach out to me directly if you would like more information about A New Hope Preschool's impact on my family.

Thank you so much for your time,

Allie Spychalla
507-301-5910
lexandraaetersonp@gmail.com
2669 Cedar Ave
White Bear Lake, MN 55110

Ashton Miller

From: Elizabeth Tettey <flower_629@hotmail.com>
Sent: Thursday, March 2, 2023 9:19 AM
To: Ashton Miller
Subject: A New Hope Preschool

Good morning,

Our son attends A New Hope Preschool and we have been very happy with their program and the teachers willingness to meet our son where he's at and continued support of his development and individual needs. The teachers consistently provide excellent communication and attention to our son. We support their move to the new location and will be moving with them.

I am a Ramsey County Social Worker of 16 years and my husband is a dentist. We know how valuable high quality early childhood care is and are so grateful to have found A New Hope.

Thank you,
Elizabeth Tettey
651-605-5034



A NEW HOPE

Preschool and ECE Program

To Whom it May Concern.

My name is Elisheba Churchill, and I am requesting the use of 955 Wildwood Rd. for a Child Care Program. A New Hope Preschool and ECE Program is currently licensed with the State of MN for the capacity of 4 infants, 14 toddlers, and 14 preschoolers. Moving to the new location would increase childcare for the community this would include adding school age care. This transition would also create employment opportunities for the community.

Congress activities, Accomplishments and Vision:

- Currently, I am working with State Representative Jim Nash and Legislative Assistant Sam Moyer, regarding financial issues on a County and State level child care providers face.
- I have worked with Ramsey County, District 1, Commissioner Nicole Frethem who supported me through adversities I personally faced while opening my program. Once the program is settled, at Commissioner Nicole's request, I look forward to the opportunity to speak before committees and other boards regarding child care issues providers continue struggling to navigate.

My hope is to represent and roll model for other professional child care providers the courage to embraces partnerships and knowledge of the city, the county, the state, and the government. To show these providers results of what working together can lead to for the child care community. Understanding that without trust and relationships between all parties, there will not be a truly long lasting and effective solutions for the child care challenges we as a nation continue to face.

A New Hope Preschool and ECE Program was the first licensed commercial rule 2 program in Ramsey County. We transitioned to rule 3 to provide more support to the community.



A NEW HOPE

Preschool and ECE Program

Commitment to the Community:

Our program has supported the community thus far by volunteering our time, skill set, and resources to TWIN CITIES OUTREACH and provided them with child entertainment for their event in August 2022. I cannot give you an exact number of children and families that came through, but we did completely empty 27 cans of hairspray colors! It was extremely successful and a joy to be able to serve the community in this way!

A New Hope Preschool successfully collected and fulfilled the requested items needed for FRESH THREADS EXPRESS! Fresh Threads Express is a community bus transformed into a high-end clothing store for low-income families. Families receive tickets or dollars to enjoy the shopping experience and the opportunity to possess quality clothing for their children and families!

Thank you all for your time and consideration to support the continuing efforts of providing high quality child care so desperately needed for all communities.

We are grateful for our current and future opportunities to serve the amazing families of this community and surrounding areas!

I have attached the current and possible architectural floor plan for your review, along with our program's introduction. Looking forward to teaming up with the city! Have a great day!

Elisheba Churchill

anewhopepreschool@gmail.com

651-493-2833



A NEW HOPE

Preschool and ECE Program

Current Physical Space:

955 Wildwood Rd currently has 5 doors leading directly outside and a sprinkler system. The location is also equipped with 2 toilets and 2 hand sinks, this will allow for 30 children over the age of 2.5 yrs of age. Our program has 2 potty chairs that are high quality, costing 120 apiece, ensuring the health and safety of the 30 children under age 2.5 we can serve with these potty chairs. To confirm, infants have no legal requirements for toilet and the program has 3 non-plumbing hand washing sinks. All items listed above have been discussed and approved by our DHS Program Licensor, pending appropriate approvals and inspections need of course.

The only change needed immediately would be the need to bring running water into the soon to be kitchen area and I did have a licensed Plumber come out to the location. The Plumber stated no ground digging would be needed to achieve this. We would need to connect into the current water supply that is extremely accessible as it runs up the wall in the utility room. We will later make changes to the floor plan ensuring not to spike tuition rates for the families we will and currently serve.

I will be working with the following companies/ Licensed persons:

Platinum Finishes Inc. for wall placement

Innovative Fire Systems, LLC to meet the I-4 building requirements

Tim Grace and Frank Saunby for plumbing needs

I would also like to request placing a long and narrow play space in the back parking lot area, ensuring not to block any driving space needed. If this would not be approved the location still meets the legal requirements of a child care center by having a park within 1500 feet of the program.



A NEW HOPE

Preschool and ECE Program

Introduction

A New Hope Preschool ECE Program is a place that provides child care for families who are wanting their children to learn at an age-appropriate level academically, socially, and emotionally. In addition to providing a loving, healthy, and safe environment. We ensure this to our families by transparent teachers with adequate experience teaming up with families and supporting, with guidance, your children on their own unique path. At A New Hope Preschool ECE Program your child's academic needs will be met by providing a curriculum that includes Literacy, STEAM, Sensory, Social / Emotional, Dramatic Play and Geography. A large piece of this curriculum is Social Emotional. Too often the importance of this is overlooked. People may have all the Cognitive skills down however, without the confidence, boundaries, respecting boundaries, labeling their own emotions, and empathy for others that is all they will be Cognitive skills. Without the social / emotional piece they will never learn how to apply the wonderful cognitive skills properly and successfully they have and will continue to learn. When you place your child(ren) in our care we believe it is our priority to ensure your child develops a whole solid foundation that will continue to be built on as they grow and continue their journey down their own unique path of life. Our hope is to help ensure your child has the confidence and the know how to be exactly who they are as they face trials and tribulations this world offers us all and they will learn to grow from these experiences and not be defined by them.

ANNOTATION SYMBOLS	
	DRAWING NUMBER
	DRAWING TITLE / NAME
	1/8"=1'-0" (SCALE)
	REVISION CLOUD & TRIANGLE
	NORTH ARROW
	Room name
	ROOM TAG # NUMBER
	SECTION & DETAIL MARKS
	ELEVATION TAGS
	EXISTING WALL
	WALL TO BE REMOVED
	NEW WALL
	WALL TYPE TAG
	DOOR WITH DOOR NUMBER
	WINDOW WITH WINDOW NUMBER
	ELEVATION CALLOUTS WITH FINISH DESIGNATION
	PLAN FINISH DESIGNATION

ABBREVIATIONS	
AFF	ABOVE FINISHED FLOOR
ACC	ACCESS
ACT	ACOUSTICAL
AGG	AGGREGATE
AC	AIR CONDITIONING
ALT	ALTERNATE
AL	ALUMINUM
ARCH	ARCHITECT
AUTO	AUTOMATIC
BD	BOARD
BEG	BEARING
BM	BENCHMARK
BIT	BITUMINOUS
BLK	BLOCK
BO	BY OWNER
BOT	BOTTOM
CPT	CARPETED
CASMT	CASEMENT
CK	CAULKING
CLG	CEILING
CER	CERAMIC
CT	CERAMIC TILE
CIR	CIRCLE
CL	CENTERLINE
CLR	CLEAR
COL	COLUMN
CONC	CONCRETE
CMU	CONCRETE MASONRY UNIT
CTR	CONTRACT
CJ	CONTROL JOINT
CORR	CORRUGATED
DEMO	DEMOLISHED, DEMOLITION
DET	DETAIL
DIA	DIAMETER
DIM	DIMENSION
DIV	DIVISION
DR	DOOR
DH	DOUBLE HUNG
DRAIN	DRAIN TILE
DWR	DRAWER
DWG	DRAWING
DW	DISHWASHER
E	EAST
EFIS	EXTERIOR INSULATION FINISH SYSTEM
ELEC	ELECTRICAL
ELEV	ELEVATION
EMER	EMERGENCY
EQ	EQUAL
EOP	EQUIPMENT
EXIST	EXISTING
EXP	EXPOSED
EXT	EXTERIOR
FOC	FACE OF CONCRETE
FOF	FACE OF FINISH
FOM	FACE OF MASONRY
FOS	FACE OF STUDS
FIN	FINISHED
FLR	FLOOR
FFE	FURNISHINGS, FIXTURES & EQUIPMENT
FE	FIRE EXTINGUISHER
FEC	FIRE EXTINGUISHER CABINET
FLG	FLASHING
FD	FLOOR DRAIN
FLUR	FLOOR FINISH
FTG	FOOTING
FND	FOUNDATION
FUR	FURRED (ING)
FUT	FUTURE
GA	GAUGE
GC	GENERAL CONTRACTOR
GL	GLASS, GLAZING
GB	GRAB BAR
GRD	GRADE
GYP BD	GYP-SUM BOARD
HDW	HARDWARE
HDR	HEADER
HTG	HEATING
HVAC	HEATING/VENTILATING/AC
HD	HEAVY DUTY
HT	HEIGHT
HC	HOLLOW CORE
HM	HOLLOW METAL
HOR	HORIZONTAL
HR	HAND RAIL
HB	HOSE BIB
INCL	INCLUDE (D) (ING)
ID	INSIDE DIAMETER
INS	INSULATE (D) (ING)
INT	INTERIOR
INV	INVERT
KIT	KITCHEN
KO	KNOCK OUT
LAM	LAMINATE (D)
LAV	LAVATORY
LH	LEFT HAND
LL	LIVE LOAD
LVL	LAMINATED VENEER LUMBER
MFR	MANUFACTURE (D) (ER)
MAS	MASONRY
MO	MASONRY OPENING
MECH	MECHANICAL
MED	MEDIUM
MBR	MEMBER
MN	MINIMUM
MISC	MISCELLANEOUS
NOM	NOMINAL
N	NORTH
NIC	NOT IN CONTRACT
NTS	NOT TO SCALE
OC	ON CENTER
OPG	OPENING
OPP	OPPOSITE
OD	OUTSIDE DIAMETER
OH	OVERHEAD
PT	PAINT
PED	PEDESTAL
PLAM	PLASTIC LAMINATE
PLY WD	PLYWOOD
PFR	PER MANUFACTURER'S RECOMMENDATIONS
PNT	POINT
PVC	POLYVINYL CHLORIDE
PLF	POUNDS PER CUBIC FOOT
PLF	POUNDS PER LINEAL FOOT
PSF	POUNDS PER SQUARE FOOT
QT	QUARRY TILE
R	RADIUM
RCP	REFLECTED CEILING PLAN
REF	REFERENCE
REFR	REFRIGERATOR
REV	REVISED, REVISION(S)
RHT	RIGHT HAND
RHW	RIGHT OF WAY
RD	ROOF DRAIN
RM	ROOM
RO	ROUGH OPENING
RO	ROUGH OPENING
S	SOUTH
SCH	SCHEDULE
SEC	SECTION
SHT	SHEET
SH	SHELF, SHELVING
SC	SOLID CORE
SPK	SPEAKER
SPEC	SPECIFICATION(S)
SQ	SQUARE
SS	STAINLESS STEEL
ST	STAIN
STD	STANDARD
STA	STATION
STO	STORAGE
SUS	SUSPENDED
SYS	SYSTEM
TEL	TELEPHONE
TV	TELEVISION
THK	THICKNESS
TPD	TOILET PAPER DISPENSER
T&G	TONGUE AND GROOVE
TOS	TOP OF SLAB, TOP OF STEEL
TR	TRANSOM
TOC	TOP OF CURB
UON	UNLESS OTHERWISE NOTED
VAPOR	VAPOR BARRIER
VAR	VARNISH
VFY	VERIFY
VIF	VERIFY IN FIELD
VCG	VINYL-COATED GYPSUM BOARD
VERT	VERTICAL
VIN	VINYL
VB	VINYL BASE
VF	VINYL FABRIC
VTL	VINYL TILE
WH	WALL HUNG
WC	WATER CLOSET
WR	WELDED WIRE FABRIC
W	WEST
WI	WITH
WIN	WINDOW
WM	WIRE MESH
WO	WITHOUT
WD	WOOD
WPT	WORKING POINT

