



AGENDA
REGULAR MEETING OF THE CITY COUNCIL OF
THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, APRIL 11, 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 March 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: February Park Commission Advisory, February Environmental Advisory Commission, February White Bear Lake Conservation District, March Planning Commission
- B. Resolution authorizing a special event application for Big Wood Brewery Flip Cup Tournament
- C. Resolution authorizing a special event application for Big Wood Brewery 3rd Annual Beach Party
- D. Resolution authorizing issuance of a massage therapy establishment license to Pure Illumination Skincare Studio & Boutique
- E. Resolution authorizing issuance of massage therapist license to Christina Martin at Pure Illumination Skincare Studio & Boutique
- F. Resolution authorizing issuance of massage therapist license to Kelly Weisner at LifeSpa
- G. Resolution authorizing advertisement for bids for the 2023 Bituminous Seal Coating Project
- H. Resolution authorizing advertisement for bids for the 2023 Crack Sealing Project
- I. Resolution authorizing advertisement for bids for the 2023 Sanitary Sewer Lining Program
- J. Resolution repealing variances for 4556 Hwy 61

5. VISITORS AND PRESENTATIONS

A. Arbor Day Proclamation

6. PUBLIC HEARINGS

None

7. UNFINISHED BUSINESS

None

8. NEW BUSINESS

- A. Conditional Use Permit Amendment Request – Stadium Seating for White Bear Lake Area Schools
- B. Variance Request – Monument Sign for McNeely Music Center

9. DISCUSSION

- A. Concept Plan Review for 2687 County Road D

10. COMMUNICATIONS FROM THE CITY MANAGER

11. ADJOURNMENT



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
TUESDAY, MARCH 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, Steve Engstran, Heidi Hughes, Dan Jones and Bill Walsh. Staff in attendance were City Manager Lindy Crawford, Public Works Director/City Engineer Paul Kauppi, City Clerk Caley Longendyke, and City Attorney Troy Gilchrist.

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

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

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

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

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

3. APPROVAL OF THE AGENDA

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

4. CONSENT AGENDA

A. Resolution ordering 2022 Stormwater Pollution Prevention Program Public Hearing **Res. No. 13170**

B. Resolution adopting Rotary Nature Preserve Wetland Vegetation Management Plan Memorandum of Understanding **Res. No. 13171**

C. Resolution authorizing solicitation for RFP for preferred development of city owned property located at 1755 Hwy 96 **Res. No. 13172**

It was moved by Councilmember **Walsh**, seconded by Councilmember **Edberg**, to approve the consent agenda. Motion carried unanimously.

5. VISITORS AND PRESENTATIONS

A. Biannual Police Department Report + Swear in Police Officers

The following police officers were given the Oath of Service by the city clerk: Samantha Moriarty, Cole Campbell and Kyle Torvik.

Police Chief Swanson presented the biannual Police Department report. She reported that the three new officers make the Department almost fully-staffed. She provided an overview of the staffing structure and the schedule of patrol teams. She shared information about new officers and explained the training process, which lasts about 12-14 weeks. The MN POST Board, an administrative body of the State of Minnesota, is the licensing agency for police officers. Chief Swanson emphasized the importance of the organization, explaining it also oversees operations and regulations of police departments. She shared information about police officer training, consisting of a required 48 hours during each three-year cycles that cover various topics, but she estimates police officers actually receive about 150 hours.

The Police Department partners with Northeast Youth and Family Service Community Advocate Program which provides a shared case worker to respond to certain situations involving mental health issues, family instability, medical care and more. Chief Swanson said it's been a great resource, especially for those not wanting to interact with law enforcement. Another partnership is with Masa Consulting, which supports police officers with their wellness and mental health. She noted this was a helpful tool following the recent incident involving the shooting of a White Bear Lake police officer. She said these services are valuable for the Department and its officers. She explained the other partnerships with Ramsey County VCET, Ramsey County SWAT, Mobile Field Force, MN Bureau of Criminal Apprehension and Ramsey County Suburban Police Departments. She highlighted the police volunteers serving on the White Bear Lake Police Reserves, CERT, Citizen's Police Academy and TRIAD.

Chief Swanson reported that the numbers of calls for service in 2022, totaling just over 21,000 calls, is down from 2021, which totaled closer to 23,000 calls. She provided a breakdown and explanation of the types of calls. She reported that traffic stops were up from 2021. Chief Swanson shared a list of community outreach events. She said the events are initiated by the Department, but are greatly supported by local businesses and community members.

When Councilmember Edberg asked about the trend in traffic stops over the years, Chief Swanson reported that the number of stops has remained consistent, but she has seen a downward trend in number of DWIs, probably due to increase use of ride-sharing services and establishments not being open as late as they were before the pandemic. She talked about the state and federal funding that allow the City to do off-duty detail focusing on traffic. Councilmember Edberg addressed speeding in the neighborhoods and Chief Swanson shared some traffic calming opportunities, but said speed patrol has been the best tool.

B. Body-Worn Camera Audit

Police Chief Swanson presented findings of the Body-Worn Camera Audit. She said the Police Department started the implementation of body cameras about four years ago, and full-use implementation three years ago. As part of body-worn camera use, the City is required to have regular audits and the city selected the Minnesota Security Consortium to audit the program. She explained the audit process and what the auditors look for, including proper case labeling

and proper categorizing and labeling of retention periods. She reported the Consortium reviewed 52 random cases which they selected and the Police Department was successful in the audit. She said the Department has very good compliance with the body cameras and reported that officers use them appropriately and effectively. The officers also find the cameras valuable.

Councilmember Edberg questioned if the audit sample was big enough. Chief Swanson said the Consortium reports the findings to the state and they determined the sample size. She stated she is confident in the Department's use of body-worn cameras, because supervisors review footage daily. Councilmember Walsh asked if the policy that was put in place for the body-worn cameras is sufficient for the Police Department and Chief Swanson responded that it has been, and it was modeled from the League of Minnesota Cities and the MN Post Board policies. City Manager Crawford noted that the Consortium commented on how easy it was to conduct the audit and they acknowledged the organization of the Police Department files. Crawford commended Chief Swanson, who passed the credit on to Carrie Varco, Evidence Technician and Body-Worn Camera Specialist, who greatly assisted with the audit process.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Edberg**, to approve **Res. No. 13173** accepting the Body-Worn Camera Audit as required by Minn. Stat. 13.825, Subd. 9(c). Motion carried unanimously.

6. PUBLIC HEARINGS

Nothing scheduled.

7. UNFINISHED BUSINESS

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

City Manager Crawford summarized an ordinance amending the 2023 Fee Schedule that incorporates fees related to the new sidewalk café ordinance that was adopted at the February 28 City Council meeting. A first reading and public hearing for the Fee Schedule amendment was conducted at the March 14 City Council meeting. Crawford explained that the fees are based on the cost of staff time for processing and reviewing applications, which may involve up to eight staff members for new applications. She commented that the proposed fee is lower than actual costs, but acknowledges that it's consistent with other cities. For clarification, Mayor Louismet asked what constitutes a significant change to a renewal application. Crawford and Public Works Director/City Engineer Kauppi said a significant change would involve a perimeter change of the sidewalk café, for example. Mayor Louismet shared support for lowering the renewal cost when there are no changes for a renewal application. Councilmember Walsh recommended eliminating a renewal fee when there are no changes to the sidewalk café from the previous year. Councilmember Jones supported the renewal fee, explaining that he trusts staff to determine the time it takes to review applications, and he brought attention to the fact that private businesses are using public property. Councilmember Hughes recognized that the opportunity to have a sidewalk café benefits only a handful of establishments and supported the fees since they're using public property.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Edberg**, to approve

Res. No. 13174 amending the 2023 Fee Schedule as presented. Motion carried unanimously.

B. Tobacco License Renewals

At the March 14 regular meeting, the City Council approved annual business license renewals for all but two establishments. The two establishments, MNJ Tobacco Inc. and Nothing But Hemp, each failed two compliance checks for selling THC products, which can be considered basis for denial for a tobacco license. The City Council voted to continue the discussion to the March 28 regular meeting to provide proper notice to the licensees. Mayor Louismet invited the licensees and representatives to speak.

Attorney Bryce Holstad, representing MNJ Tobacco Inc. and business owner Maan Altamimi, argued on behalf of his client. He shared information about due process rights and replied to comments made at the March 14 City Council meeting saying his client has been charged. He said his client has not violated the ordinance and has not committed crimes as it relates to his tobacco license.

Eva Droz, co-owner of Nothing But Hemp, said the business is complying with the moratorium and said they pulled all products above the 0.1% THC limit. Attorney Susan Burns represents the business and had previously issued her opinion that her client is entitled to continue its operations with selling products under 0.1% THC limit. She said she shared some of the same concerns as Holstad. She said her client's products are compliant and asked about the violations that occurred.

Mayor Louismet deferred to the City Attorney about the status of a criminal complaint. City Attorney Gilchrist said the prosecuting attorney expressed intent to issue charges against the businesses. Nonetheless, Gilchrist explained the violation is not exclusively criminal and there could be an administrative offense. He said it is up to the City Council to determine whether it should issue a tobacco license to a business selling products that the City deems to be in violation of its ordinances. He reminded Council that the list for basis for denial of a tobacco license listed under City Ordinance §1104.040 is not exclusive or exhaustive. When asked about the prohibited amount of THC listed in the moratorium, Gilchrist said the limit is 0.1% and explained that in an attempt to exempt sales of CBD products with trace amounts of THC from the moratorium, a de minimis amount was established. He said the two businesses are claiming they are selling products with amounts less than the limit. Gilchrist explained the testing requirements outlined in state statute and that manufacturers have to disclose how much THC is in the product. Mayor Louismet explained that being in violation of the moratorium is basis for denial based on the tobacco. He said a criminal complaint can take time, but a formal charge is not necessary to deny the license. He said the Council can re-issue the tobacco license if the businesses are found to be in compliance.

Councilmember Edberg said he understands that the list for basis for denial is not exclusive or exhaustive, but pointed out that the list is specifically related to tobacco. He said he doesn't think the scenario fits within the list and said he doesn't have supporting materials or evidence to support that they violated the ordinance. He stated he was not comfortable making the decision to deny their tobacco licenses. Councilmember Walsh responded to Councilmember

Edberg's comments saying the list for basis for denial isn't all related to tobacco, specifically referencing the clause about businesses paying their property taxes, which he said is not specifically related to tobacco. He believes the Council is within its rights to act on the violation, however he did share Councilmember Edberg's caution on not having the evidence in front of Council and the businesses not being charged. Councilmember Walsh asked about the City's ability to re-issue the tobacco licenses if the businesses get in compliance. Gilchrist said the ordinance doesn't have a prohibition for re-applying, but also explained there is an option for suspension versus revocation of the licenses. Councilmember Edberg recognized legislation could change the conversation all together. He reiterated not having the evidence he feels is necessary for him to deny the license, so suggested renewing the license and follow up with additional compliance checks.

Councilmember Jones expressed frustration with the two businesses who continue to sell products that are prohibited. He referenced product that was purchased that day, which lists on the package that the THC amount it is over the limit. He said businesses that are following the moratorium are losing customers to businesses not following the moratorium. He expressed interest in seeking suspension. He added that the Police Department has always done license compliance checks, and the Council has never requested evidence. Mayor Louismet read directly from the product purchased from Nothing But Hemp, which lists Delta 9 THC at .111% and .114%. He said the product is over the limit, and said the moratorium doesn't allow variance of measurement. Mayor Louismet accepted additional comment from the businesses' representatives. Councilmember Hughes shared she was not in support of denying the license based on the conversation and shared concerns of other councilmembers. Councilmember Walsh believes the Council has the authority to deny the license based on the tobacco ordinance and failing two compliance checks. He was in support of denying their license and would hope the businesses get in compliance for their licenses to be re-issued. There was clarification for the businesses to get their tobacco licenses re-issued during a moratorium prohibiting establishment of new tobacco shops or current tobacco shops expanding their floor plan.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Jones**, to approve a resolution that would deny the renewal of tobacco licenses for MNJ Tobacco Inc. and Nothing But Hemp. Discussion ensued. Councilmember Edberg said he will be voting against this resolution due to the lack of evidence and the livelihoods at stake. Councilmember Jones challenged the language in the moratorium and wondered if it should be modified it to prohibit all sale of any measure of THC. With discussion at the legislature about THC, Councilmember Walsh encouraged Councilmembers to focus on the two tobacco licenses in question before exploring modifying the moratorium. Motion failed 2-3, with Councilmembers Walsh and Engstran voting in support, and Councilmembers Edberg, Hughes and Jones voting against.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Hughes**, to approve **Res. No. 13175** approving the renewal of tobacco licenses issued to MNJ Tobacco Inc. and Nothing But Hemp. Motion carried 3-2, with Councilmembers Edberg, Hughes and Jones voting in support, and Councilmembers Walsh and Engstran voting against.

City Manager Crawford reaffirmed that the City will continue its THC moratorium compliance checks.

8. NEW BUSINESS

A. Concurrent Detachment and Annexation of Certain Property to the City of Mahtomedi

City Attorney Gilchrist presented a proposed concurrent detachment and annexation of property from the City of White Bear Lake to the City of Mahtomedi. The request was initiated by Mahtomedi staff to annex a 140-foot-wide strip of property. The property, located near Wildwood Road, is approximately 1.36 acres and is almost completely surrounded by Mahtomedi. For general information on the process, he explained that changing boundaries between cities involves concurrent detachment and annexation, which differs from a city annexing township property. Gilchrist said Mahtomedi staff reached out to the owners of the properties, who shared no opposition to the shift. Mahtomedi's City Council approved the same resolution that was being presented. As part of the resolution, Mahtomedi will be responsible for the preparation and filing of the resolution and boundary maps with the appropriate entities. Mayor Louismet inquired about tax revenue loss with the property. City Manager Crawford said the City would lose the tax revenue from the property, but reported it is not significant. Utilities will still be billed for the property. She foresees the shift will be beneficial long-term for economic development in the area.

It was moved by Councilmember **Edberg**, seconded by Councilmember **Engstran**, to approve **Res. No. 13176** approving the concurrent detachment and annexation of the 1.36 acre-property from White Bear Lake for annexation into Mahtomedi. Motion carried unanimously.

9. DISCUSSION

Nothing scheduled.

10. COMMUNICATIONS FROM THE CITY MANAGER

City Manager Crawford shared information for two events, the Police Department Easter Egg Hunt at Podvin Park and a ribbon cutting for Cajeta Coffee at 2179 4th Street.

12. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Engstran**, seconded by Councilmember **Walsh** to adjourn the regular meeting at 9:21 p.m. Motion carried unanimously.

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



**MINUTES
PARK ADVISORY COMMISSION
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
THURSDAY, FEBRUARY 17, 2023
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, Anastacia Davis and Mike Shepard

MEMBERS ABSENT: Ginny Davis, Bill Ganzlin,

STAFF PRESENT: Andy Wieteki, Parks Working Foreman, Paul Kauppi, Public Works Director/City Engineer

VISITORS PRESENT: None

2. APPROVAL OF AGENDA

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

Motion carried 5:0.

3. APPROVAL OF THE MINUTES

Minutes of November 17, 2022

It was moved by member **Ginny Davis** seconded by member **Victoria Biehn**, to approve the minutes of the November 17, 2022 meeting as presented.

Motion carried, 5:0.

4. VISITORS AND PRESENTATIONS

Nothing Scheduled.

5. UNFINISHED BUSINESS

Nothing Scheduled.

6. NEW BUSINESS

A. Youth Baseball Investment/Lakewood Hills Ball Fields

Andy Wieteki shared with the Park Advisory Commission that he was approached by the White Bear Baseball Association (WBBA) about future use of the Lakewood Hills fields. Last year, the City entered into a license agreement that allows Youth Baseball to use two of the softball fields and the complex for their games, practices and tournaments. The association had a great experience with the Park and what the complex has to offer. The

Youth Baseball Association is impressed with the impact that the complex has made on the players and their families and asked to expand their use of the fields. They have raised a decent amount of money and would like to explore investing significantly in the Lakewood Hills Park complex to help make it an even better experience.

The three areas that WBBA would like to invest in are: installing protective netting around the backstops and down the 1st and 3rd base lines to protect players and spectators from pop fly and foul balls, turn one or two of the fields into 75-80 base lines with grass infields around the pitcher's mound, and lastly to build a batting cage onsite. With the potentially large investment, the one stipulation that WBBA is asking for is to have priority use of this complex from April – July. Andy and Paul have spoken a little on this topic but will need to have more conversations to understand how other associations in WBL use this complex to make sure that it is still available for all to use. Andy has already reached out to Jon Anderson with the WBL School District to ask some questions about how this could affect others that use the Lakewood Hills Park ball fields.

Paul Kauppi asked where all the softball players are going if they aren't playing here. Andy did not have an answer to that question but he did ask Jon Anderson if this would interfere with softball. Jon answered that long term for softball is not good and he doesn't see the school district doing anything in the near future. Jon did not state the changes that the baseball association would like to make would not interfere with any future softball plans.

Bryan Belisle did not like the idea of converting the fields and asked Andy to maybe market our fields to help bring more softball players/games back to Lakewood Hills Park. Bryan believes that if we allow basement to install pitchers mounds that softball won't be able to play on them. Andy replied that the softball can still play with a grass infield and maybe the conversation with WBBA is they use portable mounds instead of a permanent mound. Mike Shepard likes the idea that WBBA is wanting ownership and looking to invest a substantial amount of money to make the improvements that are needed. He also likes that the upgrades will not have to come from the Parks Capital Improvement Budget. Bryan did agree that the improvements are needed as he has encountered foul balls in the spectator's area. He would like to see two of the fields remain dedicated to softball. Anastacia Davis supports the idea and it will elevate the park with many improvements from the WBBA. A vote is not needed tonight and the discussion is for information purposed only. Andy only learned of WBBA's intent two weeks ago and we are still in the very early stages of the process. He only wanted to get the conversation started with the Commission.

B. RFP for Downtown Reconstruction Project

Paul Kauppi shared with the Commission that the City is preparing for the reconstruction project in the areas downtown that were not touched in the early 2000s when the City previously made improvements. He explained that the City is interviewing engineering firms for mobility studies, designs, wayfinding. The City will be looking for a volunteer

from the Parks Advisory Commission to help with some of these decisions. The Committee will be put together later this summer/fall once the engineering firm is hired.

C. 2023 Parks Capital Improvement Projects - Review

Andy reviewed the 2023 Parks Capital Improvement Projects (CIP) budget with the Commission explaining all of the projects that will happen in 2023. He reported that they are planning to shift the money that was budgeted to paint the exterior soffits at Podvin Park and put those dollars towards the dog beach fencing and swimming barrier. The exterior soffits at Podvin are holding up better than they anticipated and the painting isn't needed this year. Andy will update the Commission at the next meeting.

The Commission should look through the entire CIP document and make notes. If there is something listed and they feel it is important to add to a City Park, bring it to the Commission for discussion.

Andy also reminded the Park Advisory Commission that the new park signs are not added into this budget yet. A solid budget number is needed and then there will be some discussions on how to fit it into our CIP. Mike Shepard suggested the Commission members look at the signs currently in the parks during their summer park tour and report back on how many signs each park needs.

7. DISCUSSION

A. Staff updates

- Recap Workshop with City Council – The Park Advisory Commission took a few minutes and discussed the workshop, how it went and what they felt needs more discussion. The Commission enjoyed the opportunity and look forward to meeting with the City Council and Mayor again.

B. Commission Member Updates

8. ADJOURNMENT

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

Motion carried, 5:0



**MINUTES
ENVIRONMENTAL ADVISORY COMMISSION
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
WEDNESDAY, FEBRUARY 15, 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 6:35 p.m.

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

MEMBERS ABSENT: Rick Johnston

STAFF PRESENT: Connie Taillon, Environmental Specialist

VISITORS PRESENT: None

2. APPROVAL OF AGENDA

The commission members reviewed the agenda and had no changes.

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

Motion carried 6:0.

3. APPROVAL OF THE MINUTES

A. Minutes of the Environmental Advisory Commission meeting on January 18, 2023.

The commission members reviewed the draft January 18, 2023 meeting minutes and had the following change: replace 'all of the meeting' with 'most of the meeting' in the first sentence of paragraph two in agenda item 5A work session recap.

It was moved by member **Bolstad** seconded by member **Frye**, to approve the minutes of the January 18, 2023 meeting as amended.

Motion carried, 6:0.

4. VISITORS AND PRESENTATIONS

None

5. UNFINISHED BUSINESS

A. 2023 work plan

The commission members reviewed the top 4 priority projects on the 2023 work plan which includes reduce recycling contamination education, pollinator plantings, solar on buildings, and buckthorn removal. Chair Schroeher asked how the commission members

would like to proceed with the top 4 priorities. Member Greenleaf would like to work on all of the priorities at the same time.

Member Bolstad asked what the commission can do about solar on buildings. Taillon replied that solar on City buildings will be considered by staff and Council when a roof is due to be replaced or when a new building is built. The commission can work to educate the public on the benefits of solar, and provide resources to residents and businesses such as hosting Solar Power Hours. Chair Schroeher stated that he would like to host Solar Power Hours and invite a solar company to exhibit at the Environmental Resources Expo.

The commission members discussed how to move forward with pollinator planting and buckthorn removal projects. Chair Schroeher will email the Parks Commission Chair to schedule a joint meeting to discuss possible partnerships. Taillon will give the Parks Commission staff liaison a heads-up about the joint meeting and create an agenda. Member Luxford stated that if a buckthorn removal project is scheduled for this fall, the commission could consider asking for volunteers using a QR code at the Environmental Resources Expo. Member Frye stated that a plan should be created after receiving a commitment from Public Works. He asked if there is funding for sustainability work. Taillon responded that the stormwater fund and park fund have budgets for tree planting and native plant restoration work. There was consideration in the past about setting up a new budget that is funded by the savings from energy efficiency and solar projects.

For the recycling education priority, Member Greenleaf mentioned that previous leadership would offer recycling workshops, and if the commission should consider doing this again. The commission members also considered creating a recycling display at the Environmental Resources Expo. Commission members asked about contamination in curbside recycling. Taillon replied that the current residual (non-recycling) is 12.21% which is more than the 2022 percentage of 12.04% but lower than the 2021 residual of 13.03%. The residual percentage is determined by a composition study completed by Eureka Recycling each year in late fall. Member Frye mentioned that outreach should occur 2 to 3 months prior to the composition study.

The commission members discussed priorities mentioned in the joint workshop with the Mayor and City Council. Member Bolstad noted that their priority is water conservation. She asked that the goal and problem statement information in the Google Doc be added to the March packet.

Commission members discussed wanting to be part of project reviews, and asked to see a copy of the winning proposal for the downtown project. Taillon will work with staff to provide. Member Frye stated that potential projects should include an environmental review.

B. Environmental Resources Expo – July 27, 2023

For the sake of time, the commission members asked Taillon to include this item on the March agenda.

6. NEW BUSINESS

A. Spring newsletter articles

Taillon asked the commission members if there are specific topics for articles that they would like included in the spring newsletter. She listed environmental topics from past spring newsletters such as the spring cleanup day, yard waste, illicit discharge education, Mayors water challenge, food scraps drop off site, adopt a drain, and spotlight on sustainability. The commission members asked Taillon to include these topics in the 2023 spring newsletter and also include a ‘what can and can’t be recycled’ article with the slogan ‘when in doubt, throw it out’ to try reduce the amount of residual/trash in curbside recycling.

7. DISCUSSION

A. Staff updates

- Northeast Metro Climate Action February program

Taillon noted that the Northeast Metro Climate Action February program speaker is Commissioner Victoria Reinhardt, who will be talking about Ramsey County’s Climate Action Plan. The in-person and virtual meeting is scheduled for 6:30pm on Tuesday February 28th and is open to the public.

- RCWD Climate Resiliency Workshops

Taillon stated that Rice Creek Watershed District (RCWD) recently received a community resilience planning grant from the Minnesota Pollution Control Agency to understand how to reduce the risk of impacts due to changes in precipitation patterns. One part of this process is a series of workshops to identify community vulnerabilities and strengths, and actions to improve resilience. RCWD is collaborating with Freshwater to develop and host these workshops. Two workshops have been scheduled for February 28th and March 22nd at the Shoreview Community Center from 3 to 7pm. Taillon asked if one member of the commission would like to attend. Chair Schroeher stated that he will plan to attend the March 22nd workshop. Member Luxford will check to see if he can attend the February 28th workshop. Taillon will email the invite to all commission members.

- Rotary Park field trips

Taillon mentioned that Rotary Club and the City are partnering with Birch Lake Elementary School to host field trips at Rotary Nature Preserve for students on May 24th and 25th. Nick from VLAWMO will have a macroinvertebrate station where students can learn about the animals they observe in the wetland, and Taillon will have a native plant planting station where students will learn about and plant their own native plant in the park.

B. Commission member updates

Chair Schroeher reported that he attended the January 24, 2023 City Council meeting to

learn about 2023 legislative priorities. He noted that State Senator Heather Gustafson was in attendance. One of the topics discussed was the water use restrictions. Senator Gustafson mentioned that she and Karin Housley will work with legislators to determine what can be done about the water issue. Councilmember Jones mentioned the downtown renovation project tentatively scheduled in 2024 and 2025.

Chair Schroeher mentioned that he attended the League of Minnesota Voters Q & A session. He asked about a non-reusable bag ban, but it was not one of their priorities. He then asked about the Extended Producer Responsibility strategy but they were not aware of this.

