

AGENDA REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF WHITE BEAR LAKE, MINNESOTA TUESDAY, MAY 9, 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 April 25, 2023
- B. Minutes of the City Council Work Session on April 25, 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: March Environmental Advisory Commission, March White Bear Lake Conservation District, April Planning Commission
 - B. Resolution approving a refuse and recyclables collectors license to Veit Container Corporation
 - C. Resolution accepting Bids and Awarding Contract for the 2023 Bituminous Seal Coating Project
 - D. Resolution accepting Bids and Awarding Contract for 2023 Joint & Crack Sealing Project
 - E. Resolution approving a Memorandum of Understanding with VLAWMO for Oak Knoll Pond Spent Lime Demonstration Project
 - F. Resolution granting a minor subdivision and two variances for 4593 Shady Lane
 - G. Resolution approving a professional services agreement with Bolton & Menk, Inc. to update Planning & Land Use Regulations
 - H. Resolution approving a professional services agreement with the Morris Leatherman Company to conduct a community housing survey

5. VISITORS AND PRESENTATIONS

A. Law Enforcement Memorial Proclamation

6. PUBLIC HEARINGS

None

7. UNFINISHED BUSINESS

None

8. NEW BUSINESS

A. 2502 County Road E Planned Unit Development and Rezoning

9. DISCUSSION

None

10. COMMUNICATIONS FROM THE CITY MANAGER

11. ADJOURNMENT



MINUTES REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF WHITE BEAR LAKE, MINNESOTA TUESDAY, APRIL 25, 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 and Bill Walsh. Councilmember Jones was excused. Staff in attendance were City Manager Lindy Crawford, Assistant City Manager Rick Juba, Community Development Director Jason Lindahl, Finance Director Kerri Kindsvater, Environmental Specialist/Water Resources Engineer Connie Taillon, City Clerk Caley Longendyke, and City Attorney Troy Gilchrist.

PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES

A. Minutes of the City Council Meeting on April 11, 2023

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

B. Minutes of the City Council Work Session on April 11, 2023

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

C. Minutes of the City Council Work Session on April 18, 2023

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

3. APPROVAL OF THE AGENDA

Mayor Dan Louismet reported the addition of a new business agenda item (8A), International Association of Firefighters Labor Agreement. It was moved by Councilmember **Walsh**, seconded by Councilmember **Edberg**, to approve the agenda. Motion carried 4-0.

4. CONSENT AGENDA

- A. Resolution authorizing issuance of a massage therapy establishment license to Rootswell Family Heath Center, LLC, dba Naturally Well **Res. No. 13187**
- B. Resolution approving a temporary liquor license for Lakeshore Players Theatre Res. No. 13188
- C. Resolution approving a temporary liquor license for Pine Tree Apple Classic Fund **Res. No.** 13189

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

5. VISITORS AND PRESENTATIONS

A. Manitou Days presentation and resolution granting support

Manitou Days Chair Paul Carlson presented information about Manitou Days. He shared about his involvement and the background of the events. He was excited to announce a newly added art fair to the long list of events. He encouraged members of the community to learn more about Manitou Days and to consider donating. More information can be found at <u>www.manitoudays.com</u>. The resolution presented asked for resources from the City to support the events.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Edberg**, to approve **Res. No. 13190** authorizing allocation of staff time and other public resources for Manitou Days 2023. Motion carried 4-0.

B. Marketfest presentation and resolution granting support

Marketfest Executive Director Lisa Beecroft shared information about the festival that takes place in Downtown White Bear Lake over seven consecutive Thursdays in June and July. She highlighted the groups of people who support Marketfest, including City staff, Main Street, Inc. and volunteers. She shared information about the logistics of the event and the different types of events and theme weeks. She said there are more than 180 vendors each Thursday and she explained the types of vendors and the layout of Downtown. The budget presented report increased revenue and expenditures, with a net income expected to be similar as past years. The City was asked to provide funding of \$7,000 to support Marketfest. Beecroft thanked the City for its support and specifically Public Works and Public Safety staff. More information can be found at <u>www.marketfestwbl.com</u>.

It was moved by Councilmember **Engstran**, seconded by Councilmember **Walsh**, to approve **Res. No. 13191** authorizing financial support and other public resources for Marketfest 2023. Motion carried 4-0.

C. Finance Department and License Bureau quarterly report

Finance Director Kindsvater summarized the first quarter activities for the Finance Department and License Bureau. She talked about increased franchise fees collected from Xcel Energy's electric revenue and said the increased revenue will help offset increased expenditures, specifically expenses related to snow and ice removal during the first quarter. For the refuse fund, she said the City has been paying to dispose of recyclables but will be paying less than fall 2022. She is hopeful the market is turning and the City will not have to pay for recycling process fees. Kindsvater was excited to share that the rental payments collected from Pioneer Manor have successfully paid off the debt incurred to build it. For the License Bureau, she reported that activities have been steady. Transaction totals through March 2023 are slightly above March 2022. She reported a reduction in operating hours based on patterns of business activity, but said they are still open earlier than other license bureaus.

Mayor Louismet confirmed with Kindsvater that the reduction in total employee hours is to ensure a better balance of its budget. When asked about the decreased transactions per hour, Kindsvater explained that the types of transactions are ones that generally take longer and that customers are going online for some of the quicker transactions. Councilmember Edberg asked about the revenue that will be generated from Pioneer Manor now that the debt has been paid off. Kindsvater explained that the revenue will be used to address maintenance projects over the next two to three years.

6. PUBLIC HEARINGS

A. 2022 Stormwater Pollution Prevention Program

Environmental Specialist/Water Resources Engineer Taillon presented the annual report on the Stormwater Pollution Prevention Program (SWPPP). She shared information on the Municipal Separate Storm Sewer System (MS4), which must satisfy requirements of the MS4 General Permit, issued by the Minnesota Pollution Control Agency. The permit reduces the amount of sediment and other pollutants entering state waters from stormwater systems. Taillon presented the required six components of the stormwater pollution prevention program and what the City's has done in response to the areas. Taillon shared information about impaired waters and allowable pollutant loadings, or waste load allocation. She shared the waste load allocations assigned to the City's waterbodies that have nutrient, bacteria or chloride impairments, and how the City is addressing the impairments.

There was no public comment. Councilmember Edberg acknowledged recent comments concerning Peppertree Pond. In general, he requested an update on the condition and status of the City's ponds that collect runoff and the possibility of the City addressing the increased sediment. City Manager Crawford said the funding from the City's budget that would address these projects comes from the stormwater fund, which is a relatively new fund with little fund balance. She said the City will continue to review its capital improvement plan to help address these projects in the future. Councilmember Edberg asked how the water moves from Oak Knoll Pond into Goose Lake and Taillon responded with information about the storm sewer pipe system, which would have been installed during the area's development.

7. UNFINISHED BUSINESS

A. Variance Request – Monument Sign for McNeely Music Center

Community Development Director Lindahl summarized the variance request for the McNeely Music Center. At the April 11 regular meeting, the City Council discussed the monument sign variance request in detail when staff presented a recommendation for denial. The variance request involves reducing the sign setback from 10 feet to three inches. The site had already been granted a variance from 10 feet to two feet. On April 11, there was consensus among Councilmembers to allow the variance request, so the motion to approve the resolution denying the sign variance request failed. At that time, the City Council voted and approved the motion to direct staff to prepare an alternative resolution approving the variance request.

Lindahl presented the new resolution to approve the monument sign variance request. Councilmember Walsh asked a clarifying question about the property line.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Hughes**, to approve **Res**. **No. 13192** approving a monument sign setback variance for the property located at 4910 Highway 61. Motion carried 4-0.

8. NEW BUSINESS

A. International Association of Firefighters Labor Agreement

Assistant City Manager Juba provided an overview of the two-year contract for International Association of Firefighters Labor Agreement.

It was moved by Councilmember **Walsh**, seconded by Councilmember **Hughes**, to approve **Res**. **No. 13193** approving the labor agreement with International Association of Firefighters for full-time firefighter/paramedics and captains. Motion carried 4-0.

9. DISCUSSION

Nothing scheduled.

10. COMMUNICATIONS FROM THE CITY MANAGER

City Manager Crawford shared upcoming events, which included Trash to Treasure Day, the Sports Center Spring Skate Show, the City's annual Spring Cleanup Day and Many Faces-Many Students Wacipi (Powwow). She brought attention to the spring and summer newsletter that was mailed to residents and thanked City Clerk Longendyke and staff for their work on the newsletter. She will be attending the Minnesota City/County Management Association conference next week.

12. ADJOURNMENT

There being no further business before the Council, it was moved by Councilmember **Engstran** seconded by Councilmember **Hughes** to adjourn the regular meeting at 8:14 p.m. Motion carried 4-0.

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



CITY COUNCIL WORK SESSION MINUTES TUESDAY, APRIL 25, 2023 IMMEDIATELY FOLLOWING REGULAR MEETING 2ND FLOOR BOARD ROOM

Mayor Louismet opened the meeting at 8:20 PM. Councilmembers in attendance included: Bill Walsh, Heidi Hughes, Kevin Edberg and Steve Engstran. Councilmember Jones was excused. Staff members in attendance included: City Manager Lindy Crawford, Community Development Director Jason Lindahl and Housing and Economic Development Coordinator Tracy Shimek.

1. Housing Task Force Recommendations: Community Demographics and Community Housing Study

Shimek summarized a handout regarding data about White Bear Lake's demographics and housing stock and asked Council what additional information would be helpful as they consider the City's housing needs. Council requested additional information regarding the types and unit counts of the City's housing and demographic information by area of the City. Discussion ensued regarding having an older than average population, and how to position the community to be attractive to younger families as housing turns over.

Staff then presented information they gathered in researching potential options for conducting a community housing survey. Staff recommended engaging the services of a professional survey research firm to produce statistically significant results. Following a conversation about format and cost, the general consensus from Council was to move forward with a community housing survey with the scope limited to housing related information versus a broader community perception survey. Council indicated an interest in including a "balloon" to breakout information about the plans and needs for the City's older population. Council directed staff to request a formal proposal to be considered at a future City Council meeting.

Adjourned 9:20 PM



MINUTES ENVIRONMENTAL ADVISORY COMMISSION OF THE CITY OF WHITE BEAR LAKE, MINNESOTA WEDNESDAY, MARCH 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 6:45 p.m.		
MEMBERS PRESENT:	Sheryl Bolstad, Chris Frye, Bonnie Greenleaf, Chris Greene, Rick	
	Johnston, Jeff Luxford, Gary Schroeher (Chair)	
MEMBERS ABSENT:	None	
STAFF PRESENT:	Connie Taillon, Environmental Specialist	
VISITORS PRESENT:	None	

2. APPROVAL OF AGENDA

The commission members reviewed the agenda and had no changes. Taillon added item 7E: email from resident regarding volunteer opportunities.

It was moved by member **Bolstad** seconded by member **Greene**, to approve the agenda as amended.

Motion carried 7:0.

3. APPROVAL OF THE MINUTES

A. Minutes of the Environmental Advisory Commission meeting on February 16, 2023.

The commission members reviewed the draft February 16, 2023 meeting minutes and had the following changes: remove Member Johnston from the 'members present' list; under 7B, commission member updates, second and fourth sentence, replace the word 'representative' with 'State Senator' and third sentence replace the word 'ban' with 'use restrictions'.

It was moved by member **Greenleaf** seconded by member **Luxford**, to approve the minutes of the February 16, 2023 meeting as amended.

Motion carried, 6:0. Member Johnston abstained

4. VISITORS AND PRESENTATIONS

None

5. UNFINISHED BUSINESS

A. 2023 work plan

The commission members will discuss the pollinator planting and invasive species removal work plan priorities in agenda item 6A and will postpone discussion of the other priority items until the April meeting.

B. Environmental Resources Expo

The commission members reviewed the expo exhibitor spreadsheet. Member Greene will reach out to dealers and individuals for the electric car display. Member Bolstad suggested having 3 different brands of cars on display. The commission members agreed to invite the autonomous bus again this year. There was discussion on how to draw more people to the electric lawn equipment display by creating a large banner with a portion of the commission's \$500 budget. Member Bolstad suggested spending the budget on the sign, and purchasing seed packets as giveaways. Member Greenleaf suggested a game or survey. Member Luxford suggested creating flip cards of recyclable and non-recyclable items with a 'yes' or a 'no' on the back. Chair Schroeher mentioned that the Parks Commission used a QR code to direct expo participants to the parks page on the City's website. He is wondering if the EAC could do something similar to direct people to the pollinator page. Member Bolstad suggested a volunteer buckthorn removal sign-up sheet. Taillon mentioned that she received an email from the League of Women Voters asking if they could table at the Expo because of their involvement with climate initiatives. She will update the Expo spreadsheet and include in the April agenda packet.

6. NEW BUSINESS

A. Joint Parks Commission workshop

Chair Schroeher reported that he emailed the Parks Commission to request a joint meeting at one of their regularly scheduled Parks Commission meetings sometime this spring. The discussion topic will focus on invasive species removal and creating pollinator habitat in City Parks. Taillon will email the EAC a draft agenda for the joint meeting.

The commission members discussed buckthorn removal and if the City could commit to invasive species removal as part of their normal duties. Member Greene mentioned that clearing buckthorn would be a good Eagle Scouts project. Member Greenleaf suggested making a buckthorn puller available for use by staff and residents.

7. DISCUSSION

- A. Staff updates
 - Rotary Nature Preserve Vegetation Management Plan Taillon stated that the City is entering into a Memorandum of Understanding with VLAWMO for the creation of a Wetland Vegetation Management Plan at Rotary Nature Preserve. VLAWMO offered to cover the cost for a consultant to create the plan which will identify wetland restoration implementation items, prioritization, and

budget. The City will partner with VLAWMO on the implementation of the plan as funding becomes available.

- EPA Climate Grant

Taillon mentioned that the Environmental Protection Agency announced the approval of 250 million in non-competitive planning grants for climate action planning, with 67 million of this being distributed to municipalities. Another 4.6 billon is slated for climate action implementation through a competitive grant process. Taillon stated that she is closely following any updates on this program.

- National Mayor's Water Challenge Taillon noted that the National Mayor's Water Challenge is coming up in April and encouraged the commission members to take the pledge.
- B. Commission member updates
 - NE Metro Climate Action Meeting

Chair Schroeher reported that he attended the NE Metro Climate Action Meeting. Ramsey County Commissioner Trista MatasCastillo spoke about the county's climate action planning which will be completed this summer. She highlighted some of the county initiatives that are in the plan: planting pollinator plants in the Pierce Butler Right of Way, resiliency in county parks such as solar lights, purchasing an anaerobic digester to convert food waste into energy, community resource hub for recycling, household hazardous waste, fix it clinics, etc., and curbside composting in 2024.

Chair Schroeher also reported that the webinar he attended held by the League of Women voters identified that the Minnesota legislature's priorities are a climate impact analysis, supporting communities impacted by pollution such as along I94 where asthma attack rates are higher, and reducing/eliminating PFA's. Other initiatives include the Right to Repair, and a bottle deposit bill. Member Greene noted that the MN Department of Health is in the process of revising its drinking water guidance for PFOA and PFOS (commonly described as "forever chemicals").

- RCWD Climate Resiliency Workshop

Member Luxford reported on the RCWD Climate Resiliency Workshop that he and Taillon attended on February 28th. The workshop focused on identifying vulnerabilities and strengths for various climate related impacts within Rice Creek Watershed District. The vulnerabilities and strengths were organized into three categories: infrastructure, environmental, and societal. The next workshop will be held on March 19, 2023 and will focus on brainstorming solutions to the vulnerabilities identified in the February workshop. Chair Schroeher stated that he may not be able to attend the March workshop. Member Luxford volunteered to attend in Chair Schroeher's absence. Member Frye mentioned that his blue curbside recycling container does not have recycling labels. Member Luxford suggested that the labels be put inside the lid to keep them from fading. Member Frye also noted that the new trash hauler contract splits the fees and added more cost to recycling.

C. Do-outs

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

- Members to create a large sign for electric lawn equipment display
- Taillon to purchase seeds to give away at the Environmental Resources Expo
- Taillon to email revised Expo spreadsheet to members
- Taillon to create draft agenda/talking points for joint meeting with the Parks Commission and email to members for review

D. April agenda

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

E. Volunteer request

Taillon noted that a resident reached out to her and Member Bolstad about an interest in helping to support the work of the Environmental Advisory Commission as a volunteer. She is mainly interested in helping with waste reduction, freshwater, and environmental justice initiatives. Taillon will respond back and invite her to a future EAC meeting.

8. ADJOURNMENT

There being no further business before the Commission, it was moved by member **Greene** seconded by member **Frye** to adjourn the meeting at 8:47 p.m.

Motion carried, 7:0



White Bear Lake Conservation District Regular Board Meeting – Approved Minutes

Mar. 21, 7:00 p.m., White Bear Lake City Hall Council Chambers (6:00 pm LUC meeting)

- Roll Call/Quorum Present: Chair Bryan DeSmet, Vice Chair Meredith Walburg, Chris Churchill, Scott Costello, Diane Longville, Mark Ganz, Darren DeYoung, and Alan Kantrud. Absent: Mike Parenteau, 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 Add 4955 Lake Ave status to Unfinished Business. Motion to approve the amended agenda was made by Mark Ganz seconded and passed.
- **4. Approval of February Board Meeting minutes** Motion to approve the February 2023 Board meeting minutes was made by Darren DeYoung, seconded, and passed.

5. Public Comments - none

- 6. New Business Bryan DeSmet
 - <u>Committee assignments</u> Chair Bryan DeSmet announced assignments to the standing committees as follows: Lake Utilization Committee: Mark Ganz-chair, Chris Churchill-vice chair, Darren DeYoung, Luke Michaud, Scott Bohnen, and Alexander Schwartz; Lake Quality Committee: Mike Parenteau-chair, and Diane Longville; and the Lake Education Committee: Scott Costello-chair, Meredith Walburg, and Susie Mahoney
 - <u>DNR Commercial Bay Marina summary</u> The DNR has asked us to keep them informed of the permits we're issuing in Commercial Bay. A letter was sent summarizing permit information from 2020-2022.

7. Unfinished Business

- <u>Approve annual designations</u> Motion to approve the list of annual designations was made by Brian DeSmet, seconded and passed.
- <u>Proposed permit application form update Form 5</u> Mark Ganz stated that the LUC reviewed, and approved the updated Form 5 applications that were split into two forms commercial and non-commercial.

As part of the application review, the LUC discussed the permitting fees for canoe/kayak storage racks, located on- and off-shore. It's the committee's recommendation to remove the payment of storage rack fees from the application, except for commercial operators that are renting canoes and kayaks from their business. Meredith Walburg added that it might be important to know how many canoe and kayaks are being used regularly on the lake for our next lake use study. The last lake use study noted the number of non-motorized watercraft used/stored on the lake and used that information in its recommendations regarding enforcement on the lake. She suggested an area on the form to note how many non-motorized watercraft are stored on the lake shore. Bryan DeSmet noted it could be valuable in looking at trends over time. Cheri will make changes to the forms, and bring it back for discussion at the next Board meeting.

- <u>Ordinance review clarifications</u> (see previous item 'Proposed permit application form update Form 5')
- <u>4955 Lake Ave.</u> Chris Churchill dropped off a letter at the residence, and a brother of the absent owner got back to us that he cleaned up as much of the old dock that was in the water. Chris will follow-up with him after ice-out to be sure he understands that everything that is still in the water needs to be cleaned up.

8. Reports/Action Items

- Executive Committee none
- Lake Quality Committee none
- Lake Utilization Committee
 - <u>White Bear Yacht Club sailboat racing (May-Sept) event permit</u> <u>application</u> - The LUC reviewed the application with additional racing dates on this year's calendar. Motion to approve was made by Mark Ganz, seconded and passed.
 - <u>Tally's Dockside amended diagram 2023 permit application</u> The LUC reviewed the amended dock diagram from Keith Dehnert that met the guidelines set by the Board. Motion to approve the amended diagram was made by Mark Ganz, seconded and passed.
 - <u>Docks of White Bear Lake application status update</u> A representative from Docks of WBL was at the LUC meeting and it was restated that they need to submit an amended diagram that shows the docks scaled back to a length of no more than 300 feet distance from the OHW level.

It was also noted that an ADUA survey is in progress and surveyors will mark the corners in the water, and on the shoreline.

Lake Education Committee

- <u>Annual lake cleanup update</u> Scott Costello reported that the March 11 lake cleanup fell apart due to several snowstorms that came through after the deadline to remove overnight ice fishing houses. The Boy Scout troop did not participate, but were encouraged to cleanup when they can.
- <u>Rice Creek watershed district workshop</u> Scott Costello and Mike Parenteau are each attending a workshop session. Stakeholders in the first session came up with a list of current issues related to climate change.

- <u>Educational outreach print materials to community</u> The Lake Education Committee is planning an outreach piece to lakeshore property owners with information on current and potential aquatic invasive species (AIS). Cheri, Meredith and Scott met with Press Publications regarding how they could work with the WBLCD to create a communication piece, either in a special publication, or as a brochure. The committee will meet to discuss other pieces of information that can be put into it, put together a draft, and figure out costs of the project. It will be brought back to the Board for approval next month. It also was suggested that there might be a way to incorporate the canoe/kayak survey into the outreach piece.
- <u>Social media update</u> Meredith Walburg will update social media with: information on Board meetings, and the open seat on the WBLCD Board for a representative from Dellwood; a watershed map; a post about ice-out, possibly; and something on Earth Day.