GENERAL PROJECT NOTES

- SUBMITTAL OF A BID CERTIFIES THAT THE CONTRACTOR, SUBCONTRACTOR, VENDOR, PERSON, OR CORPORATION, ISSUING THE BID HAS REVIEWED THE ENTIRE SET OF DRAWINGS AND HAS VISITED THE SITE OF CONSTRUCTION. SAID PERSON(S) IS RESPONSIBLE FOR ALL ITEMS NORMALLY INCLUDED IN THEIR WORK UNLESS OTHERWISE NOTED IN THESE DOCUMENTS.
- CONTRACTOR SHALL CAREFULLY STUDY AND COMPARE ALL DRAWINGS DURING THE BIDDING PERIOD AND BEFORE COMMENCEMENT OF THEIR WORK. ANY INCONSISTENCIES IN THE DRAWINGS SHALL BE REPORTED PROMPTLY TO THE ARCHITECT FOR CLARIFICATION.
- INFORMATION IN THESE DOCUMENTS IS COMMUNICATED IN THE FORM OF DATUMS, NOTES, SYMBOLS, ETC. THE PRODUCERS OF THESE DRAWINGS ARE NOT HELD LIABLE FOR AN MISUSE OF THESE DOCUMENTS. INFORMATION IN THESE DOCUMENTS IS COMMUNICATED IN THE FORM OF DATUMS, NOTES, SYMBOLS, ETC. THE PRODUCERS OF THESE DRAWINGS ARE NOT HELD LIABLE FOR AN MISUSE OF THESE DOCUMENTS.
- THESE DOCUMENTS ARE MEANT TO INDICATE THE GENERAL SCOPE OF THE PROJECT IN TERMS OF ARCHITECTURAL DESIGN CONCEPT, THE DIMENSIONS OF THE BUILDING, THE MAJOR ARCHITECTURAL ELEMENTS. THE DRAWINGS DO NOT NECESSARILY INDICATE OR DESCRIBE ALL WORK REQUIRED FOR FULL PERFORMANCE AND COMPLETION OF THE REQUIREMENTS OF THE CONTRACT RELATING TO THE BASIS OF THE GENERAL SCOPE. INDICATED OR DESCRIBED, THE TRADE CONTRACTOR SHALL FURNISH ALL ITEMS REQUIRED FOR THE PROPER EXECUTION AND COMPLETION OF THE WORK.
- AIA DOCUMENT A201, 1997 EDITION IS HEREBY INCORPORATED INTO THESE DOCUMENTS BY THIS REFERENCE. A COPY OF THE AIA DOCUMENT A201 IS ON FILE AT THE ARCHITECT'S OFFICE AND WILL BE MADE AVAILABLE UPON REQUEST.
- THE GC SHALL FILE ALL DRAWINGS FOR PERMIT APPLICATION OR OTHER MATERIALS, INCLUDING LICENSES REQUIRED TO SECURE ANY AND ALL NECESSARY BUILDING PERMITS AS MIGHT BE REQUIRED. THE GC SHALL FILE ALL DRAWINGS FOR PERMIT APPLICATION OR OTHER MATERIALS, INCLUDING LICENSES REQUIRED TO SECURE ANY AND ALL NECESSARY BUILDING PERMITS AS MIGHT BE REQUIRED.
- THE GC SHALL MAINTAIN A CURRENT AND COMPLETE SET OF CONSTRUCTION DRAWINGS ON THE SITE DURING ALL PHASES OF CONSTRUCTION FOR USE OF ALL TRADES.
- THE GC'S WORK SHALL INCLUDE SUPERVISION AND COORDINATION OF ALL SUBCONTRACTORS WORK, AND WORK PERFORMED BY OTHERS.
- ALL DIMENSIONS ARE GIVEN FACE OF STUD TO FACE OF STUD. WALL AND/OR PARTITION THICKNESS DIMENSIONS ARE NOMINAL. SEE WALL SECTIONS AND/OR PARTITION TYPES FOR EXACT CONSTRUCTION.
- ADDITIONS, ALTERATIONS, AND REPAIRS TO EXISTING BUILDINGS SHALL BE SO CONSTRUCTED THAT NO EXISTING BUILDING, STRUCTURAL, ELECTRICAL, PLUMBING, OR MECHANICAL SYSTEM BECOMES UNSAFE OR OVERLOADED.
- ALL CONSTRUCTION SHALL CONFORM TO ALL APPLICABLE CODES. IF SUCH RULES AND REGULATIONS ARE IN CONFLICT WITH ANY PORTION OF THESE DOCUMENTS, THE ARCHITECT SHALL BE INFORMED BEFORE PROCEEDING.
- THE GC'S WORK SHALL INCLUDE CLEAN-UP OF ALL CONSTRUCTION DEBRIS AND DIRT FROM THE SITE, ADJACENT AREAS OR PROPERTIES. CLEANING SHALL BE PER MANUFACTURER'S INSTRUCTIONS ON ALL FINISH SURFACES.
- UPON COMPLETION OF PROJECT, THE GC SHALL OBTAIN ALL FINAL INSPECTIONS AS REQUIRED BY LOCAL JURISDICTIONS AND FURNISH OWNER WITH EVIDENCE OF ALL SUCH INSPECTIONS AND CERTIFICATES OF OCCUPANCY.
- UPON COMPLETION OF PROJECT, THE GC SHALL PROVIDE OWNER WITH ALL INSTRUCTION MANUALS, WARRANTIES OR OTHER DOCUMENTS REQUIRED FOR OPERATION OR MAINTENANCE OF ANY ITEM IN THE CONTRACTORS WORK.
- ALL MEANS OF EGRESS AND FIRE PROTECTION SHALL BE MAINTAINED AT ALL TIMES. ANY SHUTDOWN OF LIFE SAFETY OR BUILDING SYSTEMS SHALL BE APPROVED AND COORDINATED IN ADVANCE WITH THE OWNER AND LOCAL BUILDING DEPARTMENT.

SHEET INDEX

SHT NUMBER	SHT NAME	ISSUED FOR	ISSUE DATE	REVISION	REVISION DATE
A0.1	TITLE PAGE	CITY SUBMIT	01.05.2023		
A2.1	FLOOR PLAN	CITY SUBMIT	01.05.2023		
A2.2	RCP # EXITING	CITY SUBMIT	01.05.2023		



SITE MAP TO SHOW OUTDOOR PLAYSPACE FROM CHILD CARE INTERIOR SPACE.
WEDGEWOOD PARK IS ADJACENT TO CHILD CARE SPACE
 APPROXIMATE 0.4 MILES FROM REAR EXIT.

PROJECT TEAM

OWNER/CLIENT	GENERAL CONTRACTOR
A NEW HOPE PRESCHOOL 3596 LINDEN AVE B2 WHITE BEAR LAKE, MN 55110	TBD - CONTACT OWNER/CLIENT FOR INFORMATION
ELISHEBA CHURCHILL anehopepreschool@gmail.com 651-369-8304	
ARCHITECT	
PROGRESSIVE ARCHITECTURE 4920 OTTER LAKE ROAD WHITE BEAR LAKE, MN 55110	
SCOTT MOWER smower@progressivearch.com	
LANA LARSON larson@progressivearch.com 651-292-1061	

CONSTRUCTION ADMIN

- ONLY REQUIRED SHOP DRAWINGS OR SUBMITTALS ARE TO BE SUBMITTED TO THE ARCHITECT FOR APPROVAL.
- ALL SUBMITTALS TO BE DELIVERED TO ARCHITECT'S OFFICE IN COMPLETION WITH ALL PAPERWORK, SAMPLES AND LITERATURE TO REVIEW SUBMITTED TOGETHER. ARCHITECT TO REVIEW SUBMITTALS WITH OWNER PRIOR TO APPROVAL.

IBC 2020 CODE REVIEW

OCCUPANCY GROUP		SEPARATION REQUIRED BETWEEN OCCUPANCIES		OCCUPANCY CLASSIFICATION	
CHILD CARE	I-4 LICENSED CHILD CARE FACILITY	I HR -	SINGLE OCCUPANCY.	NAME	I-4 OCCUPANCY-SEC_308.5
				SQ. FT.	3,788
				FACTOR	1/35
				LOAD	108
				EXISTS REQ'D	2"
				EXISTS GIVEN	3
				TYPE OF CONSTRUCTION	J-B
				SPRINKLERED BUILDING	YES

OCCUPANCY GENERAL NOTES

- THIS PROJECT REQUIRES MINNISC AND MN DEPARTMENT OF HUMAN SERVICES FOR CODES AND LICENSING CODES. REFER TO MINNISC TABLE ON A-11, 2020 (2019) AND MN DEPT. OF HEALTH TABLE ON A2-3, 2020 (2019).
- PER TABLE 1004.5 OCCUPANCY FACTOR.
 - DAYCARE - 1/35
 - OFFICE AREAS 1/150
 - COMMON PATH IN LA = 75 FEET, 2020 NBC TABLE 1006.2.1.
 - MAX SEAD END CORRIDOR IN LA = 20 FEET, 2020 NBC SECTION 1030.4
- 2020 NBC SECTION 907.2.6.4 MANUAL AND AUTOMATIC FIRE ALARM SYSTEM. AND, AUTOMATIC SMOKE DETECTION IS REQUIRED.
 - 907.2.6.4 GROUP I-4 OCCUPANCIES, GENERAL.
 - A MANUAL AND AUTOMATIC FIRE ALARM SYSTEM SHALL BE INSTALLED IN GROUP I-4 OCCUPANCIES IN ACCORDANCE WITH SECTIONS 907.2.6.4.1 THROUGH 907.2.6.4.2.
 - 907.2.6.4. INITIATION.
 - INITIATION OF THE FIRE ALARM SYSTEM SHALL BE BY MANUAL AND AUTOMATIC MEANS. APPROVED AUTOMATIC FIRE DETECTORS SHALL BE INSTALLED IN LAUNDRY AND SOLID LINEN ROOMS, BOILER AND FURNACE ROOMS, MECHANICAL AND ELECTRICAL ROOMS, SHOPS, LABORATORIES, KITCHENS, LOCKER ROOMS, CLOSET, CLOSETS, TRASH-COLLECTION ROOMS, STORAGE ROOMS, LOUNGES, GIFT SHOPS, AND SIMILAR AREAS. AUTOMATIC SMOKE DETECTORS SHALL BE PROVIDED IN CORRIDORS AND AREAS THAT ARE OPEN TO CORRIDORS.
 - 907.2.6.4.2 NOTIFICATION.
 - ACTIVATION OF THE FIRE ALARM SYSTEM OR AUTOMATIC SPRINKLER SYSTEM SHALL INITIATE A GENERAL EVACUATION SIGNAL. IN ADDITION, ACTIVATION OF THE FIRE ALARM SYSTEM SHALL IMMEDIATELY TRANSMIT AN ALARM SIGNAL TO AN APPROVED CENTRAL STATION OR REMOTE STATION SERVICE.
- TABLE 1006.2 - I-4 - SPRINKLER
 - MAX TRAVEL DISTANCE SINGLE EXIT = 75'
 - MAX OCCUPANTS / SPACE AREA WITH ONE EXIT = 10'
 - SEE CODE REVIEW PLAN FOR ADDITIONAL EXITING FROM SPACES WITHIN DAYCARE
- TABLE 1017.2 I-4 - SPRINKLER
 - **EXIT TRAVEL DISTANCE - MULTIPLE EXITS = 200'