Chair Schroeher noted that the Metro Environmental Commissions meeting is coming up in May and the Ramsey Washington Metro Watershed District Waterfest is scheduled for June 3rd at Lake Phalen Park.

C. Do-outs

New do-out items for February 15, 2023 include:

- Chair Schroeher to email the Parks Commission chair to set up a joint meeting.
- Include an article about what can and can't be recycled in the spring newsletter.
- Include information from the Google work plan document for the 2023 priority topics in the March agenda.
- Taillon to research downtown proposal.
- Taillon to email RCWD Climate Resiliency Workshop invites to all members.
- Commission members to choose one or two members to attend the RCWD Climate Resiliency Workshop after receiving the formal invite.

D. March agenda

Commission members discussed the March agenda items and asked Taillon to include the joint Parks Commission agenda, 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 **Bolstad** seconded by member **Greenleaf** to adjourn the meeting at 8:47 p.m.

Motion carried, 6:0



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

Feb. 21, 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, Diane Longville, Meredith Walburg, and Alan Kantrud. Absent: Darren DeYoung and Susie Mahoney. One director position from Dellwood is vacant. A quorum was present.
2. **Call to Order** – The meeting was called to order at 7:01 pm by Bryan DeSmet.
3. **Approval of Agenda** – Motion to approve the agenda was made by Mike Parenteau, seconded and passed.
4. **Approval of Previous Board Meeting minutes** – Motion to approve the January 2023 Board meeting minutes was made by Mark Ganz, seconded, and passed.
5. **Public Comments** – none
6. **New Business** – Bryan DeSmet
 - Approval of general records retention schedule – Motion to approve the General Records Retention Schedule for Minnesota Cities was made by Bryan DeSmet, seconded and passed.
 - Watercraft storage fee (on- and/or off-shore) – WBLCD role and jurisdiction – We received a letter from the City of WBL attorney about fees charged for canoes/kayaks on storage racks that are not physically located in the water. The LUC will revisit our ordinances to see how to clean them up so they're clear to our member communities.
7. **Unfinished Business**
 - Finalize 2023 Executive Board elections – No additional nominees to the Executive Board election were made to the slate announced at the January Board meeting. Motion to approve the nominees – Bryan DeSmet for chair, Meredith Walburg for vice chair, and Mike Parenteau for treasurer – was made by Mark Ganz, seconded and passed.
 - Review of RFBs and selection of a surveying service – We received two bids for surveying service – one from E.G. Rud and Sons for \$9,800 and the other from Widseth for \$14,400. Motion to award the surveying service project to E.G. Rud and Sons was made by Bryan DeSmet, seconded and passed. Any additional questions or services can be discussed with them once they are on-board. The signed contract will be sent with a letter stating to let us know a week or two before they begin work.

- Permit application (Form 5) update review –
 - The LUC needs to meet to review the forms that have been updated by the Permit Application Revision Subcommittee, in addition to other matters. A zoom meeting can be held – Alan and Cheri will set it up.
 - Cheri highlighted some of the changes made to the draft Form 5 that will be discussed further by the sub-committee. The next steps are to finalize Form 5, review and update all of the forms, and clarify the license fee schedule for use in the 2024 season, before bringing the whole package to the Board for approval by mid-summer or before. If Board members have any input they can send comments to Cheri to bring to the sub-committee meeting.

8. Reports/Action Items

- **Executive Committee** –
 - The committee discussed the bids for surveying service, and some of the application form items. Bryan will contact the Rice Creek Watershed District about supporting the WBLCD with a sampling program.
 - The League of Women Voters did some work for the Board 2011 and offered some suggestions on how the Board might improve. Cheri brought those to the committee for review, and then will be brought to the Board.
 - An Annual Designations list is being created which will be brought to the Board for approval next month. Going forward, this list is usually approved in January.
 - Administrator salary – The committee recommended raising the administrator salary from \$24/hr to \$26/hr, beginning March 1. Motion to approve the \$2 raise was made by Bryan DeSmet, seconded and passed.
- **Lake Quality Committee** –
 - 2023 DNR AIS Control Grant Program – Mike applied for the grant and was notified that the WBLCD will receive \$6,750 for survey and treatment of EWM, which will be paid out after work is done and bills submitted. Mike will contract out for the work.
- **Lake Utilization Committee** –
 - 4955 Lake Ave compliance follow-up – Emails sent to the contact information that was found for the owner, who is currently out of the country, bounced back. Chris will bring the certified letter in person to the brother who lives at the residence as an attempt to contact the owner one more time.
 - Letter to Commercial Bay operators – Letters went out to commercial operators regarding the survey that will be conducted, and the dock installation process that will be observed by the WBLCD.
 - Permit applications: The LUC reviewed the following applications, and recommendations were made to the Board, with each voted on individually:
 - Cottage Park Homeowners Association – After being tabled last month, a revised application was submitted to increase the dock length, and number of boats. Motion to approve a permit for a dock length of 250 ft (or to the distance at which the Lake is no more than 4 ft deep, whichever is less), and to keep the boat count at 14 was made by Mark Ganz, seconded and passed.
 - McCartney Estates Homeowners Association – Motion to approve a permit was made by Mark Ganz, seconded and passed.

- Fletcher Driscoll – The permit application was tabled until the requested items – late fee, and insurance information – were received.
 - WBL Fireworks Committee Special Event (July 4) – Motion to approve a permit, and waive the application fee, was made by Mark Ganz, seconded and passed.
 - Conditionally-approved commercial applications status update – Alan will write a letter to Tally's Dockside and Docks of White Bear Lake regarding requested items that have not been received and are needed to validate their permits.
- **Lake Education Committee**
 - Annual Lake Cleanup (Mar. 11) – Scott Costello invited Board members to participate in the cleanup by joining the Boy Scout troop at Bellaire Beach. Let Scott know, or just show up.
 - Educational Program –
 - This year's educational program is being discussed, such as putting together a flyer with content that could include Yellow Iris, invasive species update, website information, and roles as lakeshore property owners. The counties can provide us mailing labels of lakeshore property owners. The flyer could be similar to the zebra mussel brochure that the WBLCD created and sent out several years ago.
 - Mike and Scott will attend several RCWD workshops to connect to what they are doing.
 - Social media update – Meredith will post about the ice cleanup and results, the March 6 deadline for icehouse removal, and snowmobiles getting too close to the shore (the limit is 200 ft).

9. Treasurer Reports – Mike Parenteau


- Approval of February Treasurer's Report - Motion to approve debit card transaction 4, and checks 4820 to 4825 was made by Mike Parenteau, seconded and passed.
- Accounting support – Motion to approve an additional \$2,000 for accounting support from CHE, LLC, Charisse Letourneau, was made by Mike Parenteau, seconded and passed.
- 2020 audit status – The audit will be ready for review at the March meeting. It will be in pdf form, and they will print as many copies as we would like. Jim Eichten, MMKR, will be asked to present it in person.


10. Board Council Report – Alan looked into getting extra water patrol in the commercial bay area for this summer. He did not get a response from the DNR, but talked with Michael Tombaga, Ramsey County Water Patrol who said they could accommodate us. He could come to talk to us at the next meeting or Alan can talk with him before then.

11. Announcements - none

12. Adjournment – Motion to approve adjournment at 7:38 pm was made by Mark Ganz, seconded and passed.

ATTEST:

Bryan DeSmet, Chair  Date 3-21-2023

Cheri Howe, Administrator  Date 3/21/2023



**MINUTES
PLANNING COMMISSION MEETING
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
MONDAY, MARCH 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:** n/a
- STAFF PRESENT:** Jason Lindahl, Community Development Director; Ashton Miller, City Planner; Shea Lawrence, Planning Technician; Nate Christensen, Assistant City Engineer
- OTHERS PRESENT:** Barb Bicha, Karen Larson, Jeremy Post, Brie Enz, Will Enz, Alastair Downie, Mary Pollard, Sean Higgins, Joe Kimball, Tim Martin, Jim Galvin, Dustin Holman, Linda Martin, Tim Wald

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 February 27, 2023

It was moved by Member Baltzer and seconded by Member Enz to approve the minutes of February 27, 2023.

Motion carried, 7:0.

4. CASE ITEMS

- A. Case No. 21-3-CUPa:** A request by **White Bear Lake Area Schools** for a conditional use permit amendment, per code section 1303.245, Subd.2.c.4, in order to add bleachers at the athletic stadium for a maximum capacity of 5000 seats at the property located at 5045 Division Avenue.

Jason Lindahl, Community Development Director, discussed the case. Staff recommended approval of the request as proposed.

Member Reinhardt asked about the current capacity of the South Campus stadium. Lindahl responded that he believes it is about 4,800.

Member Enz asked for clarification about the report including conflicting references about which campus will be hosting football. Lindahl explained that in the staff memo there were quotes from the original Environmental Assessment Worksheet (EAW) report when it was still the intention to keep hosting football at South Campus.

Member Enz asked about what type of noise control methods will be in place during games. Lindahl explained that the original noise analysis was done prior to the decision to move football to North Campus, and that no further analysis has occurred at this point. Lindahl explained that the noise study measures noise over a period of time which would include sudden spikes in noise but doesn't do anything to specifically address those spikes.

Member West asked how the plan for the stadium came to include 5,000 seats, increasing from the original plan for 1,500. Lindahl explained this was the applicant's request and they could help answer how they came to this number.

Member Berry opened the public hearing.

Tim Martin 4820 Bald Eagle Ave, expressed his opposition to the proposal and that he hopes it is delayed or rejected. He explained that residents were initially told that the school district's short term plan was to continue hosting football at the South Campus location. He added that because the expansion of the school is not completed yet, they don't know what the impacts that the school expansion alone will have on the neighborhood. He noted that Ramsey County hopes to expand the Bruce Vento Trail in the neighborhood which will also have impacts to the neighborhood. The impacts of all this needs to be understood prior to approving this project.

Joe Kimball of 4930 Walnut St, expressed various concerns about the proposal including parking on game nights, previous concerns from the Fire Department about access and an increase in traffic on Walnut from people using it as a shortcut.

Jeremy Post of 2068 3rd St, and an employee of the school district, explained that he understands the concerns people have but expressed his support of the proposal. He explained that the South Campus stadium is also in a residential neighborhood and that congestion and traffic is standard at South Campus football games as well. He added that there isn't land within the city to build a football stadium where it won't impact neighborhoods with parking and traffic. He continued that Marketfest is an example of an event that occurs throughout the summer that leads to additional street parking, but the benefits of that event outweigh the burden of additional traffic and street parking. He added that in regards to additional events, they are essentially talking about

additional traffic and street parking during 4 football games which is not a huge sacrifice to make. He explained that approving this proposal would be a great benefits to the students and community. He believes that there are many other people who are supportive of the proposal, who don't attend these meetings.

Alastair Downie of 1988 Campbell Circle, explained that he appreciates the engagement the school has done, but overall expressed concerns about the proposal. He explained that the campus will never be inclusive of all sports games, baseball and softball will continue to be hosted at South Campus, so the argument that this would unify the campus is not entirely accurate. He continued to say that there are parking and traffic concerns that need to be resolved because as is, the neighborhood is not capable of the increased use.

Jim Galvin of 4702 Wood Ave, a former math teacher and football coach with the district expressed his support for the project. Galvin provided an overview of the football traditions and history in White Bear Lake including that high school football used to be played at Price Field, which is near North Campus. He explained that it would have a great impact on the players if they are able to play football right outside their own school instead of needing to be bussed across town. He also added that moving football could have great benefits to the businesses in White Bear Lake, with people visiting for football games and driving past the local businesses.

Mary Pollard of 2321 5th St, explained that she understands that football was always intended to eventually move to North Campus, but that it is untenable in the area. She explained that she doesn't think it would be wise to approve this project which would increase traffic.

Dustin Holman of 4961 Campbell St., explained that he empathizes with the concerns of other nearby residents but overall expressed his support for the project. He emphasized that the proposal includes plans to modify Bald Eagle Ave to address traffic concerns. He also added that he believes the parking capacity at North Campus will be greater than it currently is at South Campus. He explained that homecoming events create an important experience for students and believes that 4 extra events at North Campus is worth it and that he is hopeful this project will pass.

Linda Martin of 4820 Bald Eagle Ave explained that it won't only be football that takes place at North Campus, but there will be 20 events in both spring and fall semester at this location. She questioned why all these events need to be moved to North Campus and that more than football needs to be considered when reviewing this proposal. She also noted that the school will see an influx of about 600 cars on a daily basis once the juniors and seniors move to North Campus.

Barb Bicha of 4965 Lamire Lane, explained that Lamire Lane and the neighborhood currently experiences a lot of traffic with school dismissal. She asked if studies have been completed in regards to traffic resulting from regular school sessions.

Tim Wald, the Assistant Superintendent for Finance and Operations for White Bear Lake Area Schools expressed his thanks to City Staff and the Planning Commissioners. He explained that beyond the neighborhood meeting he's heard from about three other people in regards to the proposal.

Member Berry stated that when parent drop off and buses are located in the same space it causes congestion, but the plans seem to indicate they will be separated. Wald confirmed that their plan is intended to mitigate that rush of traffic. Parent drop off will be located on the Division Ave side of the property. Wald also stated that many of their football games will result in less traffic than a typical school day creates, but that homecoming is an exception to that.

Member Berry mentioned that there was an unofficial count done within the first weeks of school that counted about 470 parent drop off cars one morning. Wald responded that he thinks that is reflective of a typical day.

Member Baltzer asked if Wald could clarify the number of events North Campus will be hosting as brought up by one resident. Wald explained that in the original Condition Use Permit agreement that they were planning to host boys and girls soccer, lacrosse and track and field at North Campus. This would be 16 events in the spring and 19 events in the fall, with some of them being double headers. He explained that a typical soccer or lacrosse game would draw a much smaller crowd of about 200-400 visitors.

Member Enz asked if it would be a safe to assume that the additional bleachers are really only needed to accommodate football. Wald responded that South Campus has seating for 4800 right now and that they don't fill that stadium up for football even during their homecoming which had 3,800 spectators. He explained that the seat count is based on 18 inches per seat for the bleachers but in reality people don't sit that close together.

Member Amundsen asked for clarification on why the school is planning to move football to North Campus sooner than they originally indicated. He asked if the school district decided to move football sooner because they own more of the neighboring properties now than when they originally went through the conditional use permit process. Wald explained that they originally did not have the space at North Campus to make it work. They now are able to expand their parking to more than double the parking at South Campus. He added that they intend to work with the City on parking mitigation measures.

Member Amundsen asked for confirmation that football would be moved to North Campus only after the road improvements are complete and the school is unified. Wald confirmed that is the plan. Football would still be played at South Campus in the fall of 2023.

Member Berry closed the public hearing.

Member Enz added that the traffic study that was included in the packets was helpful in addressing some of the concerns regarding traffic in the neighborhood.

It was moved by Member **Amundsen** to recommend approval of Case No. 21-3-CUPa, seconded by Member **Enz**.

Member Amundsen added that the conditions for the school have changed since they originally went through the approval process and that he looks forward to going to a football game and nearby restaurant.

Member Enz explained that there are a lot of small towns that celebrate football in a really big way despite having less parking. Football could bring people to White Bear Lake who haven't visited in a while.

Member Berry added that if the noise study is conducted it should occur during a football game.

Motion carried, 7:0.

- B. Case No. 23-10-V:** A request by **McNeely Music Center** for a variance from the 10 foot property line setback, per sign code section 1202.040, subd.2.B.1, in order to construct a freestanding dynamic display sign 3 inches from the street side property line on the property located at 4910 Highway 61.

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

Member Lynch asked if a sign attached to the building can be a dynamic sign. Miller responded that no, that is not permitted.

Member Berry opened the public hearing.

Sean Higgins, the architect for the McNeely Music Center project, distributed renderings of the proposed sign and images of nearby signs. Higgins provided an overview of the Manitou Fund and McNeely Music Center's purpose of community engagement and music. Higgins stated that the goal of the zoning ordinance is to improve public safety and aesthetics, so they planned to place their sign so it's facing traffic and drivers don't

have to turn their heads to read it. He explained that they designed the sign while trying to be consistent with the City's Comprehensive Plan. Higgins explained that the property is oddly shaped and it was a challenge to design the property when considering the setbacks and safety requirements. He continued that the proposed sign would be 32 feet and 7 inches from the roadway surface.

Member Enz asked why the applicant wants a dynamic sign. Higgins responded that they plan to use the sign for branding and to display info on their classes and events.

Member West asked for clarification on the images Higgins distributed to the commissioners. Higgins explained that the images include examples of nearby signs in relation to the right of way.

Member Berry asked if the plans for the sign were discussed when they were initially working on their design plan for the facility with the Sam Crosby, the former City Planner. Higgins responded that they had discussed signage but intended to apply for it when they were further along in the construction process.

Member Berry asked if they changed the foundation of the building when they reconfigured the building. Higgins responded that the building is in basically the same footprint as before.

Member Lynch asked about alternative locations for the sign. He asked if a parking spot could be eliminated to accommodate the sign. Higgins responded that they worked with the Fire Department and former City Planner during the design process for the parking lot to reach an adequate number of parking spots while still considering emergency vehicle access. Another location on the lot would require the removal and replacement of a tree which would be costly.

Member Baltzer added that he's never seen a request for a variance of down to 3 inches.

Member Berry closed the public hearing.

Member Amundsen asked staff if the applicant can apply with the state to have a sign in their right of way, and reference a recent sign application that the state got involved with. Miller responded that the recent sign application that was reviewed by the State was in regards to an off premise sign that the State considered a billboard. Miller added that staff doesn't anticipate that the state would have comments on the McNeely sign proposal because this sign would be located on the applicant's property. Miller continued that the sign's footings actually encroach into the right of way and staff believe that the State would have some concerns about that. Miller explained that there is a process with the state for vacating land, but she is unsure if the State has any intention of vacating their right of way.

Member Lynch added that while it currently looks like 32 feet of greenspace between the roadway and the sign, the right of way belongs to the State, who could in theory decide to do something with space. Member Lynch explained that he agrees with staff that the variance would not be in harmony with the intent of the ordinance and that the design of the lot is what has created a challenge for the placement of the sign.

Member Berry explained that he is concerned about setting a precedent for constructing a sign so close to the right of way.

It was moved by Member **Lynch** to deny Case No. 23-10-V, seconded by Member **Reinhardt**.

Motion carried, 6:1.

Member Enz opposed.

5. DISCUSSION ITEMS

- A. Case No. 23-8-C:** A presentation by **WBL DigniSuites RE, LLC** of their Concept Plan proposing to redevelop the property located at 2687 County Road D East and construct an approximately 6,000 sq. ft. nursing home facility with 14 units.

Miller discussed the case.

Member Lynch asked staff if the Concept Plan review process covers both if the applicant would plan to proceed with a PUD application or a rezoning and conditional use permit application. Miller answered yes.

Brian Wings, applicant and resident of 3900 Van Dyke St, explained he has been in the senior living business for about 25 years and DigniSuites is the newest model he is exploring and he intends to open about 5 more of these facilities in the Twin Cities area.

Member Enz asked the applicant to provide some more information on the model of this care facility. Wings explained that they will use prewired telehealth in the facility along with the assistance of care givers. It will be an activity based model to get residents out of their rooms during the day. The intent is to have activities continually offered so the suites would mostly be used for sleeping. The facility would have a residential style commercial kitchen and central communal living spaces.

Member West asked if they will be equipped to deal with people with dementia. Wings responded that that is their primary focus. It will be a high care and secure building. Member West also asked about the affordability of the suites. Wings responded that

he has a contract with Medicaid and their goal is that 20 percent of their payments will come through Medicaid and 80 percent will be through private payments.

Member Amundsen asked about the site plan and parking on the site. Wings responded that based on his experience at other locations, they have more than enough parking for staff and visitors based the amount of residents they will have. He also added that they plan to do a lot of landscaping to the property so it looks like an inviting place that people want to live. He also mentioned that they will put up a fence as required for licensing.

Member Amundsen asked if there is flexibility in their design to reorient the parking spaces. Wings responded that he is used to the process of working within a site and that they do what they can to make the space work and keep it affordable.

Lindahl explained that rezoning to get the right use for the applicant makes sense for the site. After rezoning, the applicant could either design the site to meet the standards for that zone or would go through the PUD process and work to minimize the deviations. Lindahl added that the encroachment into the Met Council easement and storm water easement may be a significant challenge for the applicant to solve. Wings explained that he is okay with using underground storage for storm water management.

Member Amundsen asked if there is a potential for a lot split on the property. Wings explained that the property will be split because he will only be purchasing the part of the property south of County Rd D.

Wings added that he has a lot of experience working with cities throughout the development process.

Lindahl asked if it was the consensus of the Planning Commission that they were generally supportive of the Concept Plan. All commissioners responded yes.

Member Enz stated that the proposed zoning change for the property would serve as a nice transition with nearby residential area.

B. City Council Meeting Overview

Lindahl provided an overview of the Planning Commission cases that went before City Council on March 14. The cases included a variance to rebuild a house on Lake Ave and a Conditional Use Permit to operate a daycare facility on Wildwood Rd which were both approved by City Council. Lindahl also explained that Element-Design Build presented their Concept Plan before City Council to build apartments at the southeast corner of County Rd E and Bellaire Ave. Lindahl explained that four councilmembers seemed generally supportive of the idea and one was opposed. Lindahl added that staff have since met with the applicants and that they are working to adjust their plans to address

the feedback they have received throughout the Concept Plan review process. The applicants plans to come before the Planning Commission next month with a PUD application.

Lindahl added that the process to revise and update the zoning code has started. The RFP has been published and the response deadline will be April 7th. After the deadline, staff will score proposals and conduct interviews. Once staff selects a preferred consultant they will go before City Council for approval hopefully by the end of May. Staff hopes the work with the consultant will officially kick off in the beginning of July.

Member Enz asked if the Planning Commission will be involved in the zoning code update process. Lindahl answered yes. He explained there will be a significant amount of community engagement and staff plans to have a steering committee involved in development process of the zoning code which would have some planning commissioners on it. Lindahl also added that he plans to have consistent updates from staff and the consultants for the Planning Commissioners throughout the process. Lindahl explained there will also be updates on the City's website about the process.

Member Amundsen asked if the RFP states why there is a need for a zoning code update, or if the steering committee is meant to outline the reasoning. Lindahl responded that the RFP is available on the City's website and that it speaks generally to the rationale behind the need for zoning code update and the consultant's role. He explained the consultant will look at the 2040 Comprehensive Plan and other studies the city has conducted including the arts district study and the County Rd E study to put together a document that is a framework and wish list of what should be included in the updated zoning code. That framework will be the guiding document when updating the code. Lindahl explained the consultant will likely breakdown our current code into various sections and rewrite the individual sections and then have check in meetings about it. Following this, there would be a draft zoning code put together. Lindahl added that there would then likely be a community wide open house for the draft zoning code.

Member Enz asked if state ordinances take precedence over city codes. Lindahl explained that zoning authority is specifically prescribed to local government by the state, but there are certain things that all municipalities are bound to by the state, such as public hearings, review timelines, notices and more. He added that generally, local government have the discretion to set their own local zoning regulations.

6. ADJOURNMENT

There being no further business before the Commission, it was moved by Member **Enz**, seconded by Member **Baltzer** to adjourn the meeting at 9:11 p.m.



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Caley Longendyke, City Clerk
Date: April 11, 2023
Subject: Special Event Application for Big Wood Brewery – Flip Cup Tournament

SUMMARY

The City Council will consider approving the special event application for Big Wood Brewery to host a flip cup tournament, involving use of a city parking lot and a single-event liquor extension.

BACKGROUND INFORMATION

On behalf of Big Wood Brewery, Jamey Worley submitted a special event application to host a flip cup tournament from 3-6 p.m. on Saturday, May 6, 2023. The request involves hosting the event in the city-owned parking lot in the space in front of Big Wood Brewery's outdoor patio and extending liquor service outside the licensed premises. Big Wood Brewery will provide its own resources for restrooms, electricity and refuse. Parking will not be impacted in the city parking lot.

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

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution authorizing Big Wood Brewery to host an event in an area of the city-owned parking lot with a single-event liquor extension on May 6, 2023.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION AUTHORIZING A SPECIAL EVENT ON MAY 6, 2023 AT
BIG WOOD BREWERY IN WHITE BEAR LAKE**

WHEREAS, a proposal has been submitted by Big Wood Brewery to host a flip cup tournament event from 3-6 p.m. on Saturday, May 6, 2023; and

WHEREAS, the request entails using parking lot space, but not impacting individual parking spaces, in front of Big Wood Brewery for liquor service; and

WHEREAS, Big Wood Brewery has plans for restrooms, electricity use and refuse; and

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

WHEREAS, Big Wood Brewery has submitted a plan for a designated area of alcohol consumption that has been reviewed by the White Bear Lake Police Department and has submitted proof of liquor liability for the area.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota hereby approves blocking off portions of the City-owned parking lot behind Big Wood Brewery and allowing a single-event liquor extension for their event.

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

1. A plan for control of a designated area of alcohol consumption, which has been approved by the White Bear Lake Police Department.
2. Proof of liquor liability insurance covering the cordoned area.

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

Ayes:
Nays:
Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Caley Longendyke, City Clerk
Date: February 14, 2023
Subject: **Special Event Application for Big Wood Brewery – 3rd Annual Beach Party**

SUMMARY

The City Council will consider approving the special event application for Big Wood Brewery to host their 3rd annual beach party, involving use of a city parking lot, amplified outdoor music and a single-event liquor extension.