9. Treasurer Reports

 <u>Approval of March Treasurer's Report</u> – Motion to approve debt card 5, and checks 4826-4831 was made by Diane Longville, seconded and passed.

10. Board Council Report -

- Alan Kantrud called the organizer of this year's Ice Diving event, Mark Dugger, to remind them to complete an application permit next year if they come back, as they were unaware that they need to complete one. The diving club is interested in doing community service to help clean up the bottom of the lake.
- Michael Tombaga, Ramsey County Sheriff's Office, will be invited to speak at the next Board regarding doing extra patrol in Commercial Bay.
- 11. Announcements Review of the 2021 audit report and presentation will take place at the April 18 Board meeting.
- **12.** Adjournment Motion to approve adjournment at 7:33 pm was made by Mark Ganz, seconded and passed.

ATTEST: Bryan DeSmet, Chair Date Cheri Howe, Administrator



PLANNING COMMISSION MEETING OF THE CITY OF WHITE BEAR LAKE, MINNESOTA MONDAY, APRIL 24, 2023 7:00 P.M. IN THE COUNCIL CHAMBERS

1. CALL TO ORDER AND ATTENDANCE

MEMBERS PRESENT:	Erich Reinhardt, Pam Enz, Ken Baltzer, Jim Berry, Andrea West, Mike
	Amundsen
MEMBERS ABSENT:	Mark Lynch
STAFF PRESENT:	Jason Lindahl, Community Development Director; Ashton Miller, City
	Planner; Shea Lawrence, Planning Technician
OTHERS PRESENT:	Kim DeFlorin, Mark DeFlorin, Ryan McKilligan, Roberta Kolesar, Bill
	Kolesar, Bob Miller, Yvonne Miller, Jan Johnson, Joe Pavcovich, JP
	Houchins, Colleen Chermak, Mark Bigalk, Pat Bigalk, <mark>Manne</mark> Hansen,
	Kathy Povolny, Rod Collins, Elaine Collins, Albert Gustaveson, David
	Ryan, Kathy Rust, John Noll, Diane Noll, William Rust, Erik Fleming,
	David Espe, Sao Vang, Al Rivard, John Sonnek, Henry Elgersma, Jen
	Greene, Chris Greene, Lisa LaRock, Mike Hemstad, Laurel Hemstad,
	Andrea Triplett

2. APPROVAL OF AGENDA

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

Motion carried, 6:0.

3. APPROVAL OF THE MINUTES

A. Minutes of March 27, 2023

It was moved by Member **Enz** and seconded by Member **Reinhardt** to approve the minutes of March 27, 2023.

Motion carried, 6:0.

4. CASE ITEMS

A. Case No. 23-11-LS & V: A request by Charles Cudd Co LLC on behalf of Karen Dalke, for a minor subdivision, per code section 1407.030 and two 30 foot variances from the 80

foot minimum lot width requirement, per section 1303.230, subd.5.a.2, in order to split one lot into two at the property located at 4593 Shady Lane.

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

Member Berry opened the public hearing.

William Rust of 4579 Lake Ave explained that Shady Lane is a narrow street especially in the winter with the snow. He explained that the additional traffic and parking on the street would create a problem. He asked if there was information about lot coverage and what is being proposed for the two lots. Miller explained that they are planning to tear down the existing house and rebuilding. They would be limited to the 30% impervious surface coverage, according to city code. Member Berry added that there is no proposal for building on the new lot, but eventually the owner could build on it.

Rust asked what other variances are being requested by the applicant and what the required setbacks are for driveways. Miller responded there are no other variances being requested by the applicant. The proposed new house meets all the city's zoning standards. Miller added that per city code, a 1 foot setback for driveways is required but can be reduced to zero feet. Rust added that he disagrees that the proposal is consistent with the design on the neighborhood.

John Sonnek, representing the applicant, explained that the owner bought the lot after being told that it was a twin lot that could be subdivided. He added that the proposed new home would fit inside the footprint of the existing home. Sonnek explained that the applicant does not want to build on the empty lot and will likely add more plantings to the lot for privacy. He stated that the proposal would create two new lots that are the same width as the two historic lots. He explained that they intend to keep the mature trees on the lot.

Al Rivard, 3590 Glen Oaks Ave, asked about access for emergency vehicles once the vacant lot is developed. Member Berry responded that the buildings would have to meet code.

Sonnek asked if anybody was aware of the easement agreement that allows lake access for the existing lot. David Espe, 4581 Lake Ave, explained that he is the grantor of the easement and he has a copy of the paperwork that reflects the current property has lake access. Espe added that if the lot is split they would likely need to have a lawyer determine how this affects the easement agreement.

Kathy Rust, 4579 Lake Ave, asked if there is any legality to the applicant claiming that they won't be building on the new lot. Member Berry explained that the applicant owns the current property which is currently one parcel and that they don't intend to build on the new lot if the lot split is granted. Lindahl added that the future use of the lot is up to the owner to decide and that staff doesn't want to speculate on how the owner intends to use the lot. He explained if the owner were to decide to build on the lot they would be held to the City's zoning standards

or would be required to get City Council approval for a variance. Sonnek, reiterated that the homeowner's intent is to keep the lot vacant.

Member Berry closed the public hearing.

It was moved by Member **Reinhardt** to recommend approval of Case No. 23-11-LS & V, seconded by Member **Enz**.

Motion carried, 6:0.

B. Case No. 23-13-PUD: A request by Element-Design Build, for rezoning from B-3, Auto Oriented Business to R-6, Medium Density Residential per code section 1301.040 and both General and Development Stage approvals of a Planned Unit Development, per code section 1301.070, in order to construct a 14 unit apartment building and three townhomes on the property located at 2502 County Road E.

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

Member Amundsen asked if there is any overlap between the people who signed the petition and the people who submitted comments to the planning department. Lindahl responded he was unsure. Member Amundsen also asked if the commission is approving two separate items, the rezoning and the PUD, or if they are a package deal. Lindahl explained they are being presented together, but the Planning Commission has the discretion to offer separate recommendations if they so choose.

Ryan McKilligan, project manager for Element-Design Build explained that they had a lot of interaction with the neighborhood, City Council, Planning Commission, and City Staff throughout this process and that he understands there is friction around this proposal. McKilligan added that Element-Design Build focuses on infill projects and that a feature of the White Bear Lake future land use plan, is the concept of using the existing spaces in the community for development. He explained that throughout the process, they worked to align with the City's regulations while also respecting the character of the neighborhood. While gathering feedback, they learned parking, building height, pedestrian safety and storm water management are important to the community. He addressed these concerns in the revised plan by adding more parking so that each unit is allowed 2 parking stalls, reducing the height of the building, adding a sidewalk and working to properly treat and manage storm water. He pointed out the new design features of the building so it reflects the character of the community. McKilligan noted that the densest housing, the apartments, will be located at the County Rd E and Bellaire intersection, while the townhomes will serve as a transition between the apartments and the single family homes in the neighborhood. The property will have 34 parking spaces that conform to code and then additional parking in front of the townhome garages which were not included in the 34 parking stall count. He added that they redesigned the

parking garage to make it easier to navigate and that the redesign of the parking garage moved some of the apartment units further from the neighborhood to the east. The 3 story section of the building is located nearest the County Rd E and Bellaire intersection while there is one story of living space above the garage. The parking lot will be concealed with landscaping. In reference to the reduced height of the new proposal, McKilligan explained that the current gas station canopy is the same height of the proposed building up to the gables. McKilligan explained that they intend to use landscaping to minimize the appearance of the development and make it look more cohesive with the community. They plan to use a vegetative bio swale which would include multiple lines of bushes and trees to provide more vegetative buffer for storm water management, contingent on approval from the City and Watershed District. He explained that the bio swale is a low spot with vegetative plantings that absorb the storm water that also has a sand layer underneath. The storm water that goes through this system would be clean before it makes its way to the storm drain system or Peppertree Pond. McKilligan added that this is a standard storm water management practice but it would require approval from the watershed district and City Engineer. McKilligan added that currently the property has no storm water management, so developing the property will be an improvement from a storm water management perspective. McKilligan explained that their proposal also includes adding a sidewalk from the intersection of Bellaire and Jansen so people entering and exiting the neighborhood can establish themselves on the sidewalk to enhance their safety. He added that the lot as is, is a hazard, is unattractive and provides no utility to anybody. He expressed that this is a great opportunity to create housing in a place that is otherwise a liability.

McKilligan continued that as part of the County Rd E Corridor Action Plan workshops, there were many ideas for the site but there was no consensus on how these properties should be used , other than the vacant gas station was not working for the neighborhood. He explained that one of the ideas to have a wine bar on the property, which had a few people in agreement, would have had similar issues such as traffic and parking. He added that when the corridor action plan was presented to council, Council Member Edberg explained that there would likely be friction caused by any development on this site due to the differences between the lots opposite corners. One corner is located at a busy intersection while the other is located next to a residential neighborhood. He concluded by expressing his appreciation for the community input from the neighbors, City Council, Planning Commission, and staff throughout the process.

Member Amundsen, asked for clarification regarding the grading on the site. McKilligan explained that the existing topography of the site drops 4 to 5 feet from the south end to the north end—the highest point being at the southwest corner.

Member Enz explained that it appears that this project would result in less storm water runoff than what currently exists on the site. McKilligan confirmed that yes, there is not currently any storm water management in place on the site so none of the water is treated. The bio swale they plan to use is a standard engineering practice used to manage storm water.

Member West asked the applicant to elaborate on their landscaping plan. McKilligan responded that currently there are trees along the south end and southeast corner of the site. Their

current landscaping plan shows that those trees will be removed but they will try to save as many of those trees as they can. They won't know which trees can be saved until they excavate for footings. They intend to plant as much as they can to replace the removed trees.

Kathy Povolny, 3527 Glen Oaks Ave, explained that she believes the storm water on the site is currently being absorbed because of all the trees on the site. She asked for clarification on the size of the bio swale. McKilligan responded that it is approximately 25 feet wide and 150 feet long.

Lisa LaRock, 3525 Glen Oaks Ave, asked about light and noise pollution from the parking lot lights, and air conditioning units, ADA accessibility, who the target market would be and anticipated pricing for the units. She asked if Jansen will become a no parking street. Henry Elgersma, the architect for the project, responded that the parking lot will have down lighting that will be diffused by the property line and will be in compliance with city code. He added that the air conditioning units will be located in closets, and that the unit for the common spaces will likely be above the parking which would be fairly removed from the neighboring properties. Elgersma also added that 3 of the units in the apartment building will have varying levels of ADA accessibility with one being fully accessible. McKilligan added that the units will appeal to a wide demographic including young professionals, single mothers, people looking to downsize and more.

Member Berry asked if the townhomes would be available for rent or sale. McKilligan responded that the townhomes will be for rent. Member West asked what they expect the rent rates to be. McKilligan responded that the units will be market rate, similar to the pricing nearby for new construction apartments such as the Barnum and the Mahtomedi Flats. Member Berry added that the Barnum is basically full and people are on waiting lists for the new units.

Lindahl explained that the City can bring the feedback about parking on Jansen to the City Engineering department for their input.

Lee Branwall, 3583 Glen Oaks Ave, explained that he submitted photos of the intersection for the Planning Commissioners. He added that a nearby 2.5 story apartment building is built into the grade so that it appears shorter from one side, so it isn't comparable to what is being proposed here. Branwall asked for clarification regarding the measurement of roof height. Lindahl responded that the height of the building is measured to the midpoint of a peak roof. Branwall asked for clarification on the tree removal and replacement for the project. Lindahl responded that the applicant will be required to do a tree inventory for the property and that inventory will determine what the tree replacement requirements will be. Branwall asked what types of trees will be used along the road. McKilligan responded that they are limited with some of the trees they can place along County Rd E and Bellaire because of the power lines. Branwall added that building is too large, will tower over the former gas station and doesn't fit with the neighborhood. John Noll, 2571 Elm Drive, explained that he is happy to hear that the watershed will be involved in the process, but thinks they should be involved before rezoning takes place because he believes impacts to Peppertree Pond may impact other ponds. Member Berry asked staff what the process is for involving the watershed district. Lindahl responded that the watershed district gets involved during the building permitting stage. He added that it would a condition of approval that the watershed standards be met, so the project would not be able to move forward without watershed approvals.

Diane Noll, 2571 Elm Drive, expressed that she is not supportive of this project and that she did not receive notice for the previous meetings. She added that the developers should be responsible for fixing the pond if it is negatively impacted by the development. She explained that with additional traffic, she also has concerns about the safety of children as they walk to and from school. Lindahl apologized if staff mischaracterized her phone call. He also explained that the developers and the City have been required to notify the properties within 350 feet of the subject property of the neighborhood meeting and planning commission meetings but that the developers and City noticed about three times the amount of area than what was required.

Joe Pavcovich, 3517 Bellaire Ave, expressed his opposition to the proposal. He described his concerns about safety in regards to additional traffic and parking. He added that he thinks the City should buy the land and build a park on it. Member Reinhardt asked Pavcovich if he thinks a park would be a good idea if he has safety concerns about this intersection.

Rod Collins, 3475 Glen Oaks Ave, explained that he is not as concerned with the concept now as he originally was. He asked how the building will be maintained in the future and who will be managing it. He also mentioned that silt has built up in the pond over the years and the City should be responsible for addressing any negative impacts on the pond. McKilligan explained that a drainage and utility easement will likely be required on the site and there will be a maintenance agreement with the City that would be recorded with the County so they will be required to maintain by legal statute.

Member West asked how they plan to maintain the projects. McKilligan explained that they will not be charging additional cost for parking which will be required by covenant for the property. McKilligan added that they intend to keep the property under their ownership and that it will be a high quality building.

Jan Johnson, who owns the business located at 2479 County Rd E, expressed her support of the project. She explained that she was a part of the County Rd E Corridor Action Plan where members of the community were involved in providing input on the vision of the corridor and how to develop with everyone's interests in mind. She extended her thanks to the developer for listening to the community. She added that she has attended the previous neighborhood and planning commission meetings and she can see how much the developer has listened and taken the feedback from the community.

Lindahl provided some information on how the approval process works. Should this project be

approved by City Council a resolution containing information on what exactly is being approved and a list of conditions of approval would be signed. This includes a condition that the applicants adhere to the City's Engineering, Fire and Building department's requirements. He added that there is currently a draft resolution and memos from the City Engineer and Fire Marshal in the Planning Commission Meeting packet. Within the engineering memo the City Engineer states that the proposal meets or exceeds the City's minimum storm water standards and that it is a substantial improvement over existing storm water conditions on the site. Lindahl added that the sediment concerns people have will be addressed if this proposal is approved because the applicant will be required to meet the City's standards.

John Noll, explained that if Peppertree Pond is a spring fed pond they should determine where the spring that feeds the pond is so it won't dry up which would affect homeowners.

Al Rivard, 3590 Glen Oaks Ave, explained that along Jansen Ave is a berm. He added that rain water already flows along his curb and that if this is built it may raise the rain water levels so high he can't leave his house. He asked where the handicap parking stalls are located. Elgersma responded with the location of the handicap stalls. Rivard added that he believes the parking stalls are small and asked where residents will park when the lot is being plowed. Lindahl explained that the parking spaces and driving aisle meet the city's standards. He explained that the City required moving templates showing how drivers will maneuver into the parking spots. McKilligan added that the parking garage will have a drain to a sand trap for treatment of the parking garage water. The surface parking lot will also have a catch basin for water that will drain to the bio swale.

Rivard asked if drivers will be able to see children walking on the sidewalk while drivers are exiting the parking lot. McKilligan responded that yes drivers will be able to see down the street and pedestrians on the sidewalk. Rivard asked who will be responsible for maintaining the sidewalk and Lindahl responded that because it is in the City's right of way the City will be responsible. Rivard explained that he started a petition against this proposal and went to neighbors for signatures adding that the people he encountered were also against this proposal. He also explained that he doesn't agree with the lot being medium density residential. Lindahl explained that staff use the comprehensive plan as a guiding document when reviewing cases. Rivard expressed concerns about pollution at the site. Lindahl added that the phase 1 environmental report the applicant had done came back clean. There is a note in the staff report from the city's engineering department that the applicant would have to produce a clean environmental report and have the Minnesota Pollution Control Agency sign off on it

Mike Hemstad, 2557 Oak Drive, expressed his support for the project. He asked for clarification where the 7 foot setback is measured from. Lindahl responded that it is measured from the property line adjacent to County Rd E not from the street. Hemstad asked how many times a proposal has come up for this property in the 13 years it has been vacant to which Members Enz responded she can remember only one which was a much denser residential development. Hemstad, expressed that this may be the time to get something done at this property. Hemstad explained the vacant gas station is a blight to the neighborhood and he would like to see the

property developed. Hemstad expressed that he understands that neighbors are concerned but that many of the concerns people have brought up don't make sense to him. He explained that because the site currently drains to the north all the trees congregated on the south end of the property don't absorb the rainwater and that what is proposed here will do better. He added he doesn't think it would make sense for the city to buy the property to turn it into a park, as it is a taxable property and this development could create tax revenue for the City.

Brenda Davis, 3576 Glen Oaks Ave, explained that the upgrades made to the proposal were nice but she doesn't think this development should be located here. She emphasized that this is the highest point in Ramsey County and will make the building appear taller. She also added that previous buildings have been more setback from the street. She has safety concerns regarding visibility for drivers and pedestrians. She also questioned where visitors will park. Member Baltzer explained that the applicants meet code for the parking requirements. Member Berry added that there will also be an additional 6 spaces for visitor parking.

Lindahl added that the City has a standard of 2 parking stalls for residences, so that is the standard that the city can legally require for the development. Lindahl also provided information on the city's sight triangle requirements for how close one can build to an intersection without impeding visibility for drivers and pedestrians. Lindahl explained the applicant meets these sight triangle standards.

Branwall, doesn't think that meeting the minimum requirements is a good standard. Member Enz explained that these minimum requirements are deemed by federal, state and local governments to ensure safety. Member Enz added that she appreciates people's concerns about safety but explained that by holding the developers to these standards the government is working to keep people safe. Branwall continued to mention that the neighboring property will lack privacy from this development.

John Noll, asked if the Planning Commission Meeting packet is available to the community. Lindahl responded that the packet is available on the City's website and available for viewing at City Hall during business hours. Lindahl also explained that the developers were required create a website for the project. Noll requested that the variances and rezoning requests occur separately. Lindahl explained that the deviations requested are to push the building further from the abutting single family homes.

Dave Ryan, 2574 Crestline Drive, explained that people typically use the parking lane on Bellaire Ave as a turning lane. He also questioned where residents of the apartment will park while the lot is being plowed. Ryan asked if it would be possible to make Bellaire Ave a no parking street from County Rd E to Jansen.

Kathy Povolny explained her initial concerns were about storm water but after hearing about the proposed bio swale she hopes that will address those concerns. She added that she believes it will be hard to drive onto Jansen with the buildings being close to the street. Member Reinhardt asked if she's referring to sight lines. Povolny stated yes, currently closest to Jansen it is mostly

trees. Lindahl explained that staff can ask that the applicants include sight triangle information for Jansen and Bellaire in addition to the sight triangles for County Rd E and Bellaire.

Andrea Triplett, 3596 Glen Oaks Ave, added that she appreciates that the developers have proposed adding a sidewalk. She explained she is concerned about visibility of pedestrians for the exit and entrance to Jansen Ave. She also expressed concerns about additional traffic on Glen Oaks Ave. She added that she would be interested in getting an additional stop sign or "Slow Children at Play" sign in the neighborhood.

Member Berry closed the public hearing.

Member Amundsen explained that he supports the proposal. He believes that smaller development projects like this are needed in the City of White Bear Lake. He continued that the only way that White Bear Lake can continue to grow is with these small infill developments because White Bear Lake is a fully developed community. He explained that he appreciates the redesign the developer made since the concept plan process and that they have improved parking for the facility. Member Amundsen emphasized the need for housing was a finding of the housing taskforce in 2020-2021 and the County Rd E Corridor action plan. He added that having rentals available provide an opportunity for new people to move into White Bear Lake. He explained that these newer apartments will help create naturally occurring affordable units at older apartment buildings. He also added that development at this lot could spark more development in the area.

Member Amundsen moved to approve Case No. 23-13-PUD.

Member Enz expressed that she understands that change is difficult but people are being priced out of living in White Bear Lake. She added that infill developments like this are the future and they will help keep White Bear Lake alive. She continued that she has never seen a developer be as responsive as Element-Design Build has been. She explained that it would be difficult to find another developer who would work to address the concerns of the community like they have.

Member Enz seconded the approval.

Member Berry explained that he has been a resident of White Bear Lake since 1959 and that a lot has changed since then which is bound to happen. He expressed that he likes the proposal and understands some of the concerns people have about traffic, but that the sight lines are good.

Member Baltzer added that he has heard arguments like these many times and that often assumptions are worse than reality. He explained that people get used to the way they live, but people adapt. He expressed that he likes the proposal.