PLUMBING FIXTURES

OCCUP	LOAD	WATER CLOSETS					LAVATORIES					SHOWERS					DRINKING FOUNTAIN			SERVICE SINK			
		REQUIRED	GIVEN				REQUIRED	GIVEN				REQUIRED	GIVEN				REQUIRED	REQ'D	GIVEN	REQ'D	GIVEN		
		FACTOR	MALE	FEMALE	MALE	FEMALE	UNISEX	FACTOR	MALE	FEMALE	MALE	FEMALE	UNISEX	FACTOR	MALE	FEMALE	MALE	FEMALE	FACTOR	REQ'D	GIVEN	REQ'D	GIVEN
I-4	1/15	1/15					2"	1/15					2"	-	-	-	-	-	1/500	1	1	1	1

* REMAINING 6 WATER CLOSETS REQUIRED WILL BE MN HEALTH CARE DEPARTMENT APPROVED PORTABLE WATER CLOSETS (JUVENILE SIZE)

* REMAINING 1 LAVATORY REQUIRED WILL BE MN HEALTH CARE DEPARTMENT APPROVED PORTABLE HAND WASH SINKS (JUVENILE SIZE)

PROGRESSIVE Architecture

4920 OTTER LAKE ROAD, WHITE BEAR LAKE, MN 55110
WWW.PROGRESSIVEARCH.COM 651.292.1061

REVISIONS:

No.	Description	Date

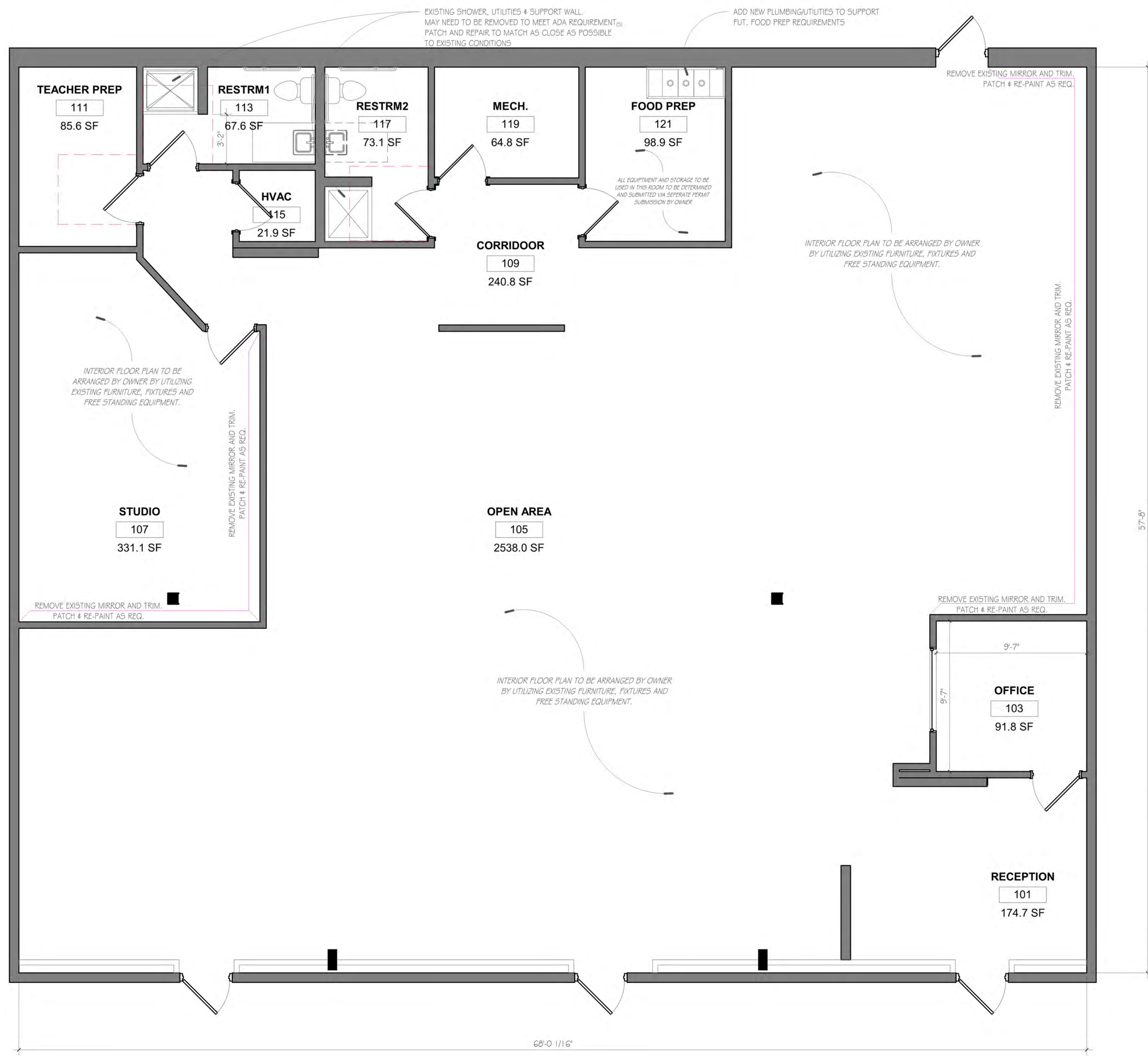
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

01.05.2023 19826
 SCOTT C. MOWER DATE LICENSE # NHDC
 Project Number
 Date 01.05.2023
 Drawn By PA

A NEW HOPE PRESCHOOL

955 Wildwood Road
Mahtomedi, MN 55115

A0.1
TITLE PAGE
PERMIT SET



1 FIRST FLR PLAN
1/4" = 1'-0"

- GENERAL NOTES**
1. VERIFY CONDITIONS NOTED AS EXIST. AND NOTIFY ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES.
 2. PROTECT EXIST CONSTRUCTION TO REMAIN FROM DAMAGES DUE TO DEMOLITION/CONSTRUCTION ACTIVITIES. PHASE PROJECT TO MINIMIZE CONSTRUCTION DUST AND DISRUPTION TO DAILY WORKINGS OF ADJACENT AREAS.
 3. PATCH EXIST SURFACES DAMAGED OR ALTERED BY THIS WORK WITH MATERIALS TO MATCH EXIST ADJACENT SURFACES. COORDINATE ELECTRICAL, MECHANICAL AND PLUMBING REQUIREMENTS AS REQUIRED. COORDINATE WITH LOW VOLTAGE SUPPLIERS, ON LOCATION OF TELEVISIONS, COMPUTERS AND WIRELESS CHARGING STATIONS. PROVIDE BACKING WHERE REQD TO SUPPORT WALL MOUNTED EQUIPMENT.
 4. AREAS SHOWN IN GRAY ARE EXISTING, TO REMAIN.
 5. ALL DIMENSIONS PROVIDED ARE FROM FACE OF STUD TO FACE OF STUD, SHEATHING OR OTHER STRUCTURAL ELEMENT, UNON.
 6. DIMENSIONS PROVIDED FROM EXISTING BUILDING COMPONENTS ARE FROM FACE OF FINISH, UNLESS OTHERWISE NOTED.
 7. WALLS SHOWN ARE TO REMAIN 'AS IS'. SPACE HAS BEEN GENERALLY FIELD MEASURED AND EXISTING SPACES NOTED.
 8. INDIVIDUAL SPACES FOR STUDENTS TO BE DESIGNED WITH FREE STANDING FURNITURE, FIXTURES AND EQUIPMENT TO ADHERE TO DHS STATE.MN.US.LICENSING AS REQUIRED BY CODE.

Child Care Center Ratios and Group Sizes, by Age Category

Age Category	Minimum Staff-to-Child Ratio	Maximum Group Size
Infant	1:4	8
Toddler	1:7	14
Preschooler	1:10	20
School-age child	1:15	30

ROOM SCHEDULE

NUMBER	NAME	AREA	WALL FINISH	FLOOR FINISH
101	RECEPTION	174.7 SF	PAINT	MODULAR CPT.
103	OFFICE	91.8 SF	PAINT	MODULAR CPT.
105	OPEN AREA	2538.0 SF	PAINT	MODULAR CPT.
107	STUDIO	331.1 SF	PAINT	MODULAR CPT.
109	CORRIDOOR	240.8 SF	PAINT	MODULAR CPT.
111	TEACHER PREP	85.6 SF	PAINT	MODULAR CPT.
113	RESTRM1	67.6 SF	TILE @48" AFF	FLOOR TILE
115	HVAC	21.9 SF	N/A	EXISTING
117	RESTRM2	73.1 SF	TILE @48" AFF	FLOOR TILE
119	MECH.	64.8 SF	N/A	EXISTING
121	FOOD PREP	98.9 SF	RFP TO 48" AFF	FLOOR TILE

PROGRESSIVE
Architecture

4820 OTTER LAKE ROAD, WHITE BEAR LAKE, MN 55110
WWW.PROGRESSIVEARCH.COM 651.292.1061

REVISIONS:

No.	Description	Date

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME, OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

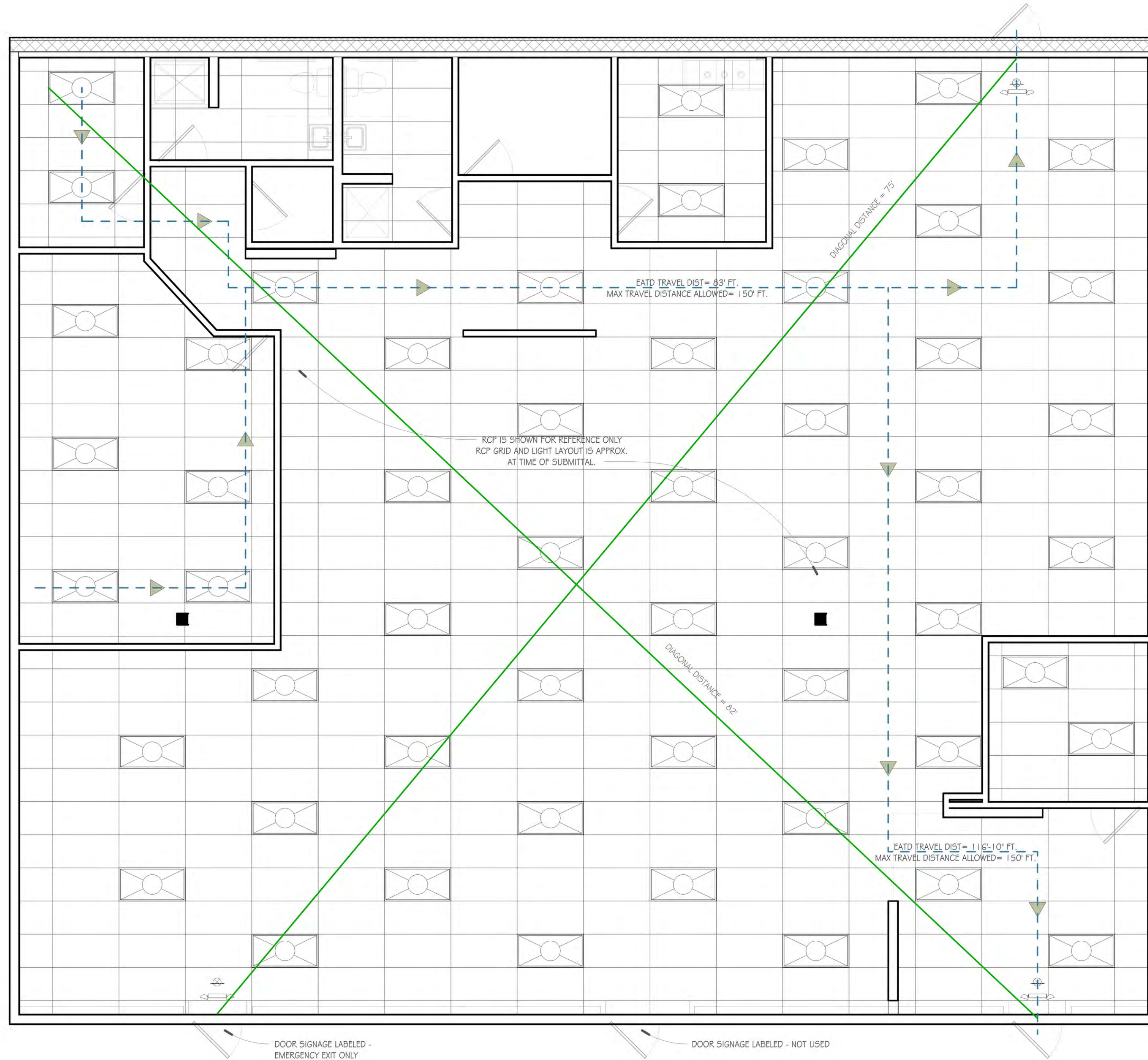
[Signature] 01.05.2023 19826
SCOTT C. MOWER DATE LICENSE #
Project Number NHDC
Date 01.05.2023
Drawn By PA