BACKGROUND INFORMATION

On behalf of Big Wood Brewery, Jamey Worley submitted a special event application to host its annual beach party from noon-10 p.m. on Saturday, May 20, 2023. The request involves hosting the event in the city-owned parking lot in the space in front of Big Wood Brewery's outdoor patio, amplified outdoor music and extending liquor service outside the licensed premises. Big Wood Brewery will provide its own resources for restrooms, electricity and refuse. Parking will not be impacted in the city parking lot. The event will have outdoor amplified music, which will end promptly at 10 p.m. to stay in compliance with the city's noise ordinance.

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

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution authorizing Big Wood Brewery to host an event in an area of the city-owned parking lot with a single-event liquor extension on May 20, 2023.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION AUTHORIZING A SPECIAL EVENT ON MAY 20, 2023 AT
BIG WOOD BREWERY IN WHITE BEAR LAKE**

WHEREAS, a proposal has been submitted by Big Wood Brewery to host its annual beach party event from noon-10 p.m. on Saturday, May 20, 2023; and

WHEREAS, the request entails using parking lot space, but not impacting individual parking spaces, in front of Big Wood Brewery for amplified outdoor music and liquor service; and

WHEREAS, Big Wood Brewery has plans for restrooms, electricity use and refuse; and

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

WHEREAS, Big Wood Brewery has submitted a plan for a designated area of alcohol consumption that has been reviewed by the White Bear Lake Police Department and has submitted proof of liquor liability for the area.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota hereby approves amplified music and blocking off portions of the City-owned parking lot behind Big Wood Brewery and allowing a single-event liquor extension for their event.

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

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

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

Ayes:

Nays:

Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Lindy Crawford, City Manager
From: Caley Longendyke, City Clerk
Date: April 11, 2023
Subject: **Massage Establishment License for Pure Illumination Skincare Studio & Boutique**

SUMMARY

The City Council will consider adopting a resolution approving a massage establishment license to Pure Illumination Skincare Studio & Boutique at 4756 Banning Avenue, Suite 204.

BACKGROUND INFORMATION

Pursuant to City Ordinance Chapter 1127, the City regulates massage businesses and practitioner's licenses to ensure they meet minimum qualifications and basic insurance coverages. Hannah McVay submitted an application to allow massage therapy services within a leased space at her business Pure Illumination Skincare Studio & Boutique, located at 4756 Banning Avenue, Suite 204. Ms. McVay and a massage therapist, who concurrently submitted a massage therapist license application, have made arrangements to lease space within the building to run the massage therapist's business. Pursuant to the City Municipal Code, businesses which rent or lease space to an independent licensed massage therapist is considered a massage therapist business and must be treated as such, following all provisions of the Municipal Code and the application process to obtain an establishment license.

The Police Department completed a background investigation on Hannah McVay and found nothing to preclude issuance of a massage establishment license to the applicant.

RECOMMENDATIONS

Staff recommends the City Council adopt the attached resolution authorizing a massage establishment license be issued to Pure Illumination Skincare Studio & Boutique located at 4756 Banning Avenue, Suite 204 in White Bear Lake.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION AUTHORIZING ISSUANCE OF A MASSAGE THERAPY ESTABLISHMENT
LICENSE TO PURE ILLUMINATION SKINCARE STUDIO & BOUTIQUE**

WHEREAS, Hannah McVay (Applicant) submitted an application for a massage establishment license for Pure Illumination Skincare Studio & Boutique, located at 4756 Banning Avenue, Suite 204, White Bear Lake; and

WHEREAS, the property is zoned B-5: Central Business and massage is a permitted use at this location; and

WHEREAS, the business is not primarily for massage therapy, but the Applicant is offering space within the business to a massage therapist who will offer massage services; and

WHEREAS, pursuant to the Municipal Code, businesses that rent or lease space to an independent licensed massage therapist is considered a massage therapist business; and

WHEREAS, the White Bear Lake Police Department found nothing in the background investigation to preclude the issuance of a massage establishment license to the Applicant.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota, it hereby issues a massage establishment license as follows:

Hannah McVay
Pure Illumination Skincare Studio & Boutique
4756 Banning Avenue, Suite 204
White Bear Lake, MN 55110

BE IT FURTHER RESOLVED, that the Applicant and the businesses at the location will follow the provisions of Chapter 1127 Massage Therapists/Massage Therapist Business of the Municipal Code to maintain a massage establishment license.

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: Lindy Crawford, City Manager
From: Caley Longendyke, City Clerk
Date: April 11, 2023
Subject: **Massage Therapist License for Christina Martin at Pure Illumination Skincare Studio & Boutique**

SUMMARY

The City Council will consider a resolution approving a massage therapist license for Christina Martin at Pure Illumination Skincare Studio & Boutique, located at 4756 Banning Avenue, Suite 204.

BACKGROUND INFORMATION

Christina Martin is requesting approval of a massage therapist license to perform massage therapy at Pure Illumination Skincare Studio & Boutique, located at 4756 Banning Avenue, Suite 204. The applicant and the owner of the business have made arrangements for her to lease space for her massage therapy business. Following City Ordinance, the owner of the business is concurrently applying for a massage therapy establishment license to permit massage services to occur within the building.

Per City Code Section 1127, all persons performing massage therapy and related businesses require a license. The applicant is required to submit documentation which demonstrates they have received the appropriate training and insurance. A criminal history check is also conducted. The White Bear Lake Police department performed the required background check and found that the applicant meets all requirements of the City Code regarding massage therapy.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution approving a massage therapist license for Christina Martin at Pure Illumination Skincare Studio & Boutique.

ATTACHMENTS

Resolution

RESOLUTION NO.

RESOLUTION AUTHORIZING ISSUANCE OF MASSAGE THERAPIST LICENSE TO CHRISTINA MARTIN AT PURE ILLUMINATION SKINCARE STUDIO & BOUTIQUE

WHEREAS, the City received a complete application from Christina Martin for a massage therapist license in a leased space within Pure Illumination Skincare Studio & Boutique, located at 4756 Banning Avenue, Suite 204; and

WHEREAS, massage-related licenses for White Bear Lake are valid for the business cycle beginning April 1 and ending on March 31; and

WHEREAS, the massage services will take place in a leased space within Pure Illumination Skincare Studio & Boutique, whose business owner concurrently applied for a massage therapy establishment license to comply with the Municipal Code, requiring a massage therapy establishment license when massage therapy services are being performed anywhere on the premises; and

WHEREAS, the White Bear Lake Police Department performed a background check and found that the applicant meets all requirements of City Code Section 1127 for a massage therapist license.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota hereby approves a massage therapist license for Christina Martin at Pure Illumination Skincare Studio & Boutique effective through March 31, 2024.

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: Lindy Crawford, City Manager
From: Caley Longendyke, City Clerk
Date: February 14, 2023
Subject: **Message Therapist License for Kelly Weisner at LifeSpa**

SUMMARY

The City Council will consider a resolution approving a massage therapist license for Kelly Weisner at LifeSpa, located at 4800 White Bear Parkway.

BACKGROUND INFORMATION

Kelly Weisner is requesting approval of a massage therapist license to perform massage therapy at LifeSpa, which is an existing licensed establishment.

Per City Code Section 1127, all persons performing massage therapy and related businesses require a license. The applicant is required to submit documentation which demonstrates they have received the appropriate training and insurance. A criminal history check is also conducted. The White Bear Lake Police department performed the required background check and found that the applicant meets all requirements of the City Code regarding massage therapy.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution approving a massage therapist license for Kelly Weisner at LifeSpa.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION AUTHORIZING ISSUANCE OF MASSAGE THERAPIST LICENSE
TO KELLY WEISNER AT LIFESPA**

WHEREAS, the City received a complete application from Kelly Weisner for a massage therapist license at LifeSpa, located at 4800 White Bear Parkway; and

WHEREAS, massage-related licenses for White Bear Lake are valid for the business cycle beginning April 1 and ending on March 31; and

WHEREAS, LifeSpa is an existing licensed massage establishment in White Bear Lake; and

WHEREAS, the White Bear Lake Police Department performed a background check and found that the applicant meets all requirements of City Code Section 1127 for a massage therapist license.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota hereby approves a massage therapist license for Kelly Weisner at LifeSpa effective through March 31, 2024.

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
Engineering Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Paul Kauppi, Public Works Director/City Engineer
Date: April 11, 2023
Subject: **Authorizing Advertisement for Public Bids for the 2023 Bituminous Seal Coating Project City Project 23-02**

SUMMARY

The City Council will consider adopting a resolution authorizing advertisement for bids for the 2023 Bituminous Seal Coating Project.

BACKGROUND INFORMATION

The Engineering and Public Works Departments are preparing for the 2023 Bituminous Seal Coating Project by patching streets, contracting for joint and crack sealing and preparing specifications for seal coating. The City undertakes seal coating projects on a regular basis to maintain the wearing surface of the streets, seal small cracks to prevent water penetration and improve the overall appearance of the roadway.

In 2023, we are proposing to perform seal coating of City streets in various locations throughout the city. Some of these streets were last seal coated in 2016. Other streets were reconstructed or milled & overlaid in 2016 & 2017 and are now showing signs of wear. It is important to seal the surface of these streets before they degrade to a point where more extensive maintenance is needed.

All proposed streets will be seal coated using trap rock as the cover aggregate. The trap rock is a durable, hard, crushed rock which will provide a double surface with a nice appearance. We anticipate that the 2023 Bituminous Seal Coating Project will be completed before October.

Various streets have been identified as candidates for seal coating in 2023. However, the Engineering and Public Works Departments will reevaluate all city streets in the next several weeks to determine if they remain good candidates for seal coating this year, or if additional streets need to be added. The streets which are proposed for rehabilitation (either reconstruction or mill and overlay) within the next five years have been excluded due to their planned improvements.

The seal coating project is proposed to be funded from the Construction Fund which provides \$275,000 in the 2023 budget. We plan to complete a seal coating project annually; all are

incorporated into the Capital Improvement Plan.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution authorizing advertisement for bids for the 2023 Bituminous Seal Coating Project.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR
THE 2023 BITUMINOUS SEAL COATING PROJECT**

WHEREAS, as part of the City's Pavement Management Program, a bituminous seal coating project is completed annually; and

WHEREAS, the City Engineer has prepared plans and specifications for the 2023 Bituminous Seal Coating Project – City Project No. 23-02, and has presented such plans and specifications to the City Council for approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that the Public Works Director/City Engineer shall prepare and solicit an advertisement for bids upon the making of such improvement. The advertisement shall be published for 10 days, shall specify the work to be done, and shall state that bids will be received by the Public Works Director/City Engineer. Bids will be opened by the City Engineer and City Clerk, will then be tabulated and will be considered by the Council.

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
Engineering Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Paul Kauppi, Public Works Director/City Engineer
Date: April 11, 2023
Subject: **Authorizing Advertisement for Public Bids for the 2023 Crack Sealing Project
City Project 23-03**

SUMMARY

The City Council will consider adopting a resolution authorizing advertisement for public bids for the 2023 Crack Sealing Project.

BACKGROUND INFORMATION

As part of the City's ongoing Pavement Management Program, the Engineering Department is preparing for the 2023 Crack Sealing Project. The City undertakes crack sealing projects on a regular basis to maintain the wearing surface of the streets and seal cracks to prevent water penetration into the base and subbase where it weakens the street and causes failures. It is important to seal the cracks in these streets before the surface degrades to a point where more extensive maintenance is needed.

The crack sealing project involves cleaning of random cracks in bituminous street pavements with a router and then filling the cracks with a hot, liquid, rubberized sealant. The crack sealing process is accomplished ahead of the sealcoating operation so that the smaller random cracks not sealed by the crack sealing contractor are sealed by the seal coat emulsion. On streets that are five years old or have been resurfaced in the last five years, we are also evaluating the edge of the pavement along the lip of the concrete gutter. With any street, gaps can form along this joint over time. By sealing these gaps, water is prevented from penetrating into the base of the street.

Various streets have been identified as candidates for crack sealing in 2023. However, the Engineering and Public Works Departments will reevaluate all city streets in the next several weeks to determine if they remain good candidates for crack sealing this year, or if additional streets need to be added. The crack sealing project is proposed to be funded from the Construction Fund which provides \$100,000 in the 2023 budget. We plan to complete a crack sealing project annually; all are incorporated into the Capital Improvement Plan.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution authorizing advertisement for public bids for the 2023 Crack Sealing Project.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS
FOR THE 2023 CRACK SEALING PROJECT**

WHEREAS, as part of the City’s Pavement Management Program, a crack sealing project is completed annually; and

WHEREAS, the City Engineer has prepared plans and specifications for the 2023 Crack Sealing Project – City Project No. 23-03, and has presented such plans and specifications to the City Council for approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that the Public Works Director/City Engineer shall prepare and solicit an advertisement for bids upon the making of such improvement. The advertisement shall be published for 10 days, shall specify the work to be done, and shall state that bids will be received by the Public Works Director/City Engineer. Bids will be opened by the City Engineer and City Clerk, will then be tabulated and will be considered by the Council.

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
Engineering Department

MEMORANDUM

To: Lindy Crawford, City Manager
From: Paul Kauppi, Public Works Director/City Engineer
Date: April 11, 2023
Subject: **Authorizing Advertisement for Public Bids for the 2023 Sanitary Sewer Lining Program City Project 23-07**

SUMMARY

The City Council will consider adopting a resolution authorizing advertisement for bids for the 2023 Sanitary Sewer Lining Program.

BACKGROUND INFORMATION

Since 1994, the City has invested over \$2 million installing liners in sanitary sewer mains which are difficult to maintain due to access constraints, root intrusion problems, frequent backup problems and/or pipe failures. These improvements have been a major factor (along with regular cleaning and inspection by the Public Works Department) in the reduction of sanitary sewer main backups. Liners also seal pipe joints, preventing groundwater from entering the sewer main (known as infiltration). Installing liners rather than new pipe minimizes the cost because the liners do not require excavation of the roadway or easement area, disturbance of existing water, storm sewer or other private utilities or the disruption of service to customers.

The Engineering Department is preparing for the 2023 Sanitary Sewer Lining Program and has identified various mains as candidates to be included. However, the Engineering and Public Works Departments will reevaluate sewer mains in the next several weeks in order to prioritize the best candidates for lining. All of the sanitary sewer mains recommended for lining in the 2023 Program are prone to root intrusions, have cracks in the pipe, misaligned joints or pipe failures which create flow restrictions or prevent routine maintenance operations.

This project is proposed to be funded from the Sewer Improvement Fund which provides \$125,000 in the 2023 budget.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution authorizing advertisement for bids for the 2023 Sanitary Sewer Lining Program.

ATTACHMENTS

Resolution

RESOLUTION NO.

**RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS
FOR THE 2023 SANITARY SEWER LINING PROGRAM**

WHEREAS, the City selects various sanitary sewer mains to include as part of the City's annual Sanitary Sewer Lining Program; and

WHEREAS, the City Engineer has prepared plans and specifications for the 2023 Sanitary Sewer Lining Program – City Project No. 23-07, and has presented such plans and specifications to the City Council for approval.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that the Public Works Director/City Engineer shall prepare and solicit an advertisement for bids upon the making of such improvement. The advertisement shall be published for 10 days, shall specify the work to be done, and shall state that bids will be received by the Public Works Director/City Engineer. Bids will be opened by the City Engineer and City Clerk, will then be tabulated and will be considered by the Council.

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

Kennedy

&

Graven

CHARTERED

Troy J. Gilchrist
 150 South Fifth Street
 Suite 700
 Minneapolis MN 55402
 (612) 337-9214 telephone
 (612) 337-9310 fax
 tgilchrist@kennedy-graven.com
<http://www.kennedy-graven.com>

Also: St. Cloud Office
 501 W. Germain Street, Suite 304
 St. Cloud, MN 56301
 (320) 240-8200 telephone

MEMORANDUM

To: White Bear Lake City Council
 Lindy Crawford, City Manager

From: Troy Gilchrist, City Attorney
 Jason Hill, Assistant City Attorney

Date: April 5, 2023 (for April 11, 2023 Regular Meeting)

Re: Repeal of Setback Variances for 4556 Highway 61

On December 6, 2022, Heather M. Gilbert applied for side yard setback variances to demolish an existing dwelling and construct a new two-story, single family home on her property located at 4556 Highway 61, White Bear Lake, Minnesota (PID # 23302212008). The Planning Commission held a public hearing on January 30, 2023 and recommended approval of the variance requests, subject to a set of conditions. On February 14, 2023, the City Council adopted Resolution No. 13149 granting two setback variances for 4556 Highway 61, subject to the same set of conditions.

On March 27, 2023, Gilbert emailed the City requesting that the variance be withdrawn and vacated in an effort to resolve a pending dispute with adjacent property owners with regard to the variance requests. On March 29, 2023, the City corresponded with Gilbert to confirm receipt of her request and that the matter would be presented to the City Council for its review at its regular meeting on April 11, 2023.

In the interim, City staff has confirmed that Resolution No. 13149 has not been recorded with the Office of the Ramsey County Recorder, and therefore, the City is able to accommodate Gilbert's request and repeal the resolution granting the variances without taking additional action with the Office of the Ramsey County Recorder.

JMH

RESOLUTION NO.

RESOLUTION REPEALING RESOLUTION NO. 13149 GRANTING TWO SETBACK VARIANCES FOR 4556 HIGHWAY 61 WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA

WHEREAS, Heather M. Gilbert applied for variances in order to construct a two-story home on her property located at 4556 Highway 61, White Bear Lake, Minnesota (PID # 23302212008) (“Variance Application”); and

WHEREAS, the Planning Commission held a public hearing on January 30, 2023 and recommended approval of the variance requests, subject to a set of conditions; and

WHEREAS, on February 14, 2023, the City Council adopted Resolution No. 13149 Granting Two Setback Variances for 4556 Highway 61 Within the City of White Bear Lake, Minnesota (“Variance Resolution”), which included the conditions recommended by the Planning Commission; and

WHEREAS, on March 27, 2023, Heather M. Gilbert emailed the City requesting the withdrawal and vacation of the Variance Resolution in an effort to resolve a pending dispute with adjacent property owners regarding the Variance Resolution; and

WHEREAS, City staff has confirmed that the Variance Resolution has not been recorded with the Office of the Ramsey County Recorder; and

WHEREAS, the City Council desires to repeal the Variance Resolution and accommodate Heather M. Gilbert’s request to withdraw and vacate the Variance Resolution.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of White Bear Lake, as follows:

1. The City hereby declares the Variance Application withdrawn by Heather M. Gilbert.
2. The City hereby repeals, in its entirety, the Variance Resolution effective immediately.

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

Ayes:

Nays:

Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk

RESOLUTION NO.

EXHIBIT A

Resolution No. 13149

[attached hereto]

RESOLUTION NO. 13149

**RESOLUTION GRANTING TWO SETBACK VARIANCES
FOR 4556 HIGHWAY 61 WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, Heather Gilbert has requested an 11.64 foot variance from the required 15 foot setback along the west side and a 9 foot variance from the 15 foot setback on the east, per code section 1303.040, Subd.5.c.2 in order to construct a two story home on the property at the following location:

LEGAL DESCRIPTION: Attached as Exhibit A (PID # 23302212008)

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on January 30, 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 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.

RESOLUTION NO. 13149

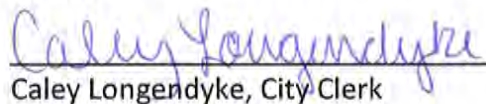
5. Gutters shall be installed and runoff directed away from adjacent properties.
6. All impervious area above 30% shall be mitigated according to the zoning code; design and infiltration calculations shall be approved by the Stormwater Engineer.
7. Porous pavers, rain gardens or other mitigating features used to offset impervious area shall be maintained by homeowner according to manufacturer's specifications or to preserve design function and capacity.
8. If grading extends closer than 50 feet to the OHWL, a grading plan must be submitted to the Rice Creek Watershed District for review and approval.
9. The proposal shall be redesigned to meet the required setback from the Ordinary High Water Level and plans submitted to the City prior to the City Council meeting.

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

Ayes: Edberg, Engstran, Hughes, Jones, Walsh
Nays: None
Passed: February 14, 2023


Dan Louismet, Mayor

ATTEST:


Caley Longendyke, City Clerk

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

Applicant's Signature

Date

RESOLUTION NO. 13149

**EXHIBIT A
LEGAL DESCRIPTION**

Lot 7, PRICE'S ADDITION TO WHITE BEAR, MINNESOTA, EXCEPT that part described as follows: All that part of Lots 4, 5, 6 and 7, PRICE'S ADDITION TO WHITE BEAR, MINNESOTA, lying Northerly of a line described as follows: Commencing at an iron monument at the Northeast corner of Lot 8 of said Addition, thence on a curve to the right with a radius of 164.15 feet to an iron monument at the intersection with original line of Lake Avenue in Lot 4 of said Addition, said point being 100 feet Easterly from the original angle point of Lot 6 of said Addition, and also EXCEPT all that part of the following described tract: That part of Lot 7, PRICE'S ADDITION TO WHITE BEAR, MINNESOTA, lying Southeasterly of Trunk Highway No. 61 as now located and established, which lies Northwesterly of the following described line: Beginning at the most Westerly corner of the above described tract; thence run northeasterly to the point of intersection of the northeasterly line of said tract with a line run parallel with and distant 5 feet Southeasterly of the northeasterly line of said tract and there terminating. Ramsey County, Minnesota. (PID # 23302212008)



City of White Bear Lake
City Manager's Office

MEMORANDUM

To: Mayor and Council
From: Lindy Crawford, City Manager
Date: April 11, 2023
Subject: **Arbor Day Proclamation**

SUMMARY

The Mayor will read the a proclamation recognizing Arbor Day 2023.

BACKGROUND INFORMATION

The City recognizes Arbor Day as an annual occasion to recognize the importance of trees and commits to maintaining the urban forest throughout the community and park systems. Trees increase property values, enhance economic vitality of business areas and beautify the community. The City annually confirms its commitment to the urban forest by promoting public awareness of forestry issues through tree planting projects, tree pruning and maintenance seminars, invasive species control projects and other educational opportunities.

ATTACHMENTS

None

Proclamation

Arbor Day

May 18, 2023

WHEREAS, the City of White Bear Lake has historically been committed to maintaining the urban forest in City parks and throughout the City by adding to and replacing its valuable tree stock; and

WHEREAS, the City annually confirms its commitment to the urban forest by promoting public awareness of forestry issues through tree planting projects, tree pruning and maintenance seminars, invasive species control projects and other educational opportunities; and

WHEREAS, the City is celebrating its 35th year of being a Tree City, as part of the Tree City USA program which was founded in 1976 to celebrate towns and cities committed to growing their urban canopy and has helped more than 3,600 communities across the country build out their urban forests; and

WHEREAS, the City recognizes Arbor Day as an annual occasion during which the community pauses to recognize the importance of trees and their impact on our environment and daily lives and encourages public awareness of urban forestry issues; and

WHEREAS, trees in our City increase property values, enhance the economic vitality of business areas and beautify our community and park system; and

WHEREAS, trees are a source of joy and spiritual renewal; and

WHEREAS, the Mayor and City Council desire to extend their support for, and recognition of, the importance of trees within our City.

NOW, THEREFORE, I, Dan Louismet, Mayor of the City of White Bear Lake, do hereby proclaim May 18, 2023, as Arbor Day in White Bear Lake and with fellow members of the City Council, the Park Board and City staff do hereby call upon all White Bear Lake residents to participate in the annual Arbor Day observance.



In Witness Whereof, I have hereunto set my hand and caused the Seal of the City of White Bear Lake to be affixed this 11th day of April 2023.

Dan Louismet, Mayor



City of White Bear Lake
Community Development Department

MEMORANDUM

TO: Lindy Crawford, City Manager
FROM: Jason Lindahl AICP, Community Development Director
DATE: April 11, 2023
SUBJECT: 5045 Division Avenue Conditional Use Permit Amendment, White Bear Lake
 ISD #624 - Case No. 21-3-CUPa

SUMMARY

The applicant, Wold Architects on behalf of the White Bear Lake Area Schools, requests an amendment to the conditional use permit (CUP) for the North High School Campus expansion. The proposed CUP amendment would allow expansion of the previously approved athletic stadium from 1,500 seats to a total of 5,000 seats. According to the applicant, this expansion is necessary to relocate varsity football games from South Campus to the remodeled and expanded North Campus. Based on the findings detailed in this report, both the Planning Commission and staff find the applicant has satisfied the CUP review criteria in Section 1301.050 and recommend approval of this request, subject to conditions.

GENERAL INFORMATION

Applicant/Owner: Wold Architects / Independent School District #624

Existing Land Use/ Zoning: School; Zoned P: Public Facilities

Surrounding Land Use / Zoning: North: Single Family Residential, Railroad Tracks and City's Corporate Limits/R-1, Suburban Residential (White Bear Lake Township)
 South & East: Single Family Homes/R-4: Single Family – Two Family Residential
 West: Single Family Homes/R-3: Single Family Residential

Comprehensive Plan: Public/Semi-Public

Lot Size & Width: Code: None
 Site: 90 Acres & 890 feet

BACKGROUND INFORMATION

In 2021, the applicant sought and the city approved a CUP to allow an approximately 398,000 square foot addition to the North Campus of White Bear Lake High School that included the following components:

- A three-story classroom addition around the exiting two-story classroom wing;
- A two-level performing arts wing and new 845 seat auditorium; and
- A five-court fieldhouse with auxiliary gymnasium and athletic training facilities.