Member West explained that she agrees with the statements of the other planning commissioners. She has lived in White Bear Lake for 29 years. She explained that development is

bound to happen. For example, as when she first moved into her house, behind her lot was a large green space, but it has since been developed. She added that the fears people have about change don't always become reality.

Member Reinhardt added that this developer has been very responsive to the comments they have received throughout the process and that they have made quite a few changes to the design because of this. He explained that the developer has addressed all the concerns he had during the Concept Plan review phase. He explained that this is the best option he has seen for this lot and that it would not be viable to build a park here. He believes this is a good way to keep White Bear Lake moving forward.

Motion carried, 6:0.

5. DISCUSSION ITEMS

A. Downtown Mobility and Parking Study Steering Committee

Member Berry asked if anyone will be interested in serving as a part of Downtown Mobility and Parking Study Steering Committee.

Member Enz volunteered.

Member Reinhardt added that his term is up in June and he will not be renewing, so he will not be able to.

B. City Council Meeting Overview

Lindahl updated the Planning Commissioners that the City Council approved the conditional use permit for White Bear Lake Area Schools to expand their bleacher capacity at the athletic stadium at North Campus.

Lindahl added that City Council expressed support for the variance for the McNeely Music Center sign. They have asked staff to write a resolution of approval for the City Council to consider during the April 25th meeting.

6. ADJOURNMENT

There being no further business before the Commission, it was moved by Member **West** seconded by Member **Enz** to adjourn the meeting at 10:30 p.m. Motion carried, 6:0.



City of White Bear Lake

City Manager's Office

MEMORANDUM

То:	Lindy Crawford, City Manager
From:	Caley Longendyke, City Clerk
Date:	May 9, 2023
Subject:	Refuse and recyclables collectors license to Veit Container Corporation

SUMMARY

The City Council will consider a resolution approving a refuse and recyclables collectors license to Veit Container Corporation.

BACKGROUND INFORMATION

Veit Container Corporation is requesting a refuse and recyclables collectors license in order to operate in the City. The business address is listed as 21075 134th Avenue North, Rogers, MN 55374.

Per Municipal Code, Section 507, no person, company or corporation shall act as a refuse or recycling contractor without first obtaining the appropriate license issued by the City. Anyone desiring a license to collect refuse or recyclables in the City shall submit a completed license application form along with the license fee and the required certificate of liability insurance and worker's compensation insurance. The applicant submitted all required materials with their license application.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution approving a refuse and recyclables collectors license to Veit Container Corporation.

ATTACHMENTS

Resolution

RESOLUTION NO.

RESOLUTION AUTHORIZING ISSUANCE OF REFUSE AND RECYCLABLES COLLECTORS LICENSE TO VEIT CONTAINER CORPORATION

WHEREAS, the City received a complete application from Veit Container Corporation for a refuse and recyclables collectors license; and

WHEREAS, pursuant to Municipal Code Section 507, a license issued by the City is required for a person, company or corporation to act as a refuse or recycling contractor;

WHEREAS, refuse and recyclable collectors licenses for White Bear Lake are valid for the business cycle beginning April 1 and ending on March 31; and

WHEREAS, Veit Container Corporation submitted all the required certificates of insurance and applicable fees for the license application.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota hereby approves a refuse and recyclables collectors license to Veit Container Corporation effective through March 31, 2024.

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

Ayes: Nays: Passed:

ATTEST:

Dan Louismet, Mayor

Caley Longendyke, City Clerk



City of White Bear Lake

Engineering Department

MEMORANDUM

То:	Lindy Crawford, City Manager
From:	Paul Kauppi, Public Works Director/City Engineer
Date:	May 9, 2023
Subject:	Awarding Contract for the 2023 Bituminous Seal Coating Project
	City Project 23-02

SUMMARY

The City Council will consider adopting a resolution accepting bids and awarding a contract for the 2023 Bituminous Seal Coating Project.

BACKGROUND INFORMATION

On Wednesday, May 3, 2023, the City received bids for the 2023 Bituminous Seal Coating Project. Two bids were submitted, with Allied Blacktop Company of Maple Grove, MN submitting the lowest base bid of \$183,933.00. This contract amount is well within the 2023 Seal Coating budget. The City performs seal coating of bituminous streets to prevent water from entering the pavement and gravel base, to renew the wearing surface of the roadway and to improve the appearance of the street. 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 are those which 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 needs to be performed. All proposed streets will be seal coated using a trap rock as the cover aggregate. The trap rock is a hard, crushed rock which will provide a durable surface with a nice appearance.

RECOMMENDATION

Staff recommends that the City Council accept the bids and award a contract to Allied Blacktop Company for the 2023 Bituminous Seal Coating Project.

ATTACHMENTS

Resolution

RESOLUTION NO.

RESOLUTION ACCEPTING BIDS AND AWARDING CONTRACT FOR THE 2023 BITUMINOUS SEAL COATING PROJECT CITY PROJECT NO: 23-02

WHEREAS, pursuant to resolutions of the City Council, specifications were drawn and advertisement for bids were made; and

WHEREAS, bids were received, opened, and tabulated according to law, and the following bids were received complying with the advertisement:

CONSTRACTOR	TOTAL BASE BID
Allied Blacktop Company	\$183,933.00
Pearson Bros, Inc.	\$257,850.00

WHEREAS, it appears that Allied Blacktop Company is the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that:

- The Mayor and City Manager are hereby authorized and directed to enter into a contract with Allied Blacktop Company in the amount of \$183,933.00 for said 2023 Bituminous Seal Coating Project.
- 2. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

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

	City Project 23-03
Subject:	Awarding Contract for the 2023 Crack Sealing Project
Date:	May 9, 2023
From:	Paul Kauppi, Public Works Director/City Engineer
То:	Lindy Crawford, City Manager

SUMMARY

The City Council will consider adopting a resolution accepting bids and awarding a contract for the 2023 Crack Sealing Project.

BACKGROUND INFORMATION

On Wednesday, May 3, 2023, the City received bids for the 2023 Crack Sealing Project. Three bids were received with Northwest Asphalt & Maintenance of Thief River Falls, MN submitting the lowest bid of \$17,920.00. This contract amount is well within the 2023 Crack Sealing budget. The crack sealing project includes cleaning of cracks in bituminous street pavements with a router and then filling the cracks with a hot, liquid, rubberized sealant. The crack sealing process prevents water from penetrating through the street pavement and entering the gravel base where it weakens the street and causes failures. The crack sealing process is accomplished ahead of the sealcoating operation so that the smaller cracks not sealed by the crack sealing contractor are sealed by the seal coat emulsion.

RECOMMENDATION

Staff recommends that the Council accept the bids and award a contract to Northwest Asphalt & Maintenance for \$17,920.00 for the 2023 Crack Sealing Project.

ATTACHMENTS

Resolution

RESOLUTION NO.

RESOLUTION ACCEPTING BIDS AND AWARDING CONTRACT FOR THE 2023 CRACK SEALING PROJECT CITY PROJECT NO: 23-03

WHEREAS, pursuant to resolutions of the City Council, specifications were drawn and advertisement for bids were made; and

WHEREAS, bids were received, opened, and tabulated according to law, and the following bids were received complying with the advertisement:

CONTRACTOR	TOTAL BASE BID
Northwest Asphalt & Maintenance	\$17,920.00
Fahrner Asphalt Sealers, LLC	\$25,760.00
Asphalt Surface Technologies Corp.	\$37,440.00

WHEREAS, it appears that Northwest Asphalt & Maintenance is the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that:

- 1. The Mayor and City Clerk are hereby authorized and directed to enter into contract with Northwest Asphalt & Maintenance in the amount of \$17,920.00 as approved by the City Council and on file in the office of the City Engineer.
- 2. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

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

То:	Lindy Crawford, City Manager
From:	Connie Taillon, Environmental Specialist/Water Resources Engineer
Date:	May 9, 2023
Subject:	MOU for Oak Knoll Pond Spent Lime Demonstration Project

SUMMARY

The City Council will consider adopting a resolution to enter into a Memorandum of Understanding (MOU) between the City of White Bear Lake and Vadnais Lake Area Water Management Organization (VLAWMO) for an Oak Knoll Pond spent lime demonstration project.

BACKGROUND INFORMATION

City Council approved Resolution 13046 on September 13, 2022 accepting participation in a study with VLAWMO to determine the feasibility of a proposed spent lime demonstration project to reduce nutrient loads in Oak Knoll Pond, and approving payment to VLAWMO from the City's SWPP fund to contribute \$6,500 towards the cost of the feasibility study.

The spent lime feasibility study for Oak Knoll Pond was completed in mid-April in partnership with VLAWMO and Barr Engineering. The feasibility study looked at 4 areas to address overall feasibility of the project: technical feasibility and lab support analyses, social feasibility including residents living around the pond granting temporary access of a possible project, permitting feasibility with the MPCA, and economical feasibility for a cost-effective demonstration project. Barr Engineering has concluded that the spent lime demonstration project for Oak Knoll Pond is feasible across all 4 categories.

The anticipated cost for the project is \$83,100 including a 10% contingency, which is recommended because of the experimental and innovative nature of the project. The proposed MOU with VLAWMO is to accept participation in the Oak Knoll Pond spent lime demonstration project and to a 50/50 partnership for financial support of the project, with an anticipated cost of \$41,550. The City budgeted funds for this project in the 2023 SWPP fund.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution approving a Memorandum of Understanding with VLAWMO for the Oak Knoll Pond spent lime demonstration project.

ATTACHMENTS

Resolution

RESOLUTION NO.

A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH VADNAIS LAKE AREA WATER MANAGEMENT ORGANIZATION FOR THE OAK KNOLL POND SPENT LIME DEMONSTRATION PROJECT

WHEREAS, City Council approved Resolution 13046 on September 13, 2022 accepting participation in a study with Vadnais Lake Area Water Management Organization (VLAWMO) to determine if the technical, social, and economic elements of a proposed spent lime demonstration project to reduce nutrient loads in Oak Knoll Pond are feasible prior to implementing a spent lime project; and

WHEREAS, the recently completed feasibility study determined that the project is technically, socially, and economically feasible; and

WHEREAS, the City and VLAWMO mutually desire to partner on the spent lime demonstration project in Oak Knoll Pond that is resulting from the recently completed spent lime feasibility study; and

WHEREAS, the anticipated cost for project design and completion is \$83,100 including a 10% contingency; and

WHEREAS, City of White Bear Lake desires to enter into a memorandum of understanding (MOU) with VLAWMO to accept participation in the Oak Knoll Pond demonstration project and to allow for a 50/50 cost split to complete the project.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota, that the Mayor and City Manager are authorized to enter into and execute a Memorandum of Understanding with Vadnais Lake Area Water Management Organization.

The foregoing resolution, offered by Councilmember _____and supported by Councilmember _____, was declared carried on _____, 2023 the following vote:

Ayes: Nays: Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



City of White Bear Lake

Community Development Department

MEMORANDUM

TO:	Lindy Crawford, City Manager
FROM:	Jason Lindahl AICP, Community Development Director
	Ashton Miller, City Planner
DATE:	May 9, 2023
SUBJECT:	Dalke Minor Subdivision and Variances, 4593 Shady Lane, Case No. 23-11-LS & V

SUMMARY

The applicant, Charles Cudd Co LLC, on behalf of Karen Dalke, is requesting a minor subdivision and two 30-foot lot width variances from the 80-foot minimum lot width requirement in order to split one lot into two 50-foot-wide lots. Based on the findings made in this report, both the Planning Commission and staff find that the applicant has demonstrated a practical difficulty with meeting the City's zoning regulations as required by Minnesota Statute 462.357, Subd.6 and recommend approval of this request.

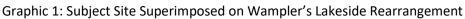
GENERAL INFORMATION

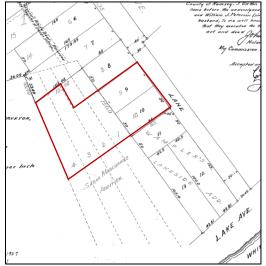
Applicant/Owner:	Charles Cudd Co LLC / Karen Dalke
Existing Land Use / Zoning:	Single Family home; zoned R-4: Single Family – Two Family Residential & S: Shoreland Overlay District
Surrounding Land Use / Zoning:	North & East: Single Family Home; zoned R-4 & S South & West: Single Family Home; zoned R-2: Single Family Residential & S
Comprehensive Plan: Low Density Residential	
Lot Size & Width:	Code: 10,000 sq. ft.; 80 feet Existing Site: 22,525 sq. ft.; 100 feet Proposed Site A: 12,448 sq. ft.; 50 feet

BACKGROUND INFORMATION

The western half of the property was platted in 1884 as part of Sarah Machand's Addition and the eastern half was platted in 1907 as part of Wampler's Lakeside Rearrangement. Over time, the lots in both of these subdivisions were divided and combined in numerous ways to create the lots that exist today, although the city does not have record of those re-combinations. According to Ramsey County, the home on the property was constructed in 1889.

Proposed Site B: 10,077 sq. ft.; 50 feet





As part of the request for a lot split, the applicant is proposing to demolish the existing home and construct a new home on parcel A. The existing detached garage on parcel A will remain. There are no plans for development on parcel B at this time.

<u>Planning Commission Action.</u> The Planning Commission reviewed this item during their April 24, 2023 regular meeting. During the meeting, the commission heard a presentation from staff and held a public hearing that produced comments from four residents and the applicant. The applicant, John Sonnek, of Charles Cudd Co LLC, spoke about the property owner's intent to split the lot and rebuild a new home in the same location as the existing home. Mr. Sonnek explained how the property consists of two historic lots of record that were both fifty feet wide. He indicated that there are no plans for the newly created parcel at this time.

Bill Rust, 4579 Lake Avenue, disagreed with staff's finding that the two parcels are consistent with the neighborhood. He expressed concern with the amount of traffic that would be generated from a new home on Shady Lane and stated that on-street parking would be problematic since the road is narrow. He was also concerned with the amount of impervious surface that would be permitted on each lot. Kathy Rust, 4579 Lake Avenue, asked if there was any legal process to ensure the new lot would not be developed.

Al Rivard, 3590 Glen Oaks Avenue, wondered if the lots would provide enough space for emergency vehicle access. David Espe, 4581 Lake Avenue, explained that there is an easement that grants the subject site access to White Bear Lake through his property. He noted that if the lot split is approved, the owners would need to consult a lawyer to determine future lake access.

After hearing staff's presentation and comments from the applicant and residents, the commission voted 6-0 to recommend the City Council approve this request.

ANALYSIS

City review authority for subdivision applications is considered a Quasi-Judicial action. As such, the City is acting as a judge to determine if the regulations within the Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance are being followed. Generally, if the application meets these requirements, the subdivision application should be approved. The City also has the authority to add conditions to an approval that are directly related to the application.

City review authority for variance applications is also considered a Quasi-Judicial action. When reviewing variances, 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.

<u>Minor Subdivision Review.</u> The standards for reviewing subdivision requests are detailed in Subdivision Code Section 1407 of the City Code. Staff has reviewed the lot split request against the standards utilized for other land use requests and provided responses to each as outlined below.

1. Is the proposal consistent with the City's Comprehensive Plan?

Finding: The proposed minor subdivision is consistent with the comprehensive plan. The 2040 Land Use map guides the property as low density residential, which is characterized by a density range of 3 to 9 units per acre. Typical housing types include single family detached and attached when within the density range. The current lot is 1.9 units per acre, which is below the density range. The lot split would bring the area up to 3.9 units per acre, within the density range, making the parcels consistent with the comprehensive plan.

2. Is the proposal consistent with the existing and future land uses in the area?

Finding: The existing uses of the surrounding properties are single-family residences. The 2040 Land Use map in the Comprehensive Plan guides all of the surrounding properties as low density residential. The creation of two lots that are similar in size and width to the surrounding properties for use as single-family homes is consistent with the existing and future land uses in the area.

3. Does the proposal conform to the Zoning Code requirements?

Finding: Other than the requested lot width variances as reviewed below, the proposed subdivision meets the zoning code requirements of both the R-4 and S districts.

Lot Width. The shoreland overlay district requires an 80-foot lot width, while the R-4 district requires a 60-foot lot width. The stricter of the two applies. The applicants are requesting a 30-foot lot width variance for each newly created parcel. Staff's findings for those are detailed in the next section.

Lot Size. The shoreland overlay district requires parcels within the White Bear Lake Shoreland Overlay District be at least 10,000 square feet in size, while the R-4 district requires a minimum of 7,200 square feet. The stricter of the two applies. Both of the newly created lots will exceed the 10,000 square feet minimum. Parcel A will be 12,448 square feet and parcel B will be 10,077 square feet.

Section 1407.030 of the subdivision code includes the following standards in order for a property to qualify for a minor subdivision and be exempt from the more formal platting requirements:

- The subdivision results in fewer than three lots;
- Public utilities and street right-of-ways serve the parcel;
- The new legal description does not rely on metes and bounds and is not overly complicated; and
- The newly created property lines will not cause any resulting lot to be in violation of these regulations or the Zoning Code.

The proposed lots meet the above criteria; therefore, it can be subdivided through the minor subdivision process.

4. Will the proposal depreciate values in the area?

Finding: The proposal is not anticipated to depreciate values in the area. Recent infill projects of single-family homes throughout the city have not resulted in depreciation of nearby homes, and staff finds that trend should continue in this neighborhood.

5. Will the proposal overburden the existing public services or the capacity of the service area?

Finding: The property is served by city water and sewer and the utilities have the capacity to serve the two lots. The newly created parcel B will need to connect to services when the site is developed. At that time, the developer will also need to pay Metropolitan Council and City SAC (Sewer Availability Charge) and WAC (Water Availability Charge) fees.

6. Will traffic generation be within the capabilities of the streets serving the site?

Finding: Traffic generation will be within the capabilities of the street serving the site. Although the Shady Lane right-of-way is 40 feet wide rather than the typical 60 feet in width, the number of trips generated by one additional household is minimal and not anticipated to negatively impact the traffic. Two car garages are required for each lot, so there will be adequate off-street parking.

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

Staff has reviewed the variance request against the standards detailed in Minnesota State Statute 462.357, Subdivision 6 and finds the applicant has demonstrated a practical difficulty. The standards

for reviewing a variance application and staff's findings for each are provided below.

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

Finding: The variances are in harmony with the purposed and intent of the ordinance. The purpose of the R-4 zoning district is to provide low and moderate density one and two unit dwellings and directly related, complementary uses. If side yard setback variances were required to construct a home, that would indicate that the lot was not wide enough and the proposed variances would not meet the intent of the code. The required side yard setbacks in the R-4 district for principal structures are 10 feet, which leaves a 30 foot wide buildable area. The minimum width of a house is 22 feet, so no variances are needed. The two lots have buildable area that is sufficient for the construction of a single family home and accessory, or complementary, uses.

The shoreland overlay district does not provide a purpose statement, although generally, the intent is to protect the health and quality of nearby waters and shorelines. One of the main components of the shoreland overlay district is that the lots are limited to 30% impervious surface coverage to protect White Bear Lake from excessive runoff. Thirty percent coverage of each new lot is the same amount of coverage as 30% of the existing larger lot, so there will not be more allowance for impervious surface in the area. Any amount above 30% is required to be mitigated through the use of a stormwater infiltration system.

2. Is the variance consistent with the comprehensive plan?

Finding: The requested variances are consistent with the comprehensive plan. As noted above, the lot split provides a density range for the area that is consistent with the low-density residential designation as depicted on the Future Land Use map of the 2040 Comprehensive Plan. The variances will allow the creation of lots that would bring the area into conformity with the density range of 3 to 9 units per acre as described in the Comprehensive Plan.

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

Finding: The proposal would put the subject properties to use in a reasonable manner. Both the Comprehensive Plan and the purpose and intent of the R-4 zoning district allow for single-family dwelling units, so the request to split one lot into two for the construction of two single homes is reasonable.

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

Finding: There are unique circumstances to the property that were not created by the landowner. A majority of the properties along Shady Lane were platted as 50 foot wide lots, including the subject site. Current zoning standards do not reflect how the neighborhood was developed.

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

Finding: Granting the requested variance will not alter the essential character of the neighborhood. Nine of the 15 residential lots that front Shady Lane are 50 feet in width, 4 of the lots range between 55 and 60 feet, and only one other lot on the street, besides the subject site, is 100 feet in width. The proposed 50-foot-wide lots will be consistent with the surrounding neighborhood.

RECOMMENDATION

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

- 1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
- 2. Within 6 months after the approval of the survey by the City, the applicant shall record the survey, along with the instruments of conveyance with the County Land Records Office, or the subdivision shall become null and void.
- 3. The resolution of approval shall be recorded against both properties and notice of these conditions shall be provided as condition of the sale of any lot.
- 4. The applicant shall provide the City with proof of recording (receipt) as evidence of compliance with conditions #2 and #3. Within 120 days after the date of recording, the applicant shall provide the City Planner with a final recorded copy of the Certificate of Survey.
- 5. The applicant shall agree to reapportion any pending or actual assessments on the original parcel or lot of recording in accordance with the original assessment formula on the newly approved parcels, as per the City of White Bear Lake finance office schedules.
- 6. Durable iron monuments shall be set at the intersection points of the new lot lines with existing lot lines. The applicant shall have one year from the date of Council approval in which to set the monuments.
- 7. The park dedication fee shall be collected for Parcel B at the time when a building permit is issued.
- 8. Metropolitan Council SAC (Sewer Availability Charge) and WAC (Water Availability Charge) and City SAC and WAC shall be due at the time of building permit for Parcel B.
- 9. Water and sewer hook-up fees shall be collected at the time when a building permit is issued for Parcel B.
- 10. A tree preservation plan shall be submitted for review and approval prior to the issuance of a building permit for new construction on either parcel.