A NEW HOPE PRESCHOOL

955 Wildwood Road
Mahtomedi, MN
55115

A2.1 FLOOR PLAN

PERMIT SET



TAG	SYMBOL
A EXIT SIGN W/ EMERGENCY LIGHT	
B RECESSED 2x4	

- RCP SPECIFICATION NOTES**
1. FOR ANY FINISH QUESTIONS CONTACT LANA LARSON AT PROGRESSIVE ARCHITECTURE.
 2. CEILING HEIGHTS ARE NOTED ON THE RCP.
 3. CONTRACTOR TO ADJUST LIGHT FIXTURES AS REQUIRED, REPLACE OR REPAIR ANY BROKEN FIXTURES.
 4. LIGHT FIXTURE LOCATIONS ARE APPROXIMATE AND ARE SHOWN FOR REFERENCE ONLY.
 5. EXIT AND EMERGENCY EXIT LIGHTING AS SHOWN ARE EXISTING. REPLACE OR REPAIR AS REQUIRED.
 6. REPAIR OR REPLACE ANY BROKEN, STAINED OR IN GENERAL DISREPAIR (DISCRESSION BY OWNER) CEILING TILE TO MATCH AS CLOSE TO AS POSSIBLE TO EXISTING 2x4 ACOUSTICAL TILE.

1 FIRST FLR
1/4" = 1'-0"

REVISIONS:

No.	Description	Date

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

SCOTT C. MOWER DATE 01.05.2023 LICENSE # 19826
Project Number NHDC
Date 01.05.2023
Drawn By PA

A NEW HOPE PRESCHOOL

955 Wildwood Road
Mahtomedi, MN
55115

A2.2

RCP & EXITING

PERMIT SET



ROOM NAME	TOTAL SQ. FT.	INC. FURNITURE (-20%)	STUDENTS ALLOWED	TEACHERS REQ.
INFANT 1	371.2	297.0	8	2
TODDLER 1	618.0	494.4	14	2
PRESCHOOL 1	891.4	713.1	20	2
SCHOOL AGE 1*	187.4	149.9	4	2
Sub-Totals			47	6

* SCHOOL AGE 1 - BEFORE/AFTER CARE (MAY NEED NEED TO DEDUCT -20-25%)

FIXTURE COUNT	RATIO	# OF TOILETS REQ.
Students	1 per 15	3
Adults	1 per 25	1

AGE CATEGORY	AGE RANGE	MIN. STAFF-to-CHILD RATIO	MAX. GROUP SIZE
INFANT	6 wks. TO 16 mo.	1:04	8
TODDLER	16 wks. TO 33 mo.	1:07	14
PRESCHOOL	33 mo. TO KINDER	1:10	20

*<http://www.dhs.state.mn.us/licensing>

PROGRESSIVE Architecture

4820 OTTER LAKE ROAD, WHITE BEAR LAKE, MN 55110
WWW.PROGRESSIVEARCH.COM 651.292.1061

REVISIONS:

No.	Description	Date

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME, OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

09.14.2022 19826
SCOTT C. MOWER DATE LICENSE #
Project Number NHDC
Date 09.14.2022
Drawn By PA

A NEW HOPE DAY CARE

Enter address here

A2.1 FLOOR PLAN

SCH1

1 FIRST FLR PLAN
1/4" = 1'-0"



City of White Bear Lake
Engineering Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Paul Kauppi, Public Works Director / City Engineer
Date: March 14, 2023
Subject: **Granting of a Permanent Gas Pipeline Easement on City Property**

SUMMARY

The City Council will consider adopting a resolution authorizing staff to grant an easement to Xcel Energy for a gas service at 4910 Highway 61.

BACKGROUND INFORMATION

The McNeely Music Center located at 4910 Highway 61 is currently under construction. Xcel Energy contacted the City requesting a permanent gas pipeline easement in order to install a gas service the new building. The proposed easement is along the west lot line of the City parking lot off of 8th Street that is just east of the new McNeely Music Center.

Xcel Energy is requesting an easement over, under and across the West 5.00 feet of the South 80 feet of the City Property (PIN 143022140107) as shown on Exhibit A.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution granting an easement to Xcel Energy for a gas service to 4910 Highway 61.

ATTACHMENTS

Resolution
Exhibit A

RESOLUTION NO.

**RESOLUTION GRANTING A PERMANENT EASEMENT ON THE EIGHTH STREET
PARKING LOT PROPERTY**

WHEREAS, the City of White Bear Lake is the fee owner of certain real property in Ramsey County, Minnesota, located at 0 8th Street, White Bear Lake, Minnesota and legally described on the attached Exhibit A (Eight Street Parking Lot, PIN 143022140107); and

WHEREAS, Xcel Energy (NSP) has petitioned the City for rights to a permanent Gas Pipeline Easement; and

WHEREAS, City has agreed to grant Xcel Energy, (NSP), an easement on City's Property for a Gas Pipeline for the property at 4910 Highway 61.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota, that the Mayor and City Manager are hereby authorized to execute an Easement Agreement to grant Xcel Energy a permanent Gas Pipeline Easement.

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



NORTHERN STATES POWER
MINNESOTA

EXHIBIT A SHEET 1 OF 2



Scale: 1" = 50'

Certificate of Survey

Location: City of White Bear Lake, Ramsey County, Minnesota

Grantor: City of White Bear Lake

See Sheet 2 of 2 for descriptions.

RONALD'S 1ST ADDITION

BLOCK 1

LOT 2

N LINE OF BLOCK 23
WHITE BEAR

136±

W H I T E

B L O C K 2 3

HIGHWAY 61 N.

LOT 3

LOT 2

LOT 1

LOT 5

LOT 4

NWLY LINE OF THE STILLWATER &
ST. PAUL RR RIGHT OF WAY

266±

100' RAILROAD

SELY LINE OF THE STILLWATER &
ST. PAUL RR RIGHT OF WAY

272±

B L O C K 2 2

B E A R

EASEMENT

5'

08'

127±

162±

SW CORNER
OF BLOCK 23

S LINE OF BLOCK 23
WHITE BEAR

8TH STREET

COOK AVE.

PARCEL: CITY OF WHITE BEAR LAKE

SEC. 14, T. 30N., R. 22W.

CO.: RAMSEY



NORTHERN STATES POWER
MINNESOTA

EXHIBIT A SHEET 2 OF 2

Certificate of Survey

Location: City of White Bear Lake, Ramsey County, Minnesota

Grantor: City of White Bear Lake

"Property"

That part of the Stillwater and St. Paul Railroad as shown through Blocks 22 and 23 and Cook Avenue on WHITE BEAR, according to the recorded plat thereof, Ramsey County, Minnesota, described as:

Commencing at the southwest corner of said Block 23; thence easterly along the south line of said Block 23, a distance of 144 feet, more or less, to the northwesterly line of said Stillwater and St. Paul Railroad right-of-way, being the point of beginning of the land to be described; thence northeasterly along said Stillwater and St. Paul Railroad right-of-way a distance of 263 feet, more or less, to its intersection with the easterly extension of the northerly line of said Block 23; thence easterly, along said easterly extension of the northerly line of Block 23 and the northerly line of said Block 22, a distance of 136 feet, more or less, to the southeasterly line of said Stillwater and St. Paul Railroad right-of way; thence southwesterly along said southeasterly line of said Stillwater and St. Paul Railroad right-of-way a distance of 263 feet, more or less, to the south line of said Block 23; thence westerly along the south line of said Block 23 a distance of 126 feet, more or less, to the point of beginning.

Easement Area:

An easement over, under, and across the West 5.00 feet of the South 80.00 feet of the herein before described "Property".

Containing 510 square feet, more or less.

PARCEL: CITY OF WHITE BEAR LAKE

SEC. 14, T. 30N., R. 22W.

CO.: RAMSEY



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and City Council
From: Lindy Crawford, City Manager
Date: March 14, 2023
Subject: **Participation in the Minnesota Opioid Settlement – Teva, Allergan, CVS, Walgreens, Walmart**

SUMMARY

The City Council will consider a resolution authorizing participation in the national opioid settlement with Teva, Allergan, CVS, Walgreens, and Walmart.

BACKGROUND INFORMATION

The City Council opted into the national opioid settlement with McKesson, Cardinal Health, and Amerisource Bergen, and Johnson & Johnson on December 29, 2021 regarding the misconduct committed by those entities that engage in manufacture, marketing, promotion, distribution, or dispensing of opioids. Since that time an additional settlement has been reached with Teva, Allergan, CVS, Walgreens, and Walmart.

The City Council must adopt a resolution no later than April 18, 2023 in order to opt into the additional settlement. Funds would be distributed to the State of Minnesota, then Ramsey and Washington Counties before being issued to the City. Staff has identified potential uses for any funds received that fit within the approved remediation uses. Those potential uses include, but are not limited to, supporting opioid related counseling efforts at Northeast Youth and Family Services and offsetting City expenses for opioid related staff training and counseling.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution authorizing participation in the national opioid settlement.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION AUTHORIZING CITY OF WHITE BEAR LAKE PARTICIPATION IN
THE NATIONAL OPIOID SETTLEMENTS**

WHEREAS, the State of Minnesota, Minnesota counties and cities, and their people, have been harmed by misconduct committed by certain entities that engage in the manufacture, marketing, promotion, distribution, or dispensing of opioids; and

WHEREAS, the State of Minnesota and numerous Minnesota cities and counties joined with thousands of local governments across the country to file lawsuits against opioid manufacturer and pharmaceutical distribution companies and hold those companies accountable for their misconduct; and

WHEREAS, representatives of local Minnesota governments, the League of Minnesota Cities, the Association of Minnesota Counties, the Coalition of Greater Minnesota Cities, the State of Minnesota, and the Minnesota Attorney General’s Office negotiated and prepared a Memorandum of Agreement (MOA) to provide for the equitable distribution of proceeds to the State of Minnesota and to individual local governments from recent settlements in the national opioid litigation; and

WHEREAS, the City of White Bear Lake signed onto the MOA on December 29, 2021 to maximize Minnesota’s share of opioid settlement funds, demonstrate solidarity in response to the opioid epidemic, and ensure needed resources reach the most impacted communities; and

WHEREAS, additional settlements have since been reached with Teva, Allergan, CVS, Walgreens, and Walmart.