Other planned improvements to the campus include new internal access roads, parking lots, sidewalks, stormwater management features, athletic/activity fields and stadiums, and utility infrastructure to support the expanded high school. The project also includes extensive renovation throughout the existing building which will result in 123 individual classrooms clustered into learning studios, laboratories, and workshops designed to accommodate student learning in a wide variety of flexible environments.

As part of the city's original review process, the applicant conducted a mandatory Environmental Assessment Worksheet (EAW). The EAW analyzes a standard list of questions based on Minnesota Rule and guidance from the Minnesota Environmental Quality Board (EQB). The EQB is the State's organization that oversees the rules and implementation of Minnesota's environmental review process. The standard list of questions includes reviewing impacts to such topics as storm water quality and quantity, habitat, traffic, municipal infrastructure, soils, and land use. The EAW along with the City's zoning regulation served as the primary review documents for the original CUP. The original CUP was approved through Resolution 12750 which is attached for your reference. The original EAW project description stated "the proposed facilities will accommodate a variety of activities including, but not limited to, physical education classes and team sports such as football, soccer, lacrosse, tennis, track & field, etc. The centrally located track and field is proposed to include "stadium lighting" for evening events. At this time the seating capacity (bleachers) is being planned for approximately 1,000 spectators and larger events (e.g., varsity football) will continue to utilize the ISD 624 stadium facility located at South Campus."

The applicant's current application seeks to amend the original CUP to allow expansion of the previously approved athletic stadium from 1,500 seats to a total of 5,000 seats. As part of the review of the CUP amendment, the applicant was required to update the traffic study that was part of the original EAW (see attached). The EAW, updated traffic study and the City's zoning regulations serve as the primary review documents for the proposed CUP amendment. Since the updated traffic study is a large document, it can be accessed through the March 27, 2023 Planning Commission packet on the City's website using this link:

<https://tinyurl.com/Updated-Traffic-Study>. On this PDF, the traffic study starts on page 40.

Neighborhood Meeting. City Code requires any new or amended conditional use permit application that is either within or adjacent to a residential district is required to hold a neighborhood meeting. The intent of requiring neighborhood meetings is to expand and enhance the dissemination of information to the residents and to encourage greater involvement by the community in the planning process.

In this case, the applicant held their neighborhood meeting at the North Campus Union on Wednesday, March 15, 2023. A copy of the invitation to that meeting and a summary of the discussion is attached for your reference. Fourteen (14) people attended the neighborhood meeting. Of those in attendance, about half asked questions and voiced concerns and opposition to the proposed bleacher expansion. Topics discussed during the meeting included: current traffic and congestion, findings from the original and updated traffic study, potential traffic mitigation measures, size of the proposed bleachers and estimated event attendance, traffic and parking impacts on surrounding neighborhoods, the number of events that will use the PA and light systems, overall timing of the district improvements and city review process, and the future use of the existing South Campus athletic stadium. Specifics about these questions and the applicant's responses are detailed in the attached meeting summary.

Planning Commission Action. The Planning Commission reviewed this item during their March 27, 2023 regular meeting. During the meeting, the Commission heard a presentation from staff and held a public hearing at which nine members of the public provided comments. A summary of those comments is provided below and draft meeting minutes are included in the consent portion of the City Council packet. In general, six people spoke in opposition to the proposal while three spoke in support.

- Tim Martin 4820 Bald Eagle Ave. Opposed with traffic and parking concerns.
- Joe Kimball 4930 Walnut St. Opposed with neighborhood parking and public safety vehicle access concerns.
- Jeremy Post 2068 3rd St. Supportive and stated benefits outweigh potential traffic and parking issues.
- Alastair Downie of 1988 Campbell Circle. Opposed with traffic and parking concerns.
- Jim Galvin 4702 Wood Ave. Supportive based on the economic benefits to downtown.
- Mary Pollard 2321 5th St. Opposed with traffic and parking concerns.
- Dustin Holman 4961 Campbell St. Supportive and emphasized greater number of parking stalls available at North Campus, the planned intersection and road improvements and the importance of football for both students and the community.
- Linda Martin 4820 Bald Eagle Ave. Opposed with concerns about the number of events and traffic.
- Barb Bicha 4965 Lamire Lane. Opposed with traffic and neighborhood parking concerns.

In addition to those who spoke during the public hearing, staff received one phone call and two emails (see attached) regarding this application. The phone came from Joe Kimball of 4930 Walnut Street who also spoke during the public hearing. Mr. Kimball expressed overall support for the school but he had concerns about potential traffic and overflow parking into the surrounding neighborhoods. The city also received separate emails from Samantha Crosby of 4853 Division and George & Patricia Dutra of 5117 Wild Marsh Drive stating their opposition to the proposal and citing concerns with parking, current traffic conditions, additional future traffic from the stadium, noise, lighting and the impact of construction traffic on Division Avenue.

After the public hearing Tim Wald, Assistant Superintendent for Finance and Operations for

White Bear Lake Area Schools addressed the Planning Commission and answered questions. The Commission asked questions about the number of events, drop-off and pick-up during school, the need for additional bleacher seating, and the timing of the request. Commissioner Amundson specifically asked for confirmation that football would be moved to North Campus only after the road improvements are completed and the school is unified. Wald confirmed that is the plan and that football would still be played at South Campus in the fall of 2023. After some additional discussion, the Planning Commission voted 7-0 to recommend the City Council approve the conditional use permit amendment request.

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. This review shall be based upon (but not limited to) the factors listed below. Based on the findings made in this review, staff recommend approval of the requested conditional use permit amendment. In addition to this information, the applicant's attached narrative responses to each of the six conditional use permit criteria.

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 Public/Semi-Public. According to the Comprehensive Plan, this designation is for properties which are owned by a public or non-profit entity and used for public services and uses other than parks and open space. It is also intended for semi-public uses such as recreation centers, public schools, churches and cemeteries. The principal use of the site as a public high school and the associated accessory use of an athletic stadium are allowed uses in the Public/Semi-Public category.

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

Finding: The proposed use will be compatible with present and future land uses of the area. The site is surrounded by existing residential use. The Future Land Use Map within the 2040 Comprehensive Plan guides the subject property as Public/Semi Public and the surrounding area as Low Density Residential or Medium Density Residential.

The site has operated as a high school for several decades. As part of the original CUP, campus improvements incorporated specific design standards that help promote land use compatibility for schools within residential districts including such items as increased yard setbacks, appropriate screening from abutting uses, adequate off-street parking and loading facilities and several roadway/intersection improvements. The continued use of the site as a high school

with an associated accessory use of an athletic stadium should continue to be compatible with present and future land uses.

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

Finding: The Public Facilities zoning district does not have specified development standards, rather the code states, “requirements as to lot size, setbacks, building, parking landscaping, screening, etc., shall be at least comparable to similar uses in other districts”. As such, the original conditional use permit review relied on the EAW to evaluate the site. Consequently, city staff consulted the EAW for the proposed CUP amendment and required the developer to update the associated traffic impact study. The applicable EAW sections and zoning standards for the proposed bleacher expansion are reviewed below.

Parking. Staff finds the EAW and updated traffic study analyzed site parking and found the site should provide adequate off-street parking for a typical or large high school football event while a full capacity event could result in a parking shortage. According to the applicant, the parking available on site was increased in the original building additions and site reconstruction project and distributes parking and drop-off locations to the east and west sides of the site to separate traffic flows to help reduce the burden on surrounding streets.

The applicant’s narrative further notes, the site offers a total of 1,344 marked parking spaces. As noted in the traffic study, this exceeds the number of spaces that would be anticipated being needed on site for a large event based on typical expectations for how many people would use other means of arriving at the site (i.e.: drop-off, walking, etc.). The consultant identified a large event as a typical Homecoming game with 3,800 attendees. Based on 3,800 attendees and 3 people per vehicle, the site would need be able to park 1,267 vehicles which is 77 less than the 1,344 stalls provided.

According to the applicant, even at the full capacity of 5,000 people, the available spots would allow for about three people per car ($5,000/1,344=3.7$), which was used for the traffic study assumptions. Additionally, as a relevant local comparison, the quantity of parking spots available at the North Campus site is more than double what is currently available at South Campus which has 600 parking spots available on site with a capacity of 4,800 bleacher seats. Staff notes that at full capacity of 5,000 people and assuming 3 people per vehicle, the site would need to able to park 1,667 vehicles which is 323 more than the 1,344 stalls provided.

Based on the most applicable City code for a stadium (private stadium), the required onsite parking is one spot per eight people. Under this city standard, the site would require 625 stalls or less than half of the 1,344 stalls planned for the site.

EAW Standard 15 – Visual. Describe any scenic views or vistas on or near the project site. Describe any project related visual effects such as vapor plumes or glare from intense lights. Discuss the potential visual effects from the project. Identify any measures to avoid, minimize, or mitigate visual effects.

Finding: The EAW found there were no scenic views or vistas located on or near the property,

and substantial adverse effects on visual resources were not anticipated in conjunction with the project. The EAW went on to note “The proposed improvements to the athletic facilities will include field lighting for the centrally located football/soccer field and track facility. This site is planned as a long-term ‘stadium field’ for various activities, including varsity competitions, *except for varsity football games which are currently planned to remain at South Campus*. Installation of lighting will consider surrounding land uses and potential for light glare. Additional details of the field lighting will be provided as part of the City of White Bear Lake Land Use Application.”

Resolution 12750 approving the original CUP included condition #12 which required the applicant to “Combine the two photometric plans into one comprehensive plan which incorporates the perimeter of the campus for staff review and approval. All new or relocated lights shall be shield so that the light source is not visible from surrounding residences.” Previous staff reviewed the photometric plan as part of the overall building permit and approved the exterior lighting. The proposed exterior lighting is now in place and no changes are proposed as part of this application.

EAW Standard 17 – Noise. Describe sources, characteristics, duration, quantities, and intensity of noise generated during project construction and operation. Discuss the effect of noise in the vicinity of the project including 1) existing noise levels/sources in the area, 2) nearby sensitive receptors, 3) conformance to state noise standards, and 4) quality of life. Identify measures that will be taken to minimize or mitigate the effects of noise.

Finding: The EAW noise analysis found Noise levels will temporarily increase locally during project construction due to mobilization of heavy equipment, demolition activities, and construction of the proposed structures. Noise levels when the expanded school is fully operational are not anticipated to be substantial but are expected to rise slightly from existing levels due to increases in transportation noise, student activities, and heating/cooling systems at the school. Operations noise levels will increase from existing levels, though the facility will produce noise in-kind with current land use. Noise levels will fluctuate throughout the day, with greater noise levels during the student drop-off and pick-up hours.

The EAW goes on to note noise levels on and adjacent to the project area will vary considerably during construction, depending on the amount of construction that occurs simultaneously, the time of operation, and the distance from construction equipment to noise receptors. The noise receptors nearest to the project are the homes located along Division Avenue and Bald Eagle Avenue. Noise generated by construction equipment and building construction and renovation will be limited primarily to daylight hours when noise is relatively common. The City of White Bear Lake regulates noise, including noise resulting from construction activities.

It should be noted that the EAW noise assessment did not include an analysis of the applicant’s current proposal to expand the bleacher capacity of the athletic stadium. The City’s noise standards include a general prohibition stating “No person shall make or cause to be made any distinctly and loudly audible noise that unreasonably annoys, disturbs, injures, or endangers the comfort, repose, health, peace, safety, or welfare of any person or precludes their enjoyment of

property or affects their property's value.”

More specifically related to land use activities, White Bear Lake (like many cities across Minnesota) relies on the Minnesota Pollution Control Agency NPC-2 Noise standards to address noise levels in residential areas. City Code Section 703.070, Subdivision 9.C states the City Council may require a noise impact statement in conjunction with rezoning or other permits or licenses.

Should the city find it appropriate, the city’s noise standards along with the noise section of the EAW could allow the city to require additional specific noise analysis for the proposed bleacher expansion. While measuring ambient noise is complex and can be impacted by both the time of day and the season of the year, staff general experience would suggest high school football game events are unlikely to exceed the NPC-2 Noise standards.

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

Finding: Even with the current proposal to expand the athletic stadium’s bleachers, staff maintains the city’s finding related to area depreciation from the original 2021 conditional use permit review. In that case, the city found that high quality school districts play a large role in the vibrancy and appeal of the local community and the unified high school campus will enhance and contribute positively to the general vicinity. While the traffic study found the proposed additional bleacher seating will bring added traffic to the area, the City’s Engineering staff believes planned intersection and road improvements should result in acceptable traffic conditions.

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

Finding: As part of the approval for North Campus, existing and proposed sewer and water utility connections were designed to accommodate the expansion in the area, thus the utilities have the capacity to serve the proposed addition. It should be noted that additional bleacher seating will require the applicant to request a sewer and water access determination from the Metropolitan Council prior to issuance of a building permit.

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

Finding: The City Engineer has reviewed the proposal and associated traffic study and finds traffic generation by the proposed use is within the capabilities of the streets serving the property. Since the updated traffic study is a large document, it can be accessed through the March 27, 2023 Planning Commission packet on the City’s website using this link:

<https://tinyurl.com/Updated-Traffic-Study>. On this PDF, the traffic study starts on page 40.

According to the City Engineer, the roadway adjacent to the site appears to be capable of accommodating the additional traffic from the proposed improvements according to the traffic study prepared for the site. However, the necessary improvements indicated in the traffic study need to be in place including the improvement on 8th Street from Division Avenue to Hwy 61 and the signal and geometric improvements at 8th Street and Hwy 61. In addition, a condition of approval states traffic management strategies may be necessary during major events

including restricting ingress and egress to parking lots, temporary parking restrictions, signal timing modifications at the proposed 8th Street and Hwy 61 signal, and use of hired traffic control at identified intersection or in the parking lots. The applicant will need to be able to react to situations arising during events adjust operations as necessary.

The applicant's narrative includes the schedule for the required intersection and street improvements. These improvements are list below. A condition of approval requires all intersection and street improvement shall be completed prior to issuance of a certificate of occupancy for the school and bleacher expansion.

- 8th Street – addition of a sidewalk to the south side from Hwy 61 to Bloom Avenue, no parking restrictions added to the north side from Hwy 61 to Bloom Avenue and the addition of an eastbound right turn lane at Hwy 61.
- Division Avenue – addition of a northbound left turn lane to the school entrance.
- Bald Eagle Avenue – addition of northbound and southbound left turn lanes at school's main entrance.

The updated traffic study includes the following improvements to provide safe and efficient access to and from events at the proposed 5,000 seat stadium on the expanded White Bear Lake High School campus. Staff as incorporated these recommendations as a required condition of approval detailed the Recommendation section below and the attached resolution.

1. **Allow pick-up/drop-off only in the designated areas on-site that are separate from parking lots** – This improves and efficiency for vehicles parking, picking-up/dropping-off, and for people within the parking lot. Having good pick-up/drop-off areas on the High School and Middle School site will also prevent pick-up/drop-off activity on the public streets
2. **Allow vehicles to use each driveway to access the site** – the more driveways available to exit the site, the quicker the site will clear after the event. For a typical game, it is expected to take 10-15 minutes for the site to clear. For larger events (i.e. Homecoming or Max Capacity events) it may take 20-30 minutes for the site to clear.
3. **For larger events (i.e. Homecoming), provide a gate on the southeast corner of the stadium** – This gate will encourage the use of the Middle School area for parking and pick-up/drop-off activities.
4. **Restrict parking to one side of nearby neighborhood streets if parking off-site parking is/becomes a concern** – Based on the trip generation, all vehicles should be able to park on site at either the High School or Middle School. However, based on our observations at the 2022 Homecoming football game, some people are likely to park on nearby city streets if possible, even if the available lots are not full in order to have a quicker exit after the game. Restricting parking to one side of the street would maintain two-way vehicle traffic and improve traffic operations when vehicles are exiting after an event.
5. **Signal timing adjustments along Highway 61 would improve traffic operations during the arrival and departure peak hours** – During the arrival peak hour, there are expected to be high northbound left turning movements at 7th and 8th Street, which could benefit from more green time within the cycle to ensure that vehicles do not spill beyond the available left turn store. During the dismissal peak hour, 7th Street, 8th Street, and Buffalo Street are

expected to have high eastbound volumes, which could benefit from more green time within the cycle. However, none of the eastbound delays cause significant queuing issues.

Fire Department Review. The Fire Marshall evaluated the proposed bleacher expansion project at 5045 Division Avenue and offers the following comments:

1. Submit structural design documents for review. These documents shall include capacities, exiting, and specify if the area below the bleachers is intended for use. If the area below the seating structure will be occupied usable space, fire sprinklers may be required.
2. No additional gates shall be installed in the drive lanes or parking lots.
3. The neighborhoods surrounding North Campus shall remain accessible at all times. Additional items may be required to maintain access to these areas.

RECOMMENDATION

The standards outlined in the zoning ordinances have been met, therefore, staff recommends 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 (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. Conformance with all terms and conditions of the original Conditional Use Permit as detailed in Resolution 12750.
5. A building permit shall be obtained before any work begins.
6. The applicant shall not be permitted to hold or host any other major events at North Campus on the same night a varsity football game is scheduled at the North Campus Athletic Stadium.
7. Implementation of all recommendations from the updated traffic study as detailed in the White Bear Lake Area High School Event Analysis Traffic Study Memo SEH No. ISDWB 170554 dated February 10, 2023, including but not limited to:
 - Designate specific drop-off & pick-up areas that are separate from and do not conflict with parking lots.
 - Pay for and implement parking restrictions and traffic management techniques as may be required by the Police or Engineering Departments. At a minimum this will include maintaining 24 hour no parking restrictions on both sides of Division Avenue from 8th Street north to the city limits and on the west side from 4th to 8th Streets and working with Ramsey County to designating 24 hour no parking on the east side

of Bald Eagle Avenue.

- Work with the Minnesota Department of Transportation and the City of White Bear Lake to adjust signal timing at the intersections of Highway 61 and 7th and 8th Streets during varsity football games.

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

8. If the proposed project adds impervious surface, then the new impervious areas will need to be added to the impervious area summary(s) on the plan(s) and incorporated into the stormwater model to ensure that rate and volume control is still being met. Any changes to the plans and stormwater model shall be submitted for review.
9. Compliance with all requirements of the City Engineer, Fire Marshall, Building Official and all other applicable city standards and associated agencies (State, County, Watershed, etc.).
10. Provide a SAC determination from the Metropolitan Council and pay all applicable fees.

Prior to the issuance of a certificate of occupancy the applicant shall:

11. Complete all required intersection and roadway improvements to the satisfaction of the City Engineer, including:
 - 8th Street – addition of a sidewalk to the south side from Hwy 61 to Bloom Avenue, no parking restrictions added to the north side from Hwy 61 to Bloom Avenue and the addition of an eastbound right turn lane at Hwy 61.
 - Division Avenue – addition of a northbound left turn lane to the school entrance.
 - Bald Eagle Avenue – addition of northbound and southbound left turn lanes at school’s main entrance.

ATTACHMENTS

Resolution

Resolution 12750 approving original CUP

Zoning Map

Neighborhood Meeting Summary

Comments from Samantha Crosby 4853 Division Avenue

Comments from George & Patricia Dutra 5117 Wild Marsh Drive

Applicant’s Narrative

Traffic Study Update Memo from SEH

Plan Set

RESOLUTION NO.

**RESOLUTION GRANTING AN AMENDMENT TO THE CONDITIONAL USE PERMIT
FOR WHITE BEAR LAKE AREA SCHOOLS SENIOR HIGH SCHOOL CAMPUS EXPANSION WITHIN
THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, Independent School District #624 (Case No. 21-3-CUPa) has requested a conditional use permit amendment, per code section 1303.245, to allow expansion of the previously approved athletic stadium from 1,500 to 5,000 seats at the following location:

LOCATION: 5045 Division Avenue

LEGAL DESCRIPTION: Exhibit A

WHEREAS, the City Council of the City of White Bear Lake adopted Resolution 12750 approving a Conditional Use Permit for White Bear Lake Area ISD #624 Senior High School Campus Expansion within the City of White Bear Lake, Minnesota on April 13, 2021; and

WHEREAS, the Planning Commission held a public hearing for the conditional use permit amendment application as required by the Zoning Code on March 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 requested conditional use permit amendment, 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 Conditional Use Permit shall become null and void unless a petition for an extension of

RESOLUTION NO.

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. Conformance with all terms and condition of the original Conditional Use Permit as detailed in Resolution 12750.
5. A building permit shall be obtained before any work begins.
6. The applicant shall not be permitted to hold or host any other major events at North Campus on the same night a varsity football game is scheduled at the North Campus Athletic Stadium.
7. Implementation of all recommendations from the updated traffic study as detailed in the White Bear Lake Area High School Event Analysis Traffic Study Memo SEH No. ISDWB 170554 dated February 10, 2023, including but not limited to:
 - Designate specific drop-off & pick-up areas that are separate from and do not conflict with parking lots.
 - Pay for and implement parking restrictions and traffic management techniques as may be required by the Police or Engineering Departments. At a minimum this will include maintaining 24 hour no parking restrictions on both sides of Division Avenue from 8th Street north to the city limits and on the west side from 4th to 8th Streets and working with Ramsey County to designating 24 hour no parking on the east side of Bald Eagle Avenue.
 - Work with the Minnesota Department of Transportation and the City of White Bear Lake to adjust signal timing at the intersections of Highway 61 and 7th and 8th Streets during varsity football games.

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

8. If the proposed project adds impervious surface, then the new impervious areas will need to be added to the impervious area summary(s) on the plan(s) and incorporated into the stormwater model to ensure that rate and volume control is still being met. Any changes to the plans and stormwater model shall be submitted for review.
9. Compliance with all requirements of the City Engineer, Fire Marshall, Building Official and all other applicable city standards and associated agencies (State, County, Watershed, etc.).
10. Provide a SAC determination from the Metropolitan Council and pay all applicable fees.

Prior to the issuance of a certificate of occupancy the applicant shall:

11. Complete all required intersection and roadway improvements to the satisfaction of the City Engineer, including:
 - 8th Street – addition of a sidewalk to the south side from Hwy 61 to Bloom Avenue, no parking restrictions added to the north side from Hwy 61 to Bloom Avenue and the addition of an eastbound right turn lane at Hwy 61.

RESOLUTION NO.

- Division Avenue – addition of a northbound left turn lane to the school entrance.
- Bald Eagle Avenue – addition of northbound and southbound left turn lanes at school’s main entrance.

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

Ayes:
Nays:
Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk

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

Applicant's Signature

Date

RESOLUTION NO.

EXHIBIT A
LEGAL DESCRIPTION

RESOLUTION NO. 12750

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT
FOR WHITE BEAR LAKE AREA ISD #624
SENIOR HIGH SCHOOL CAMPUS AND EXPANSION
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (21-3-CUP) has been submitted by The White Bear Lake Area Public School District #624 to the City Council requesting approval of a conditional use permit for the following location:

LOCATION: 5045 Division Avenue

LEGAL DESCRIPTION: [to be inserted]

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING PERMIT: A conditional use permit, per Code Section 1303.245, Subd.2.c.4, to allow a 398,000 square foot building addition; and

WHEREAS, the Planning Commission has held a public hearing as required by the city Zoning Code on March 29, 2021; 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 after reviewing the proposal, 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.
7. The special conditions attached in the form of conditional use permits are hereby approved.

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

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the permit.
2. Per Section 1301.050, Subd.4, if within five (5) years after granting the conditional use permit, the use as allowed by the permit shall not have been completed or utilized, the permit 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.
3. This 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 this permit with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. The applicant shall obtain any necessary building permits prior to beginning any work.

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

5. Provide additional information and calculations as required by the Engineering Department, detailed in the attached memo dated March 15, 2021.
6. Provide additional information and details as required by the Fire Marshal, detailed in the attached memo dated March 2, 2021.
7. A Construction Staging and Management Plan will be required prior to any site work begins.
8. Provide a SAC determination from the Metropolitan Council.
9. Revise the landscape plan to:
 - a) provide interior landscape calculations for each individual parking lot;
 - b) revise proposed screening on the outside perimeter of the parking lots to provide a minimum 50% evergreen trees (maximum 25' OC) to comply with year round screening requirement;
 - c) provide details on screening proposed for parking lots and revise to ensure majority of shrubs are evergreen to provide year-round screening; and
 - d) relocate some of the trees proposed along north edge of campus to more central and effective locations throughout the site.
10. Revise the Tree Preservation Plan to:
 - a) provide totals to the bottom of each column on Sheet L1.014;
 - b) include a key for the tree abbreviations;
 - c) highlight the boulevard trees in table on Sheet L1.014;


- d) highlight the non-significant trees retained and counted towards replacement inches in table on Sheet L1.014;
 - e) includes a Tree Protection Fencing Plan overlaid of the Grading Plan that encompasses all non-significant trees proposed to be retained and applied towards replacement inches; and,
 - f) resolve the discrepancy in Tree Replacement Calculation to demonstrate compliance with 2,227 required replacement inches.
11. Separate sign permits for exterior signage shall be secured prior to installation of any permanent exterior signage.
 12. Combine the two photometric plans into one comprehensive plan which incorporates the perimeter of the campus for staff review and approval. All new or relocated lights shall be shielded so that the light source is not visible from surrounding residences.
 13. Provide details and specifications on all lighting proposed for the athletic facilities (Musco Lighting Plans set).

Prior to the issuance of a Certificate of Occupancy, the applicant shall:

14. Enter into a Development Agreement for all off-site improvements.
15. Work to identify optimal locations and alignments for east-west cross-campus non-motorized connections on-site.
16. Submit a final plat for review and approval.
17. Any additional stadium bleacher capacity at this campus in the future shall require an amendment to this CUP.