ATTACHMENTS

Resolution Zoning/Location Map Applicant's Narrative& Plans

RESOLUTION GRANTING A MINOR SUBDIVISION AND TWO VARIANCES FOR 4593 SHADY LANE WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA

WHEREAS, Karen Dalke has requested a minor subdivision, per code section 1407.030 and two 30 foot variances from the 80 foot minimum lot width requirement, per section 1303.230, subd.5.a.2, in order to split one lot into two at the following location:

LEGAL DESCRIPTION: Attached as Exhibit A.

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on April 24, 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, in relation to the minor subdivision, 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 the existing and future land uses in the area.
- 3. The proposal conforms to the Zoning Code requirements.
- 4. The proposal will not depreciate values in the area.
- 5. The proposal will not overburden the existing public services nor the capacity of the City to service the area.
- 6. Traffic generation will be within the capabilities of the streets serving the site.

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

- 7. The requested variances are in harmony with purposes and intent of the ordinance.
- 8. The requested variances are consistent with the 2040 Comprehensive Plan.
- 9. Granting the requested variances will allow the property to be used in a reasonable manner.
- 10. There are unique circumstances to the property not created by the landowner.
- 11. 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 subdivision and 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. Within 6 months after the approval of the survey by the City, the applicant shall record the survey, along with the instruments of conveyance with the County Land Records Office, or the subdivision shall become null and void.
- 3. The resolution of approval shall be recorded against both properties and notice of these conditions shall be provided as condition of the sale of any lot.
- 4. The applicant shall provide the City with proof of recording (receipt) as evidence of compliance with conditions #2 and #3. Within 120 days after the date of recording, the applicant shall provide the City Planner with a final recorded copy of the Certificate of Survey.
- 5. The applicant shall agree to reapportion any pending or actual assessments on the original parcel or lot of recording in accordance with the original assessment formula on the newly approved parcels, as per the City of White Bear Lake finance office schedules.
- 6. Durable iron monuments shall be set at the intersection points of the new lot lines with existing lot lines. The applicant shall have one year from the date of Council approval in which to set the monuments.
- 7. The park dedication fee shall be collected for Parcel B at the time when a building permit is issued.
- 8. Metropolitan Council SAC (Sewer Availability Charge) and WAC (Water Availability Charge) and City SAC and WAC shall be due at the time of building permit for Parcel B.
- 9. Water and sewer hook-up fees shall be collected at the time when a building permit is issued for Parcel B.
- 10. A tree preservation plan shall be submitted for review and approval prior to the issuance of a building permit for new construction on either parcel.

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

EXHIBIT A

EXISTING LEGAL DESCRIPTION

Lot 9, Wampler's Lakeside Re-Arrangement and the Northeasterly 15 feet of that part of Lot 1, Sarah Marchand's Addition to White Bear Lake, Minn. lying between the extended Northwesterly and Southeasterly line of said Lot 9, according to the recorded plat thereof; Ramsey County, Minnesota.

And

All that part of Lots 1, 2, 3 and 4, Sarah Marchand's Addition to White Bear Lake, Minn., described as follows: Beginning at the Southwesterly corner of lot 10, Wampler's Lakeside Addition to White Bear; thence Southwesterly on the extended Southeasterly line of said Lot 10 to the Easterly line of Murray's Rearrangement; thence Northerly on the Easterly line of said Murray's Re-Arrangement to the Southerly line of Lot 7, Wampler's Lakeside Re-Arrangement; thence Northeasterly on the Southerly line of said Lot 7, Wampler's Lakeside Re-Arrangement, to the Easterly line of Lot 3, Sarah Marchand's Addition to White Bear Lake, Minn,; thence Southerly on the Easterly line of said Lot 3, 50.42 feet to a point on the extended Northerly line of Lot 9, Wampler's Lakeside Re-Arrangement; thence Northeasterly and parallel to the Southerly line of said Lot 7, Wampler's Lakeside Re-Arrangement, to a point 15 feet Westerly of the Northwesterly comer of Lot 9, Wampler's Lakeside Re-Arrangement; thence Southeasterly and parallel to the Westerly line of said Lot 9, Wampler's Lakeside Re-Arrangement, to a point on the extended Southerly line of said Lot 9; thence Northeasterly on the extended Southerly line of said Lot 9, Wampler's Lakeside Re-Arrangement to the Southwesterly corner of said Lot 9; thence Southeasterly on the Easterly line of said Lot 1, Sarah Marchand's Addition to White Bear Lake, Minn. to the place of beginning, and Lot 10, Wampler's Lakeside Addition to White Bear (Wampler's Lakeside Re-Arrangement). Ramsey County, Minnesota

PROPOSED LEGAL DESCRIPTIONS

LOT 1

Parcel A

Lot 9, Wampler's Lakeside Re-Arrangement and the Northeasterly 15 feet of that part of Lot 1, Sarah Marchand's Addition to White Bear Lake, Minn. lying between the extended Northwesterly and Southeasterly line of said Lot 9, according to the recorded plat thereof, Ramsey County, Minnesota.

Parcel B

All that part of Lots 1, 2, 3 and 4, Sarah Marchand's Addition to White Bear Lake, Minn., described as follows: Beginning at the Southwesterly corner of Lot 10, Wampler's Lakeside Addition to White Bear; thence Southwesterly on the extended Southeasterly line of said Lot 10 to the Easterly line of Murray's Rearrangement; thence Northerly on the Easterly line of said Murray's Rearrangement to the Southerly line of Lot 7, Wampler's Lakeside Re-Arrangement; thence Northeasterly on the Southerly line of said Lot 7, Wampler's Lakeside Re-Arrangement, to the Easterly line of Lot 3, Sarah Marchand's Addition to White Bear Lake, Minn.; thence Southerly on the Easterly line of said Lot 3, 50.42 feet to a point on the extended Northerly line

of Lot 9, Wampler's Lakeside Re-Arrangement; thence Northeasterly and parallel to the Southerly line of said Lot 7, Wampler's Lakeside Re-Arrangement, to a point 15 feet Westerly of the Northwesterly corner of Lot 9, Wampler's Lakeside Re-Arrangement; thence Southeasterly and parallel to the Westerly line of said Lot 9, Wampler's Lakeside Re-Arrangement, to a point on the extended Southerly line of said Lot 9; thence Northeasterly on the extended Southerly line of said Lot 9, Wampler's Lakeside Re-Arrangement to the Southwesterly corner of said Lot 9; thence Southeasterly on the Easterly line of said Lot 1, Sarah Marchand's Addition to White Bear Lake, Minn. to the place of beginning, and Lot 10, Wampler's Lakeside Addition to White Bear (Wampler's Lakeside Re-Arrangement). Ramsey County, Minnesota. Except the southeasterly 50.00 feet thereof.

LOT 2

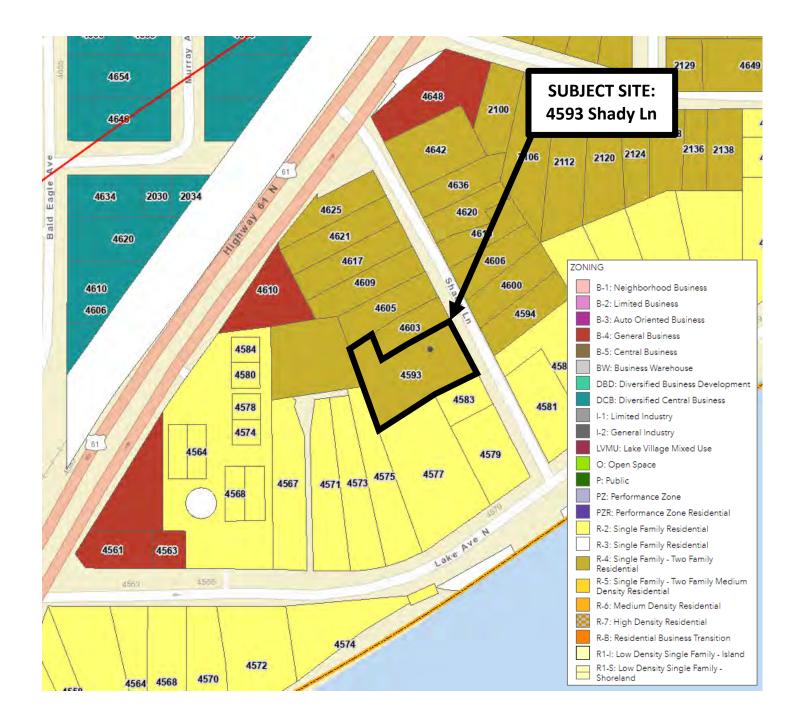
The southeasterly 50.00 feet of the following described parcels:

Parcel A

Lot 9, Wampler's Lakeside Re-Arrangement and the Northeasterly 15 feet of that part of Lot 1, Sarah Marchand's Addition to White Bear Lake, Minn. lying between the extended Northwesterly and Southeasterly line of said Lot 9, according to the recorded plat thereof, Ramsey County, Minnesota.

Parcel B

All that part of Lots 1, 2, 3 and 4, Sarah Marchand's Addition to White Bear Lake, Minn., described as follows: Beginning at the Southwesterly corner of Lot 10, Wampler's Lakeside Addition to White Bear; thence Southwesterly on the extended Southeasterly line of said Lot 10 to the Easterly line of Murray's Rearrangement; thence Northerly on the Easterly line of said Murray's Rearrangement to the Southerly line of Lot 7, Wampler's Lakeside Re-Arrangement; thence Northeasterly on the Southerly line of said Lot 7, Wampler's Lakeside Re-Arrangement, to the Easterly line of Lot 3, Sarah Marchand's Addition to White Bear Lake, Minn.; thence Southerly on the Easterly line of said Lot 3, 50.42 feet to a point on the extended Northerly line of Lot 9, Wampler's Lakeside Re-Arrangement; thence Northeasterly and parallel to the Southerly line of said Lot 7, Wampler's Lakeside Re-Arrangement, to a point 15 feet Westerly of the Northwesterly comer of Lot 9, Wampler's Lakeside Re-Arrangement; thence Southeasterly and parallel to the Westerly line of said Lot 9, Wampler's Lakeside Re-Arrangement, to a point on the extended Southerly line of said Lot 9; thence Northeasterly on the extended Southerly line of said Lot 9, Wampler's Lakeside Re-Arrangement to the Southwesterly comer of said Lot 9; thence Southeasterly on the Easterly line of said Lot 1, Sarah Marchand's Addition to White Bear Lake, Minn. to the place of beginning, and lot 10, Wampler's Lakeside Addition to White Bear (Wampler's Lakeside Re-Arrangement). Ramsey County, Minnesota.



Bear Lake	City of White Bear Lake Planning & Zoning 651-429-8561	CASE NO. : 23-11-LS & V
		CASE NAME : 4593 Shady Lane Lot Split
		DATE : <u>4-24-2023</u>



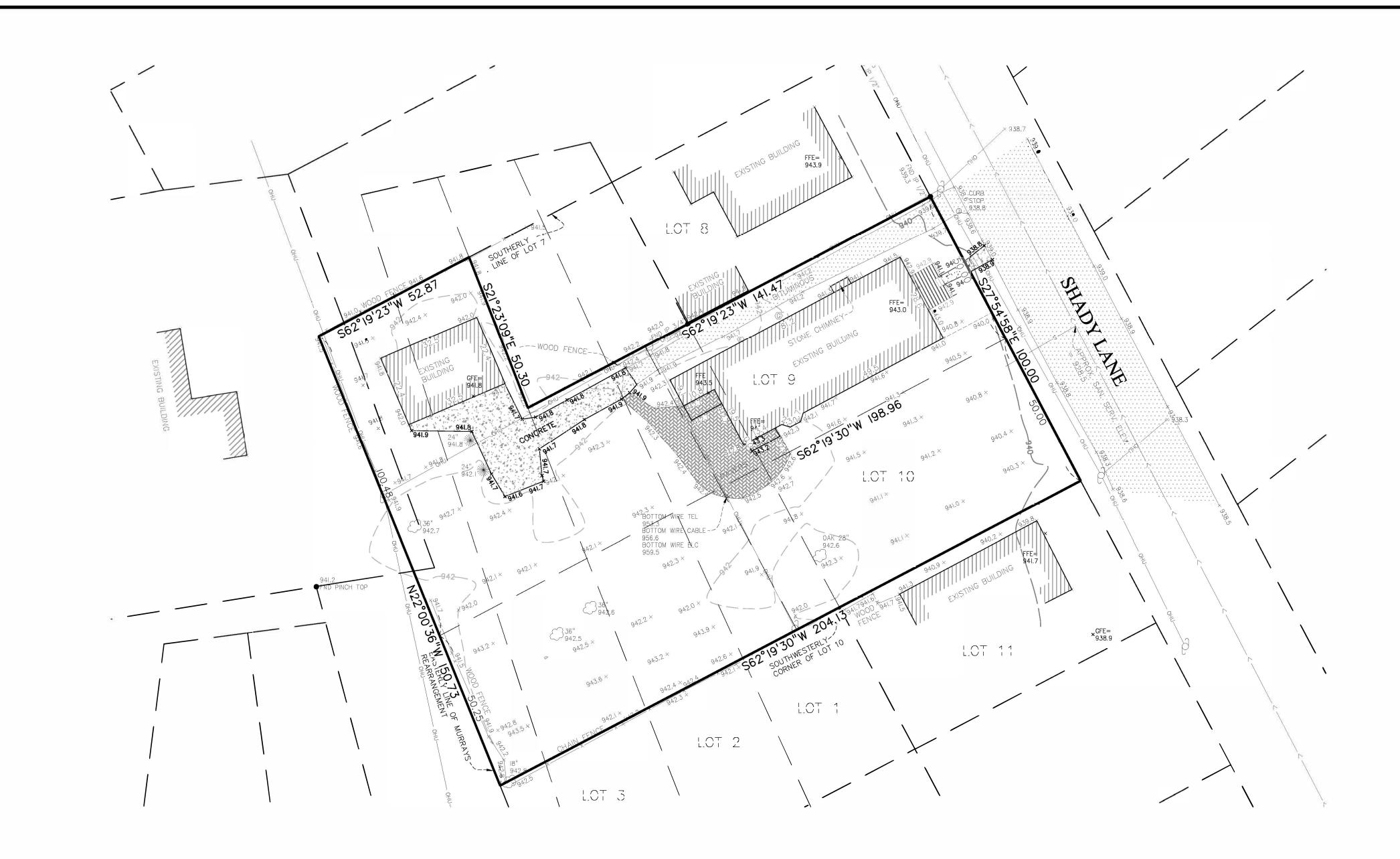
03-10-23

RE: 4563 Shady Lane, White Bear Lake

On behalf of client Karen Dalke, the Charles Cudd Co is asking for a variance at 4593 Shady Lane. We request the property to be allowed to be split back into two fifty-foot-wide lots that would be congruent with the neighboring properties. We have developed a small architectural cottage home that will conform with the essence of the community and not construct the "mac-mansion" style home that could be built on this property which other cities have allowed in their existing communities. Bringing this property back to 50 ft wide will ensure the essential character of the local neighborhood.

John Sonnek

VP of Construction Charles Cudd Co. 15050 23rd Ave North Plymouth, MN 55447



FIELD CREW	NO.	BY	DATE	REVISION	USE (INCLUDING COPYING, DISTRIBUTION, AND/OR	I hereby certify that this survey, p
DM DR ML EJ					CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS	Land Surveyor under the laws of t
DRAWN					STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID	Dated this 10th day of March 2023
JPR/EJ					AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND	-
CHECKED					SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY, SATHRE-BERGQUIST, INC. RESERVES	DRAFT 03
DLS					THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY	
DATE					LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES	Daniel L. Schmidt, PLS
3/2/23					RESULTING FROM ILLEGITIMATE USE.	schmidt@sathre.com

blan or report was prepared by me or under my direct supervision and that I am a duly Licensed the State of Minnesota.





SATHRE-BERGQUIST, INC. 14000 25TH AVENUE NORTH, SUITE 120 PLYMOUTH MN 55447 (952) 476-6000 WWW.SATHRE.COM TWP:30-RGE.22-SEC.14 Ramsey County

WHITE BEAR LAKE, MINNESOTA **DESCRIPTION OF PROPERTY SURVEYED**

Parcel A

Lot 9, Wampler's Lakeside Re-Arrangement and the Northeasterly 15 feet of that part of Lot 1, Sarah Marchand's Addition to White Bear Lake, Minn. lying between the extended Northwesterly and Southeasterly line of said Lot 9, according to the recorded plat thereof, Ramsey County, Minnesota.

Parcel B

All that part of Lots 1, 2, 3 and 4, Sarah Marchand's Addition to White Bear Lake, Minn., described as follows: Beginning at the Southwesterly corner of Lot 10, Wampler's Lakeside Addition to White Bear; thence Southwesterly on the extended Southeasterly line of said Lot 10 to the Easterly line of Murray's Rearrangement; thence Northerly on the Easterly line of said Murray's Rearrangement to the Southerly line of Lot 7, Wampler's Lakeside Re-Arrangement; thence Northeasterly line of said Lot 7, Wampler's Lakeside

Re-Arrangement, to the Easterly line of Lot 3, Sarah Marchand's Addition to White Bear Lake, Minn.; thence Southerly on the Easterly line of said Lot 3, 50.42 feet to a point on the extended Northerly line of Lot 9, Wampler's Lakeside Re-Arrangement; thence Northeasterly and parallel to the Southerly line of said Lot 7, Wampler's Lakeside Re-Arrangement, to a point 15 feet Westerly of the Northwesterly comer of Lot 9, Wampler's Lakeside Re-Arrangement; thence Northeasterly and parallel to the Southerly line of said Lot 9, Wampler's Lakeside Re-Arrangement; thence Northeasterly on the extended Southerly line of said Lot 9, Wampler's Lakeside Re-Arrangement; thence Northeasterly on the extended Southerly line of said Lot 9, Wampler's Lakeside Re-Arrangement, to a point on the extended Southerly line of said Lot 9; thence Northeasterly on the extended Southerly line of said Lot 9, Wampler's Lakeside Re-Arrangement to the Southwesterly corner of said Lot 9; thence Southeasterly line of said Lot 1, Sarah Marchand's Addition to White Bear Lake, Minn. to the place of beginning, and Lot 10, Wampler's Lakeside Addition to White Bear (Wampler's Lakeside Re-Arrangement). Ramsey County, Minnesota.