WHEREAS, it is in the best interests of the State of Minnesota and the residents of the City of White Bear Lake, and the Counties of Ramsey and Washington, that the City participate in the additional national opioid settlements.

NOW, THEREFORE, be it resolved by the City Council of the City of White Bear Lake, Minnesota that the City of White Bear Lake supports and opts-in to the national opioid settlement with Teva, Allergan, CVS, Walgreens, and Walmart.

BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to take such measures as necessary to participate in the national opioid settlements, including executing the Participation Agreement and accompanying Release.

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

Ayes:

Absent:

RESOLUTION NO.

Nays:
Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Caley Longendyke, City Clerk
Date: March 14, 2023
Subject: Off-sale liquor license for TLC Liquors LLC, dba MGM Wine & Spirits

SUMMARY

The City Council will consider adopting a resolution approving an off-sale liquor license to TLC Liquors LLC, dba MGM Wine & Spirits.

BACKGROUND INFORMATION

Tin and Vathana Leam, on behalf of TLC Liquors LLC, submitted an application for an off-sale liquor license at MGM Wine & Spirits located at 4444 Highway 61 North in White Bear Lake. An off-sale liquor license was issued to the previous store owner, C & C Wine & Spirits LLC, dba MGM Liquor Warehouse.

A review of the background report provided by the White Bear Lake Police Department found nothing to preclude issuance of the license to the applicant. The approved license would be issued for the new business cycle starting April 1, 2023 and ending March 31, 2024.

The license will be issued upon receipt of a certificate of liability insurance with liquor liability coverage for the entire license period.

RECOMMENDATIONS

Staff recommends the City Council adopt the attached resolution approving an off-sale liquor license for TLC Liquors LLC, dba MGM Wine & Spirits, contingent upon submission of a certificate for liquor liability.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION APPROVING AN OFF-SALE LIQUOR LICENSE FOR TLC LIQUORS LLC, DBA
MGM WINE & SPIRITS IN WHITE BEAR LAKE**

WHEREAS, the City of White Bear Lake received an application from Tin and Vathana Leam on behalf of TLC Liquors LLC, dba MGM Wine & Spirits, for an off-sale liquor license at 4444 Highway 61 North, White Bear Lake, MN; and

WHEREAS, there was an existing liquor store at the same location prior to the new owners, and the previous business owners held the same type of liquor license;

WHEREAS, the city clerk has reviewed all submittals and found the application to be in conformance with the criteria for issuing an off-sale liquor license; and

WHEREAS, upon completion of the applicants' background checks, the White Bear Lake Police Department found nothing to preclude issuance of this liquor license; and

WHEREAS, this approved license would take effect April 1, 2023 and would be valid through the end of the business cycle on March 31, 2024.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota approves the issuance of an off-sale liquor license, effective April 1, for the following:

Tin and Vathana Leam on behalf of
TLC Liquors LLC
dba MGM Wine & Spirits
4444 Highway 61 North
White Bear Lake, MN 55110

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: March 14, 2023
Subject: Resolution approving a Logo Copyright Agreement

SUMMARY

The City Council will consider adopting a resolution that authorizes the Mayor and City Manager to execute a transfer of copyright agreement for bear logo drawings.

BACKGROUND INFORMATION

Dan Jones, White Bear Lake resident and Councilmember, created a collection of bear drawings for the City to use in various formats. The collection of bear drawings have become a popular and recognizable staple in City branding and can be spotted throughout the City, including being centered in its emblem, displayed on street and sidewalk signs, embroidered on its staff apparel and, the biggest bear, painted on the water tower located off of Interstate Highway 35E and Minnesota State Highway 96.

Staff requested to enter into a transfer of copyright agreement that would transfer all rights and copyrights of the bear drawings from Jones to the City. The agreement outlines the obligations of Jones and the City, which includes granting Jones a revocable license to allow him to use the bear drawings for noncommercial purposes, provided it doesn't interfere with the City's use of the drawings. The City agrees that the drawings will be used as part of City-related business and will be able to seek trademark protection for its logos that contain the bear drawings.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution authorizing the Mayor and City Manager to execute the Logo Copyright Agreement with Dan Jones.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION AUTHORIZING EXECUTION OF A TRANSFER OF COPYRIGHT AGREEMENT
FROM DESIGNER TO WHITE BEAR LAKE FOR BEAR DRAWINGS**

WHEREAS, Dan Jones (“Designer”) created renditions of bear drawings (collectively, the “Work”) for the City of White Bear Lake to use in various formats, including its logo, sidewalk signs, a water tower, and more; and

WHEREAS, the bear portrayed in the Work is symbolic to White Bear Lake and its culture, and is recognizable by its residents, business owners and citizens who frequent the area; and

WHEREAS, a copyright agreement will transfer all rights, title and interest, including any copyrights and renewals or extensions in the Work to the City; and

WHEREAS, the City, per the agreement, will grant a revocable license to the Designer to allow use of the Work for noncommercial purposes, provided such use does not interfere with the City’s use of the Work; and

WHEREAS, the primary use of the Work will be part of City business, including, but not limited to, on the City’s website, on its patches, in its logo and other City-related uses.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota authorizes the Mayor and City Manager to execute the agreement from the Designer to the City.

BE IT FURTHER RESOLVED that, as stated in the agreement, the City may seek trademark protection for its logos that contain the Work.

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: March 14, 2023
Subject: First Reading and Public Hearing of an Amendment to the 2023 Fee Schedule

SUMMARY

The City Council will conduct a first reading and public hearing of an amendment to the 2023 Fee schedule for the addition of associated fees related to sidewalk cafés.

BACKGROUND INFORMATION

On February 28, the City Council approved an ordinance amending the Municipal Code adopting a new Chapter 1128 to permit sidewalk cafés. Sidewalk cafes are defined as an identified portion of a public sidewalk adjacent to an eligible business within which the business is allowed by a city-issued permit to place and use tables, chairs and accessory items for the service of food or beverages to its customers for on-site consumption as part of its regular business operations. The approved ordinance allows fees to be established in the City's Fee Schedule for a sidewalk café permit application, permit renewal and administrative penalties.

The 2023 Fee Schedule, approved by City Council at its December 13, 2022 meeting, doesn't list any fees related to sidewalk cafés. Proposed additions, to be added under Sections VI Administrative Offenses and IX Planning and Zoning, are outlined below:

VI	ADMINISTRATIVE OFFENSES	FEE	LAST ADJUSTED
	<u>H. Planning and Zoning</u>		
	<u>Sidewalk Café Permit Violations</u>	<u>\$100.00</u>	<u>March 2023</u>

IX	PLANNING AND ZONING	FEE	LAST ADJUSTED
	<u>Sidewalk Café Permit</u>		
	<u>Initial application</u>	<u>\$150.00</u>	<u>March 2023</u>
	<u>Renewal with significant changes</u>	<u>\$125.00</u>	<u>March 2023</u>
	<u>Renewal with no changes</u>	<u>\$60.00</u>	<u>March 2023</u>

RECOMMENDATION

Staff recommends the City Council consider the proposed amendments to the 2023 Fee Schedule, as it relates to sidewalk cafés, during a first reading and public hearing at the March

14 City Council meeting. Following a second reading scheduled for March 28, staff will ask the City Council to vote on the amended 2023 Fee Schedule.

ATTACHMENTS

None



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Rick Juba, Assistant City Manager
Date: March 14, 2023
Subject: **Minnesota Public Employees Association Labor Agreement – Patrol**

SUMMARY

The City Council will consider adopting a resolution approving a two-year labor agreement with Patrol, a Minnesota Public Employees Association (MNPEA) union group.

BACKGROUND INFORMATION

City staff has met and negotiated in good faith with MNPEA for a two-year labor agreement covering the period January 1, 2023 through December 31, 2024. The Union, which is comprised of twenty-one (21) Patrol Officers, has voted to approve the negotiated amendments.

Significant amendments to the agreement include:

INSURANCE

2023 – City will pay the same premium contributions as 2022.

2024 – Opener

- This is consistent with what the City Council approved for non-bargaining employees for 2023.

UNIFORMS

2023 - \$850; 2024 - \$950

- These contributions are comparable to other area union contracts, the recently approved Sergeants contract and within the City's budget.

WAGES

2023 – 1/1/23 3% COLA adjustment on current wage schedule. 7/1/23 new wage schedule is implemented. Longevity and education incentive language is removed as the new schedule accounts for it.

2024 – 1/1/24 3% COLA. Employees move to next step on their anniversary date.

- On September 13, 2022, the City Council approved a Classification and Compensation

Plan which was produced by McGrath Human Resources. Within that study were suggested pay ranges for all positions in the City. Staff has used that Plan as a basis to negotiate a new pay range for the Patrol group which falls within the parameters of suggested range of the study.

FIELD TRAINING OFFICER

Officers will receive one hour of overtime pay based on their current rate of pay per occurrence.

- This is common language and practice in police contracts. Currently, Patrol Officers receive an additional \$2 per hour while serving as a field training officer.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution approving the outlined amendments to the MNPEA Patrol union agreement.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION APPROVING A LABOR AGREEMENT WITH
MINNESOTA PUBLIC EMPLOYEES ASSOCIATION FOR PATROL OFFICERS**

WHEREAS, the White Bear Lake Patrol Officers are represented by Minnesota Public Employees Association (MNPEA); and

WHEREAS, City staff has met with MNPEA and negotiated in good faith a two-year labor agreement for the time period January 1, 2023 through December 31, 2024; and

WHEREAS, the amendments from the current contract are:

GRIEVANCE PROCEDURE

STEP 4. A grievance unresolved in Step 3 and appealed to Step 4 by the Union shall be submitted to arbitration subject to the provisions of the Public Employment Labor Relations Act of 1971 as amended. The selection of an arbitrator shall be made in accordance with the "Rules Governing the Arbitration of Grievances" as established by the Bureau of Mediation Services. For grievance matters involving written disciplinary action, discharge, or termination, the assignment of an arbitrator shall be consistent with Minnesota Statute 626.892. For all other grievances, the selection of an arbitrator shall be made in accordance with the "Rules Governing the Arbitration of Grievances" as established by the Bureau of Mediation Services.

INSURANCE

2023 – City will pay the same premium contributions as 2022; 2024 – Opener

UNIFORMS

2023 - \$850; 2024 - \$950

PARENTAL LEAVE

Remove from contract, included in the City's Personnel Policy.

BEREAVEMENT LEAVE

Remove from contract, included in the City's Personnel Policy.

DURATION

Two years: January 1, 2023 – December 31, 2024

WAGES

2023 – 1/1 3% COLA on current wage schedule. 7/1 New wage schedule is implemented. Longevity and education language is removed.

2024 – 1/1/24 3% COLA. Employees move to next step on their anniversary date in their position.

RESOLUTION NO.

LONGEVITY PAY AND EDUCATION INCENTIVE

Remove longevity pay and education incentive language as the new wage schedule accounts for it.

FIELD TRAINING OFFICER

Field Training Officer: Officers that are assigned to field training duties by the Employer shall receive one hour of overtime pay based on their current rate of pay per occurrence.

WHEREAS, MNPEA has voted to approve the negotiated amendments.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that the 2023-2024 labor agreement with MNPEA Patrol Officers is hereby approved and the Mayor and City Manager are authorized to execute the agreement.