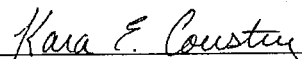
The foregoing resolution, offered by Councilmember **Jones** and supported by Councilmember **Engstran**, was declared carried on the following vote:

Ayes: Biehn, Edberg, Engstran, Jones, Walsh
 Nays: None
 Passed: April 13, 2021



 Jo Emerson, Mayor

ATTEST:



 Kara Coustry, City Clerk

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

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

T Wald

4-29-21

Applicant's Signature

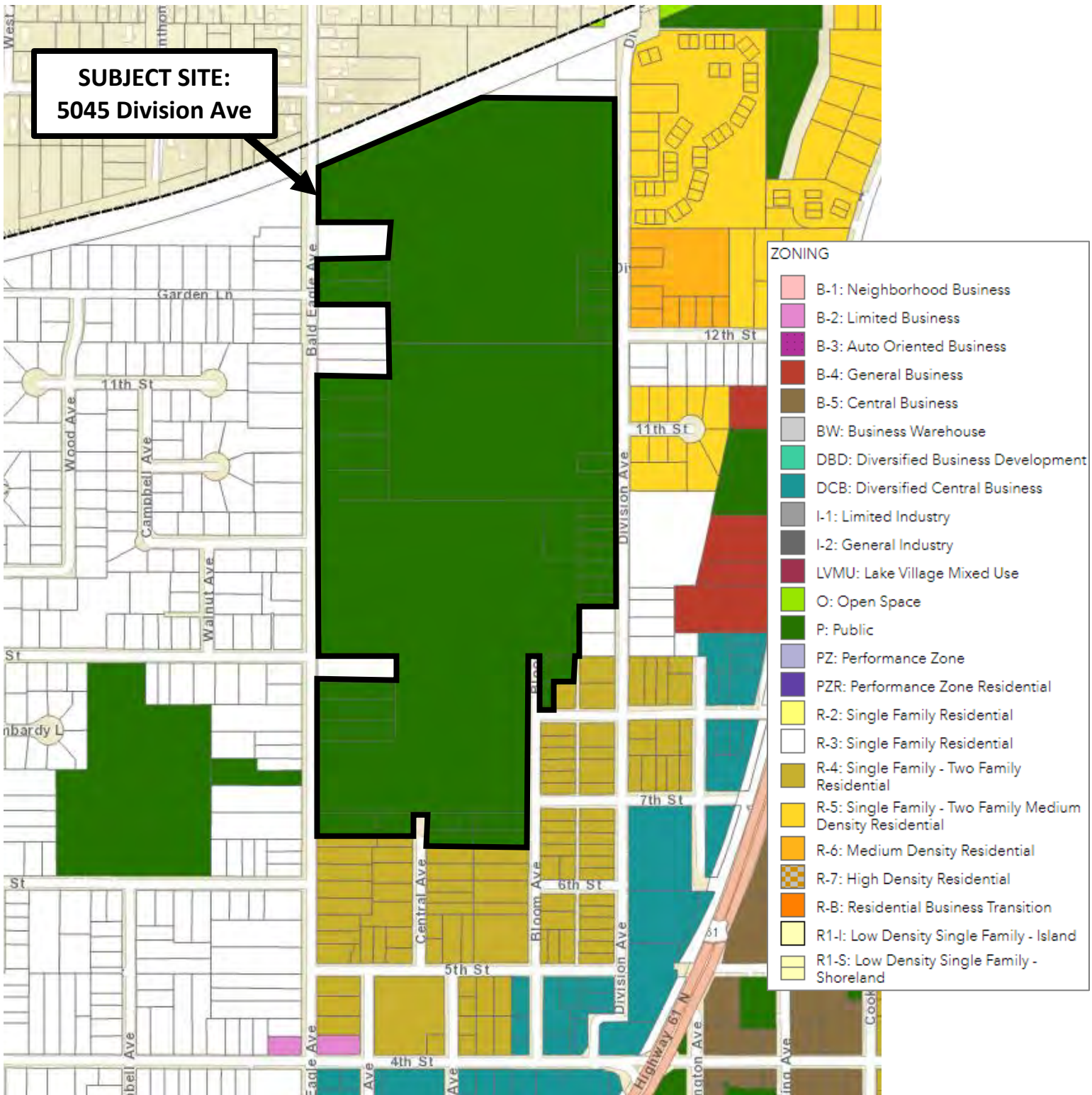
Date


Tim Wald

Assistant Superintendent for Finance and Operations

Print Name

Title



 <p>City of White Bear Lake Planning & Zoning 651-429-8561</p>	<p>CASE NO. : <u>21-3-CUPa</u></p>
	<p>CASE NAME : <u>North Campus Bleachers</u></p>
	<p>DATE : <u>3-27-2023</u></p>



To: Attendees

From: Maria Kennedy | MK

Date: March 22, 2023

Comm. No: 192236

Subject: Independent School District #624 – White Bear Lake Area Schools
WBLHS Conditional Use Permit Amendment – Neighborhood Meeting
March 15, 2023 Meeting Minutes

Attendees:

Approximately Fourteen (14) White Bear Lake Residents

Jason Lindahl, City of White Bear Lake	jilindahl@whitebearlake.org
Tim Wald, Independent School District #624	tim.wald@isd624.org
Marisa Vette, Independent School District #624	marissa.vette@isd624.org
Wayne Kazmierczak, Independent School District #624	wayne.kazmierczak@isd624.org
Chris Hiniker, SEH Engineers	chiniker@sehinc.com
Chad Jorgensen, SEH Engineers	cjorgenson@sehinc.com
Justin Anibas, SEH Engineers	jdانباس@sehinc.com
Paul Aplikowski, Wold Architects and Engineers	paplikowski@woldae.com
Maria Kennedy, Wold Architects and Engineers	mkennedy@woldae.com

Independent School District #624 White Bear Lake Area Schools held a meeting to update area neighbors on the current projects ongoing at White Bear Lake Area Schools, as well as proposed expansion of bleacher capacity at the main stadium. The meeting is being held as a portion of the process of applying for an Amendment to the Conditional Use Permit, as required by the City of White Bear Lake.

Discussion Topics:

- A. The group reviewed a presentation outlining the following topics:
1. High School Project Planning Process.
 2. Project Scope and Schedule.
 3. Overview of Design of High School Project.
 4. Overview of Site Plan and items already approved by City and under construction.
 5. Information on the current and future phasing of the project.
 6. Scope of proposed additions onto the currently constructed North Campus Stadium.
 7. Presentation on traffic study covering the proposed stadium expansion.



- B. The group discussed questions from neighbors, as well as any items that would benefit from additional clarification. The questions and clarifying responses in addition to what was discussed during the meeting are as follows:
1. *Question: Congestion at stop sign at Bald Eagle Boulevard and Fourth Street is already bad. What are the plans for when the full school opens to address this area?*
 - a. With all vehicles having to use the west side of the building to access the school right now, all of the traffic from south of the school likely uses the Bald Eagle/Fourth Street all-way stop, which is a lot of traffic to force to use one intersection. Upon completion of the school, most of the traffic from the south would be expected to try to park/drop-off/pick-up on the east side of the building and would use the signals at Seventh and Eighth Street. So while that intersection may be bad right now during construction, it should not be upon completion of the school. There may still be long queues at school arrival and dismissal just due to the large peaks in school traffic.
 2. *Question: The traffic report was prepared during COVID and daily traffic volumes were not representative of actual conditions. Does that change the traffic recommendations?*
 - a. This is correct, our Phase 2 traffic study was completed during COVID, so SEH Engineering was not able to get counts during the school year. During Phase 1 of the study the traffic was counted in July due to the schedule of the project, so those counts also did not capture existing school traffic. However, traffic counts on Highway 61 that occurred during the school year that were completed in 2019 for a signal retiming project were used for the analysis, and the variations from this would not be assumed to be significant. Many of the minor (non Highway 61) intersection volumes did have to be estimated using the Highway 61 counts and StreetLight data. While it is not the most ideal, it should provide a decent representation of existing volumes. In addition, the minor street volumes during peak traffic times for the school are likely mostly school-related traffic right now, so non-school traffic on these roadways is likely fairly low during those times. SEH did collect a few new counts for the event analysis, and they matched fairly well with what was assumed for existing volumes for the previous studies.
 3. *Question: Would it be possible for speed bumps on Stillwater Avenue?*
 - a. This is a decision for the City to make. Generally, cities try to avoid speed bumps on their streets due to maintenance concerns and snowplowing.
 4. *Question: Why is the bleacher capacity 5,000 when only 3,800 have attended past homecoming and regular games are 1,600?*
 - a. Bleacher capacity is defined in the Building Code as 18" per person for bench seating. The current south campus bleacher capacity is approximately 4,800, so this total very closely mimics the amount at South Campus. In this proposal, about 1,500 bleachers are planned for visitors, which will likely rarely be filled even for large football events.



5. *Question: How many people per car are assumed? Is this a realistic expectation?*
 - a. On paper that would be $5,000 / 1344 = 3.7$ per car. The existing parking at South Campus is 600 stalls. The bleacher capacity will remain very similar (4,800 to 5,000) while doubling the available on-site parking (1344 versus 600). Additional gates into the stadium are recommended in the traffic report to improve the pedestrian circulation and encourage the dispersal of the parking onsite. I would add that not everyone that goes to the event comes in a vehicle that parks. Based on our counts at the 2022 homecoming game, it was estimated that about 5% of people walk and 15% are dropped-off/picked-up. For the 2022 homecoming game, there were approximately 3,050 people in attendance and we counted a total number of parked vehicles of 780 (including main lot, nearby streets in all directions, and the lot by the sheet metal training facility). Based on 80% of the people parking in those 780 vehicles we got just over three people per vehicle, which is similar to what is expected for events like this. The traffic study assumed the following ratios for large events: 5% walk, 15% are dropped-off/picked up (2.5 people/veh), and the remaining 80% parking (3 people/veh).
6. *Question: Will parking spill into the neighborhood? What consideration are taken to prevent that?*
 - a. The school cannot enforce off-site activities. In discussions with the City Engineer, they are open to posting no parking signs prior to large events. Other options for full time 'permit only' on adjacent streets can be reviewed with the city (that is currently in place on streets around South Campus)
7. *Question: How many games will use the PA system and Sports Lights in a typical year?*
 - a. The previously approved Conditional Use Permit included the function of various sporting events and activities for sports like Lacrosse, Track and Field, Soccer, JV football, and more. The number of events that can be accommodated with the already approved bleachers that use lights and the sounds system is approximately:
 - 1) Spring of 2023 and each spring:
 - a) Six track meets (4:00 p.m. to approximately 8:00 p.m.).
 - b) Thirteen days of boys and girls Lacrosse (double headers).
 - 2) Fall of each year:
 - a) Soccer
 - b) Boys and girls play on the same days – 5:00 and 7:00 p.m.
 - c) Eight days, sixteen events (5:00 p.m. and 7:00 p.m.).
 - b. The expansion of activities to include Varsity football will increase the number of events by only eight games. Up to ten if the football team makes the playoffs:
 - 1) Football:
 - a) Four regular season, and up to two playoff games - Friday nights.
 - b) Four regular season JV games on Saturday mornings.



8. *Question: Previous materials presented the relocation of the varsity fields as future. What is the reason for doing this now?*
 - a. The unifying of the campus identified the need for having as many facilities on-site as possible. The site does not allow all possible events to be onsite; baseball and softball will remain offsite at South Campus, and there will be no school-owned pool or varsity hockey rink. The full stadium was anticipated as a Master Plan in the Environmental Assessment Worksheet (EAW) which had city, state, and public comments and feedback. At the time of the referendum it was not clear how many houses could be purchased to enlarge the high school site. Because the District was able to purchase so many of those houses, it became clear that enough site features and parking could be accommodated to allow the unification of the Football games with the new high school campus.
9. *Question: The projects and city approvals seem very piecemeal. Will there be more improvements/expansions and approvals in the near future?*
 - a. The District-wide referendum work was intentionally phased across the multiple school sites. This allowed the design and construction to be sequenced into smaller projects instead of one full District-wide project. Upcoming projects remaining include street improvements to Bald Eagle Avenue (summer 2023 construction) and improvements to Division Avenue, Eighth Street, and Highway 61 (summer 2024 construction).
10. *Question: Can they host events with the lights and PA system this spring for neighbor feedback before submitting for the bleacher expansion?*
 - a. Some lower-level events were hosted this past fall (2022). The PA system was not installed yet and the lights were not needed due to game times. The lighting and PA system were approved in the original CUP and are now installed. This proposal does not modify the previously approved lighting and sound systems.
11. *Question: What will happen to the existing stadium at South Campus?*
 - a. The stadium at South Campus will remain for use at the converted middle school and possibly for special events.

cc: Sal Bagley, Wold

sbagley@woldae.com

From: [Sam Crosby](#)
To: [Jason Lindahl](#)
Cc: [Ashton Miller](#); [Tracy Shimek](#)
Subject: North Campus CUP Amendment - Stadium Expansion
Date: Wednesday, March 22, 2023 10:14:51 AM

Dear Commission and Council,

First, thank you for your many hours and hard work in your roles with the City.

I am writing because I am concerned that the expansion of the north campus stadium to triple the current capacity could have a significant impact upon the surrounding neighborhood in regards to traffic, parking, light, & noise. Each of these areas should be carefully considered and properly mitigated if the proposal is to be approved.

Traffic. I am concerned by the methodology of SEH's traffic study. It utilized the past attendance at the south campus stadium as the baseline for the future attendance at the north campus stadium. Therefore, it was based upon 1,600 people attendance for a 5,000 seat stadium. We all know that "past performance is not necessarily indicative of future results". We also know that north campus plans to grow over the next several years. Why wasn't a forward-looking projection utilized? Comments from school district staff at the neighborhood meeting stated the 5,000 number is based on 18 inches per person, and that people don't actually sit that way. Do you remember attending high school football games? People typically sit shoulder to shoulder. And most of those people are students that are smaller in size. Even if the majority of attendees are full grown adults, taking up more space, they will squeeze themselves in. They're not going to say "gosh, this is too crowded, I'm going to leave". But let's agree that the 18 inch per person number is too slim for the current american person. Let's arbitrarily adjust it upward to 24 inches per person. That's still 3,750 attendees, not 1,600. To present such a gross disparity seems duplicitous. We all know, "if you build it, they will come". If the school really believes that 1,600 is the true attendance number, then the CUP should be limited to adding only 100 seats, since the current capacity is 1,500. The school has pointed out that homecoming is the one event that will draw around 3,800 people. (There's a more accurate number for us!). Without redoing the study, to accomodate homecoming, the CUP could be conditioned to limit the number of events in excess of 1,600 to not more than one per year and they could rent stadium bleachers for that one event. (The event could be ticketed to aid with enforcement.)

Or, they could redo the traffic study utilizing the industry accepted standard of 18 inches per person and implement all the recommendations associated therewith. That would insure that future growth can be accomodated, and isn't that what planning is supposed to do? Regardless of outcome, I ask that the Commission and Council consider a condition that precludes other events on these two properties when stadium events are occurring.

Parking. With 5,000 person capacity, that's 1,666 cars IF every car has 3 people in it. And that's only the people in the stands, it doesn't include the people on the field, in the concession stand, or in the media box. It was represented at the neighborhood meeting that there'll be 1,344 on site parking stalls between both north campus and the central middle property. There will very likely be overflow into the neighborhood. While the overflow of on-street parking is not a daily occurrence, the City will have the ability to change on-street parking rules in the future, as may be appropriate to help mitigate neighborhood impacts, so in my opinion, this is not as urgent a concern.

Lighting and Noise. My understanding of the situation is that the lighting and sound system are both already in place and are not proposed to change with this request. However, I believe

the neighborhood has yet to experience the them, particularly the PA system. I respectfully request that the school be asked to wait until an event that utilizes the lights and speakers system has taken place before asking for an approval that increases the frequency of their use. A notice should be sent to the neighborhood prior to the event, so that people can plan to be home on that day and time to experience the event. That would provide the information the neighborhood needs to be able to intelligently analyze the request.

I apologize I am not able to attend the Planning Commission meeting on the 24th. Thank you kindly for your critical review of this request.

Sincerely,

~ Sam Crosby

4853 Division Avenue

White Bear Lake MN.
March 20, 2023

Members of the White Bear Lake Planning Commission

In regards to the Conditional Use Permit request by the White Bear Lake Area School District:

I am George Dutra and my wife is Patricia Dutra.

We reside at 5117 Wild Marsh Drive directly across from what was called the North Campus soccer field.

We purchased our townhouse in this area for several reasons:

1. This is basically a quiet single family residential area
2. It is close to downtown White bear Lake
3. It is close to stores and restaurants
4. White Bear Lake is a well maintained city.

We considered the North Campus High School to be a drawback but not enough to override the above.

Our real concerns started with the high school consolidation at the North Campus:

1. There will be major bus and automobile traffic to and from Bald Eagle Avenue on the streets to access highway 61
2. There will be major automobile traffic on Division Avenue for student drop off and pickup. This has regularly resulted in both north and south lanes of Division blocked due to limited area on the school campus to accommodate cars waiting to pick up students
3. The stadium and field house will result in additional traffic.
4. The fields across from us have been upgraded and we expect to hear additional noise due to greater usage as well as from the stadium.
5. The noise and dirt from the construction has required extra cleaning efforts and costly duct cleaning.
6. The heavy construction truck traffic has really increased the deterioration of Division Avenue.

The school district has not been fully open and honest on its plans. Their original presentations have identified the new stadium as track and field. They stated the South Campus stadium would be used for football and other events. I assume their original submissions to the Planning Commission did not identify this latest proposal for stadium seating additions and the additional traffic and noise. Neither was it identified prior to citizen voting on the bonding proposal.

In summary we think the White Bear Lake Area School District has shown little to no concern for the residents in the vicinity of the North Campus. We have no reason to believe that the school district attitude toward us residents will improve.

We request that you deny the Conditional Use Permit.

Thank you for advising us and with detail seating capacity information.

Thank you again.

George and Patricia Dutra



To: City of White Bear Lake

From: Wold Architects and Engineers

Date: February 13, 2023
Revised March 22, 2023

Comm. No: 192236

Subject: Independent School District #624 – White Bear Lake Area School District
White Bear Lake Area High School Addition and Remodel – Stadium Expansion

**ISD #624 WHITE BEAR LAKE AREA HIGH SCHOOL ADDITION AND REMODEL –
STADIUM EXPANSION**

Conditional Use Permit Amendment

In November of 2019, the White Bear Lake Area School District passed a referendum for districtwide improvements and expansion of their facilities. A significant portion of this work was renovations and additions at the current North Campus High School building and site, with the ultimate goal of unifying the two high school campuses.

This project, as previously approved for permit, includes various site amenities in addition to the building expansion to support physical education and wellness for students as well as athletic activities and community events. The new athletic stadium will be surrounded by a ticketing entry and plaza, building housing concessions, restrooms, and storage for outdoor equipment. At the time of the original conditional use permit application and approval, this athletic stadium included 1500 bleacher seats on the home team side, with plans for future expansion of the seating as the needs and use of the stadium changes over time.

The current application for conditional use permit amendment includes expansion of the seating capacity at the new athletic stadium from the current 1,500 seats to a total of 5,000 seats. This includes the original 1,500 home-side seats, plus 2,000 additional seats on the home side, for a total of 3,500 capacity. Visitor seating for 1,500 is being proposed to be located on the east side of the stadium, for a total stadium capacity of 5,000. This capacity of seats will allow the unified high school site to serve the majority of athletic events and high school activities of various sizes, as well as large events like graduation. Additionally, this will allow the potential to host larger competition-style events like regional or state track meets, marching band festivals, etc. This bleacher capacity will allow for a truly unified experience at the high school site for students, staff, and the community, and will allow the other amenities that have been invested in on site (i.e.: site buildings, concessions, and indoor athletic spaces) to be utilized to their full capacity.



A traffic study was completed in January 2021 as part of the original conditional use permit and site design process, and the project includes expanded parking to serve the new site functions. A separate project incorporating recommended off-site improvements to surrounding roads and intersections, as coordinated with the City of White Bear Lake, will be completed by the fall of 2024 when the unified high school is fully operational, meaning that this site will serve all students in grades 9 through 12. The original previous *White Bear Lake High School Expansion Traffic Study – Traffic Study Findings* technical memorandum was amended by SEH Engineers with the attached event analysis for the expanded bleacher capacity and large events on site. Recommendations for some minor adjustments to signal timing on Highway 61 are summarized in the attached memorandum for consideration by the City and MnDOT for the largest capacity events (i.e.: Homecoming football game or an event with a full stadium). A typical home football game or similar activity is not expected to create any operational issues during the event arrival or departure times, based on the traffic study. A major takeaway is that the expected impacts to local streets and intersections for larger capacity bleacher events would be comparable to high school dismissal time traffic. However, an advantage of the stadium events is that these large capacity events occur at a time of the day when area streets have a lower traffic load, as compared to school dismissal time. A schedule of the additional road and off-site improvements that are underway is provided in the submittal documents for reference.

The original EAW for this site included an analysis of the impacts of the site improvements in several main areas, which included: traffic, air quality, sound, and light. This was reviewed by various regulatory agencies and public comment. In relation to this proposal, the traffic portion of this study was updated to understand the impacts of the additional bleacher capacity on site traffic flow, as mentioned above. This proposal does not modify the lighting and sound systems that were approved as part of the original Conditional Use Permit. Based on the fact the original EAW did not indicate issues with air quality standards at any local area intersections, this additional bleacher capacity is not expected to contribute to this metric in a significant way.

The site offers a total of 1,344 marked parking spaces. As noted in the traffic study, this exceeds the number of spaces that would be anticipated being needed on site for a large event based on typical expectations for how many people would use other means of arriving at the site (i.e.: drop-off, walking, etc.). A typical number of people per car for this type of event that would be planned around based on SEH Engineering data is three people per car. Even at the full capacity of 5000 people, the available spots would allow for about three people per car, which was used for the traffic study assumptions. Additionally, as a relevant local comparison, the quantity of parking spots available on the Unified High School site is more than double what is currently available at South Campus (which has 600 parking spots available on site with a capacity of 4800 bleacher seats). Based on the most applicable City code for parking that would be applicable to a stadium ('private stadium') the required onsite parking is one spot per eight people. The amount of parking available on site far exceeds this number.

This expansion of stadium bleacher seating does not modify the design intent and alignment with the nine design principles from the City as noted in the original conditional use permit application for the high school addition design and expansion. This work builds on the design principal of "Transformation" by providing additional future-readiness of the site amenities for both the school and White Bear Lake Area community and allows the site to holistically serve students and thrive as the heart of high school education and activities for many years to come.



Per 1301.050 Subd. 2.e Procedure of the City Code:

Item 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.

It is our intent that the proposed bleacher expansion meets all the specific requirements of the City Comprehensive Land Use Plan.

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

The proposed bleacher expansion continues the present use of the site.

The inclusion of larger capacity stadium events to this site is being proposed due to the new information and circumstances of available surrounding areas that the District acquired in the time since the referendum planning process, as well as since the original Conditional Use Permit was approved in 2021. At the time of the referendum passing in 2019, based on the site space available at North Campus, the largest stadium events like Varsity football were planned to stay located at South for the time being, with the long-term plan to move to North Campus at some point in the future. The North campus stadium was designed for future expansion, sound, and lights for a full stadium. In the time since 2021, as various residential lots around the site became available and were consolidated into the site area available to the District, it became more feasible to host Varsity football games and other large events there due to the availability of parking spaces. Other amenities on this site like equipment storage, and a restroom and concessions building make bring additional value to co-locating larger athletic and activities events into one site. The consolidation of as many high school activities as possible onto one site also allows students and staff to be served and supported at one location, and provides a dedicated space for the majority of high school within the community.

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

It is our intent that the proposed bleacher expansion meets all the City's standards.

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

Typically schools appreciate land values and we believe this additional bleacher capacity would continue to enhance the investments already being made in the White Bear Lake Area High School site.

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

Utility connections for the main building and site expansion were designed in discussion with the city to be provided by the project and not overburden the City's service capacity, and the infrastructure needed for bleachers expansion was included in the previously approved Conditional Use Permit, and was limited to minimal power and data etc. This on-site infrastructure was planned for with open conduit in the original site design to minimize impact to the site once complete.



Other infrastructure within the City that could be impacted by this proposal are roadways and intersections. The traffic study and event analysis show that the previously recommended improvements to nearby roadways and intersections are expected to provide acceptable traffic operations. These improvements are in coordination with local agencies, and construction of these updates will be completed by Summer of 2024. The anticipated traffic impact to area infrastructure from larger stadium events will be intermittent and limited to a select number of dates per year. These dates can be coordinated between the District and the City for reducing conflict with other area events and planning around local traffic control measures on an as needed basis. Additionally, the traffic generated at high volume times for stadium events with increased bleacher capacity being proposed will generate similar traffic volumes to the high school dismissal traffic, but actually occurs at a less busy time of the day on area roads (occurring in the evening rather than late afternoon).

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

The parking available on site was increased in the original building additions and site and reconstruction project and distributes parking and drop-off locations to the east and west sides of the site to separate traffic flows and help reduce the burden on surrounding streets. Through a traffic study memorandum and recent (February 2023) amendment, the existing streets were analyzed for potential traffic impact for events. Off-site improvements consistent with the original traffic study are part of a separate project that will be completed along with the proposed project.