STANDARD NOTES

- 1) Site Address: 4593 Shady Lane, White Bear Lake, Minnesota 55110
- 2) A title opinion was not furnished to the surveyor as part of this survey. Only easements per the recorded plat are shown unless otherwise denoted hereon.
- 3) Flood Zone Information: X (area determined to be outside of the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27123C0035G, effective date of June, 4th 2010.
- 4) Parcel Area Information: Gross Area: 22,525s.f. ~ 0.517 acres

*We do not affirmatively insure the quantity of acreage set forth in the description

- 5) Benchmark: Elevations are based on MN/DOT Geodetic Station Name: NAPA MNDT which has an elevation of: 941.862 feet (NAVD88).
- 6) **Zoning Information**: The current Zoning for the subject property is R-4 (Single Family Two Family Residential) per the City of White Bear Lake's zoning map. The setback, height, and floor space area restrictions for said zoning designation are as follows:

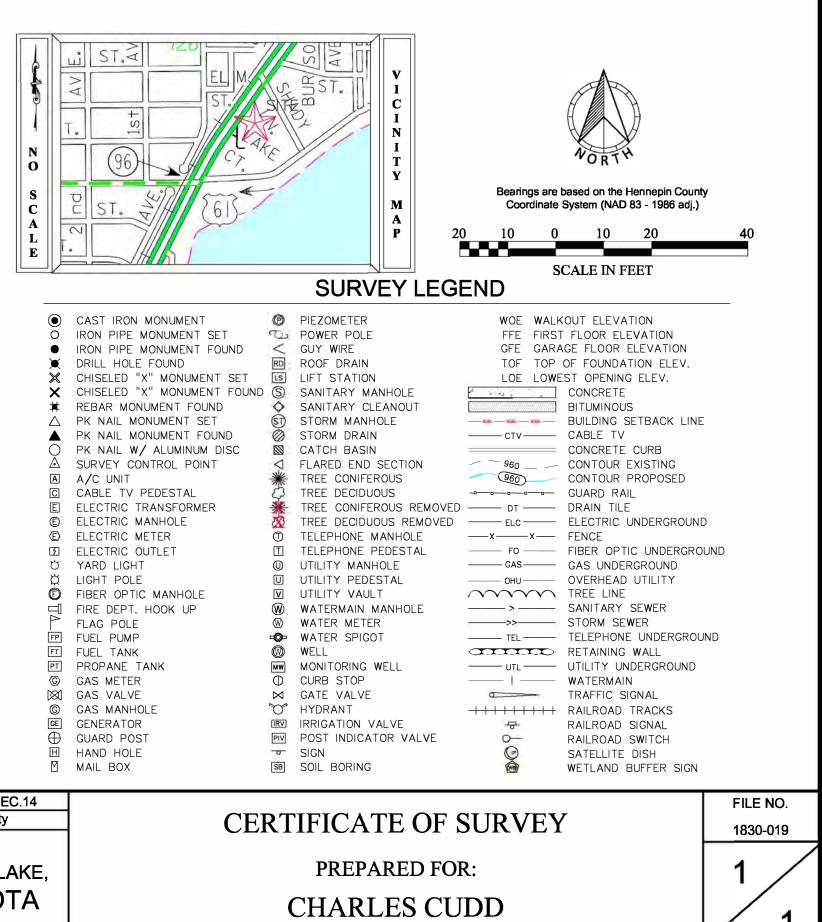
Principal Structure Setbacks - Street(s): 25 feet (Shady Lane) Side: 10 feet Rear: 30 feet Height: 35 feet Minimum Lot RequirementsLot Area:7,200 s.f.Lot Width:60 feet

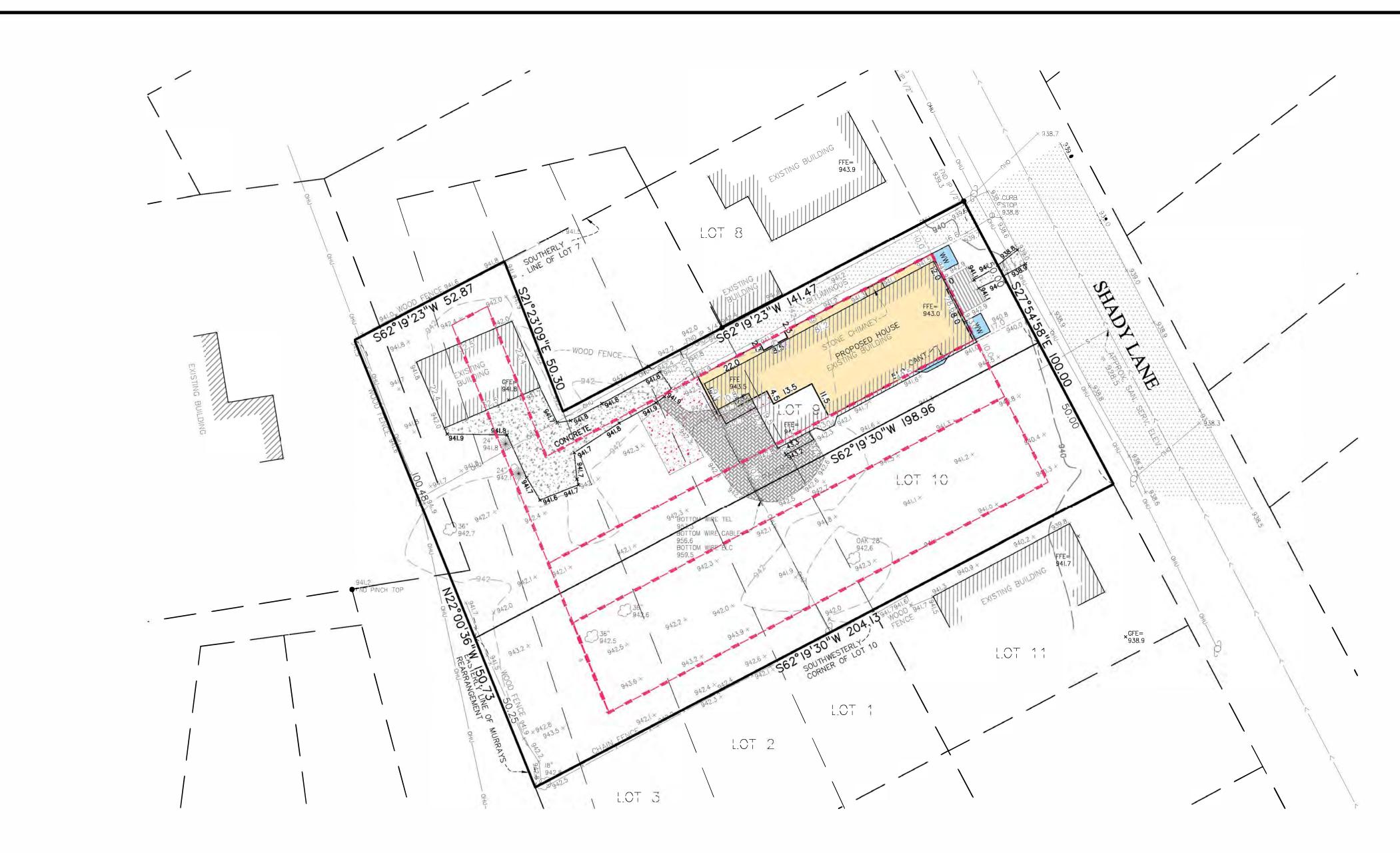
*Please note that the zoning information shown hereon may have been amended through a city process. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site. All setback information and hardcover data for planning and design must be verified by all parties involved in the design and planning process prior to any planning or construction.

We have not received the current zoning classification and building setback requirements from the insurer.

Hardcover: 30 percent of lot area

7) Utilities: We have shown the location of utilities on the surveyed property by observed evidence only. There may be underground utilities encumbering the subject property we are unaware. Please note that we have not placed a Gopher State One Call for this survey. There may or may not be underground utilities in the mapped area, therefore extreme caution must be exercise before any excavation takes place on or near this site. Also, please note that seasonal conditions may inhibit our ability to visibly observe all the utilities located on the subject property. Before digging, you are required by law to notify Gopher State One Call at least 48 hours in advance at 651/454-0002.





Lot 1: Parcel A

Parcel B

PROPOSED LEGAL DESCRIPTION

Lot 9, Wampler's Lakeside Re-Arrangement and the Northeasterly 15 feet of that part of Lot 1, Sarah Marchand's Addition to White Bear Lake, Minn. lying between the extended Northwesterly and Southeasterly line of said Lot 9, according to the recorded plat thereof, Ramsey County, Minnesota.

All that part of Lots 1, 2, 3 and 4, Sarah Marchand's Addition to White Bear Lake, Minn., described as follows: Beginning at the Southwesterly corner of Lot 10, Wampler's Lakeside Addition to White Bear, thence Southwesterly on the extended Southeasterly line of said Lot 10 to the Easterly line of Murray's Rearrangement; thence Northerly on the Easterly line of said Murray's Rearrangement to the Southerly line of Lot 7, Wampler's Lakeside Re-Arrangement; thence Northeasterly line of Lot 3, Sarah Marchand's Addition to White Bear Lake, Minn.; thence Southerly on the Easterly line of said Lot 3, 50.42 feet to a point on the extended Northerly line of Lot 9, Wampler's Lakeside Re-Arrangement; thence Northeasterly and parallel to the Southerly line of said Lot 7, Wampler's Lakeside Re-Arrangement, to a point 15 feet Westerly of the Northwesterly comer of Lot 9, Wampler's Lakeside Re-Arrangement; thence Southerly line of said Lot 9, Wampler's Lakeside Re-Arrangement, to a point on the extended Southerly line of said Lot 9, Wampler's Lakeside Re-Arrangement, to a point 15 feet Westerly of the Northwesterly corner of Lot 9, Wampler's Lakeside Re-Arrangement; line of said Lot 9, Wampler's Lakeside Re-Arrangement, to a point on the extended Southerly line of said Lot 9; thence Northeasterly and parallel to the Westerly line of said Lot 9, Wampler's Lakeside Re-Arrangement to the Southwesterly corner of said Lot 9; thence Southeasterly on the extended Southerly line of said Lot 9, Wampler's Lakeside Re-Arrangement to the Southwesterly corner of said Lot 9; thence Southeasterly on the extended Southerly line of said Lot 9, Wampler's Lakeside Re-Arrangement to the Southwesterly corner of said Lot 9; thence Southeasterly on the extended Southerly line of said Lot 9, Wampler's Lakeside Re-Arrangement to the Southwesterly corner of said Lot 9; thence Southeasterly on the Easterly line of said Lot 1, Sarah Marchand's Addition to White Bear Lake, Minn. to the place of beginning, and Lot 10, Wampler's Lakeside Addition to White

Re-Arrangement). Ramsey County, Minnesota. Except the southeasterly 50.00 feet thereof.

Lot 2: The southeasterly 50.00 feet of the following described parcels:

Parcel A

Lot 9, Wampler's Lakeside Re-Arrangement and the Northeasterly 15 feet of that part of Lot 1, Sarah Marchand's Addition to White Bear Lake, Minn. lying between the extended Northwesterly and Southeasterly line of said Lot 9, according to the recorded plat thereof, Ramsey County, Minnesota.

Parcel B

All that part of Lots 1, 2, 3 and 4, Sarah Marchand's Addition to White Bear Lake, Minn., described as follows: Beginning at the Southwesterly corner of Lot 10, Wampler's Lakeside Addition to White Bear; thence Southwesterly on the extended Southeasterly line of said Lot 10 to the Easterly line of Murray's Rearrangement; thence Northerly on the Easterly line of said Murray's Rearrangement to the Southerly line of Lot 7, Wampler's Lakeside Re-Arrangement; thence Northeasterly on the Southerly line of said Lot 7, Wampler's Lakeside

Re-Arrangement, to the Easterly line of Lot 3, Sarah Marchand's Addition to White Bear Lake, Minn.; thence Southerly on the Easterly line of said Lot 3, 50.42 feet to a point on the extended Northerly line of Lot 9, Wampler's Lakeside Re-Arrangement; thence Northeasterly and parallel to the Southerly line of said Lot 7, Wampler's Lakeside Re-Arrangement, to a point 15 feet Westerly of the Northwesterly comer of Lot 9, Wampler's Lakeside Re-Arrangement; thence Southeasterly and parallel to the Westerly line of said Lot 9, Wampler's Lakeside Re-Arrangement, to a point on the extended Southerly line of said Lot 9; thence Northeasterly on the extended Southerly line of said Lot 9, Wampler's Lakeside Re-Arrangement to the Southwesterly comer of said Lot 9; thence Southeasterly on the Easterly line of said Lot 1, Sarah Marchand's Addition to White Bear Lake, Minn. to the place of beginning, and Lot 10, Wampler's Lakeside Addition to White Bear (Wampler's Lakeside Re-Arrangement). Ramsey County, Minnesota.

FIELD CREW	NO.	BY	DATE	REVISION	USE (INCLUDING COPYING, DISTRIBUTION, AND/OR	I hereby certify that this su
DM DR ML EJ					CONVEYANCE OF INFORMATION) OF THIS PRODUCT IS	Land Surveyor under the la
DRAWN					STRICTLY PROHIBITED WITHOUT SATHRE-BERGQUIST, INC.'S EXPRESS WRITTEN AUTHORIZATION. USE WITHOUT SAID	Dated this 10th day of Mar
JPR/EJ					AUTHORIZATION CONSTITUTES AN ILLEGITIMATE USE AND	
CHECKED					SHALL THEREBY INDEMNIFY SATHRE-BERGQUIST, INC. OF ALL RESPONSIBILITY. SATHRE-BERGQUIST, INC. RESERVES	DRAFT
DLS					THE RIGHT TO HOLD ANY ILLEGITIMATE USER OR PARTY	
DATE					LEGALLY RESPONSIBLE FOR DAMAGES OR LOSSES	Daniel L. Schmidt, PLS
3/2/23					RESULTING FROM ILLEGITIMATE USE.	schmidt@sathre.com

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





SATHRE-BERGQUIST, INC. 14000 25TH AVENUE NORTH, SUITE 120 PLYMOUTH MN 55447 (952) 476-6000 WWW.SATHRE.COM TWP:30-RGE.22-SEC.14 Ramsey County

WHITE BEAR LAKE, MINNESOTA **DESCRIPTION OF PROPERTY SURVEYED**

Parcel A

Lot 9, Wampler's Lakeside Re-Arrangement and the Northeasterly 15 feet of that part of Lot 1, Sarah Marchand's Addition to White Bear Lake, Minn. lying between the extended Northwesterly and Southeasterly line of said Lot 9, according to the recorded plat thereof, Ramsey County, Minnesota.

Parcel B

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STANDARD NOTES

- 1) Site Address: 4593 Shady Lane, White Bear Lake, Minnesota 55110
- 2) A title opinion was not furnished to the surveyor as part of this survey. Only easements per the recorded plat are shown unless otherwise denoted hereon.
- 3) Flood Zone Information: X (area determined to be outside of the 0.2% annual chance floodplain) per Flood Insurance Rate Map, Community Panel No. 27123C0035G, effective date of June, 4th 2010.
- 4) **Parcel Area Information:** Gross Area: 22,525s.f. ~ 0.517 acres

*We do not affirmatively insure the quantity of acreage set forth in the description

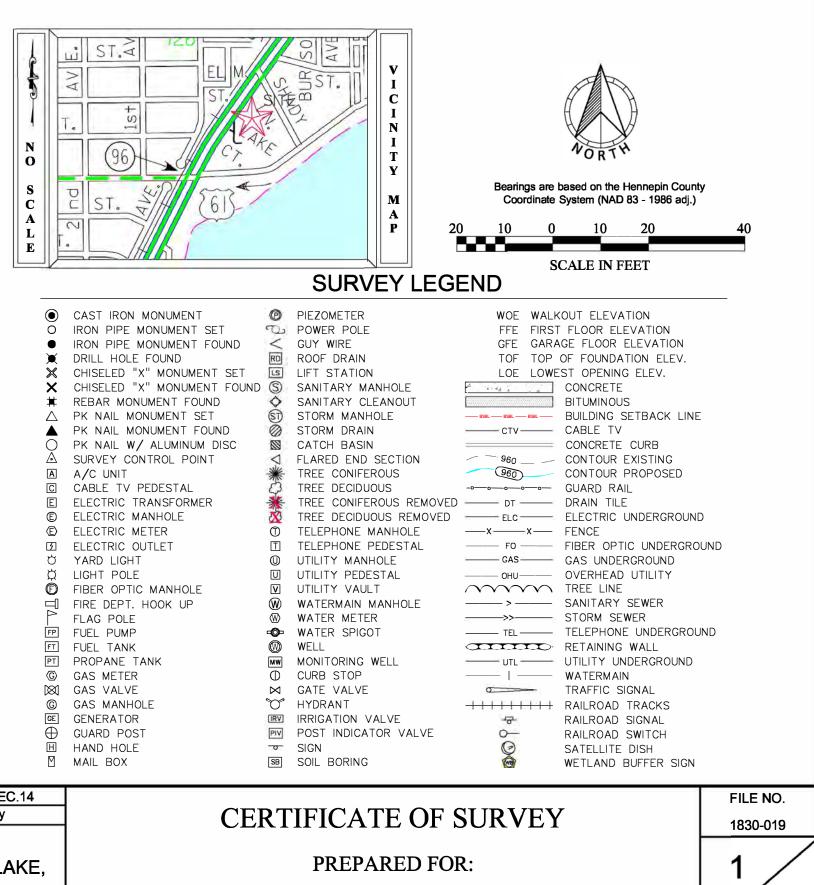
- 5) Benchmark: Elevations are based on MN/DOT Geodetic Station Name: NAPA MNDT which has an elevation of: 941.862 feet (NAVD88).
- 6) **Zoning Information**: The current Zoning for the subject property is R-4 (Single Family Two Family Residential) per the City of White Bear Lake's zoning map. The setback, height, and floor space area restrictions for said zoning designation are as follows:

<u>Principal Structure Setbacks</u> - Street(s): 25 feet (Shady Lane) Side: 10 feet Rear: 30 feet Height: 35 feet Hardcover: 30 percent of lot area Minimum Lot RequirementsLot Area:7,200 s.f.Lot Width:60 feet

*Please note that the zoning information shown hereon may have been amended through a city process. We recommend that a zoning letter be obtained from the Zoning Administrator for the current restrictions for this site. All setback information and hardcover data for planning and design must be verified by all parties involved in the design and planning process prior to any planning or construction.

We have not received the current zoning classification and building setback requirements from the insurer.

7) Utilities: We have shown the location of utilities on the surveyed property by observed evidence only. There may be underground utilities encumbering the subject property we are unaware. Please note that we have not placed a Gopher State One Call for this survey. There may or may not be underground utilities in the mapped area, therefore extreme caution must be exercise before any excavation takes place on or near this site. Also, please note that seasonal conditions may inhibit our ability to visibly observe all the utilities located on the subject property. Before digging, you are required by law to notify Gopher State One Call at least 48 hours in advance at 651/454-0002.

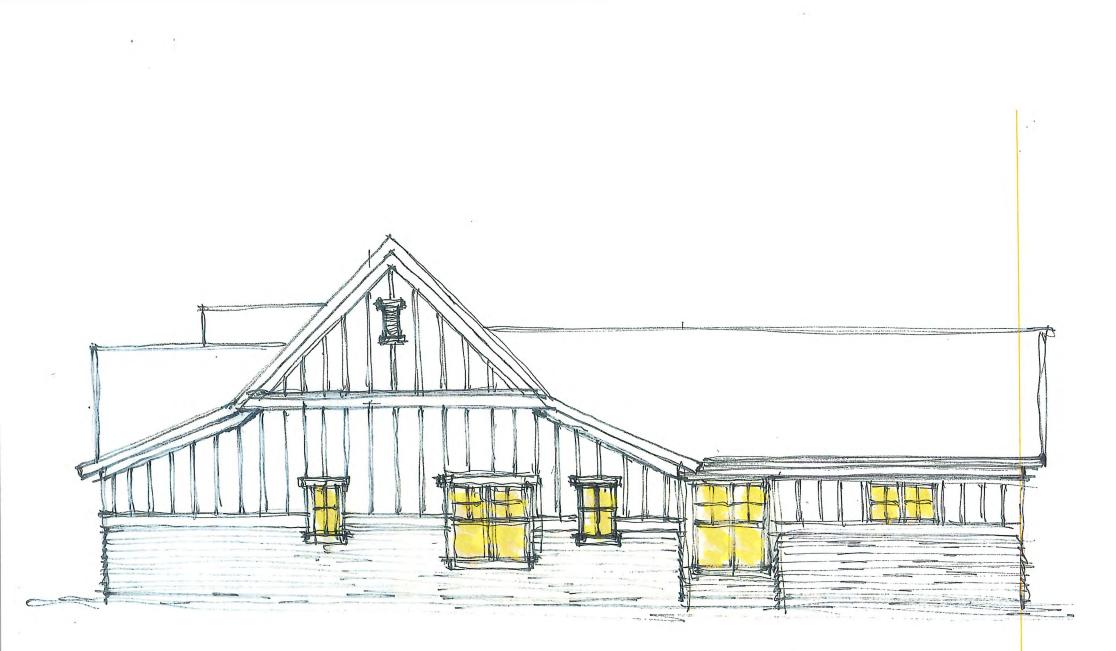


CHARLES CUDD



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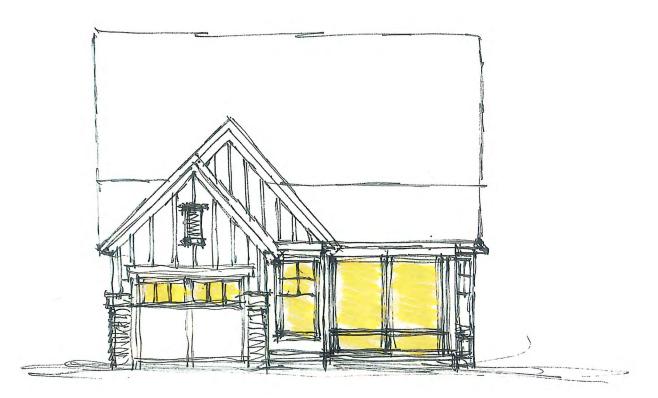
Charles Cudd Co. Job # 5289 - Dalke, Karen 4593 Shady Lane, White Bear Lake, MN 55110



Right Elevation

Charles Cudd Co. Job # 5289 - Dalke, Karen 4593 Shady Lane, White Bear Lake, MN 55110





Rear Elevation

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Charles Cudd Co. Job # 5289 - Dalke, Karen 4593 Shady Lane; White Bear Lake, MN 55110 1

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Left Elevation

Charles Cudd Co. Job # 5289 - Dalke, Karen 4593 Shady Lane, White Bear Lake, MN 55110



City of White Bear Lake

Community Development Department

MEMORANDUM

То:	Lindy Crawford, City Manager
From:	Jason Lindahl AICP, Community Development Director
Date:	May 9, 2023
Subject:	Planning & Land Use Regulations Update - Consultant Selection

SUMMARY

The City Council will consider adopting a resolution authorizing the City Manager to negotiate and enter into a professional services agreement with Bolton & Menk, Inc. to update the City's planning and land use regulations.

BACKGROUND

On February 14, 2023, the City Council authorized staff to solicit professional consultant services to complete this project through a request for proposals (RFP) process. Based on that authorization, staff crafted an RFP and sent it directly to four qualified consulting firms and posted it on the City, the League of Minnesota Cities and the Minnesota chapter of the American Planning Association websites. Five consulting firms submitted responses for consideration which were then reviewed and scored by a committee made up of staff from both the Administration and Community Development departments. The top three scoring firms were invited for an interview with the review committee. Based on this review process, staff recommends the City enter into a professional service agreement with Bolton & Menk, Inc. to complete the planning and land use regulations update project.