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

Ayes:
Absent:
Nays:
Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



City of White Bear Lake
Community Development Department

MEMORANDUM

TO: Lindy Crawford, City Manager
FROM: Jason Lindahl AICP, Community Development Director
DATE: March 14, 2023
SUBJECT: 2502 County Road E Concept Plan Review - Case No. 23-8-C

SUMMARY

The City Council will review and comment on the concept plan for 2502 County Road E. This concept proposes to redevelop the vacant commercial (gas station) use into 18 residential units (15 apartment units and 3 townhomes). Prior to review and comment by the City Council, the applicant has presented their proposal at a neighborhood meeting held at Redeemer Lutheran Church on February 2, 2023 and to the Planning Commission during their regular meeting on February 27, 2023. Comments from these meeting are summarized below and attached for your reference.

As a concept review, this process does not require formal action to approve or deny the project. Rather, the applicant requests feedback on the proposals so they can work toward preparing a future, formal submittal. While the applicant has already held a neighborhood meeting and this item does not require a public hearing, the public is invited to offer comment during the City Council meeting. Any comments provided are for guidance only and not be considered binding upon the City regarding any future, formal application.

GENERAL INFORMATION

Applicant/Owner: Ryan McKilligan, Element Design-Build

Existing Land Use / Zoning: Neighborhood Mixed Use/B-3, Auto Oriented Business

Surrounding Land Use /Zoning: North and West - Commercial, South & East - Low Density Residential/
North – B-3, Auto Oriented Business, West – B-2, Limited Business, South & East – R-5, Single Family Residential

Comprehensive Plan: North and West - Neighborhood Mixed Use, South & East - Low Density Residential

Lot Size & Width: Current Zoning - B-3, Auto Oriented Business: None/100'
Anticipated Zoning – R-6, Medium Density Residential: 3,600 Sq. Ft./Unit/100'

BACKGROUND INFORMATION

Concept Plan Process. The purpose of the pre-application concept plan review is to help inform and involve the public in the planning process and allow developers to gain feedback directly from the public, Planning Commission and City Council prior to preparing a full formal application. Feedback and opinions expressed by the city as part of a concept plan review are for guidance only and are not to be considered binding. Comments provided during the concept plan review may help inform/influence future plans if the developer chooses to proceed with a future formal development application. The concept plan review process shall follow the schedule outlined below.

1. **Neighborhood Meeting.** The developer hosts a neighborhood meeting to review a concept plan and solicit community feedback. These meetings shall follow the Neighborhood Meeting requirements contained in Section 1301.110. City officials and/or staff may attend the neighborhood meeting, but only to observe the dialog between the developer and neighborhood and answer “procedure” questions.
2. **Planning Commission.** The Planning Commission review is intended as a follow-up to the neighborhood meeting. The objective of this meeting is to identify major issues and challenges in order to inform subsequent review and discussion. The meeting includes a presentation by the developer of conceptual sketches and ideas, but not detailed engineering or architectural drawings. No staff recommendations are provided, the public is invited to offer comments, and planning commissioners are afforded the opportunity to ask questions and provide feedback without any formal motions or votes.
3. **City Council.** The City Council review is intended as a follow-up to the neighborhood meeting and Planning Commission review and would follow the same format as the Planning Commission review. No staff recommendations are provided, the public is invited to offer comments, and city council members are afforded the opportunity to ask questions and provide feedback without any formal motions or votes.

Current Site Description. The subject property is 0.67-acre (approximately 29,185 square feet) in size and located at 2502 County Road E which is in the southeast quadrant of the County Road E and Bellaire intersection. Building permit data shows the subject property has been used as a gas station since approximately 1971 with the existing gas station build constructed in 1985. City record indicate water service to the property ceased 13 years ago in December of 2009 and the fuel tanks were removed from the site in 2016. The city has no other records indicating an authorized use of the property since 2009.

Concept Proposal. The applicant’s concept plan proposes to redevelop the vacant commercial (gas station) use into 18 residential units. Fifteen of these units would be in an apartment building positioned on the northern half of the site. The three townhome units would be constructed in one rowhouse style building located in the southwest corner of the property. Surface parking is planned for the remaining southeast corner of the property.

According to the applicant, this layout is designed to focus the most intense use of the site along County Road E and Bellaire and then transition to a surface parking lot adjacent to the neighboring

single family residential uses to the east and south. The highest portion of the proposed apartment building is three stories which is limited to the portion of the building immediately adjacent to the corner of County Rd E and Bellaire Ave. From that prominent point of the intersection, the site steps down to a two-story building with low pitched roof along County Rd E and two-story street facing rowhomes along Bellaire. This design was intended to create a natural transition to the surrounding single-family neighborhoods. The plan also retains a 25' vegetated buffer along the neighboring property to the East and will also include a 6' privacy fence to maintain the serenity of neighboring lots.

Neighborhood Meeting. The applicant held their neighborhood meeting on February 2, 2023 at Redeemer Lutheran Church which is located at 3770 Bellaire Avenue just north of the subject property. Attached please find the applicant's sign-in sheet and summary from this meeting. According to the sign-in sheet, 22 people attended the meeting. In addition to those on the sign-in sheet, city staff attending the meeting included City Planner Miller, Housing and Economic Development Coordinator Shimek, Planning Technician Lawrence and Community Development Director Lindahl.

Staff began the meeting by welcoming those in attendance, summarizing the concept plan review process and emphasizing the importance of neighborhood feedback at this stage of the process. Next, Ryan McKilligan, Project Manager with Element Design-Build provided a summary of the design and rationale for the proposed concept plan. While there was some support for the project, most in attendance voiced concerns with the number of units, height of the building, parking, stormwater, snow storage and access from Jenson Avenue. Detailed feedback from the meeting can be found in the attached meeting summary.

In addition to the comments gathered through the neighborhood meeting, three individuals who did not identify themselves reached out by phone to city staff with questions. Of the three, 1 was opposed to the project with the other two stating they like the concept plan review process and opportunity to provide comments and understood the proposed concept plan fit within the Mixed-Use future land use category of the 2040 Comprehensive Plan.

Planning Commission Review. The Planning Commission reviewed this item during their February 27, 2023 regular meeting. The meeting included presentations from both staff and the developer as well as an opportunity for the public to provide comments. All of Planning Commissioners stated their support for the concept proposal. There were 8 people who provided comments to the Planning Commission. Of these, 5 opposed to the project while 3 supported it. A summary list of those comments is provided below.

1. **Lee Branwall, 3583 Glen Oaks Avenue.** Mr. Branwall spoke in opposition to the concept plan and provided written comments to the Planning Commission during the meeting which are attached for your reference. Mr. Branwall's concerns included: height, design compatibility, density, parking and increase traffic. Mr. Branwall expressed a preference for single story commercial or 2-story townhomes.
2. **Al Rivard, 3591 Glen Oaks Avenue.** Mr. Rivard spoke against the project and had concerns about soil conditions and stormwater runoff.
3. **Chris Green, 3587 Glen Oaks Avenue.** Mr. Green spoke against the project and expressed concerns about the height and scale of the project.

4. **Jan Johnson, 2479 County Road E.** Ms. Johnson owns a neighboring business and was a member of the County Road E Corridor Project. Ms. Johnson expressed her support for the project citing the quality of the proposal, communication from the developer and the need for new investment in the County Road E corridor.
5. **Joy Erickson.** Ms. Erickson did not provide her address but stated she owns a business with offices along County Road E and lives on the north side of White Bear Lake. Ms. Erickson stated she participated in the County Road E Corridor process and supports the project.
6. **Ben Triplett, 3596 Glen Oaks Avenue.** Mr. Triplett explained that he thought the developer had prepared a really nice concept but it would be too much for the site. He expressed support for use of the property as open space.
7. **Mark Bigalk, 3596 Glen Oaks Avenue.** Mr. Bigalk spoke against the project and had concerns about height, traffic, and pedestrian safety. He stated that 1 to 2 story structures would be better.
8. **Fred Watson, 3569 Glen Oaks Avenue.** Mr. Watson stated that overall, he liked the design especially that it stepped-down to 2-stories but would prefer something less dense.

ANALYSIS

As proposed, redevelopment of the site would be guided by the 2040 Comprehensive Plan Future Land Use designation of Neighborhood Mixed-Use. Based on the concept plan and this future land use designation, staff anticipates the applicant will request rezoning the subject property from the current B-3, Auto Oriented Business classification to R-6, Medium Density Residential. As a result, the analysis provided below compares the proposed concept plan with the Neighborhood Mixed-Use land use category and R-6, Medium Density Residential zoning district.

Subdivision. The subject property consists of a single 0.67-acre (approximately 29,185 square feet) property. The concept plan includes one 15-unit apartment building and one 3-unit rowhouse style building. Two separate buildings could be construct on one property through a planned unit development (PUD). However, should it be necessary to create separate parcels for each of the proposed buildings, the applicant would be required to subdivide the property consistent with the requirements of Section 1401 – Subdivision Regulations. As this property is adjacent to County Roads, any subdivision would also require review and approval by Ramsey County.

Land Use. The 2040 Comprehensive Plan Future Land Use Map guides the subject property as Neighborhood Mixed Use. According to the Comprehensive Plan, the Neighborhood Mixed Use designation is intended to be for commercial retail or service businesses and offices serving the local community, and medium to high-density housing. This district should lean towards residential with an expectation of 75 percent residential but at least 50 percent of development being residential in nature, and recognizing that some sites may be appropriate at 100% residential. Stacked multi-family housing and courtyard apartments will be the predominant use, with townhomes and villas used where appropriate in transitional areas abutting surrounding residential neighborhoods. The desired density for this designation is 16 to 34 dwelling units per net acre. The proposed concept plan with a 15-unit apartment building and 3-unit townhome building meets the use standards of the Mixed-Use future land use category.

The Neighborhood Mixed Use category allows a density range between 16 and 34 dwelling units per acre. Under this standard, the 0.67-acre subject property is allowed between 10 and 22 total units

(0.67 x 16 = 10 units and 0.67 x 34 = 22 units). With 18 total residential units (15-unit apartment building and 3-unit townhome building), the concept plan confirms with the density standards of the Mixed-Use future land use category.

Zoning. The subject property is currently zoned B-3, Auto Oriented Business; however, based on the Neighborhood Mixed Use future land use designation and the proposed concept plan, the applicant anticipates rezoning the property to R-6, Medium Density Residential. As a result, staff compared the concept plan against the development standards of the R-6 district.

Use. The concept plan conforms to the permitted uses in the R-6 district. The R-6 district allows both townhomes and multiple family dwellings and the concept plan includes both of these use types.

Height. The maximum height in the R-6 district is 35 feet. As proposed, the apartment building would be 33' to the eave and 45' to the highest point of the pitched roof. The townhome building would be 22' to the main eave and 35' to the highest point of the pitched roof. The city measures height to the top of a flat roof or the mid-point of a peaked roof. Generally, the concept plan is close to the height standards of the R-6 district.

Setback. The table below compares the approximate setbacks for both the apartment building and townhome structure with the standards of the R-6 district.

25-2 County Road E Concept Plan Setback Analysis					
Setback	Standard	Apartment		Townhouse	
		Proposed	Deviation	Proposed	Deviation
Front	30'	15'	-15'	20'	-10
Side (Street)	30'	10'	-20'	20'	-10
Side (Interior)	15'	25'	+10	N/A	N/A
Rear	30'	96'	+66	80'	+50

As proposed, the concept plan design would not meet the front or street side yard setbacks but would exceed the interior side yard and rear yard setbacks. According the applicant, this design is intended to focus the most intense use of the site along County Road E and Bellaire Avenue and provide the greatest possible setback on the sides of the property that abut neighborhood to the south and east.