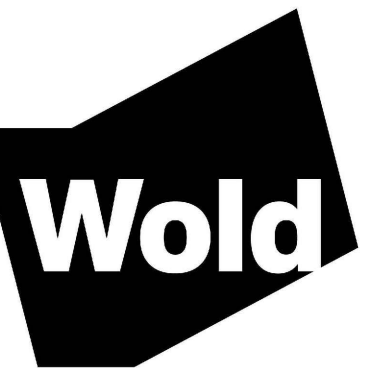
Based on the event analysis, the existing and planned (and previously approved) improvements to the nearby roadways/intersections are expected to provide acceptable traffic operations. There are expected to be increased traffic volumes in the area for an hour before events and for 15-30 minutes after an event. Especially after events, some intersections may have longer delays/queues during the 15-30 minutes it takes to clear the event. For comparison, the busiest of events at the stadium will generate similar traffic volumes to the dismissal of the high school except that it will occur at around 9:30 PM when other roadway traffic is generally low.

Additional recommendations as part of the CUP amendment memorandum will be coordinated with City and any other necessary agencies. Per conversations with City Engineering, the impacts of larger events on any given site can be difficult to predict, and the City recommends that the need for traffic mitigation measures be evaluated and considered as these events occur. The District has committed to working with the City on traffic mitigation measures that arise as the circumstances of these events are fully understood. These may include, but are not limited to, hiring traffic control personnel at site intersections and/or parking access routes, coordinating with local law enforcement for additional traffic control support, coordinating with the City on event schedules to limit parking on residential streets, and other measures deemed necessary.

WBLAHS ADDITION & RENOVATIONS

5045 Division Avenue
White Bear Lake, MN 55110

ISD #624 WHITE BEAR LAKE AREA SCHOOLS
4855 Bloom Avenue
White Bear Lake, MN 55110



WOLD ARCHITECTS AND ENGINEERS
332 Minnesota Street, Suite W2000
Saint Paul, MN 55101

woldae.com | 651 227 7773



KRAUS-ANDERSON

Larson Engineering, Inc.
3524 Labore Road
White Bear Lake, MN 55110
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I hereby certify that this plan, specifications or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the state of Minnesota.

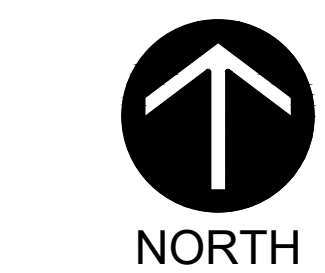
Greg A. Buchal
Greg A. Buchal, P.E.

Date: 04.12.2021 Lic. No.: 23793

Revisions		
Description	Date	Num
PR #23	8/23/2021	4
PR #25	9/22/2021	5
PR #27	10/27/2021	6
PR #48	12/16/2021	7
PR #86	4/8/2022	8
PR #102	5/10/2022	9
PR #66R	5/18/2022	8R
PR #110	6/02/2022	10
PR #103	6/20/2022	11
PR #125	7/8/2022	12
PR #126	7/12/2022	13
SI #29	9/1/2022	14
PR #159	9/19/2022	15

Comm: 12196196
Date: 04.12.2021
Drawn: MTH
Check: GAB

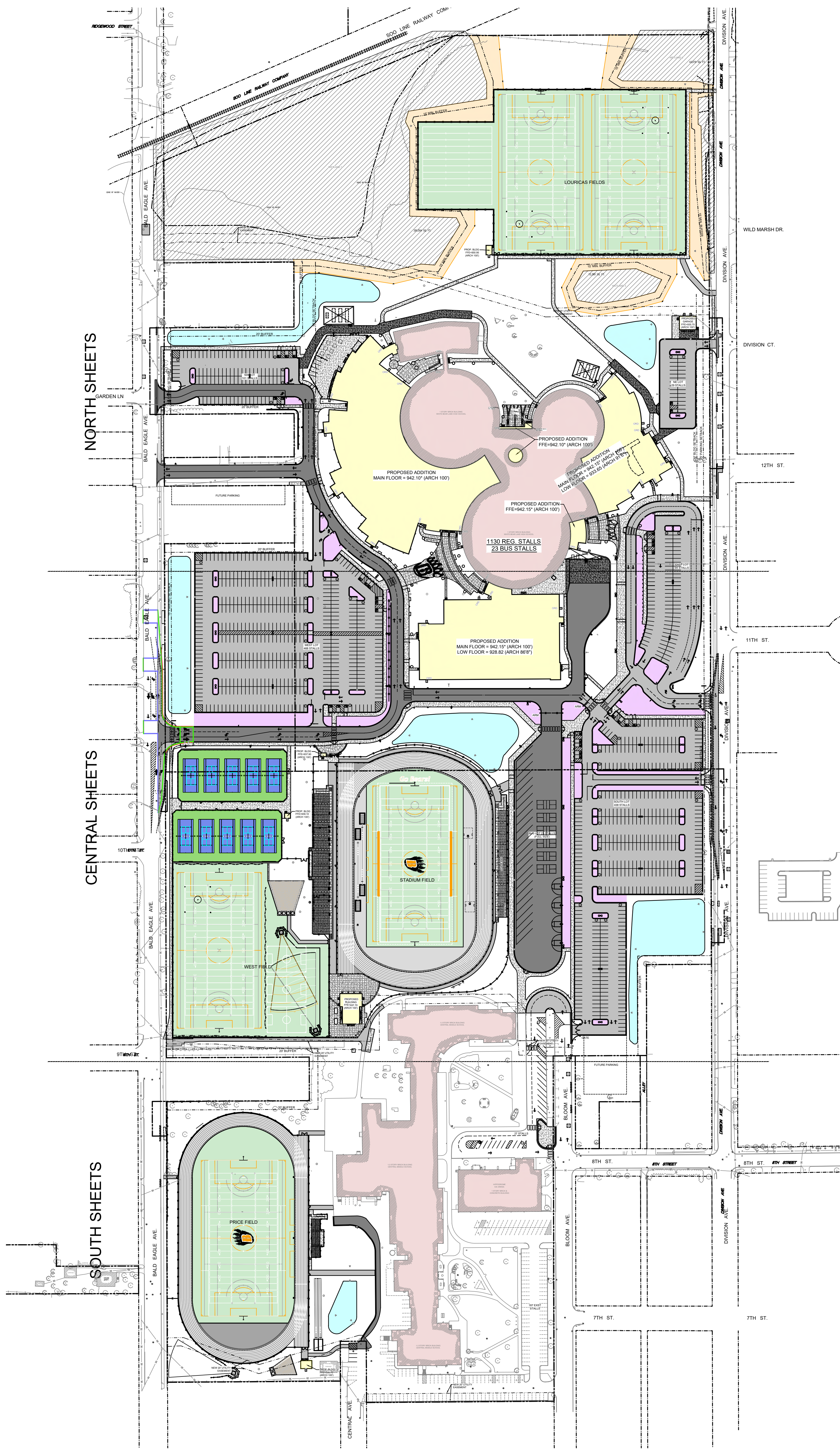
OVERALL PLAN



0 60 120 240

Scale: See scale bar

C000



SYMBOL LEGEND

- EXISTING BUILDING
- PROPOSED BUILDING/ADDITION
- NEW BITUMINOUS PAVING
- NEW CONCRETE PAVING
- NEW SYNTHETIC TURF
- NEW ATHLETIC TRACK SURFACING
- NEW STORMWATER INFILTRATION BASIN
- NEW PARKING LOT INTERIOR LANDSCAPING
- NEW WETLAND BUFFER
- DELINEATED WETLAND

SITE SETBACKS

PER 1303.130 Subd.4 and Subd.5 & 1302.050 Subd.17

Building Setbacks:
Front Yard = 30'
Side Yard = 10' or 30' abutting street
Rear Yard = 30'

Abutting residentially zoned land:
Building & Loading Dock = 50'
Screening/Buffer Zone = 20'

Parking Setbacks:
From Right-of-Way = 15'
From Residential Lot = 20'

Wetland Buffer:
Minimum = 15'
Average = 30'
To be planted with native vegetation and delineated with signs

Wetland Buffer Calculation:
Required Buffer Area = (Adjacent Wetland Perimeter) * 30'

Wetland 1:
Required Buffer Area = 1149 LF * 30' = 34,470 SF
Provided Buffer Area = 35,161 SF

Wetland 2:
Required Buffer Area = 726 LF * 30' = 21,780 SF
Provided Buffer Area = 22,953 SF

Wetland 3:
Required Buffer Area = 478 LF * 30' = 14,340 SF
Provided Buffer Area = 15,913 SF

PARKING LOT LANDSCAPING

TOTAL PARKING = 1130 STALLS

INTERIOR LANDSCAPING REQUIRED:
1130 STALLS @ 144 SF / 10 STALLS = **16,272 SQUARE FEET**

INTERIOR SHADE TREES REQUIRED:
16,272 SF / 144 = **113 SHADE TREES**

NORTHWEST LOT = 101 STALLS
INTERIOR LANDSCAPE REQUIRED = 1,454 SQUARE FEET
INTERIOR LANDSCAPE PROVIDED = 1,287 SQUARE FEET
INTERIOR SHADE REQUIRED = 10 SHADE TREES

SOUTH LOT = 489 STALLS
INTERIOR LANDSCAPE REQUIRED = 6,739 SQUARE FEET
INTERIOR LANDSCAPE PROVIDED = 21,873 SQUARE FEET
INTERIOR SHADE REQUIRED = 47 SHADE TREES

SOUTH LOT = 438 STALLS
INTERIOR LANDSCAPE REQUIRED = 6,307 SQUARE FEET
INTERIOR LANDSCAPE PROVIDED = 14,098 SQUARE FEET
INTERIOR SHADE REQUIRED = 44 SHADE TREES

EAST LOT = 94 STALLS
INTERIOR LANDSCAPE REQUIRED = 1,353 SQUARE FEET
INTERIOR LANDSCAPE PROVIDED = 9 SHADE TREES

NORTHEAST LOT = 29 STALLS
INTERIOR LANDSCAPE REQUIRED = 417 SQUARE FEET
INTERIOR LANDSCAPE PROVIDED = 727 SQUARE FEET
INTERIOR SHADE REQUIRED = 3 SHADE TREES

SITE SUMMARY

White Bear High School and Central Middle School
Site Summary

PARKING CALCULATIONS

Category	Item	Quantity	ADA
HIGH SCHOOL	Required: 3200 students @ 1 per 3	1067 stalls	
	123 classrooms @ 1 per 3	41 stalls	
	Total Required =	1,108 stalls	
Provided:	Northwest Lot	101 stalls	5 ADA
	West Lot	468 stalls	9 ADA
	South Lot	438 stalls	9 ADA
	East Lot	94 stalls	4 ADA
	Northeast Lot	29 stalls	2 ADA
Total Provided =	1130 stalls	29 ADA	
Assigned:	Staff	280 stalls	
	Visitor	25 stalls	
	Student	825 stalls	

MIDDLE SCHOOL

Required: 1356 students @ 1 per 50	28 stalls		
57 classrooms @ 1 per 1	57 stalls		
Total Required =	85 stalls		
Provided:	East Drop Off	27 stalls	2 ADA
Existing Lots	187 stalls	7 ADA	
	214 stalls	9 ADA	

SHARED BUS LOT

Provided: Bus Lot	23 stalls	
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LOT AREAS

LOT 1 HIGH SCHOOL	1,769,653 square feet	40.63 acres
LOT 2 MIDDLE SCHOOL	1,453,316 square feet	33.36 acres
LOT 3	158,271 square feet	3.63 acres
Total Area	3,381,240 square feet	77.62 acres

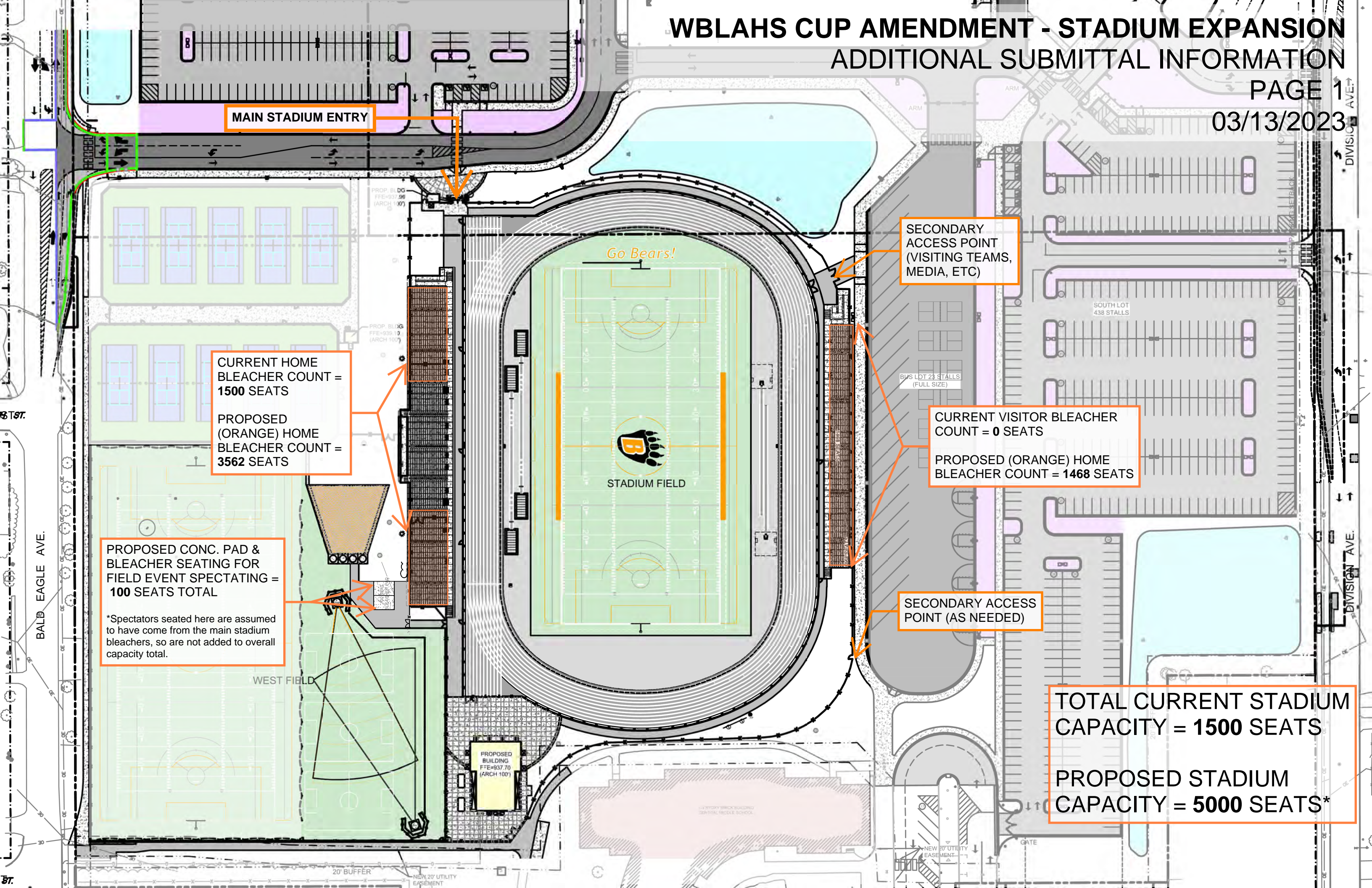
LOT COVERAGE

Category	Item	Area	Percentage
BUILDINGS	Existing Middle School	115,871 square feet	
	Existing Hippodrome	19,774 square feet	
	Existing Lions Storage	1,051 square feet	
	Existing High School	151,150 square feet	
	High School Addition	190,484 square feet	
	Maintenance Garage	1,307 square feet	
	Concessions	3,300 square feet	
	Ticketing	125 square feet	
	Storage sheds (4)	1,112 square feet	
	Total Buildings	484,174 square feet	14%
IMPERVIOUS	Parking Drives, Walks	798,813 square feet	
	Existing pavement to remain	174,162 square feet	
	Future Impervious	62,931 square feet	
	Grandstands	11,274 square feet	
	Future Grandstands	15,332 square feet	
	Tennis Courts	61,351 square feet	
	Athletic Track and Field	154,040 square feet	
Total Impervious	1,277,903 square feet	38%	

LANDSCAPING

Wetland (post mitigation)	273,744 square feet	
Wetland Buffer	74,049 square feet	
Parking Lot Interior/Islands (8' min)	64,373 square feet	
Stormwater Infiltration Basin	105,607 square feet	
Synthetic Turf	516,133 square feet	
Grass/Plantings (balance)	585,257 square feet	
Total Landscaped	1,619,163 square feet	48%

WBLAHS CUP AMENDMENT - STADIUM EXPANSION ADDITIONAL SUBMITTAL INFORMATION



MAIN STADIUM ENTRY

CURRENT HOME BLEACHER COUNT = 1500 SEATS
PROPOSED (ORANGE) HOME BLEACHER COUNT = 3562 SEATS

PROPOSED CONC. PAD & BLEACHER SEATING FOR FIELD EVENT SPECTATING = 100 SEATS TOTAL

*Spectators seated here are assumed to have come from the main stadium bleachers, so are not added to overall capacity total.

SECONDARY ACCESS POINT (VISITING TEAMS, MEDIA, ETC)

CURRENT VISITOR BLEACHER COUNT = 0 SEATS
PROPOSED (ORANGE) HOME BLEACHER COUNT = 1468 SEATS

SECONDARY ACCESS POINT (AS NEEDED)

TOTAL CURRENT STADIUM CAPACITY = 1500 SEATS
PROPOSED STADIUM CAPACITY = 5000 SEATS*



HOME BLEACHER PROPOSED EXPANSION AREAS
- HEIGHT AND DESIGN TO MATCH EXISTING (19 ROWS HIGH)
- MINOR MODIFICATIONS TO AISLES
- TOTAL HOME BLEACHER SEATS = 3562

VISITOR BLEACHERS PROPOSED
- 10 ROWS HIGH
- DESIGN AND STYLE TO MATCH EXISTING
- NO CHANGE TO LIGHTING, SOUND, SCOREBOARD SYSTEMS
- TOTAL VISITOR BLEACHER SEATS = 1468



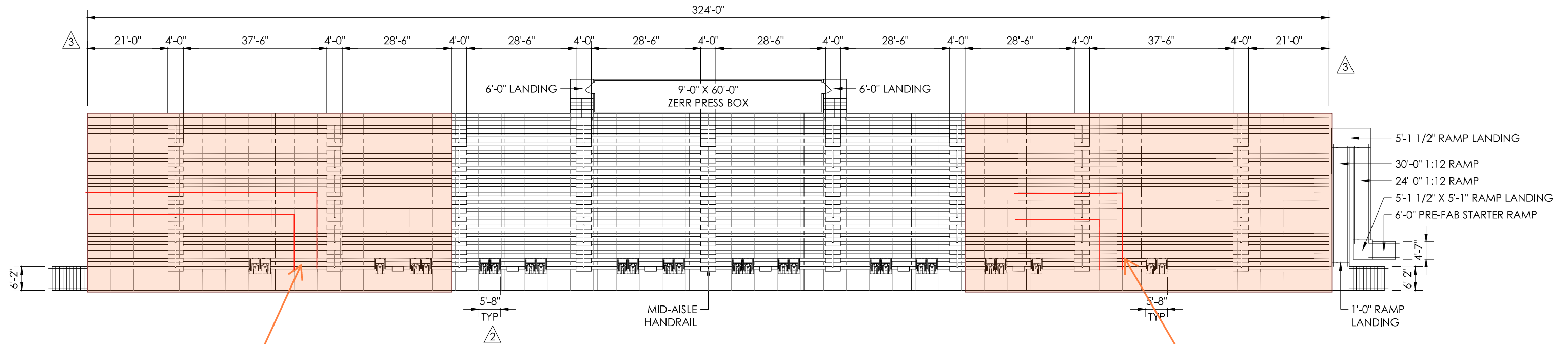
← APPROX. 100'-0" →

NEW PROPOSED HOME BLEACHERS
(+1031 SEATS)

← APPROX. 100'-0" →

NEW PROPOSED HOME BLEACHERS
(+1031 SEATS)

BLEACHER CAPACITY - HOME SIDE:
CURRENT COUNT = 1500 SEATS
AMENDED COUNT = 3562 SEATS

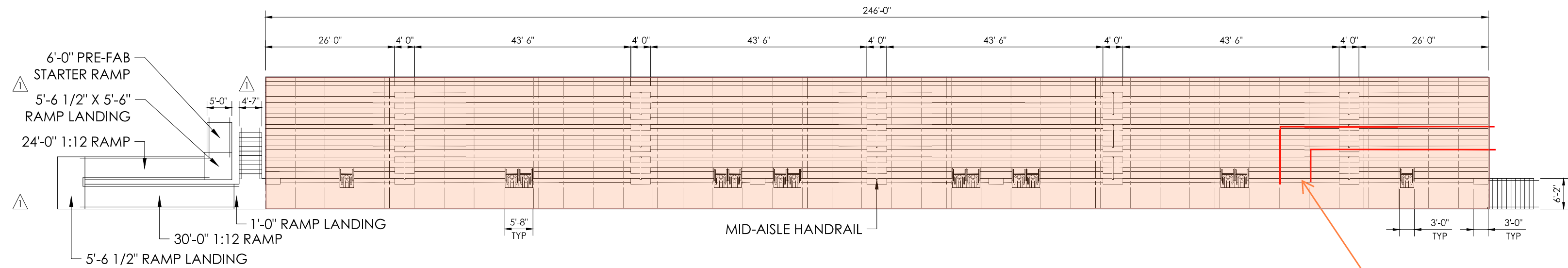


POSSIBLE EGRESS
VOMITORIUM

△ 2 FUTURE SEATING LAYOUT - CENTRAL TRACK WEST (HOME) SIDE △ 1
SCALE: 1/16"=1'-0"

POSSIBLE EGRESS
VOMITORIUM

**BLEACHER CAPACITY - VISITOR SIDE:
CURRENT : 0 SEATS
PROPOSED: 1468 SEATS**



FUTURE SEATING LAYOUT - CENTRAL TRACK EAST (AWAY) SIDE
SCALE: 3/32" = 1'-0"

**POSSIBLE EGRESS
VOMITORIUM**



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: April 11, 2023
SUBJECT: **4910 Highway 61 Monument Sign Variance, McNeely Music Center,
 Case No. 23-10-V**

SUMMARY

The applicant, MSR Design, on behalf of McNeely Music Center, is requesting a sign setback variance from the required ten (10) feet to three (3) inches to allow replacement of their existing monument sign on the property located at 4910 Highway 61. Based on the findings made in this report, both staff and the Planning Commission find that the applicant has not demonstrated a practical difficulty with meeting the City's zoning regulations as required by Minnesota Statute 462.357, Subd.6 and recommends denial of this request.

GENERAL INFORMATION

Applicant/Owner: MSR Design / Manitou Fund MMC LLC

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

Surrounding Land Use / Zoning: North: Dental Clinic; zoned B-4: General Business
 South: Office; zoned B-4: General Business
 East: Parking Lot; zoned B-4: General Business
 West: Retail; zoned DCB: Diversified Central

Comprehensive Plan: Downtown

Lot Size & Width: Code: none; 100 feet
 Site: 13,295 sq. ft.; Highway 61 side: 160 feet; 8th Street side: 65 feet

BACKGROUND INFORMATION

In 2022, the applicant received approval of five variance to reconstruct the McNeely Music Center while maintaining the existing building, access and parking lot layout. Those variances included the following:

- A five (5) foot variance from the ten (10) foot side yard setback requirement;
- A six (6) foot variance from the thirty (30) foot setback requirement from a side abutting

- a public right-of-way;
- A six (6) foot variance from the front yard setback;
- A parking variance to allow eighteen (18) parking stalls; and
- A variance from the 50% limit on the use of metal panels as an exterior building material to allow 69%.

The office building was demolished in the spring of 2022 and construction of the new building began later that summer. There was a pause over the winter due to necessary design changes after discovering a high-water table, but construction is again underway and the applicant is now considering options for signage at the property.

Prior to receiving the five variances noted above to reconstruct the site, the property also received a sign setback variance in 1998. That variance allowed a 32 square foot monument sign to be setback two (2) feet from the property's western property line along Highway 61, rather than the required ten (10) feet.

The applicant states the current sign setback variance request down to three (3) inches is necessary to reorient the sign and increase its visibility along Highway 61. With the previous variance, the site had a 32 square-foot monument sign that was positioned parallel to Highway 61. Should the City approve the requested sign setback variance, the applicant plans to install a new 7.6 foot high, 19 square-foot dynamic (electronic) sign three (3) inches from the site's western property line along Highway 61.

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 where no one but the applicant, Sean Higgins spoke. Mr. Higgins provided a rendering of the sign demonstrating the distance of the sign to the road from a street view. He also shared pictures with the Commissioners of the surrounding signs, noting that the sign south of the property is closer to the road and much larger. He stated that the lot is an irregular shape, which impacted the layout of the building and parking lot and is why they needed variances for the building in the first place. After hearing staff's presentation and comments from the applicant, the commission voted 6-1 to recommend the City Council deny this request. Member Enz opposed.

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 the State Statute and finds the applicant has not 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 variance is not in harmony with the purposed and intent of the ordinance. The purpose and intent of the sign code is to “regulate the number, location, size, type, illumination and other physical characteristics of signs within the city in order to promote the public health, safety and welfare; maintain, enhance and improve the aesthetic environment of the city by preventing visual clutter that is harmful to the appearance of the community; improve the visual appearance of the city while providing for effective means of communication, consistent with constitutional guarantees and the city’s goals of public safety and aesthetics.” The requested setback variance to allow a monument sign three (3) inches from the site’s western property line along Highway 61 essentially results in no setback completely circumventing propose and intent of the sign regulations noted above.