This project is expected to begin in the 3rd quarter of 2023 and take approximately 12 to 18 months to complete. To this end, City budgets allocated a total of \$200,000 in the Economic Development and General Funds for the project with \$70,000 allocated for 2023 and \$130,000 anticipated for 2024.

RECOMMENDATION

Staff recommends the City Council adopt the attached resolution authorizing the City Manager to negotiate and enter into a professional services agreement with Bolton & Menk, Inc. to update the City's planning and land use regulations.

ATTACHMENTS

Resolution

RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BOLTON & MENK, INC. TO UPDATE THE CITY'S PLANNING & LAND USE REGULATIONS

WHEREAS, the City of White Bear Lake adopted the 2040 Comprehensive Plan; and

WHEREAS, State law requires local governments to update their planning and land use regulations to implement their comprehensive plan; and

WHEREAS, the City's planning & land use regulations have not had a comprehensive review and update since at least 2002; and

WHEREAS, the City Council has allocated funds to support this project and authorized staff to solicit request for proposals (RFP) for professional services to assist staff with updating the City's planning and land use regulations; and

WHEREAS, staff crafted and distributed an RFP and received five responses; and

WHEREAS, based upon staff's review of the proposals and interviews with the top three scoring firms, Bolton & Menk, Inc. was determined to be the most qualified consultant to assist the city with completing this project.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of White Bear Lake, Minnesota, hereby authorizes the City Manager to negotiate and enter into a professional services agreement with Bolton & Menk Inc. to update the City's planning and land use regulations in an amount not to exceed \$200,000.

The foregoing resolution, offered by Councilmember_____and supported by Councilmember_____, was declared carried on the following vote:

Ayes: Nays: Passed:

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



City of White Bear Lake

Community Development Department

MEMORANDUM

То:	Lindy Crawford, City Manager
From:	Tracy Shimek, Housing & Economic Development Coordinator
Date:	May 9, 2023
Subject:	Community Housing Survey

SUMMARY

The City Council will consider adopting the attached resolution authorizing staff to enter into an agreement with The Morris-Leatherman Company to conduct a community housing survey.

BACKGROUND INFORMATION

At the February 21, 2023 work session on housing City Council's direction to staff was they would like to take a data driven approach to identifying which tools to use in supporting housing goals, with a desire for both demographic information and information from residents on housing related needs, wants, future plans, experiences and barriers.

At the April 25, 2023 work session staff presented information about professional services available to conduct a community housing survey. The City Council indicated that there was consensus to move forward with a survey.

Staff has secured a formal proposal for a 40 question survey to be conducted by The Morris Leatherman Company at a cost not to exceed \$18,000. Additional questions beyond that scope would be at a cost of \$200 per question. Funding for such survey would come from unallocated ARPA Funds.

Prior to commencing the survey, Council would review and approve the questionnaire to ensure the information being gathered is in line with their goals. Following approval of the questions, the project would be completed in approximately two months.

RECOMMENDATIONS

Staff recommends the City Council adopt the attached resolution authorizing the City Manager to enter into an agreement with The Morris Leatherman Company to conduct a community housing survey.

ATTACHMENTS

Resolution

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE MORRIS LEATHERMAN COMPANY TO CONDUCT A COMMUNITY HOUSING SURVEY

WHEREAS, the City of White Bear Lake recognizes that having adequate housing infrastructure is a key component to a thriving community; and

WHEREAS, the City has received a report from a housing task force putting forth recommendations to ensure the community's housing needs are met; and

WHEREAS, having evaluated those recommendations the City Council of White Bear Lake is in the process of considering which recommendations to act on; and

WHEREAS, the City Council desires to take a data driven approach to identifying the appropriate policies and programs to meet the community's housing needs and preferences.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that the City Manager is hereby authorized to enter into an agreement with The Morris Leatherman Company to conduct a community housing survey in an amount not to exceed \$18,000.

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

Ayes: Nays: Passed:

ATTEST:

Dan Louismet, Mayor

Caley Longendyke, City Clerk



City of White Bear Lake

City Manager's Office

MEMORANDUM

To:Mayor and CouncilFrom:Lindy Crawford, City ManagerDate:May 9, 2023Subject:Law Enforcement Memorial Proclamation

SUMMARY

The Mayor will read a proclamation recognizing law enforcement officers and the observation of Police Week.

BACKGROUND INFORMATION

The City recognizes its law enforcement officers for their service and sacrifice to the City of White Bear Lake. The National Law Enforcement Officers Memorial honors officers through annual events, including a candlelight vigil and designation of Peace Officers Memorial Day. The City publicly salutes the service of law enforcement officers in our community and in communities across the nation.

ATTACHMENTS

None



City of White Bear Lake

Community Development Department

MEMORANDUM

TO:	Lindy Crawford, City Manager
FROM:	Jason Lindahl AICP, Community Development Director
DATE:	May 9, 2023
SUBJECT:	2502 County Road E Rezoning and Planned Unit Development - Case No. 23-13-PUD RZ

SUMMARY

The applicant, Element Design Build, requests rezoning and both General and Develop Stage planned unit development (PUD) approvals to redevelop the vacant commercial site located at 2502 County Road E. The proposal would redevelop this vacant gas station site into 17 residential units. As proposed, the site would include two separate buildings: a 14-unit, 3-story apartment building and a 3-unit, 2.5-story rowhouse building. Both the apartment and rowhouse buildings would include their own internal parking and the site would share a 12-stall surface parking lot. Based on the findings detailed in this report, both the Planning Commission and staff recommend approval of the requested rezoning and both the General and Development Stage PUD applications.

During the meeting, the City Council will consider the first reading of the ordinance rezoning the subject property to R-6, Medium Density Residential and the General and Development Stage PUD approvals. Should the City Council approve these requests, the second reading of the rezoning ordinance and the PUD agreement document would be scheduled for review by the City Council on May 23rd. It should be noted that the City Code requires a super majority (4/5) vote of the City Council to approve both the rezoning and the PUD requests.

GENERAL INFORMATION

Applicant/Owner:	Ryan McKilligan, Element Design-Build
Existing Land Use / Zoning:	Vacant Commercial Gas Station/B-3, Auto Oriented Business
Surrounding Land Use /Zoning:	North and West - Commercial, South & East - Low Density Residential/ North – B-3, Auto Oriented Business, West – B-2, Limited Business, South & East – R-5, Single Family Residential
Comprehensive Plan:	North and West - Neighborhood Mixed Use, South & East - Low Density Residential
Lot Size & Width:	Current Zoning - B-3, Auto Oriented Business: None & 100' Anticipated Zoning – R-6, Medium Density Residential: 3,600 Sq. Ft./Unit & 100'

BACKGROUND INFORMATION

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

<u>Redevelopment Proposal</u>. The applicant proposes to redevelop the vacant commercial (gas station) use into a total 17 residential units in two different building types. Fourteen of the proposed units would be in a three-story apartment building positioned on the northern half of the site adjacent to County Road E. The remaining three units would be in a 2.5 story rowhouse style building located in the southwest corner of the property adjacent to Bellaire Avenue. The site is also planned to include a courtyard amenity space for outdoor recreation, a 25' greenspace buffer along the entire east side of the site and a 12-stall surface parking.

According to the applicant, the overall layout was intentionally designed to focus the most intense use of the site along County Road E and Bellaire Avenue and then transition to a surface parking lot adjacent to the residential neighborhood to the east and south. The highest part of the proposed apartment building is three stories which is limited to the portion of the building immediately adjacent to the corner of County Rd E and Bellaire Ave. From the prominent point of the intersection, the apartment building steps down to two-stories along County Road E to the eastern property line and to 2.5 story rowhouse along Bellaire Avenue to the southern property line. The buildings are then buffered from the adjacent residential neighborhood by a 60' wide shared surface parking lot, a 25' green space with a stormwater bioswale, landscaping and a 6' privacy fence. This design was intended to create a natural transition and screening to the surrounding single-family neighborhoods.

<u>Planning Commission Review</u>. The Planning Commission reviewed this item during their April 24, 2023 regular meeting. During the meeting, the Commission heard presentations from both staff and the applicant and held a required public hearing that included comments from 13 individuals. Of these 13 comments, three express general support for the proposed development while 10 expressed general opposition. A summary of these comments is provided below and detailed minutes from the Planning Commission are attached in the Consent section of this City Council Packet. After some questions for the developer and general discussion amongst the Planning Commission, the Commission voted 6-0 to recommend the City Council approve the applicant's request.

- 1. Kathy Povolny, 3527 Glen Oaks Avenue. Opposed to the development proposal with concerns about stormwater management.
- 2. Lisa LaRock, 3525 Glen Oaks Avenue. Opposed to the development proposal with concerns about parking, lighting and noise.
- 3. Lee Branwall, 3583 Glen Oaks Avenue. Opposed to the development because the proposal does not fit with the surrounding neighborhood. Mr. Branwall stated he had specific concerns about tree preservation, height and overall size of the buildings. During the meeting, Mr. Branwall

distributed a series of picture of the site to illustrate is concerns (see attached).

- 4. John Noll, 2571 Elm Drive. Opposed to the development with concerns about stormwater management and the impact on Peppertree Pond.
- 5. **Diane Noll, 2571 Elem Drive**. Ms. Noll stated that she wanted to correct the record to note that she is opposed to the proposed development and she has specific concerns about stormwater management and the impact on Peppertree Pond, traffic and overall safety.
- 6. Joe Pavcovich, 3517 Bellaire. Opposed to the proposed development with concerns about safety related to traffic and parking. Mr. Pavcovich stated he would like the city to purchase the land for a park.
- 7. **Rod Collins, 3475 Glen Oaks Avenue**. Mr. Collins stated that after hearing about the proposal during the public hearing, he is not as concerned as he originally was. Mr. Collins had questions about the long-term ownership and maintenance of the building and stated the city should address the buildup of silt in Peppertree Pond.
- 8. Jan Johnson, 2479 County Road E. Expressed support for the development and stated her appreciation for the overall quality of the development proposal and willingness of the developer to listen to and work with the neighborhood.
- 9. Al Rivard, 3590 Glen Oaks Avenue. Opposed to the development with concerns about stormwater management, snow removal and parking.
- 10. **Mike Hemstad, 2557 Glen Oaks Avenue**. Expressed support for the development proposal stating the need to redevelop a long-term blighted property. Mr. Hemstad stated he did not agree with many of the concerns raised during the public hearing and was opposed to the city purchasing the property for a park.
- 11. **Brenda Davis, 3576 Glen Oaks Avenue**. Opposed to the proposed development with concerns about parking and visibility at the corners of the site because of the reduced setbacks.
- 12. Dave Ryan, 2574 Crestline Drive. Opposed to the development with concerns about parking during snow removal and the potential for residents to park along Bellaire Avenue.
- 13. Andrea Triplett, 3596 Glen Oaks Avenue. Opposed to the development proposal with concerns about additional traffic along Glen Oaks Avenue and pedestrian visibility at the Jansen Avenue access.

As of the writing of this report, the city had received nine comments or questions regarding this application. Generally, one of the comments supported the development proposal while eight of the comments were generally opposed to it. A summary of those comments is provided below and copies of any written comments are attached for your reference.

- 1. Lee Branwell, 3583 Glen Oaks Avenue. Called staff to inquire about the applicant's submittal and the timeline for review by the Planning Commission and City Council. Mr. Branwell expressed his opposition to the development proposal.
- 2. Larry & Judy Behm, 3511 Bellaire Avenue. Emailed staff (attached) to state their opposition to the development proposal with concerns about density, parking, and children living in the development playing in the streets.
- 3. **Collen Chermak, 3549 Bellaire Avenue**. Emailed staff (attached) to express her opposition to the development proposal with concerns about parking and the impact on surrounding streets.
- 4. **Dar & Ken Hoekstra**. Emailed staff (attached) to state their general opposition to the development.

- 5. **Randall Johnson**. Emailed staff (attached) to express his opposition to the development proposal citing its inconsistency with the comprehensive plan, incompatibility with the surrounding neighborhood, density and parking.
- 6. **Bill and Roberta Kolesar, 3505 Glen Oaks Avenue**. Emailed staff (attached) to state their opposition to the development proposal citing concerns with density, setback from the intersection, parking, trash storage and the potential for similar development on the surrounding corners.
- 7. Jeff Meyer, 1759 Commerce Drive. Emailed staff (attached) to express his general support for the development proposal.
- 8. John & Dian Noll, 2571 Elm Drive. Emailed staff (attached) to express their opposition to the development proposal with concerns about stormwater management and the impact on Peppertree Pond, overall size and density of the development and traffic.
- 9. Mark Newstrand, 3598 Glen Oaks Avenue. Emailed staff (attached) to state his opposition to the development proposal with concerns about height, density, parking and traffic.

It should also be noted that the city also received a petition from Al Rivard with 29 signatures stating their opposition to the development proposal. During the City Council meeting, staff will provide an update on any additional public comments received prior to the meeting.

<u>Concept Plan Review Process</u>. Prior to submitting the rezoning and PUD applications noted above, the property owner went through the city's concept plan review process. The concept plan review process does not result in any approvals. Rather, the applicant requests feedback from neighbors, the Planning Commission and the City Council on the proposals so they can work toward preparing a future, formal submittal. The concept plan review process schedule and a summary of the comments from those meetings are provided below.

Neighborhood Meeting. The applicant held their neighborhood meeting on February 2, 2023 at Redeemer Lutheran Church which is located at 3770 Bellaire Avenue just north of the subject property. According to the sign-in sheet, 22 people attended the meeting. While some in attendance expressed support for the project, most voiced opposition based on concerns with the number of units, height of the building, parking, stormwater, snow storage and access from Jenson Avenue. In addition to the comments gathered through the neighborhood meeting, three individuals who did not identify themselves reached out to city staff by phone with questions. Of the three, one was opposed to the project with the other two stating they liked the concept plan review process and opportunity to provide comments and understood the proposed concept plan fit within the Mixed-Use future land use category of the 2040 Comprehensive Plan.

Planning Commission Review & Comment. The Planning Commission reviewed the concept plan during their February 27, 2023 regular meeting. The meeting included presentations from both staff and the developer as well as an opportunity for the public to provide comments. There were eight people who provided comments to the Planning Commission. Of these, five opposed to the project while three supported it. Those opposed to the project cited similar concerns as those at the neighborhood meeting. After some general discussion and questions of the applicant, all seven Planning Commissioners stated their general support for the concept proposal. Minutes from Planning Commission meeting can be reviewed on the city's website by <u>clicking here</u>.

City Council Review & Comment: The City Council reviewed the concept plan during their March 14, 2023 regular meeting. Similar to the Planning Commission meeting, it included presentations from both staff and the developer as well as an opportunity for the public to provide comments. Four people provided comments to the City Council and all were opposed to the project citing concerns with height, parking, stormwater management and tree removal. Overall, the Mayor and four of the five councilmembers expressed general support for the concept while one councilmember (Engstran) stated he did not support the project. Both minutes and the video recording of the City Council meeting can be reviewed on the city's website by <u>clicking here</u>.

In response to the comments provided during the concept plan review process, the applicant has made the following revisions to their plans:

- <u>Parking</u>: Changes in site and building layout have allowed the project to achieve the city standard parking ratio of 2 spaces per unit with at least one space per unit enclosed. Additionally, the townhome units now add an additional six parking spaces that do not count towards the 2:1 parking ratio but create more parking options.
- <u>Building Height</u>: The third story of the apartment building has been redesigned with dormers to keep the building height below 35' and eliminate the variance for height within the Medium Density, R-6, zoning category.
- <u>Exteriors</u>: Exterior selections have been refined to create a high level of architectural quality and more closely align with the neighborhood and city character.
- <u>Landscaping</u>: The updated landscape architecture includes significant tree and vegetative cover to create privacy around the parking areas to the southeast of the site and on all sides of the property.
- <u>Stormwater</u>: The bioswale retention, storage, and treatment system on the east end of the property will naturally and effectively manage stormwater to ensure only clean water is leaving the site and entering the city stormwater system and will be a significant improvement over current site stormwater conditions.
- <u>Sidewalk connection to Jansen Ave</u>: In order to help facilitate pedestrian traffic from the nearby residential neighborhood to Bellaire Ave across the project vehicle entrance, the proposed plan now shows a sidewalk connection by developer that extends from the northeast corner of Jansen Ave and Bellaire Ave across the project driveway apron with a pedestrian ramp into the residential street.
- <u>Unit Count</u>: The total number of units has been reduced (from 18 to 17) and now includes three units that are accessible without stairs and offers an additional housing option for a wider demographic.

ANALYSIS

<u>Rezoning</u>. The procedure and criteria used to evaluate zoning amendment applications (either text changes or rezoning of individual properties) are found in City Code Section 1301.040 – Amendments. Review of this type of application is considered a legislative action. When considering legislative actions, cities have discretion to set the public policy or development standards they decide are appropriate for their community. This section of the City Code details seven criteria for the city to

weigh when considering a rezoning application. These criteria and staff's findings for each are provided below.

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

Finding. The 2040 Comprehensive Plan Future Land Use Map guides the subject property as Neighborhood Mixed Use. According to the Comprehensive Plan:

The Neighborhood Mixed Use designation is intended to be for commercial retail or service businesses and offices serving the local community, and medium to high-density housing. This district should lean towards residential with an expectation of 75 percent residential but at least 50 percent of development being residential in nature, and recognizing that some sites may be appropriate at 100% residential. <u>Stacked multi-family housing and courtyard</u> apartments will be the predominant use, with townhomes and villas used where appropriate in transitional areas abutting surrounding residential neighborhoods.

The applicant's development proposal which includes 14-unit, three-story apartment building and a 3-unit, 2.5-story row house building is consistent with the use and building types allowed in the Neighborhood Mixed Use future land use category of the 2040 Comprehensive Plan.

The applicant's development proposal is also consistent with the density standards of the Neighborhood Mixed Use future land use category. The Neighborhood Mixed Use category allows a density range between 16 and 34 dwelling units per acre. Under this standard, the 0.67-acre subject property is allowed between 10 and 22 total units (0.67 x 16 = 10 units and 0.67 x 34 = 22 units) and has a median density (the value in the middle of a range of numbers) of 16 units per acre. With a total of 17 residential units (14-unit apartment building and 3-unit row house building), the applicant's development proposal is only one unit above the median density level for this land use category and complies with the overall density standards of the Mixed Use future land use category.

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

Finding. The proposal residential development will be compatible with surrounding present and future land uses. The surrounding existing land uses are commercial to the north and west and residential uses to the south and east. Similarly, the Future Land Use Map in the 2040 Comprehensive Plan guides parcels to the north and west as Neighborhood Mixed Use with the properties to the south and east remaining Low Density Residential.

According to the applicant, the proposed 14-unit, three-story apartment building and 3-unit, 2.5story row house building design concept was specifically intended to provide a transition between the surrounding existing and proposed land uses. Other design features of the site intended to ensure long term compatibility include reduced setbacks along County Road E and Bellaire, increased setbacks along the east side of the site adjacent to the neighboring single family uses, landscaping and a privacy fence.

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

Finding. This application proposes to rezone the subject property from B-3, Auto Oriented Business to R-6, Medium Density Residential. Staff finds the proposed development meets or exceeds the zoning standards for the R-6 district with the exception of the front (County Road E) and street side yard (Bellaire Avenue) setbacks. These deviations were intentional to comply with the goals and policies of the Neighborhood Mixed Use future land use category of the 2040 Comprehensive Plan and to provide a larger buffer and better transition with the residential neighborhood to the south and east. The applicant requests deviations from these setback requirements through the associated planned unit development (PUD) application (see analysis below). The proposed development meets or exceeds the remaining R-6 district zoning standards as demonstrated through the analysis below.

<u>Use</u>. The applicant's plans conform with the allowable uses in the R-6 district. This district allows single family, two family, 3 or 4-plexes, or multiple family dwellings. The applicant's proposal includes both a 14-unit, three-story apartment building and 3-unit, 2.5-story row house which are consistent with the uses allowed in the R-6 district.

<u>Height</u>. The maximum height in the R-6 district is 35 feet and is measured from the average grade of the ground to the top of a flat roof or the mid-point of a pitched roof. Based on feedback from the concept plan review process, the applicant has redesigned the roof from a flat to a pitched design and reduced the height of the proposed building to comply with the 35-foot height limitation. The 3-story portion of the apartment building is now 30'- 11'' to the mid-point of the new pitched roof while the row house measures 29' - 5'' from the average grade of the ground to the mid-point of the pitched roof.

<u>Setback</u>. The table below compares the setbacks for both the apartment and row home buildings with the standards of the R-6 district. As proposed, the apartment would not meet the front (County Road E) or street side yard (Bellaire Ave.) setbacks but would substantially exceed the side (east) and rear (Jansen Ave.) setback standards. Similarly, the row house building would not meet the street side yard (Bellaire Ave) or rear yard (Jansen Ave.) setbacks but significantly exceed the side (east) setback requirements.