Parking. The City's residential off-street parking standards require two stalls per unit. In this case, the concept plan includes 18 total units so the zoning standards would require 36 stalls. The concept plan includes 32 total stalls 21 of which would be enclosed in the apartment building or townhomes and 11 would be in the surface parking lot. While this is 4 stalls under the requirement, the applicant intends to allocate parking so that residents of the apartment building would be allowed one stall per bedroom and residents of the townhomes would be allowed two stalls per bedroom. Under this allocation, there would be six remaining spaces in the surface parking lot for guests.

Exterior Materials. The R-6 district does not have specific exterior material standards. According to the applicant, exterior materials on the two building would include a mixture of fiber cement lap siding

(Hardie or LP or similar), fiber cement panel siding, and a bit of stone at the more visible sides on the lower level facing County Rd E and Bellaire. Staff recommends the applicant provide enhanced architectural design and exterior materials that are of a higher quality than the surrounding neighborhood and seek to breakup size of the buildings by designate a base, middle and top of the buildings.

Potential Review Process. Based on the applicant's concept plan, staff anticipates this project will need the approvals listed below. The next step for the applicant would be to use feedback from the concept plan review process to prepare these applications.

- Preliminary and Final Plat approval by the City of White Bear Lake and Ramsey County
- Rezoning from B-3, Auto Oriented Business to R-6, Medium Density Residential.
- Planned Unit Development (PUD)
- Execution of a Planned Unit Development (PUD) Agreement
- Approvals from the Ramsey Washington Metro Watershed District

Planned Unit Development. The purpose of a planned unit development (PUD) is to allow flexibility from traditional development standards in return for a higher quality development. Typically, the city looks for a developer to exceed other zoning standards, building code requirements or Comprehensive Plan goals. In exchange for the flexibility offered by the planned unit development, the applicant is expected to detail how they intend to provide a higher quality development or meet other City goals. A list of items to consider when evaluating the use of a planned unit development for this site could include, but are not limited to, the items listed below.

- Enhanced architectural design and building materials
- Natural resource protection and storm water management
- Pedestrian and bicycle facilities
- Affordable housing
- Enhance sustainability or livability elements
- Energy conservation and renewable energy
- Open space preservation
- Enhanced landscaping, streetscape or buffering
- Public art

RECOMMENDATION

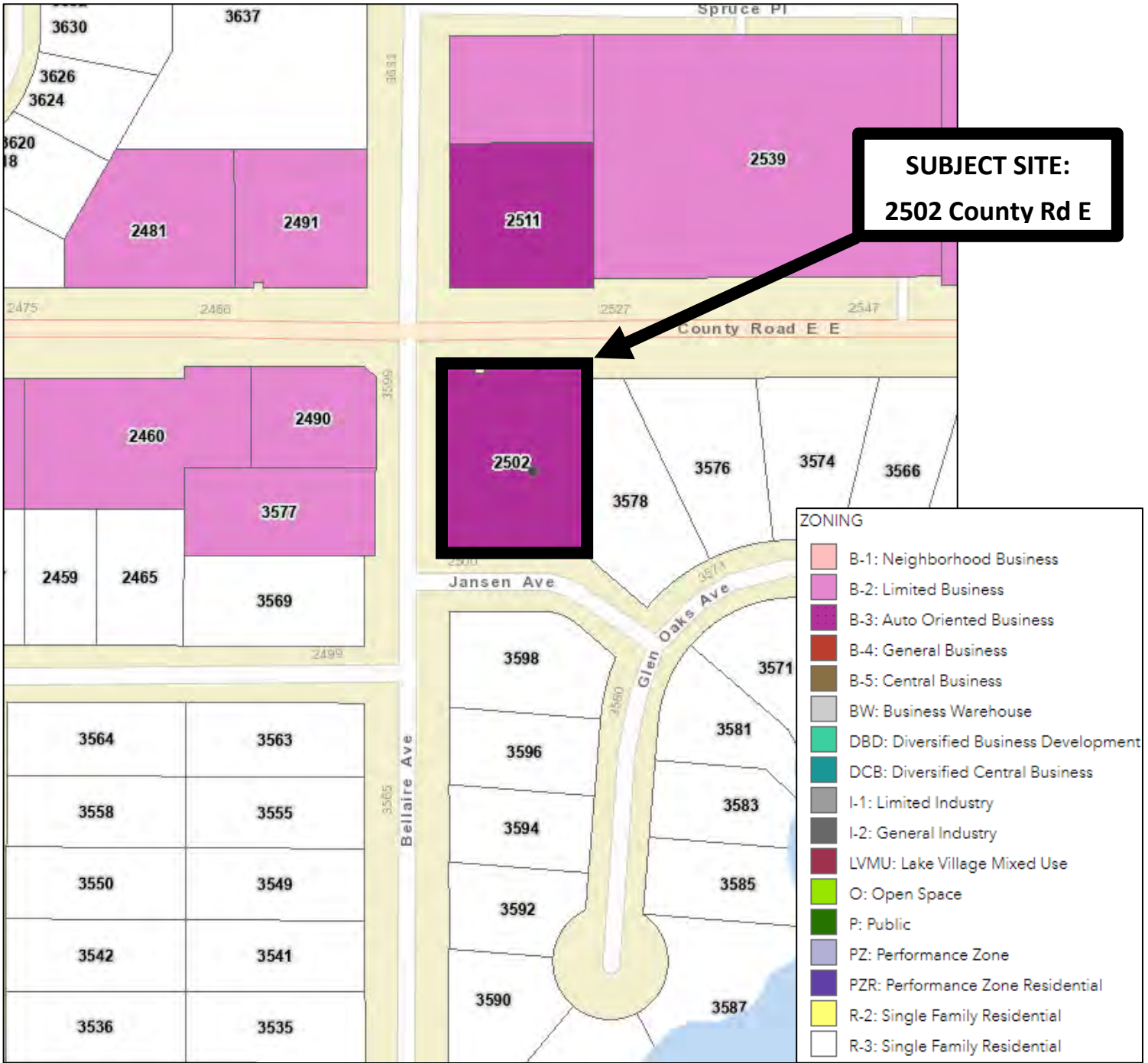
Concept review applications allow for applicants to solicit direct feedback from neighbors, the Planning Commission and City Council without a formal recommendation or approvals. As a result, the City Council should review proposed concept plan for 2502 County Road E and provide feedback to the developer.


ATTACHMENTS

Site Map

Applicant's Narrative & Concept Plans

Neighborhood Meeting Invitation, Sign-In Sheet and Minutes, Comments from Lee Branwall



 <p>City of White Bear Lake Planning & Zoning 651-429-8561</p>	<p>CASE NO. : 23-8-C</p>
	<p>CASE NAME : County Rd E Concept Plan</p>
	<p>DATE : 2-27-2023</p>

Concept Plan

2502 County Rd E

Narrative

This request for concept plan review of a proposed redevelopment at 2502 County Rd E is the first step towards an eventual PUD for a residential infill development to align with the Future Land Use designation for the site which is Neighborhood Mixed Use. Since that land use does not currently exist in the zoning code, Medium Density Residential will be the rezoning placeholder. The PUD will be used to request approval for site design that allows the redevelopment to meet the intent of the Neighborhood Mixed Use in lieu of specific zoning requirements that guide its development.

The concept plan should be considered by decision makers for three reasons: it allows for a high quality transformation of a significant portion of a blighted intersection that has prevented growth in its respective section of the County Rd E corridor for many years, it aligns with and achieves the intent of the future land use designation Neighborhood Mixed Use, and it aligns with and meets the intent of the County Rd E Corridor Action Plan which collected community input to work towards a redevelopment strategy for the County Rd E corridor.

To that end our proposed redevelopment consists of two residential structures with 18 total residential units comprised of 15 apartments and 3 single-family attached residences. The White Bear Lake Future Land Use plan states the following for Neighborhood Mixed Use zones:

This district should lean towards residential with an expectation of 75 percent residential but at least 50 percent of development being residential in nature, and recognizing that some sites may be appropriate at 100% residential. Stacked multi-family housing and courtyard apartments will be the predominant use, with townhomes and villas used where appropriate in transitional areas abutting surrounding residential neighborhoods.

The plan goes on to say that density should fall between 16 and 34 dwelling units per acre. The proposed development consists of 0.67 acres not including right of way which results in a density range of no more than 22 but no less than 11 dwelling units. We believe a density level comfortably within that range and consisting of multiple dwelling types is the highest and best use of its land use designation.

The design of the property is highly customized to address the opportunities as well as sensitivities of its specific location. All of the street facing elements of the building elevations are meant to provide an attractive activation of the streetscape that allows connection to the nearby coffee shop and future

developments at the intersection. While maximizing attractive use of the streetscape, parking comprises the vast majority of the ground floor behind the street facing elements to facilitate responsible provisions for occupants' vehicles. The highest portion of the building is three stories which is limited to the portion of the apartment building immediately adjacent to the corner of the County Rd E and Bellaire Ave. From that prominent point of the intersection the building steps down to two stories via the street facing rowhomes along Bellaire and to a two-story section with low pitched roofs along County Rd E. This works to create a natural transition down into the surrounding single-family neighborhoods. The plan retains a 25' vegetated buffer along the neighboring property to the East and will also include a 6' privacy fence to maintain the serenity of neighboring lots.

The proposed development is in a prominent location along the County Rd E corridor and draws the attention of many community members as well as visitors of White Bear Lake. We believe this plan addresses to the greatest extent possible the various interests in the property including the future land use plan, the corridor action plan, neighboring businesses, neighboring residents, and the City of White Bear Lake. We sincerely appreciate your consideration of this proposal.



- 1- studio unit
- 9- 1 bed units
- 5- 2 bed units
- 3- 3 bed rowhouses

29 total bedrooms, 18 total units, 32 parking spaces

- 29,155 SF site area
- 11,602 SF building footprints combined
- 1,044 SF common open space (courtyard)
- 1,616 SF enclosed common shared amenity area
- 5,189 SF surface parking and access
- 21 enclosed parking spaces
- 11 surface parking spaces
- 32 total parking spaces

PRELIMINARY- NOT FOR CONSTRUCTION

PROJECT:
2502 County Rd E East
White Bear Lake, MN

REVISIONS:

01 / 17 / 2023

PROJECT NO: 00-000
CONTENTS:
Site Plan Concept

SHEET NO:
A101

1 SITE PLAN
SCALE: 3/32" = 1'-0"



PRELIMINARY - NOT FOR CONSTRUCTION

PROJECT:
2502 County Rd E East
 White Bear Lake, MN

DATE:
 01 / 17 / 2023
 SCALE:
 00-000
 DRAWN BY:
 ERSATIA VILAS

NO. 103

2023-02-02 – County Road E East Neighborhood Meeting

Redeemer Lutheran Church

Jason Lindahl – Community Development Director – welcomed everyone and mentioned this is the first meeting in new city process – “Concept Plan” review

Planning commission meeting Feb 27

City Council Mar 14

Attendee asked if Jason and Element team were at the “block exercise”, developer mentioned that he was in attendance

Developer presentation - many attendees concerned about parking, number of units, a few about who the end occupant will be

Challenge and opportunity of the site is the NW corner is high intensity, the SE corner is single family context

Developer’s goal for tonight’s meeting is to lay out our thought process on the proposed design and how the solution was arrived at, and get community input

Developer’s goal is to make the 3 story at the most intense part of the site and step down in intensity and density toward the SE

Developer described goal of creating a walkable, pedestrian friendly environment by activating the street with front doors and active uses like amenities and creating parking behind

Attendee asked if all vehicular access was from Jansen, developer responded that is the intent

Attendee asked about vehicular access location being on a slope on Jansen

Attendee mentioned a concern about enclosed parking not being used because of additional fee and parking on the streets in the neighborhood

Developer presented on future land use designation being “Neighborhood Mixed Use”

Developer mentioned three strategies to mitigate parking concerns – parking spaces included in rent, vehicles would be registered, spaces would not be assigned

Attendee voiced concern about guest parking

-Developer mentioned that with an allocation of one car per bedroom for the apartments and two vehicles per townhome there would be six additional spaces for guests

Attendee voiced concern about cars parking on their street

Attendee voiced concern over couples living in a one bedroom with multiple vehicles

-Developer mentioned only allowing one registered vehicle per unit

Attendee voiced concern over developer's parking proposals not being reality

Attendee voiced concerns over apartments looking directly at County Road E

-Architect discussed apartment units being designed to be located 1 story up off the ground or more to create separation along County Road E

Attendee voiced concerns over parking stall size

-Architect stated parking stalls will meet code requirements

Attendee asked why this site compared to the other two vacant sites at this corner?