2. Is the variance consistent with the comprehensive plan?

Finding: The requested setback variance to allow a monument sign three (3) inches from the site’s western property line along Highway 61 is not consistent with the comprehensive plan. The comprehensive plan does not speak specifically to sign setback but does contain general goals and policies related to land use, transportation and public safety relevant to this request. These standards and staff findings for each are detailed below.

Land Use. The 2040 Comprehensive Plan guides the subject property as Downtown. According to the Comprehensive Plan, the downtown area should encompass a broad range of uses and intensities, including residential, commercial, and institutional. It is intended that development contribute to the pedestrian-scale, walkable environment that is already present in Downtown. The mix is anticipated to be approximately 70% commercial, 20% residential, and 10% institutional. While the music center use fits within this description, the proposed sign variance will not contribute to the existing pedestrian-scale and walkable built environment. Rather, it will likely inhibit pedestrian safety.

Transportation. The transportation section of the 2040 Comprehensive Plan identifies Highway 61 as a potential future road project due to the “ongoing concern regarding vehicle speed and pedestrian safety.” The Plan also calls for improvements at the intersection of 8th Street and Highway 61 so that it is safer and more accessible to pedestrians. A 7.6 foot tall, 19 square foot sign with a three (3) inch setback from the property line along Highway 61 increases safety concerns in the area.

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

Finding: The proposal would not put the subject property to use in a reasonable manner. The applicant has reasonable use of the property as a commercial music center. The city acknowledges the applicant’s desire for associated accessory signage for wayfinding and site

identification. However, given the extreme nature of the request (3-inch setback), and the inconsistencies with the spirit and intent of both the zoning regulations and the 2040 Comprehensive Plan, staff finds the applicant has reasonable ability to construct accessory freestanding signage with the previously approved monument sign setback of two (2) feet, coupled with the fact that the sign code also entitles the site up to 80 square feet of wall signage.

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

Finding: There are not unique circumstances to the property that were not created by the landowner. As noted in the background section above, the applicant sought and the city approved five site-related variances to allow reconstruction of the McNeely Music Center while maintaining the property's existing building position, access and parking lot layout. This site design included a monument sign with a two (2) foot setback from the site's western property line along Highway 61. Staff finds the previously approved variances sought by the applicant and approved by the city created the very site conditions the applicant now cites as creating the need for an additional sign setback variance.

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

Finding: Granting the requested variance will alter the essential character of the neighborhood. While deviations from the setback requirement for freestanding signs have been granted to surrounding properties in the past, the majority of those resulted in setbacks of one (1) to seven (7) feet. Of the sign setback variances granted to surrounding properties, only one (4940 Highway 61 – White Bear Country Inn), granted a zero-foot setback. However, it should be noted that the reasoning for granting the variance was that the MNDOT right-of-way for Highway 61 is substantially larger in that area, so the sign is still setback almost 45 feet from the sidewalk and 60 feet from the edge of the street. The proposed sign at the subject site would be about 11 feet from the sidewalk and 30 feet back from the curb. Granting the variance would allow greater encroachment than what has historically been permitted in the neighborhood, changing the character of the area.

RECOMMENDATION

Both the Planning Commission and staff recommend denial of the request based on the findings summarized below and detailed in the attached resolution.

1. The variance is not in harmony with the purposed and intent of the ordinance.
2. The variance is not consistent with the comprehensive plan.
3. The variance has not been proven necessary for the reasonable use of the land or building; alternative design options exist.
4. There are not unique circumstances to the property not created by the landowner.
5. Deviation from the code without reasonable justification will slowly alter the City's essential character.

Should the City Council consider approving the request, staff recommends the City Council continuing this item and direct staff to prepare a resolution of approval based on specific findings related to the criteria in Minnesota State Statute 462.357, Subdivision 6.

ATTACHMENT

Resolution

Zoning Location Map

Applicant's Narrative & Plans

RESOLUTION NO.

**RESOLUTION DENYING A MONUMENT SIGN VARIANCE
FOR THE PROPERTY LOCATED AT 4910 HIGHWAY 61**

WHEREAS, MSR Design, on behalf of McNeely Music Center, (“Applicant”) submitted an application to the City of White Bear Lake (“City”) seeking a variance for a monument sign to be located on the property at 4910 Highway 61 in the City and legally described as follows (“Property”):

LEGAL DESCRIPTION: That part of Lots 1, 2 and 3, in Block 23, White Bear, lying North of the Northern Pacific Railroad Company right-of-way and Easterly of Trunk Highway No. 61, all of which lies Southerly of the following described line: Commencing at the Southwest corner of the Northeast Quarter of the Northeast Quarter of Section 14, Township 30 North, Range 22 West; thence South 89 degrees 49 minutes West (assumed bearing) along the South line of said Quarter Quarter a distance of 466.28 feet to the Easterly Highway right-of-way of Trunk Highway No. 61 as monumented; thence South 14 degrees 24 minutes 42 seconds West 44.25 feet along said Easterly right-of-wayline to the point of beginning of the line be herein described; thence South 73 degrees 29 minutes 09 seconds East 120.88 feet to the Northwestern right-of-way line of said railroad and there terminating. (PID: 143022140008); and

WHEREAS, in 1998, the City approved a variance for the Property to allow a 32 square foot monument sign to be setback two feet from the western property line along Highway 61, which constituted an eight foot variance from the 10 foot setback required by the Municipal Code; and

WHEREAS, the Applicant is now seeking a further variance to reduce the setback from the current two feet down to three inches, which would be a combined nine foot, nine inch variance from required 10 foot setback; and

WHEREAS, if approved, the Applicant intends to install a new 7.6 foot high, 19 square foot dynamic (electronic) sign three inches from the site’s western property line along Highway 61; and

WHEREAS, the City Planner prepared a memo dated March 27, 2023 (“Planner’s Report”) regarding the proposed variance in which the City Planner set out background information, analysis, proposed findings, and recommended the Planning Commission recommend denial of the requested variance; and

WHEREAS, the Planning Commission, after due notice having been provided, conducted a public hearing at its meeting on March 27, 2023 at which is provided an opportunity for the Applicant and the public to be heard regarding the requested variance; and

RESOLUTION NO.

WHEREAS, after consideration, the Planning Commission voted to forward the application to the City Council with a recommendation that it deny the variance.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of White Bear Lake, Minnesota that it hereby finds and determines as follows regarding the requested variance:

- a. The procedure to process and act on a variance request is set out in Section 1301.060 of the Municipal Code and is subject to the requirements in Minnesota Statutes, section 462.357, subdivision 6(2).
- b. The Applicant has the burden of demonstrating that the strict application of the zoning regulations in the Municipal Code would result in practical difficulties as defined in the statute and as further explained in the Planner's Report.
- c. The Planner's Report, which is incorporated herein by reference, sets out findings indicating the Applicant has not sufficiently demonstrated the existence of practical difficulties to allow the City to issue the requested variance.
- d. The Planning Commission agreed with the findings in the Planner's Report and recommended denial of the requested variance.
- e. The City Council also agrees with the findings in the Planner's Report and adopts them as part of its findings on this matter.
- f. The City has already granted a variance to the Property to allow placement of a monument sign at only 1/5 of the required setback. The sign was placed and was used in that location for several years.
- g. Now the Applicant proposes what is effectively a zero setback for a sign on the Property. There are valid policy reasons for imposing setback requirements for structures placed on properties and the Applicant has not provided a sufficient reason to forgo those policy reasons to authorize a sign to be placed a mere 3 inches from the Property line. The sign location allowed under the previously issued variance is sufficient for its intended purpose. Desiring to place a sign on the Property line with the hope it may have greater visibility from the highway does not constitute a practical difficulty. Absent the finding of a practical difficulty, the City Council cannot issue the requested variance.

NOW, THEREFORE, BE IT FINALLY RESOLVED, by the City Council of the City of White Bear Lake, Minnesota that, based on the Planner's Report, the Planning Commission's recommendation, the findings contained herein, and the record of this matter, the requested variance is hereby denied.

RESOLUTION NO.

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

Ayes:

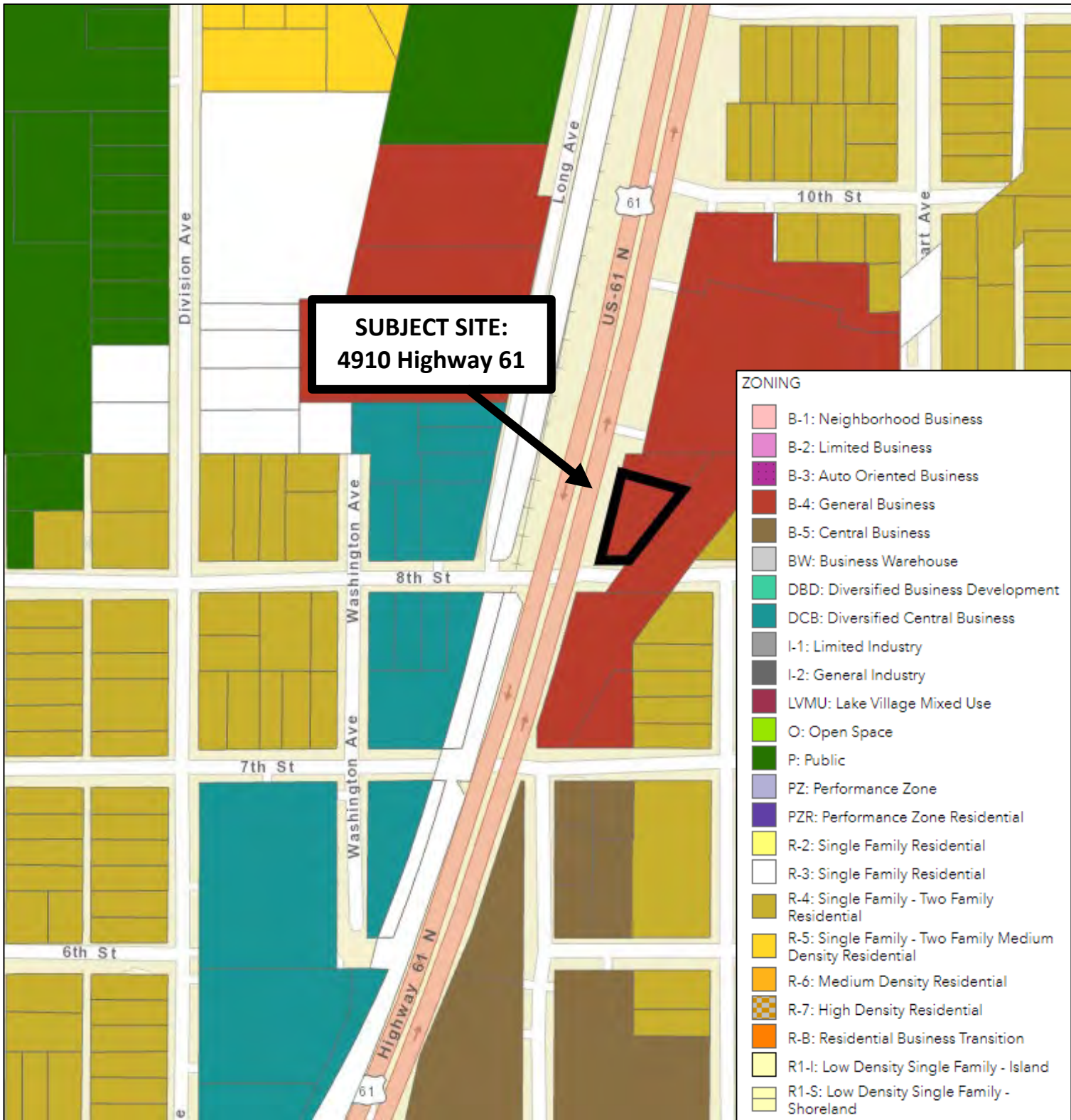
Nays:

Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



CASE NO. : <u>23-10-V</u>
CASE NAME : <u>McNeely Music Center Sign</u>
DATE : <u>3-27-2023</u>



Memorandum

Date 2/13/2023
Project Name McNeely Music Center
Project Number 2021021WBL

To City of White Bear Lake Planning Commission
From **MSR Design**
510 Marquette Avenue South, Suite 200
Minneapolis, MN 55402
Cc: Ashton Miller

Re: Variance Request Application

Zoning for "B-4", General Business District

Item 1: Setbacks

Numeric Deviation: 1202.040 Subd. 2. Commercial and Industrial Districts

Reference text:

B. Freestanding Monument Signs.

"... The sign shall be architecturally compatible with the principal building, with a brick, masonry or similar base, and shall be a maximum of ten (10) feet high and shall be set back from all property lines and driveways a minimum of ten (10) feet."

Variance Request

We are demolishing the existing monument sign, and replacing with a sign architecturally compatible with the new building. The existing building originally received a variance setback variance, allowing for setback of 24" from the front property line.

We seek a variance here because there are practical difficulties posed by the setback requirements to properly address traffic traveling along HWY 61. The current setback only allows for a sign to sit parallel to HWY 61, which creates an issue of legibility for motorists looking for our site signage.

We are proposing the sign setback be reduced to 3", to allow for a sign to face perpendicular to the flow of traffic, allowing for greater legibility of the long face of the sign for motorists. This distance is specifically proposed because it allow for 2'-6" wide sign to locate between the proposed setback and the existing curb line of the entry drive without compromising construction of the sign foundation or encroachment of the property line, while allowing for sufficient sign area.

Sean Higgins, AIA

612.615.7225 | sean@msrdesign.com



Memorandum

Date 3/17/2023
Project Name McNeely Music Center
Project Number 2021021WBL

To City of White Bear Lake Planning Commission
From **MSR Design**
510 Marquette Avenue South, Suite 200
Minneapolis, MN 55402
Cc: Ashton Miller

Re: Variance Request Application

5 Questions regarding Variance Request

1. Is the variance in harmony and proposes and intent of the ordinance;

MSR Response:

Intent of the zoning code is to produce signage consistent with the zoning corridor in which it resides. HWY 61 corridor is a mix of commercial businesses and semi-public entities. Each entity has monument signage to advertise the primary use of the building for passing motorists. Signage is predominantly perpendicular to the flow of traffic. Our proposed signage is consistent with existing signage along this corridor.

2. Is the variance consistent with the comprehensive plan;

MSR Response:

Section 4, "Economic Competitiveness", specifically references the arts district along Hwy 61. This facility would enhance the "flourishing and sophisticated arts culture", by adding a complementary program to the existing performing arts center on the west side of HWY 61, across from the property.

Additionally, as stated in the Comprehensive Plan: A thriving arts culture can positively impact the economic health of a city. In recognition of this, White Bear Lake plans to leverage state and local funds to strengthen its arts district and establish more recognition for the district through signage, road improvements, district beautification, and encouraging art-related community events.

Our programming is intended to reduce barriers to music education while providing access to high quality technology.

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

MSR Response:

We see this proposal as utilizing the property in a reasonable manner, given the intent of the comprehensive plan, the occupancy type of the building and the type of arts and culture this building will support.

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

The property is platted in such a way that there is limited buildable area within the given setbacks. As a precedent, a variance for building footprint setbacks was granted due to the practical difficulties posed by the setback requirements and the challenging shape of the site. The variance approval allowed for

enhanced workability of the site layout and allow for the expanded site access for the entry drive to meet accessibility requirements and requests made by the City of White bear Lake Fire Marshal.

Additionally, due to the nature of the property lines for the property immediately south of our site, their monument sign is substantially closer to the path of traffic. Our site is impeded by a “jog” in the public sidewalk, forcing our sign further back into our property. We seek to have a sign which is not obscured from view by our neighboring property’s monument sign.

Our intent is to create a safe and visible sign for passing motorists. We are proposing the sign setback be reduced to 3”, to allow for a sign to face perpendicular to the flow of traffic, allowing for greater legibility of the long face of the sign for motorists. This distance is specifically proposed because it allows for a 2’-6” wide sign to locate between the proposed setback and the existing curb line of the entry drive without compromising construction of the sign foundation or encroachment of the property line, while allowing for sufficient sign area.

This new variance request falls in line with the precedent set by the previous variance, acknowledging the challenging nature of the site.

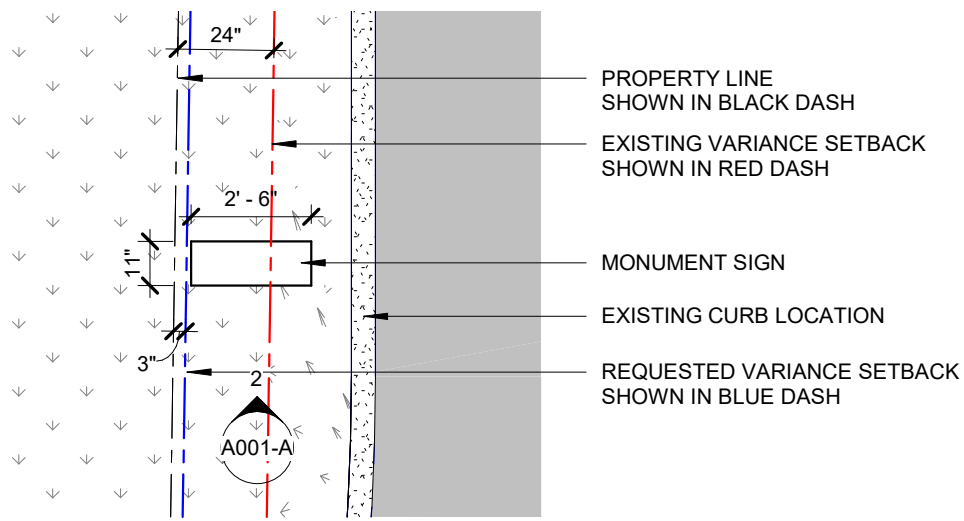
5. Does she variance, if granted, alter the essential character of the locality?

MSR Response:

Monument signs are the primary method of addressing motorists along this stretch of HWY 61. Properties adjacent to our property all use monument signs to advertise their locations name, address, or business type. We are consistent in size and location of site signage with our immediate locality.

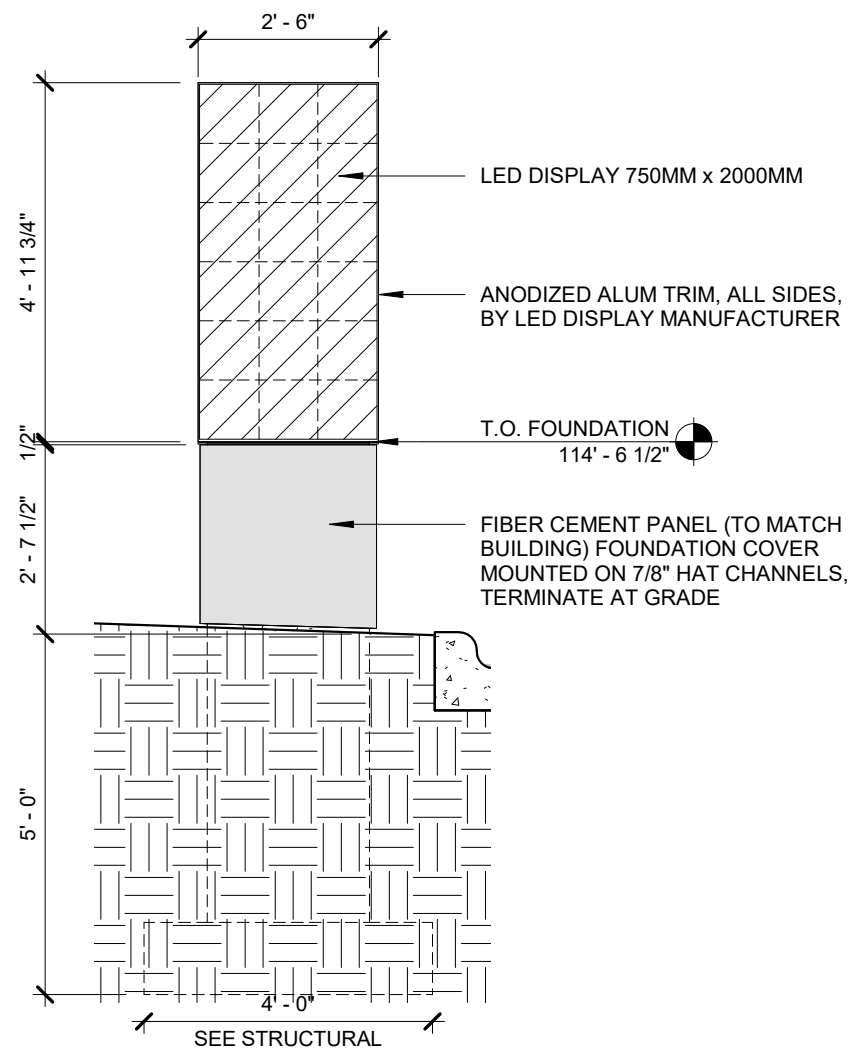
Sean Higgins, AIA

612.615.7225 | sean@msrdesign.com



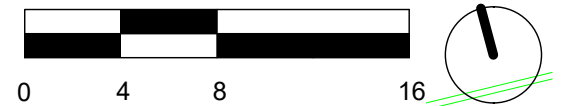
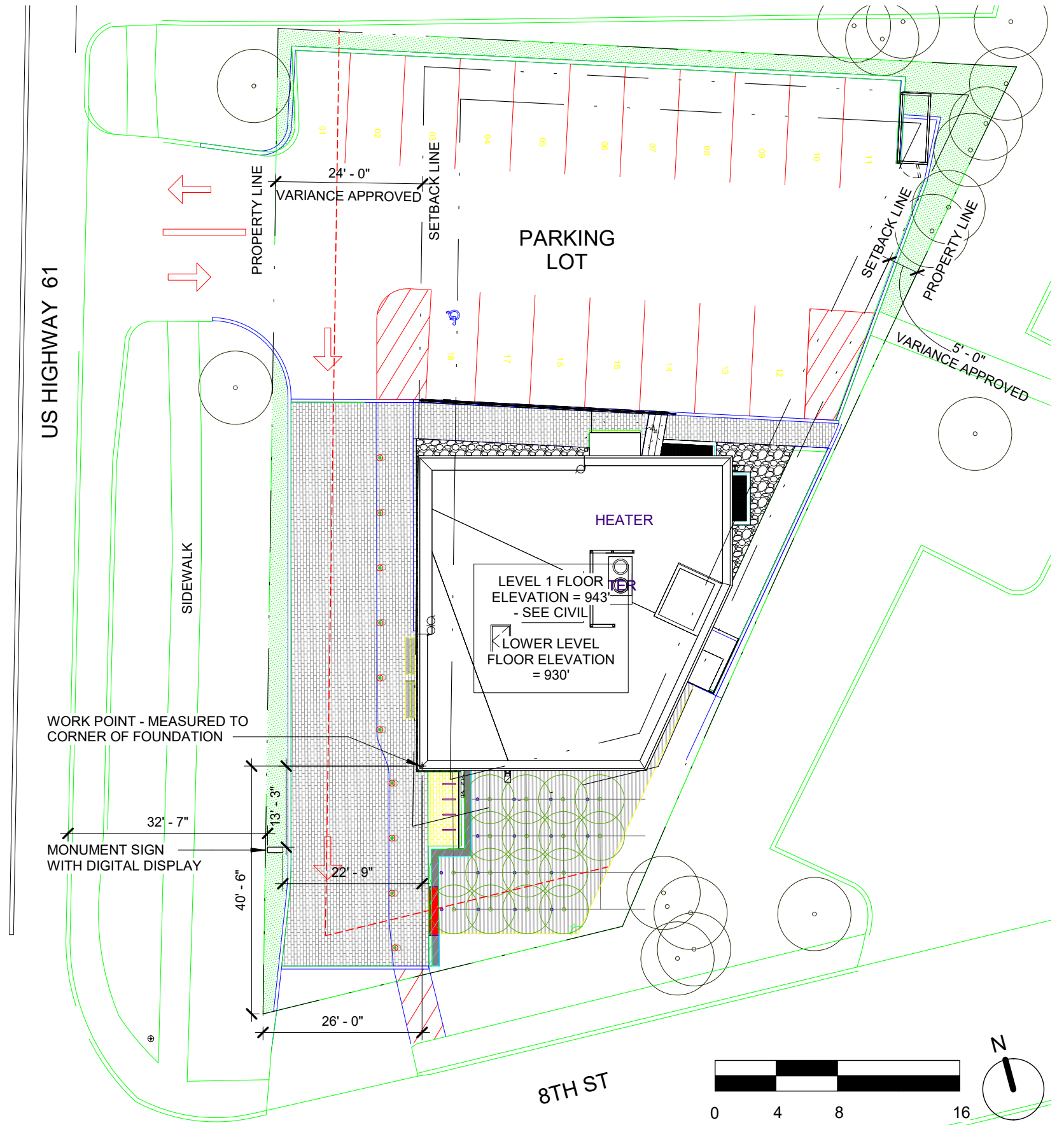
1 ENLARGED MONUMENT SIGN PLAN

A001-A 1/4" = 1'-0"



2 MONUMENT SIGN - ELEVATION

A001-A 3/8" = 1'-0"





View looking north on HWY 61

32'-7"

Monument Sign

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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: April 11, 2023
SUBJECT: 2687 County Road D Concept Plan Review - Case No. 23-9-C

SUMMARY

The City Council will review and comment on the concept plan for 2687 County Road D. This concept proposes to develop the vacant parcel into a fourteen-unit assisted living and memory care facility. Prior to review and comment by the City Council, the applicant presented their concept at a neighborhood meeting on March 15th at Lakewood Place Apartments and to the Planning Commission during their regular meeting on March 27th. Comments from those meetings 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: Brian Winges / Paul Bruggeman

Existing Land Use / Zoning: Vacant / B-2: Limited Business

Surrounding Land Use /Zoning: North: Vacant / R-6: Medium Density Residential
 South: Vacant / B-2: Limited Business
 East: Office Condos / B-2: Limited Business
 West: Apartment / R-6: Medium Density Residential

Comprehensive Plan: Commercial

Lot Size & Width: Current B-2 zoning: None & 100 feet
 Anticipated R-B zoning: None & 100 feet

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 and influence future plans if the developer chooses to proceed with a formal development application. Concept plan review is a required step for all applications that may include a rezoning or Planned Unit Development. The concept plan review process follows 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 Councilmembers are afforded the opportunity to ask questions and provide feedback without any formal motions or votes.