25-2 County Road E Concept Plan Setback Analysis					
Setback	Standard	Apartment		Townhouse	
Selback	Standard	Proposed	Deviation	Proposed	Deviation
Front (Co. Rd. E)	30'	7'	-23′	N/A'	N/A*
Side (Bellaire	30'	10′	-20′	15′	-15
Ave.)					
Side (Interior)	15'	25'	+10	53	+28′
Rear (Jansen Ave.)	30'	99'	+66	15′	-15′

*The row house building faces Bellaire Avenue and therefore does not have a setback to Co. Rd. E

According the applicant, this design was intended to meet the goals and policies of the Neighborhood Mixed Use future land use category in the 2040 Comprehensive plan but more importantly to focus the most intense use of the site along County Road E and Bellaire Avenue and provide the greatest possible transition and setback on the sides of the property that abuts the existing residential neighborhood to the south and east.

<u>Parking</u>. The City's residential off-street parking standards require two stalls per unit and at least one stall to be enclosed in multiple family buildings. Based on feedback from the concept plan review process, the applicant has reduced the number of units and redesigned the site to fully meet these standards.

The redesigned site now includes 17 total units which would require 34 total off-street parking stalls. The apartment building now has 14 units and 16 enclosed parking spaces while the row house has 3 units and 6 enclosed parking spaces. The site also has an additional 12 stalls in a shared surface parking lot for a total of 34 off-street parking stalls for 17 units. In addition, the applicant has pledged to not charge a separate parking fee which will encourage residents to fully utilize the provided off-street parking. And the redesigned site now includes area for 2 guest stalls behind each of the 3 row house units which are not included in the 34 total off-street stalls available to the site.

<u>Trash & Utility Screening</u>. Trash and recycling will be stored inside the building and all roof top or ground mounted mechanical equipment will be screened.

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

Finding. The proposed residential use will not tend to or actually depreciate the area in which it proposed. The applicant's proposal will make a significant financial investment in what has historically been a vacant property. This investment will bring additional residents, spending and physical improvements to the area.

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

Finding. The Engineering department has reviewed the applicant's plans and provided comments in the attached memo dated April 17, 2023. Overall, the propose use can be accommodated with existing and planned improvements to public services. Generally, the City Engineer finds the site meets or exceeds the City's stormwater management requirements.

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

Finding. Traffic generation by the proposed use will be within capabilities of streets serving the property. Generally, the 17-unit residential development should generate significantly less traffic than the former commercial gas station use or the other commercial uses allowed under the current B-3, Auto Oriented Business district. Further, Ramsey County has reviewed the proposed

development and stated they have no concerns with the use, traffic or proposed access design for the site.

Planned Unit Development.

The purpose of a planned unit development (PUD) is to allow flexibility from traditional development standards in return for a higher quality development. Typically, the city looks for a developer to exceed other zoning standards, building code requirements or Comprehensive Plan goals. In exchange for the flexibility offered by the planned unit development, the applicant is expected to detail how they intend to provide a higher quality development or meet other City goals.

In this case, a PUD is necessary to allow more than one principal building on the site and decreased setback along the street sides of the subject property. In exchange for these deviations, the applicant designed the site to maximize the setback from the adjacent neighborhood to the south and east, enhanced the architecture along the street facing sides of both the apartment and row house buildings, included indoor bicycle parking in the apartment building and provide enhanced landscaping, buffering and screening throughout the site. Notable architectural enhancement added since the concept plan include:

- Redesign of the apartment building to include three walk-up style units along Bellaire Avenue.
- Increased stone along the street facing sides of both the apartment and row house buildings.
- Increased transparency (glass) along the County Road E and Bellaire sides of the apartment building.
- Redesign of the buildings from flat to pitched roofs with dormers that lessen the height and provide vertical divisions to break up the street facades.
- The addition of vertical pillars with wood accents to the apartment building along the County Road E and Bellaire Avenue.

In addition to these offerings, staff recommends the applicant be required to install conduit in the apartment building garage to allow for future Level 2 electric vehicle charging and revise their landscaping plan to the extent practical to include native trees and plants so as to reduce the need for water through irrigation. Based on the overall site design and with the two additional offerings noted above, staff finds the applicant proposed improvements acceptable under the overall planned unit development application.

<u>Engineering Review</u>. The Engineering department has reviewed the applicant's plans and provided comments in the attached memo. Generally, the City Engineer finds the site meets or exceeds the City's stormwater management requirements. Staff recommends a condition of approval require the applicant to comply with all requirements of the Engineering department.

<u>Fire Department Review</u>. The Fire department has reviewed the applicant's plans and provided comments in the attached memo. Staff recommends a condition of approval require the applicant to comply with all requirements of the Fire department.

RECOMMENDATION

Both the Planning Commission and staff recommend approval of the following motions:

- 1. Conduct first reading of an ordinance rezoning the property at 2502 County Road E from B-3, Auto Oriented Business to R-6, Medium Density Residential.
- 2. Adopt the attached resolution approving both the General and Development Stage planned unit development (PUD).

Should the City Council approve these requests, the second reading and possible adoption of the rezoning ordinance and the PUD agreement document would be scheduled for review by the City Council on May 23rd. It should be noted that the City Code requires a super majority (4/5) vote of the City Council to approve both the rezoning and the PUD requests.

Findings:

- 1. The proposal is consistent with the city's Comprehensive Plan.
- 2. The proposal is consistent with existing and future land uses in the area.
- 3. The proposal will not depreciate values in the area.
- 4. The proposal will not overburden the existing public services nor the capacity of the City to service the area.
- 5. Traffic generation will be within the capabilities of the streets serving the site.

Conditions:

- 1. Rezoning of the property to R-6, Medium Density Residential.
- 2. Execution of a Planned Unit Development Agreement in a form acceptable to the City Attorney.
- 3. Issuance of a building permit.
- 4. Submission and approval by staff of both an exterior lighting plan and landscaping including native planting and any required tree preservation.
- 5. Conformance with all requirements of the Engineering, Fire and Building Departments.
- 6. Payment of all applicable development fees including SAC and WAC.
- 7. As part of the PUD agreement the applicant shall agree to not charge a separate or additional fee beyond the base rent for off-street parking.
- 8. Installation of conduit in the apartment building garage to allow for future Level 2 electric vehicle charging.

ATTACHMENTS

Resolution Ordinance Zoning Location Map Applicant's Narrative, Plans & Elevations Resident Comments Fire and Engineering Department Memos

RESOLUTION GRANTING GENERAL AND DEVELOPMENT STAGE PLANNED UNIT DEVELOPMENT (PUD) APPROVALS FOR THE PROPERTY LOCATED AT 2502 COUNTY ROAD E, WHITE BEAR LAKE, MINNESOTA

WHEREAS, a proposal (23-13-PUD) has been submitted by Element Design Build, to the City Council requesting approval of both General and Development Stage Planned Unit Development (PUD) approvals from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 2502 County Road E; and

LEGAL DESCRIPTION: PID – 363022120027. The West 183 feet of the North 233 feet of the Northwest Quarter of the Northwest Quarter of Section 36, Township 30 (North). Range 22 (West), EXCEPT that part of the West 183 feet of the North 233 feet of the Northwest Quarter of the Northeast Quarter of Section 36, Township Minnesota, described as follows:

From the center of said Section 36, run Northerly along the North and South Quarter Line of said Section 36 on an azimuth of 359 degrees 23 minutes 51 seconds (azimuth oriented to Minnesota State Plane Coordinate System) for 2577.02 feet to Right of Way Boundary Corner B 809 as shown on Minnesota Department of Right of Way Plat No. 62-9 as the same is on file and of record in the office of the County Recorder in and for said county; thence on an azimuth of 89 degrees 23 minutes 51 seconds along the boundary of said plat for 33 feet to Right of Way Boundary corner B 31, thence on an azimuth of 359 degrees 23 minutes 51 seconds along the boundary of said plat for 4.77 feet to the point of beginning of Tract A to be described; thence continue on an azimuth of 359 degrees 23 minutes 51 seconds along the boundary of said plat for 1.50 feet to Right of Way Boundary Corner B 30; thence on an azimuth of 44 degrees 09 minutes 58 seconds along the boundary of said plat for 7.10 feet to Right of Way Boundary Corner B 29: thence on an azimuth of 230 degrees 01 minutes 30 seconds for 10.35 feet to the point of beginning.

WHEREAS, the applicant seeks General & Development Stage approvals of a Planned Unit Development, per Code Section 1301.070, in order to construct a total of 17 residential units in one 3-story apartment building and one 2.5-story rowhouse building; and

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on April 24, 2023 and voted 6-0 to recommend the City Council approve this request; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake that, in relation to the PUD, 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 will not depreciate values in the area.
- 4. The proposal will not overburden the existing public services nor the capacity of the City to service the area.
- 5. 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 PUD Development Stage Plan, subject to the following conditions:

- 1. Rezoning of the property to R-6, Medium Density Residential.
- 2. Execution of a Planned Unit Development Agreement in a form acceptable to the City Attorney.
- 3. Issuance of a building permit.
- 4. Submission and approval by staff of both an exterior lighting plan and landscaping including native planting and any required tree preservation.
- 5. Conformance with all requirements of the Engineering, Fire and Building Departments.
- 6. Payment of all applicable development fees including SAC and WAC.
- 7. As part of the PUD agreement the applicant shall agree to not charge a separate or additional fee beyond the base rent for off-street parking.
- 8. Installation of conduit in the apartment building garage to allow for future Level 2 electric vehicle charging.

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

ORDINANCE NO.

AN ORDINANCE REZONING THE PROPERTY AT 2502 COUNTY ROAD D WITH PID 36-302-21-20-027 FROM B-3, AUTO ORIENTED BUSINESS TO R-6, MEDIUM DENSITY RESIDENTIAL WITH A PLANNED UNIT DEVELOPMENT (PUD), SUBJECT TO CONDITIONS

THE COUNCIL OF THE CITY OF WHITE BEAT LAKE DOES HEREBY ORDAINS:

SECTION I. That the present zoning classification of B-3, Auto Oriented Business, upon the following described premises is hereby repealed, and in lieu thereof, said premises is hereby rezoned to R-6, Medium Density Residential with a Planned Unit Development (PUD).

The legal description of the property to be rezoned is as follows:

The West 183 feet of the North 233 feet of the Northwest Quarter of the Northwest Quarter of Section 36, Township 30 (North). Range 22 (West), EXCEPT that part of the West 183 feet of the North 233 feet of the Northwest Quarter of the Northeast Quarter of Section 36, Township Minnesota, described as follows:

From the center of said Section 36, run Northerly along the North and South Quarter Line of said Section 36 on an azimuth of 359 degrees 23 minutes 51 seconds (azimuth oriented to Minnesota State Plane Coordinate System) for 2577.02 feet to Right of Way Boundary Corner B 809 as shown on Minnesota Department of Right of Way Plat No. 62-9 as the same is on file and of record in the office of the County Recorder in and for said county; thence on an azimuth of 89 degrees 23 minutes 51 seconds along the boundary of said plat for 33 feet to Right of Way Boundary corner B 31, thence on an azimuth of 359 degrees 23 minutes 51 seconds along the boundary of said plat for 4.77 feet to the point of beginning of Tract A to be described; thence continue on an azimuth of 359 degrees 23 minutes 51 seconds along the boundary of said plat for 1.50 feet to Right of Way Boundary Corner B 30; thence on an azimuth of 44 degrees 09 minutes 58 seconds along the boundary of said plat for 7.10 feet to Right of Way Boundary Corner B 29: thence on an azimuth of 230 degrees 01 minutes 30 seconds for 10.35 feet to the point of beginning.

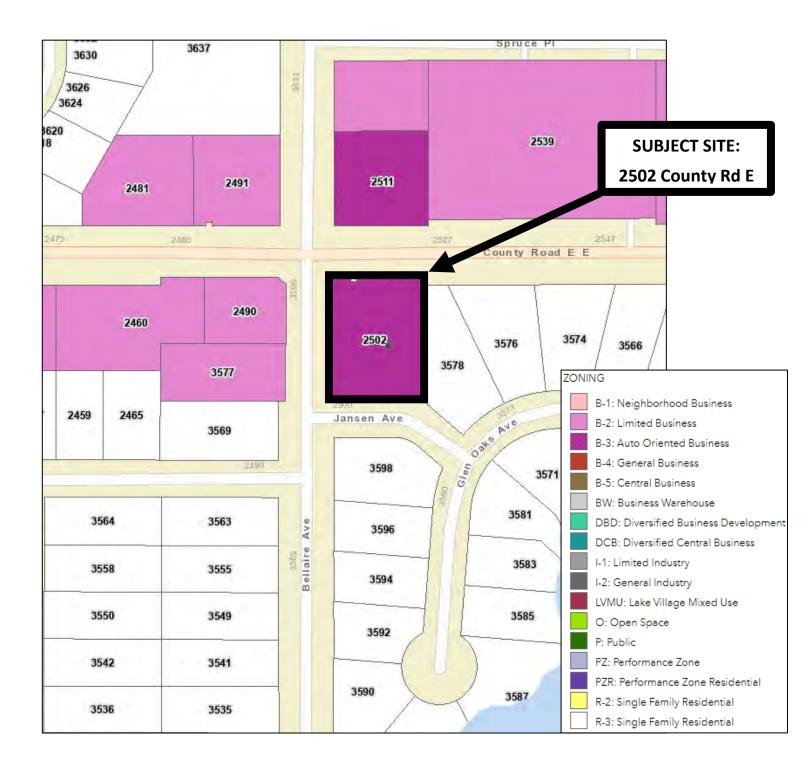
SECTION II. This Ordinance shall become effective upon its passage, after second reading and publication.

First Reading: Second Reading: Final Publication: Codified: May 9, 2023 May 23, 2023

Dan Louismet, Mayor

ATTEST:

Caley Longendyke, City Clerk



Stablished 1981	City of White Bear Lake Planning & Zoning 651-429-8561	CASE NO. : <u>23-13-PUD</u>
		CASE NAME : 2502 Co Rd E Apartments
	Astablished 188	031 423 0301

2502 County Rd E – Planned Unit Development – Development Stage

Executive Summary

- **Parking:** Changes in site and building layout have allowed the project to achieve the city standard parking ratio of 2 spaces per unit with at least one space per unit enclosed. Additionally, the townhome units now add an additional six parking spaces that do not count towards the 2:1 parking ratio but create more parking options.
- Building height: The third story of the apartment building has been redesigned with dormers to keep the building height below 35' and eliminate the variance for height within the Medium Density, R-6, zoning category.
- **Exteriors:** exterior selections have been refined to create a high level of architectural quality and more closely align with the neighborhood and city character.
- Landscaping: the updated landscape architecture includes significant tree and vegetative cover to create privacy around the parking areas to the southeast of the site and on all sides of the property.
- **Stormwater:** the bioswale retention, storage, and treatment system on the east end of the property will naturally and effectively manage stormwater to ensure only clean water is leaving the site and entering the city stormwater system and will be a significant improvement over current site stormwater conditions.
- Sidewalk connection to Jansen Ave: In order to help facilitate pedestrian traffic from the nearby residential neighborhood to Bellaire Ave across the project vehicle entrance, the proposed plan now shows a sidewalk connection by developer that extends from the northeast corner of Jansen Ave and Bellaire Ave across the project driveway apron with a pedestrian ramp into the residential street.
- Unit Count: the total number of units has been reduced and now includes three units that are accessible without stairs and offers an additional housing option for a wider demographic.

Introduction

Since beginning work on the redevelopment plan for 2502 County Rd E community input from neighbors, business owners, and city officials has been robust and informative. The thoughtful and honest feedback from all stakeholders has gone a long way in beginning to understand how a redevelopment at the intersection of Bellaire and County Rd E would fit into the neighborhood today and into the future. White Bear Lake is a town with deep rooted history and long-term residents that appreciate its character and don't want that to be overcome by the spread of development from the Twin Cities. There is also a desire for connection to a more natural time and place. Sustainability and natural landscaping are a priority for White Bear Lake citizens which creates a conflict with the auto-oriented reality of the area. To that end a redevelopment plan needs to address the automobile infrastructure while preserving the ability to feel a connection with White Bear Lake itself which originally drew people to the area. Since the Noyes Cottage was built in 1879 people have gravitated to White Bear Lake as a respite from the commercial weight of the Twin Cities, and the charm and slower pace of the town is still unmistakably felt when walking along Lake Avenue. The goal of the development then becomes to make it possible for new residents to feel the same lake-oriented community charm while ensuring that the experience for existing residents is not hindered or altered by new growth. The design and planning of the following PUD application seeks to continue and add to the special character of White Bear Lake while addressing the existing geographic challenges the location poses.

Interaction with local context

The context of 2502 County Rd E is unique in that it sits next to a busy intersection of County Rd E and Bellaire Ave but also borders a single-family residential neighborhood. Given the noise and traffic level of the abutting streets, it would be impossible to make low density housing feel comfortable in that context. So, as in many neighborhood situations such as this, commercial spaces are planned for the street corners where surrounded by single family residences. The second unique challenge with 2502 County Rd E, however, is that despite it being situated in a quality neighborhood, the lack of redevelopment as a commercial property in the last decade has proven its inability to economically support new construction commercial uses. So, when considering a rezoning or new use, the Future Land Use Plan for White Bear Lake is the most appropriate place to start. There, guidance for the property for future development is Neighborhood Mixed Use. This classification calls for an elevated level of density at each of the four corners of County Rd E and Bellaire Ave. Density guidance for Neighborhood Mixed Use for the 2502 County Rd E site is between 10 and 22 units with up to 100% of the space being dedicated to residential. The proposed development includes 17 residential units, 14 of which are apartment residences with the remaining 3 units being townhome residences.

In order to achieve the charm and character of White Bear Lake in a redevelopment while attempting to meet the intent of the Future Land Use Plan, intentional variations from strict provisions of the zoning code are planned. The City of White Bear Lake's PUD process is the procedural process to evaluate such variations. The following are outcomes the city's PUD process is intended to encourage and a summary of how the proposed development addresses those areas:

A) Innovations in development to the end that the growing demands for all styles of economic expansion may be met by greater variety in type, design, and siting of structures and by the conservation and more efficient use of land in such developments;

The proposed development offers a wide variety of housing types within a small development that include townhome style residences for young professionals and small families, single-level living access in several units for an older demographic



looking to avoid stairs, as well as one-bedroom and two bedroom units for a wide variety of potential residents.

B) Higher standards of site and building design through the use of trained and experienced land planners, architects, landscape architects and engineers;

The architecture and landscaping of the proposed project goes above and beyond the typical multifamily structures typically found in Twin Cities suburbs. The shingle-style exterior along with robust and thoughtfully planned landscaping and site layout aim to align with the special character of White Bear lake.

C) The preservation and enhancement of desirable site characteristics such as natural topography and geologic features and the prevention of soil erosion;

Careful planning on the project has allowed for all stormwater to be treated through natural soil filtering or cleanly routed to public stormwater connections. The basin on the east buffer of the project will maximize the amount of rainwater that can be naturally infiltrated into groundwater while filtering excess water by natural means before leaving the site. The proposed plan would be a major improvement to the quality of storm runoff leaving the site relative to the gas station that currently exists.

D) An efficient use of land resulting in smaller networks of utilities and streets thereby lower development costs and public investments;

The 2502 County Rd E site is an opportunity to utilize existing city infrastructure efficiently including, stormwater, sanitary sewer, water, and city services.

E) A development pattern in harmony with the objectives of the White Bear Lake Comprehensive Plan. (Ref. Ord. 10-1-1061, 1/12/10);

The proposed development is well aligned with the Future Land Use Plan Neighborhood Mixed Use designation and achieves its intent in terms of density and function as it relates to creating more vibrance and foot traffic that supports local businesses near the intersection.

F) A mix of land uses made compatible through careful oversight. (Ref. Ord. 10-1-1061, 1/12/10);

It is important to consider how the proposed development interacts with the other uses at the County Rd E and Bellaire intersection. With an existing coffee shop at the southeast corner, adding walkable patrons will support the business and be a significant step towards a vibrant intersection with varied uses.

Parking

By far the most common and significant feedback regarding plans for the proposed development was that parking would be a major concern. Cars crowding streets and large concrete slabs of parking are not commensurate with the residential nature of the

neighborhood nor the relaxed, residential character of the area. For that reason it is important to address the appropriate number of parking spaces, the management of those parking spaces, and the way they are shielded by the site context to reduce their impact on the surrounding area. The previous parking concept included roughly 1.8 parking spaces per unit and involved management practices that were arguably difficult to enforce in the long-term. The proposed development includes 2 parking spaces per unit with greater than 1 enclosed parking space per unit. Additionally, there are six tandem parking stalls added adjacent to the townhome units that will further reduce parking demand for the apartment residences. The management plan includes a simple requirement to be enforced by covenant that the owner not charge for parking spaces, thereby encouraging tenants to use the allocated parking spaces rather than parking on the street. In addition to the number of off-street parking spaces and their management, the attached landscaping plan provides significant tree plantings and vegetation to the south and east of the property to shield parking and vehicle circulation from the neighborhood context to the southeast. The community feedback on parking was clear, and the proposed development addresses parking from all available angles and creates the best parking scenario available short of extreme measures that would not be commensurate with the neighborhood context and character of White Bear Lake.