-Developer discussed that is the one that was on the market and is owned by development group

Attendee asked how will stormwater be managed, will it be funneled into Jansen and Peppertree Pond?

-Developer stated stormwater detention/management will be provided in accordance with requirements which would include rate control, volume control, and filtering that would prevent any contamination of Peppertree pond

Attendee asked how will snow be managed?

-Developer stated it is planned to be plowed into the 25' setback

Attendee asked if any affordable housing is planned?

-Developer responded that it is planned to be market rate, no TIF financing

Attendee advised keeping space between sidewalk and street especially for snow storage

Attendee asked if interior parking will be controlled?

Attendee voiced concern over 3 story building towering over neighbors

Attendee voiced concern over how the power line was depicted in conceptual images

Attendee said she believes this is a positive compromise from what was proposed a few years ago and mentioned other commercial uses as alternatives to this proposal

Attendee asked if underground parking could work instead of 1st floor parking

-Architect stated that a vehicular access ramp down 10' would not fit on the site to get vehicles down to basement level

Attendee asked if other concepts were explored with more townhomes and fewer or no apartments?

-Developer and architect mentioned that many configurations were explored but this was the best solution to transition from high intensity at the NW corner of the site down to low intensity at the SE corner

Attendee voiced concern over curb cut/vehicular access location on Jansen, safety of children in the neighborhood

Attendees asked questions about developing another lot on the corner instead of this one

Attendee asked if developer could just put townhomes here?

-Developer mentioned density issues with future land use plan, only being able to fit 7 units, architect discussed 2nd floor apartments as more desirable along busy County Road E than 1st floor townhome living space adjacent to the busy road

Attendee asked if any variances would be needed? Setback variances?

-Developer and architect briefly described PUD process, Jason Lindahl further explained rezoning and PUD process

Attendee voiced concern about idling cars on driveway, vehicle emissions near their property

Attendee asked about easements on his property along Bellaire

Attendee voiced concerns about snow piled up against building on the County Road E side.

-Developer and architect discussed 15' proposed setback that should allow ample space for snow storage

Attendee voiced concern for children with vehicle access location off Jansen, wondered if access from Bellaire would be possible?

Attendee voiced concern for guest parking

Attendee asked what other projects has developer done?

-Developer stated they are finishing a project in Roseville, have done one in St Paul, and are beginning one in Lake Elmo

Attendee asked if other properties on this corner are for sale?

Attendee mentioned that there are a lot of constraints on the site that have discouraged redevelopment in the past and appreciated that the developer is willing to listen

Attendee asked if developer could do retail on another site?

-Developer spoke to the difficulty of numbers penciling out with new construction commercial

Developer thanked everyone for their input and stated the development team is listening and will work to improve the concept

2502 County Rd E - Neighborhood Meeting

Sign-in Sheet

Name	Address
[Signature]	2520 OAK Court
[Signature]	3583 GLEN OAKS
Ferry Honza	2460 East County Road E
PAM ENZ - MIKE ENZ	4495 LAKE AVE. S. WBL
Joy Erickson	5094 Kelly Ct, WBL
Shea Lawrence	City of White Bear Lake
Andrea & Ben Tripodi	3594 Glen Oaks Ave
Brenda Davis	3576 Glen Oaks Ave
LEAF motive	WR Gross
Amy Jents	2450 Hillside Rd
Linda Anderson	3541 Glen Oaks Ave.

Neighborhood Meeting Invitation

February 2nd at 7:00 PM at Redeemer Lutheran Church

Dear Neighbor:

My name is Ryan McKilligan and I represent Element Design-Build. Our company has applied to the City of White Bear Lake for concept plan review to redevelop a property near you located at 2502 County Rd E. A site map and brief description of our concept proposal is attached.

We would like to invite you to a neighborhood meeting where we will share our concept plans, answer any questions, and listen to your feedback. The meeting will take place on February 2nd at 7PM at Redeemer Lutheran Church. If this meeting time isn't convenient, you can also review and provide comments on our concept plans through our website 2502e.com.

It is important to note that the concept plan review process for which we have applied allows us to share our plans with the public and the City of White Bear Lake and gather feedback. ***It does not either approve or deny the project.*** We will use this feedback to help further refine our plans and determine if we should move forward with formal city approvals at a future time. Your input at this concept review stage is an important part of our project development process.

As part of the concept plan review process, the City of White Bear Lake will also review and comment on our plans during two upcoming public meetings at City Hall. It is our understanding that the White Bear Lake Planning Commission will review our application on February 27th 2023, starting at 6:30 p.m., and the City Council will review our application on March 14th, 2023 starting at 7:00 p.m. More information about these meetings can be found on the City's website (www.whitebearlake.org).

If you would like to speak with someone regarding our concept plan proposal, or if you would like to request any documentation regarding our plans, you can contact me directly.

Sincerely,

Ryan McKilligan
Lead Project Manager
Element Design-Build
612-208-2551
ryan@element-db.com

Neighborhood Concerns re 2502 County Road E Concept Plan

We are asking that the following concerns be considered when reviewing the proposed project. The character of the neighborhood and the value of our homes will be affected by the project and we feel that the project as proposed will be detrimental to the City as well.

- The height of the main building
- The design compatibility with the area
- The unit density
- On-site parking
- Over flow parking on Glen Oaks Avenue
- Increased traffic on Jansen Avenue
- Stormwater Runoff
- Setbacks
- Loss of trees

It is too high for the neighborhood. The height will block views for some properties, especially on the North side of Glen Oaks Avenue, and privacy for the property at 3578 Glen Oaks Avenue.

We feel that this building does not fit in with the character of the neighborhood, and our apology to the architect, the exterior is just not appropriate. It just doesn't fit there. It also does not meet the objective of the city that Buildings should not be outside of norms for the neighborhood. The current properties to the east on the south side of County Road E are all residential up to the Level up Academy and businesses beyond, but no multistory ones. The first multistory ones on County Road E to the east would be next to Aldi it's not in White Bear Lake. Then to the West on the South side of County Road E there are two commercial buildings that are one story and then residential past that until Mc Knight where there is the fire station and then residential to McDonalds. Any new buildings on this (South) side should follow that pattern. This design is designed to build something there that will return a positive return on investment and this results as something shoehorned in. The City has pointed out that there is precedent for multistory buildings as there is a three story apartment in the vicinity, and it is on Bellaire north of County Road E but is set back from Bellaire on a lot that is lower than Bellaire Avenue so it doesn't stick out like this design would

The property is defined as mixed use without zoning? Should it be? We understand that allows the density of a buildings on that property to be 16 to 31 per acre – we feel that even 16 is too much in line with existing buildings in the immediate area.

We think that parking would be an issue and it would overflow at times resulting with over flow parking on Glen Oaks Avenue in front of our homes. It appears that in the design there are two inside handicap parking places, but none outside. Shouldn't there be? If there are this will remove four parking spots, and even if there aren't any handicapped renters there would there still have to be handicap spots? Which leads to the question if this design is handicap accessible? Should it be?

We also are concerned with additional traffic on Jansen on a short street right on the curve.

We understand that runoff shouldn't be increased with new construction, and this design will do so. We know that the proposal has proposed tanks for runoff storage, but they wouldn't be functional during the winter. Once the ground is frozen the parking lot snow with all of its salt and other contaminants would be plowed in the area next to the Anderson's home. Then in the spring that will melt and run onto their property on its way into Peppertree pond adding more contaminants and silt to the pond which is already an issue. In fact the city determined that it needed to be dredged some years ago and had it in their plans, but it never happened, but now needs it even more so. Note that Level up Academy put in a large holding pond to handle the runoff after their addition. Should the Ramsey/Washington Counties Watershed been contacted since the runoff will go into Peppertree Pond which is part of that watershed? Have they? How is it going to be treated? Right now we Peppertree Pond owners pay to have the pond treated to prevent algae.

We are also concerned about the setbacks not complying with the recommendation of 30 feet. Smaller setbacks do not fit into the neighborhood. None of them meet that requirement and it also adds to our concern of where all the snow is going to go when it is plowed on Bellaire and County Road E as there are also sidewalks there. We've seen how the issue has been this winter on Bellaire as they don't get cleaned down the concrete and have become icy and slippery so a lot of people walk in the street. Some might say that this is an unusual winter, but the climate change predictions are that this might be the new normal.

Right now there are a lot of trees on the property and we are concerned that most will be cut down as they are important for removing carbon dioxide from the atmosphere through photosynthesis and store carbon in their wood. The older the tree, the more climate benefits it provides. The shade from trees also lessens the need for cooling in buildings, which reduces carbon dioxide and other pollutants from power plants. We realize that the trees cut down will be minimal from a large global affect, but preventing even small numbers on the many projects adds up.

Our proposal preference is a single story building like an office building, some other business, a residential home, or townhomes which would be acceptable if they would not be more than two stories, but not with gable roofs as this would be equivalent to a three story building in height.

We feel for Element Design-Build as they purchased the property outright without a contingency, so if this proposal is rejected and they can't come up with a different design that we agree with it could affect them financially. A solution might be for the city to exchange this property with another city owned property and they could submit a different design that would fit that neighborhood. Maybe even across County Road E on the North East corner. This way everyone will come out a winner. The city would now own this property and that still would be an issue, but they could lower the price on it where something that meets their and our goals could be easier to achieve. Maybe the realtor overestimated the value considering the obstacles to development. We need to be creative!

Our Questions from the City of White Bear Lake's Community Development Department
Memorandum

In the Community Development Department Memorandum on this proposal on page 2, last paragraph, it states that, "According to the applicant, this layout is designed to focus the most intense use of the site along County E and Bellaire and then transition to a surface parking lot adjacent to the neighboring single family residential uses to the east and south." What is meant by this?

On page 3, first paragraph, "and will also include a 6" privacy fence to maintain serenity of neighboring lots." A 6' fence doesn't even come close in providing serenity from a three story building.

On page 4, the fourth paragraph, it states that three individuals called who did not identify themselves, one was opposed and the and the other two liked the concept plan review process and understood the proposed plan fit etc..... Unidentified caller opinions shouldn't count either way.

On the bottom pf page 4 it gives the setbacks showing that this requires 10 to 20 foot deviations on the street sides. This has been one of our concerns.

We didn't see any mention of a Homeowners Association? Does that mean that all units are rental? These tend to have maintenance issues in the future.

We have one other concern which was communicated to Jason Lindahl on February 3rd that two of the individuals who were positive for the proposal at the 2 February meeting were not residents living in the neighborhood and one in fact was a realtor. That's important for you to know and their opinions shouldn't be counted as support for this proposal. They don't have to live with it, we homeowners on Glen Oaks Avenue do.



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Ben Eggan, Building Official
Date: March 14, 2023
Subject: **Abatement of Hazardous Property and Public Nuisance – 2239 Carlyle Court Update**

SUMMARY

Staff will provide the City Council with a verbal update regarding the abatement of the hazardous property and public nuisance located at 2239 Carlyle Court.

ATTACHMENTS

None