Current Site Description. The subject property is located on both sides of County Road D, west of Century Avenue. As a whole, the property is 1.58 acres, or roughly 68,825 square feet. The proposal is only for the southern portion of the property, which is approximately 31,250 square feet in size. The property has been split-zoned since 1974 when it was first identified on the City’s zoning map. The northern portion was originally zoned R-3: Single Family Residential and the southern portion was zoned LB: Limited Business. The zoning code was amended in 1983 and the LB district was renamed B-2: Limited Business. The northern portion of the lot was rezoned in 2019 to R-6: Medium Density Residential. The northern portion was granted a setback variance for a triplex in 2019, but that project was not completed and approvals have expired. The southern portion contained a single-family home that was demolished in 2019. It should be noted that any future formal application to approve this concept must include subdivision to separate the two portions of the property on either side of County Road D.

Concept Proposal. The applicant’s concept plan proposes to redevelop the vacant property into a fourteen-unit nursing home with ten parking stalls. The building will be one story in height and

approximately 7,600 square feet in size. Each unit will be a private suite.

Neighborhood Meeting. The applicant held their neighborhood meeting on March 15, 2023 at Lakewood Place Apartments, located at 3100 Glen Oaks Avenue, directly west of the subject site. No one other than City Councilmember Kevin Edberg and City Planner Ashton Miller attended the meeting. A summary of the meeting and the applicant's other interactions with the neighboring properties is attached.

Planning Commission Review. The Planning Commission reviewed this item during their March 27, 2023 regular meeting. The meeting included presentations from staff. The developer spoke and there was opportunity for the public to provide comments. No one other than the applicant spoke at the meeting. The Planning Commissioners all expressed general support for the concept proposal.

ANALYSIS

Based on the concept plan, staff anticipates the applicant will request rezoning the subject property from the current B-2: Limited Business classification to R-B: Residential-Business Transition. The 2040 Comprehensive Plan designates the property as Commercial and that is not anticipated to change. As a result, the following analysis compares the proposed concept plan with the Commercial land use category and R-B: Residential-Business Transition zoning district.

Land Use. The 2040 Comprehensive Plan Future Land Use Map guides the subject property as Commercial. According to the Comprehensive Plan, the commercial land use category includes a wide range of general commercial uses, such as retail, office, automobile-oriented businesses, and personal service establishments. While an assisted living facility is a residence, it is still a business that has staff coming and going and regular deliveries that make it more commercial in nature. The proposed concept plan of an assisted living facility meets the use standards of the commercial future land use category.

Zoning. The subject property is currently zoned B-2: Limited Business, which does not allow nursing homes as either a permitted or conditional use. Therefore, the applicant anticipates requesting a rezoning of the property to R-B: Residential-Business Transition. The purpose of the R-B zoning district is to provide for high-density residential uses and for the transition in land use from residential to low intensity business allowing for the intermixing of such uses. There are commercial properties to the east and medium density residential to the north and west, so the rezoning appears to achieve the district's purpose as a transitional area between the two uses.

Use. The concept plan conforms to the allowable uses in the R-B district. The R-B district permits nursing homes or similar group housing through a conditional use permit.

Height. The maximum height in the R-B district is 45 feet. The applicants did not provide an exact height of the building in the concept, but the proposed facility will be one story tall, so will be well under what is permitted by code.

Setback. The required setbacks in the R-B zoning district are 30 feet from the front, 15 feet from the side, and 30 feet from the rear. However, the zoning district requires the side yard setback to be

doubled when the property is used as a nursing home, so 30 feet is required. The proposed building meets the front and rear setback, but does not meet the larger side yard setback.

Parking lots are required to be set back 15 feet from the right-of-way and maintain a five-foot setback from any interior lot line. The proposed parking lot meets the required setbacks, but is proposed to encroach into the easement along the south side of the property. There are no city utilities in the easement, but there is a Metropolitan Council sewer line. The applicant would need to obtain permission from the Met Council in order to build the parking lot within the easement.

Parking. Nursing homes are required to have four parking stalls plus one stall for every three beds. The proposal includes fourteen beds, so nine stalls are required. Ten stalls are proposed, so the parking requirements are fulfilled. However, this analysis includes three stalls within the Met Council easement as noted above. Should the applicant be unable to receive approval from the Met Council, the site would be short two stalls.

Exterior Materials. The R-B district does not have specific exterior material standards. According to the applicant, exterior materials on the building would include a mix of vinyl siding with brick and stone. The surrounding residential and commercial uses are more dominantly fiber cement siding with a brick or stone base. Staff recommends the applicant provide enhanced architectural design and exterior materials that are at least consistent with the surrounding uses.

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.

- Rezoning from B-2: Limited Business to R-B: Residential- Business Transition.
- Conditional Use Permit
- Planned Unit Development (PUD)
- Execution of a Planned Unit Development (PUD) Agreement
- Approvals from the Valley Branch Watershed District
- Preliminary and Final Plat approval

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. Use of a PUD in this case would be necessary if the applicant cannot meet all of the development standards of the R-B zoning district.

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 2687 County Road D and provide feedback to the developer.

ATTACHMENTS

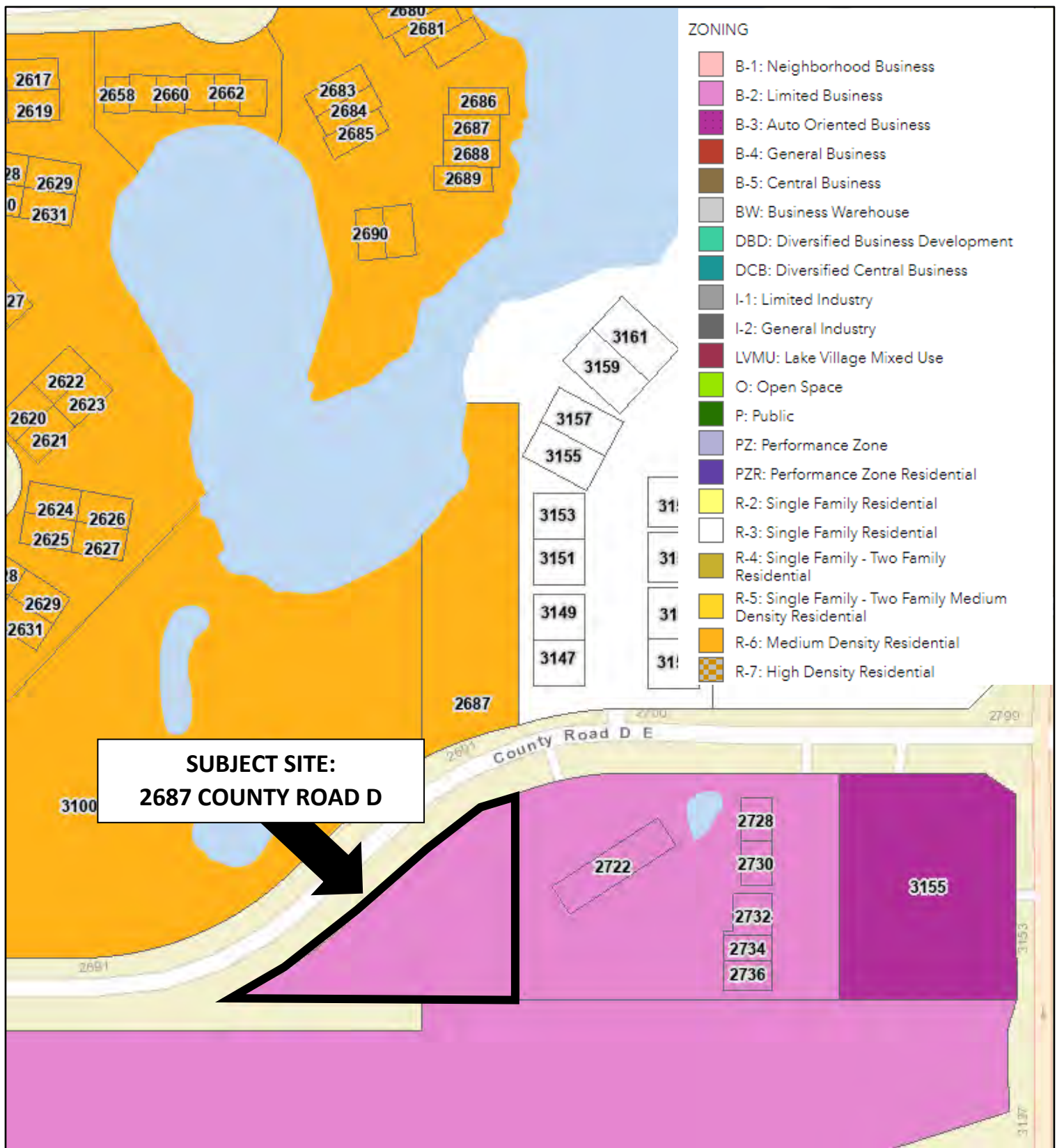
Site Map

Applicant's Narrative

Concept Plans

Neighborhood Meeting Invitation

Neighborhood Meeting Summary



CASE NO. : 23-9-C

CASE NAME : Dignisuites

DATE : March 27, 2023

DIGNISITES SENIOR CHRONIC CARE
DIGNISUITES RE, LLC
855 Village Center Drive
St. Paul, MN 55127

REZONING APPLICATION: City of WHITE BEAR LAKE, Minnesota
Date: February 13, 2023

PROJECT NAME: DigniSuites of White Bear Lake

PROPERTY ADDRESS: 2687 County Road D
White Bear Lake, Minnesota, 55110

APPLICANT: **WBL DigniSuites RE, LLC**
855 Village Center Drive
St. Paul, Minnesota, 55127
Brian R Wings 651-366-2097
Brianwdignicare@gmail.com

DESCRIPTION OF PROPOSED DEVELOPMENT:

DJR Architecture , Built4SaferLiving LLC, and Dignicare Senior Development is proposing to develop a memory care and assisted living CARE HOME to serve the care needs of the elderly citizens of WHITE BEAR LAKE and those with elderly family members in need of memory care and assisted living services. The NEWLY DESIGNED CARE HOME building with touch-free clean electrical and plumbing technology coupled with prewired remote monitoring and telehealth suites shows careful consideration for today's healthcare environment and realities. The DIGNISUITES Memory Care and Assisted Living of WHITE BEAR community CARE HOME will feature a total of 14 private suites providing chronic care assisted living services and memory care services. The residents will be able to enjoy a home-like atmosphere in a setting that allows them the freedom to participate in many amenities that not only help assist them in their daily care needs but also provide them with a higher quality of life than that offered in a more institutional setting. The residents are provided with their own secured area within the secure building that has amenities like a congregate dining room, sunroom, activity/craft area and a secure outdoor porch. These residents benefit from a life enrichment program that is specially designed for residents with Alzheimer's and Dementia. At DIGNISUITES Memory Care and Assisted Living of WHITE BEAR our goal is to provide our residents with the right care at the right time.

Building Description: Total Land Size: .75 Acres (31,250 sq ft)
Building Size: Approx. 7690 Sq. Ft.
Occupancy: 14 Private Suites
Floor 1: 14 High-Care Assisted Living Units and Memory Care Units

Proposed Rezoning: The proposed rezoning is expected to have a positive impact on the surrounding property and land uses. Zoning Change Request from Commercial to R-B Residential Business Transition District –

The R-B Residential Business transition district zoning classification allows for nursing homes under which the project would be allowed using a conditional use permit .

“The purpose of R-B Residential Business transition district zoning classification is to provide for high density residential uses and for the transition in land use from residential to low intensity business allowing for the intermixing of such uses.”

The subject parcel is currently zoned commercial in an area containing both low intensity business and residential land uses.

The subject property and proposed use would best be used in the proposed use as a high-density residential care community in a high residential, low intensity business area .

The appropriate zoning for care facilities Can be achieved by rezoning to the R-B residential Business transition district and allowing the use of a conditional use permit which allows for assisted livings and nursing facilities in these zoning districts. We believe this serves well as a transition between the nearby businesses and multifamily properties . Other properties along County rd. D and Century Avenue are both residential and low impact business and fit into the R-B zoning district as well taking advantage of exposure to traffic along the roads. The proposed DigniSuites facility can make use of this exposure, and in fact is key to the success of this care model.

The proposed use will make better use of the land as few commercial enterprises can fit on the pad after setbacks, ROW, green space and parking are taken into consideration. Thus, the density-tax base and use per sq ft are maximized while actual stress to city services or surrounding area are minimized. In fact, parking and traffic impacts are far less since the residents do not operate vehicles. Parking requirements are limited to daily staff and the occasional visitors and thus are less than traditional multifamily housing projects. DigniSuites will also continue to contact and work with White Bear Lake and nearby local Emergency services in maintaining our shared goal of reducing unnecessary emergency calls and assuring that our staff always has a complete resident chart ready for EMT’s when services are needed.

Impact on Property: Minimum disruption to traffic and local business is anticipated during construction or operation of the day-to-day operation of the DigniSuites business .

CONCLUSION:

Thank you for your time to review our proposal. DIGNISUITES Memory Care and Assisted Living of WHITE BEAR LAKE will provide great economic benefits to the city and community with 14 assisted living and memory care suites, 16 plus full and part time jobs with annual payroll of \$550,000 and a significant contribution to the tax rolls for this property while providing services to the residents of the City and surrounding area. The opportunity for the city to provide senior care options in a very demanding market well into the future is a compelling reason to approve this application.

The Conditional Use Permit is designed and intended to accommodate the needs of development for benefit to the community, as DIGNICARE’s high level of care, access to hospice and respite will bring.

Great care has been taken to make the building attractive both as a city and neighborhood friendly addition, utilizing high quality finishes like LP smart siding, colored hard shingle in the staggered edge notched panels, smoked glass in the fake dormers, cultured stone and brick accents and wainscoting, an extensive landscape plan with special attention to maintaining the existing buffer between the neighbors and the building.

The project will be designed exceeding the “required” landscaping and other basic requirements of code to upgrade the appearance of the building. The project will work to maintain the required setbacks from the building to lot line front along the road and will work with staff to maximize setbacks to the back and side because of the unique shape of the lot. Landscaping is for decorative purposes and can be moved when and if needed but provides a buffer and ornamental screening to the existing traffic and anticipated residential housing on County Rd D and a fenced in and screened and buffered rear yard abutting the office space to the rear. As well, great care is being taken to address the topography to the side and rear property line neighboring the drainage area and natural grass area towards the freeway . Great care is being taken to maintain the maximum density of forestation buffer between the neighboring development and the new DigniSuites Community.

As we work thru the grading plan, special attention will be paid to the drainage and excavation plan to assure that the drainage of this site disturbs the least amount of natural habitat as possible. A wetlands determination will be provided to confirm this does not impact the site.

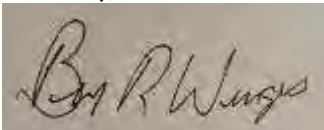
By granting the Application, the city is gaining an attractive, tax-paying member to the community in an otherwise idle property. The building and occupants are secure, noise is not an issue, and the neighbors should appreciate a relatively peaceful co-existence with the new project. The project will bring many benefits to the community of White Bear Lake.

Such benefits will include:

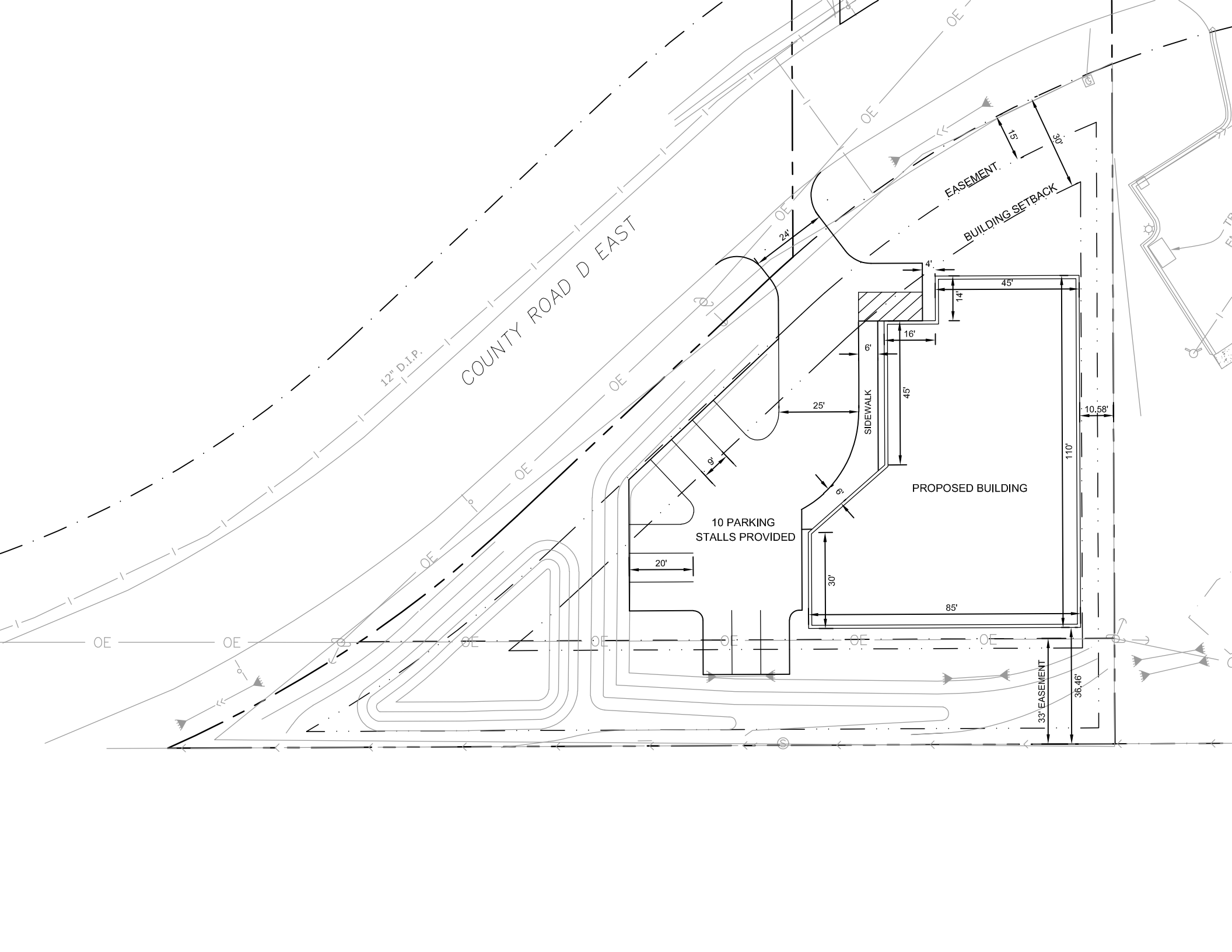
- Local Chamber of Commerce Membership
- Meeting room space including use for business, choir practice, piano recitals, girl/boy scouts, book clubs, churches etc.
- Be a host to community events.
- Offer wellness clinics
- Charity drop off site for food and clothing
- Partnerships with local daycare centers
- Internship options for nursing students
- Volunteer opportunities
- Promotion of local businesses

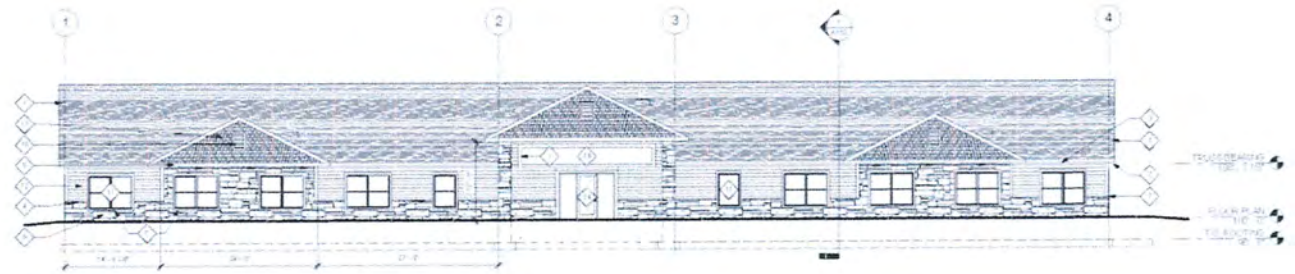
We look forward to continuing to work with the City of White Bear Lake during the review and approval process for this application. Please contact me with any questions you have on any item as I would be more than happy to discuss it in further detail.

Sincerely,

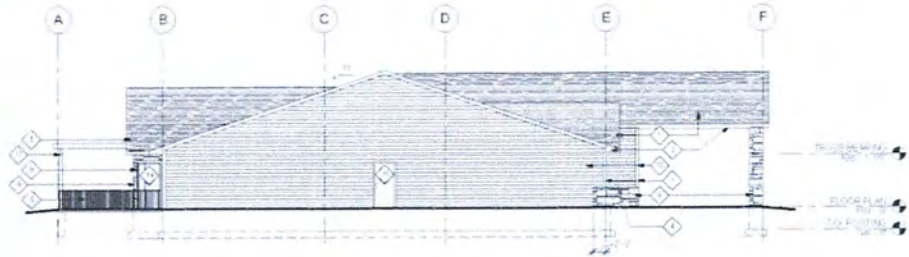
A rectangular image showing a handwritten signature in dark ink on a light-colored background. The signature appears to read "Brian Wings" in a cursive, slightly stylized script.

Brian Wings
DigniCare Development

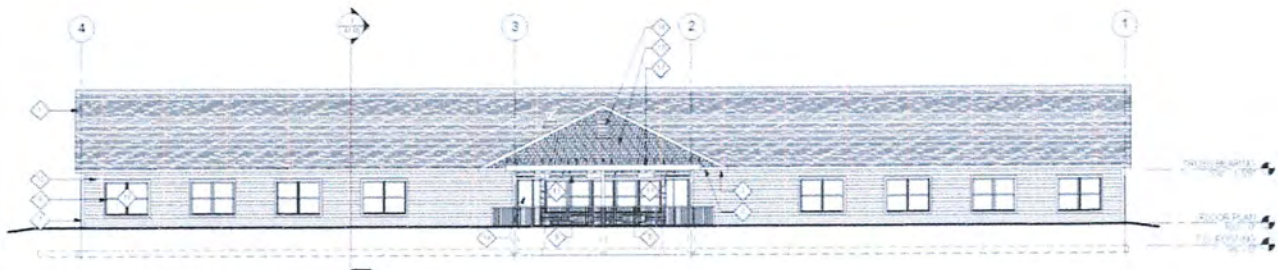




1 FRONT ELEVATION NORTH



2 SIDE ELEVATION WEST



3 REAR ELEVATION NORTH

Jason Lindahl, AICP

Community Development Director

City of White Bear Lake

4701 Highway 61 N.

White Bear Lake, MN 55110



Jason,

I am writing to complete the Neighborhood meeting requirement and process and inform you and the city of the results not only of the neighborhood meeting but also of my efforts to meet individually one-on-one with those neighbors immediately adjacent to the subject parcel (2687 County Rd D).

The invite letters were mailed out between the 2nd and the 4th of March . The meeting was held as scheduled on March 15 at 6:30 pm at the Lakewood place Apartment meeting room at 3100 Glen Oaks Ave per the invitation . Present for DigniSuites were Brian Wings and Paul Bruggeman available to answer questions with 11X 17 printouts of the rough estimate of the site plan and elevation as shown in the initial review application as well as a color elevation of a similar 1 story 24 unit Suite Living community recently developed by the developers to give some idea of past finishes used in past projects.

No neighbors showed up for the meeting , however Ms. Ashton Miller (city planner) and Mr. Kevin Edberg (Council member ward 4) did attend and mainly had no negative comments to share. Mr. Edberg looked forward to further review of the project.

During the days preceding the meeting I personally visited the following neighbors and received no negative feedback and in fact was met with generally positive reactions for the use we are proposing for the site.

John Belisle Belisle Development	2735 County Rd D
Mathew Wagner	3150 Hidden Lake Pointe Dr.
Eustolio Benavides	3147 Hidden Lake Pointe Dr.
Ron and Cynthia Domin	3162 Hidden Lake Pointe Dr. (also resent invite to Hidden lake association members)
William Chapman	3149 Hidden Lake Pointe Dr.
Intn'l Union Operating Engineers	2722 County Rd D

I met with all but one of the owner/tenants in the office park encompassing 2728,2730,2732,2734,2736 Co Rd D and all had positive comments about the project as a good use for the site.

I did not request signatures at the meeting nor as I met with the neighbors yet if necessary, several offered their support if we needed it.

Thank you for your time and consideration ,

Brian Wings

CC: Ashton Miller – City Planner