Building Height and Neighborhood Transition

The second most common and significant feedback in the planning process was to find a way to blend the proposed development into the neighborhood context and create a connection to nature and preserve nearby natural features. Building height was a major concern, and it became clear that any development on the site should have a residential feel. To this end the section of the building with the greatest height and scale is located at the County Rd E and Bellaire intersection and still remains under the 35' building height limit for Medium Density Residential zoning. From that point the proposed structures step down in height to the south via the townhome units and to the east where the apartment building steps down to two stories. The stepped concept attempts to transition from the intersection where height, density, and scale are appropriate and necessary back down into the single-family neighborhood to the south and east. Additionally, the proposed plan includes a sidewalk connection from Bellaire Ave along Jansen Ave across the project's vehicle entrance to facilitate safe passage of pedestrians from the residential neighborhood back to Bellaire Ave.

Sustainability and Connection to Natural Features

Another common theme of feedback on the project included sustainability considerations and incorporation of natural features. As it stands, the blighted gas station is a significant departure from both environmental sustainability and natural appearance. The proposed development looks to address that problem by improving the stormwater management of the site and the addition of significant landscaping



features that will enhance the natural beauty of the property now and into the future as trees mature.

Any development on the property including the existing gas station will create stormwater runoff that will end up in Peppertree pond. The clayey nature of the soils prevent significant infiltration, and all nearby stormwater connections are routed to the east and eventually back to the south into Peppertree pond. For that reason it is extremely important that any stormwater runoff either be cleanly routed to the stormwater system or naturally filtered. The proposed development routes nearly all of its stormwater to the vegetated stormwater basin on the east setback of the property where stormwater volume is contained and must pass through sand filters before leaving the site. The remaining stormwater is routed to the landscaped areas to the west and north of the residential buildings or diverted directly to the city's stormwater system.

Design Principles

As a first step in an effort to redevelop strategic locations of the County Rd E corridor, the 2502 County Rd E site provides an opportunity to address the regionalism and build towards a sense of place along the corridor that aligns with White Bear Lake as a whole. Our driving design concept is to relate to the lake culture, heritage of resorts and nautical elements, and Northwoods feel of Minnesota. Creating a pitched roof design relates to the predominate architecture of the area and using slightly rustic materials such as shakes gives it a nod toward the "cottage on the lake" or "cabin in the woods" feel while being subtle and not overly literal. A courtyard is provided between the buildings to break up the massing of the buildings and offer an amenity for residents to enjoy the outdoors. The design emphasizes the corner of County Rd E and Bellaire and devotes significant care and detail to the North and West elevations that face the public streets. The overall design intent aims to build on the special character of White Bear Lake while still addressing its context within the County Rd E corridor.

Conclusion

As mentioned in previous presentations to Planning Commission and City Council, it is our belief that more, not less, input and involvement with the community results in better design and development. Over the last six months our team has sat to talk with community members and business owners. Team members have knocked on doors in the nearby residential neighborhood. Neighbors did not always answer, but many did and their input has been informative and helped to understand the context of White Bear Lake and the County Rd E and Bellaire Ave intersection. The concept review process has also contributed significantly to the understanding of the city's intent for the intersection and the concerns that must be addressed to reach a development plan that creates long-term community benefit. All of the conversations have helped to understand the historical and geographic context of the site. The County Rd E and Bellaire Ave intersection is a focal point for a wide variety of stakeholders and there are as many ideas for how to redevelop it as there are community members. Our team believes the proposed plan will make the special character of White Bear Lake available to a variety of new residents while respecting the existing community members and will create a long-term benefit to the neighborhood as a whole for years to come. We greatly appreciate your consideration of our proposed development for 2502 County Rd E.



Planned Unit Development – Development Stage

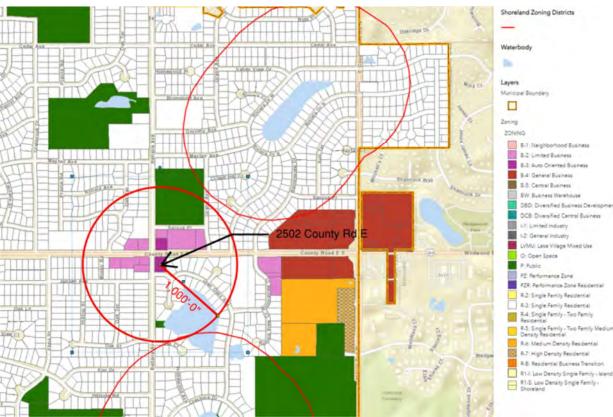
2502 County Rd E

- 1. General Information
 - a. Landowner's name and address and interest in the subject property
 - i. Waypoints Equity Investments LLC (Co-owner) 2770 Arapahoe Road Lafayette, CO 80026
 - ii. Element Design-Build LLC (Co-owner) 1110Raymond Ave Apt #3 Saint Paul, MN 55108
 - b. Applicant's name and address: Same as owner
 - c. Professional consultants contributing to the PUD plan:
 - i. Architect: Henry Elgersma Element Design-Build LLC 1153 16th Ave SE Minneapolis, MN 55414
 - ii. Civil Engineer: Matt Woodruff Larson Engineering, Inc.3524 Labore Road White Bear Lake, MN 55110
 - iii. Environmental: Brian Englert A3E Environmental 3030 Warrenville Rd. Suite 418 Lisle, IL 60532
 - iv. Surveyor: Jonathan Faraci Lake & Land Surveying, Inc. 1200 Centre Pointe Curve, Suite 375 Mendota Heights, MN 55120
 - v. Landscape architect: Ben Hartberg Calyx Design Group
 475 Cleveland Ave North Suite 101A Saint Paul, MN 55104
 - vi. Geotechnical: Jeff Casmer Braun Intertec Corporation 11001 Hampshire Avenue S Minneapolis, MN 55438
- 2. Present Status
 - a. Address and legal description of the property
 - i. Address: 2502 County Rd E

ii. Legal description:

The West 183 Feet of North 233 feet of the Northwest Quart of the Northeast Quarter of Section 36, Township 30, Range 22. EXCEPT that part of the West 183 feet of the North 233 feet of the Northwest Quarter of the Northeast Quarter of Section 36, Township 30 North, Range 22 West, Ramsey County, Minnesota, described as follows: From the center of said Section 36, run Northerly along the North and South Quarter line of said Section 36 on an azimuth of 359 degrees 23 minutes and 51 seconds (azimuth oriented to Minnesota State Plan Coordinated System) for 2577.02 feet to Right of Way Boundary Corner B 809 as shown on Minnesota Department of Right of Way Plat No. 62-9 as the same is on file and of record in the office of the County Recorder in and for said county; thence on Corner B 31, thence on an azimuth of 359 degrees 23 minutes 51 seconds along the boundary of said plat for 4.77 feet to the point of beginning of Tract A to be described; thence continue on an azimuth of 359 degrees 23 minutes 51 seconds along the boundary of said plat for 1.50 feet to Right of Way Boundary Corner B 29; thence on an azimuth of 88 degrees 56 minutes 06 seconds along the boundary of said plat for 3 feet; thence on an azimuth of 230 degrees 01 minutes 30 seconds for 0.35 feet to the point of beginning.

b. The existing zoning classification and present use of the subject property and all lands within 1,000 feet of the subject property: The existing zoning classification is B3: Auto Oriented Business. Other properties within 1000' of the property include R-3 Singe Family residential, P: Public, and B-2: Limited Business. Present use of the property is a gas station which is a permitted use for auto-oriented business.





- 3. Project Description
 - a. The proposed project includes 17 residential units 14 of which are apartment residences with the remaining 3 being townhome residences. The anticipated population is 20–30 individuals.

Land Use by Square Footag	e	% of total
Residential Multifamily	9,566	33%
Residential Townhomes	2,206	8%
Parking and circulation	5,885	20%
Open Space	11,558	40%
Private Common Area	1,253	4%
Landscaped Area	10,304	35%
Total Site Square Footage	29,216	100%

- b. Chronology of the development: The proposed development would be built in a single stage with construction beginning in the summer of 2023 and ending in the summer of 2024.
- c. Restrictive covenants
 - i. The proposed development would include a covenant requiring that the owner not charge for parking for any of the residential tenants in order to make effective use of the off-street parking spaces provided on site.
 - ii. The proposed development would include a covenant requiring the builder to construct a sidewalk in the public right-of-way from the intersection of Belair Ave and Jansen Ave across the site vehicle entrance as shown in the civil site plan attached. Being outside of the lot boundary, the sidewalk would be turned over to the City of White Bear Lake for maintenance following construction.
- d. Zoning classification and necessary decisions for implementation: As part of the proposed PUD, rezoning is required to align with the Future Land Use Plan designation of Neighborhood Mixed Use. The existing zoning classification that most closely meets that intent is Medium Density Residential, R-6. Within the R-6 zoning rules, variances are required for front and side yard setbacks. Encroachments on the setbacks are an intentional design feature that allows the development to more closely align with the intent of a Neighborhood Mixed Use development.
- e. Statement of Changes

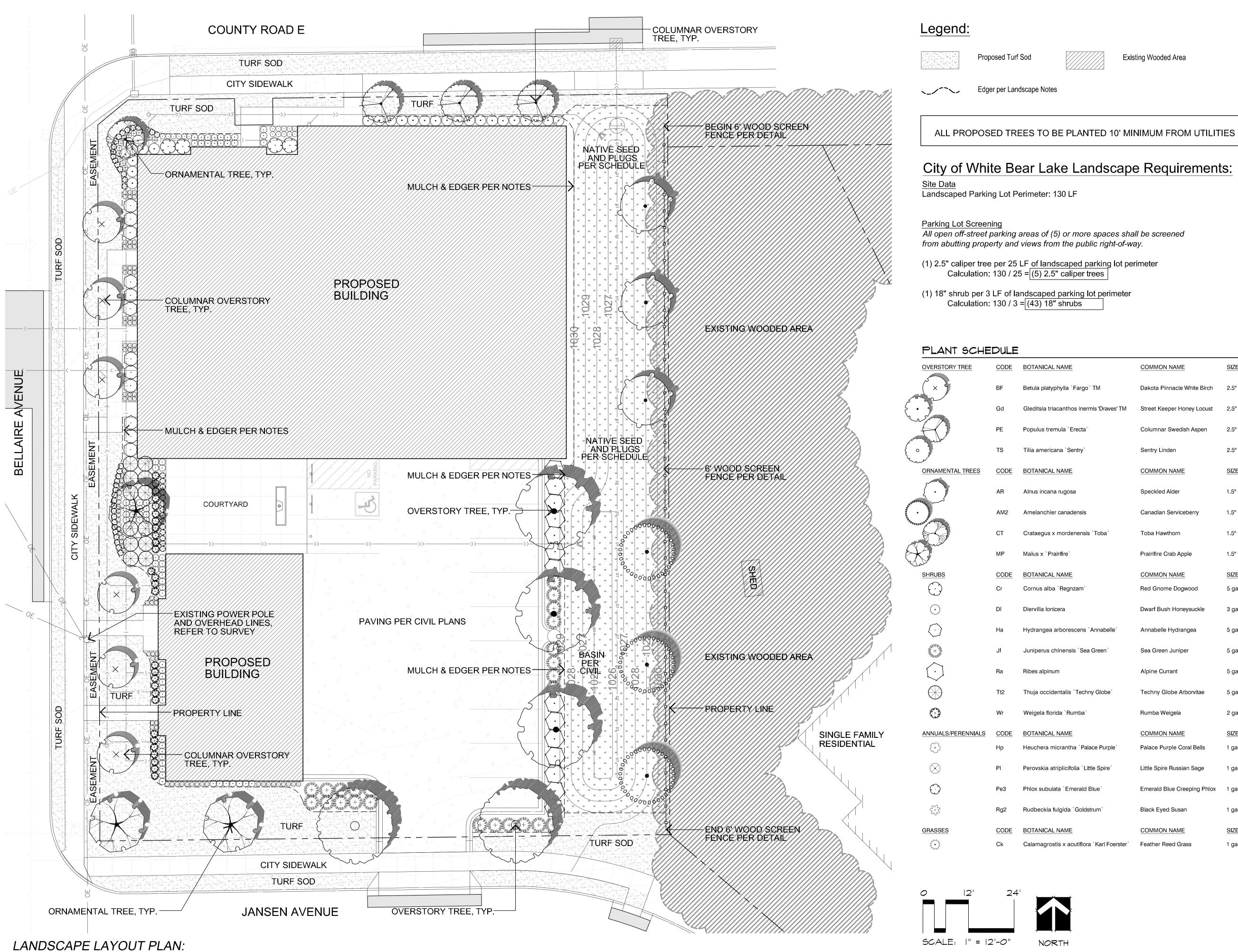
- i. Apartment residences: In order to facilitate a site plan that allowed two parking spaces per unit, the apartment building had to be reconfigured to eliminate the turn to the west within the structured parking. In order to achieve that three stories of apartments were arranged beside the structured parking with a dormered third story. Overall this eliminated one residential unit and added two parking spaces to achieve the White Bear Lake parking standard of two off-street spaces per unit. The resulting configuration also maintains the requirement to have one enclosed off street parking space per unit. The new configuration also allows the ground floor units to be accessible without stairs creating the opportunity for an older demographic or handicapped residents to reside in the ground floor units. Additionally, the overall height of the apartment structure was reduced by roughly 5' and no longer exceeds the 35' height maximum for Medium Density Residential Zoning.
- ii. Townhome residences: In order to take advantage of the existing contours of the lot which included a high point on the southwest portion of the site, the townhome units were reconfigured to a three-story tuckunder garage concept rather than the previous twostory plus gable concept. This allows for two tandem parking spaces at the driveway of each unit. While these off-street parking spaces are not counted in the overall development parking ratio they do provide additional relief for visitor or resident parking for the townhome units.
- iii. Sidewalk connection to Jansen Ave: In order to help facilitate pedestrian traffic from the nearby residential neighborhood to Bellaire Ave across the project vehicle entrance, the proposed plan is showing a sidewalk connection that extends from the northeast corner of Jansen Ave and Bellaire Ave across the project driveway apron with a pedestrian ramp into the residential street.











Existing Wooded Area

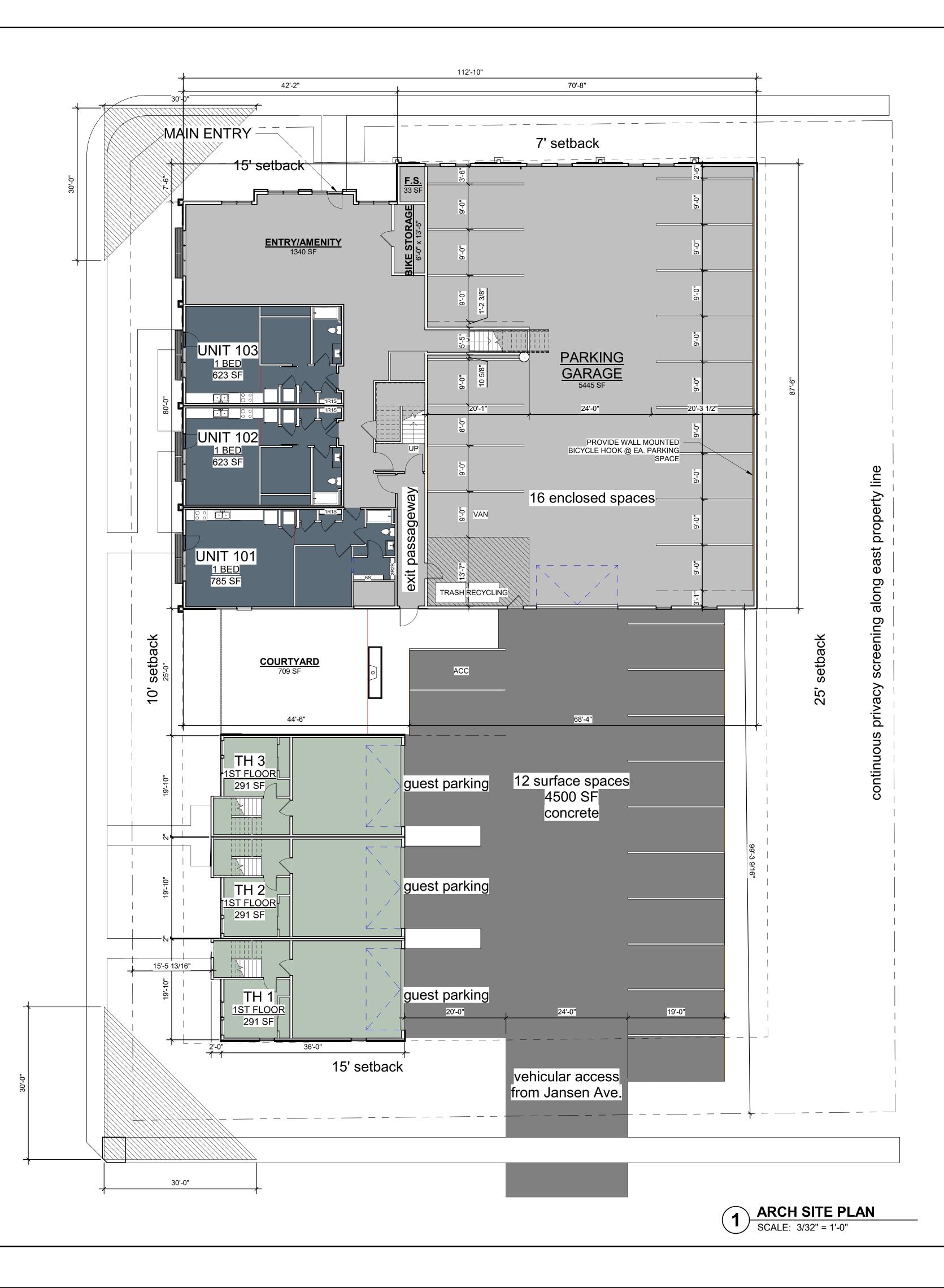


Know what's **below. Call** before you dig.

						Client: 111
	COMMON NAME	SIZE	CONTAINER	<u>QTY</u>	REMARKS	
	Dakota Pinnacle White Birch	2.5" Cal.	B&B	6	Single Stem	ST
raves' TM	Street Keeper Honey Locust	2.5" Cal.	B&B	3		
	Columnar Swedish Aspen	2.5" Cal.	B&B	3		
	Sentry Linden	2.5" Cal.	B&B	2		
	COMMON NAME	<u>SIZE</u>	CONTAINER	<u>QTY</u>	REMARKS	REAR LAKE, MN
	Speckled Alder	1.5" Cal.	B&B	3		
	Canadian Serviceberry	1.5" Cal.	B&B	3		
)a`	Toba Hawthorn	1.5" Cal.	B&B	1		
	Prairifire Crab Apple	1.5" Cal.	B&B	3		
	COMMON NAME	SIZE	CONTAINER	<u>QTY</u>	REMARKS	
	Red Gnome Dogwood	5 gal.	Pot	4		Project Title:
	Dwarf Bush Honeysuckle	3 gal.	Pot	27		
belle`	Annabelle Hydrangea	5 gal.	Pot	12		I hereby certify that this plan, specifications or report was pre
'n`	Sea Green Juniper	5 gal.	Pot	24		by me or under my direct super and that I am a duly licensed Landscape Architect under the of the State of MINNESOTA.
	Alpine Currant	5 gal.	Pot	14		PRELIMINAR PRELIMINAR
bbe`	Techny Globe Arborvitae	5 gal.	Pot	12		Benjamin Hartberg, PLA
	Rumba Weigela	2 gal.	Pot	28		Date: XX-XX-XXXX Lic. No.:
	COMMON NAME	SIZE	CONTAINER	<u>QTY</u>	REMARKS	Rev. Date Descriptior
urple`	Palace Purple Coral Bells	1 gal.	Pot	16		i
vire`	Little Spire Russian Sage	1 gal.	Pot	13		
	Emerald Blue Creeping Phlox	1 gal.	Pot	51		
	Black Eyed Susan	1 gal.	Pot	87		Project #: XXXXXXX Drawn By: HL
	COMMON NAME	SIZE	CONTAINER	<u>QTY</u>	REMARKS	Checked By: BH
I Foerster`	Feather Reed Grass	1 gal.	Pot	69		Issue Date: 03.31.2023 Sheet Title:

ンション	DESIGN GROUP	Landscape Architecture Planning 475 Cleveland Avenue N. Suite 101A St Paul MN 55104	telephone: 651.788.9018 internet: www.calyxdesigngroup.com
Client:		1110 RAYMOND AVENUE, UNIT 3	ST. PAUL, MN 55108
Project Title:	COUNTY ROAD E. EAST	APARTMENTS	WHITE BEAR LAKE, MN
specif by me and th Lands of the Benja	by certify th ications or or under m at I am a d cape Archit State of M RELM min Hartbe	report wa ny direct s uly license tect under INNESOT MAR MAR rg, PLA	s prepared supervision ed r the laws TA. TA.
	By: HL ed By: BH Date: 03.	Desc XXXXX 31.2023	ription
LA	NDSC	APE F	PLAN

L100



Bellaire Ave

9- 1 bed units 1- 1 bed + den unit 4- 2 bed units 3- 3 bed rowhouses

27 total bedrooms, 17 total units

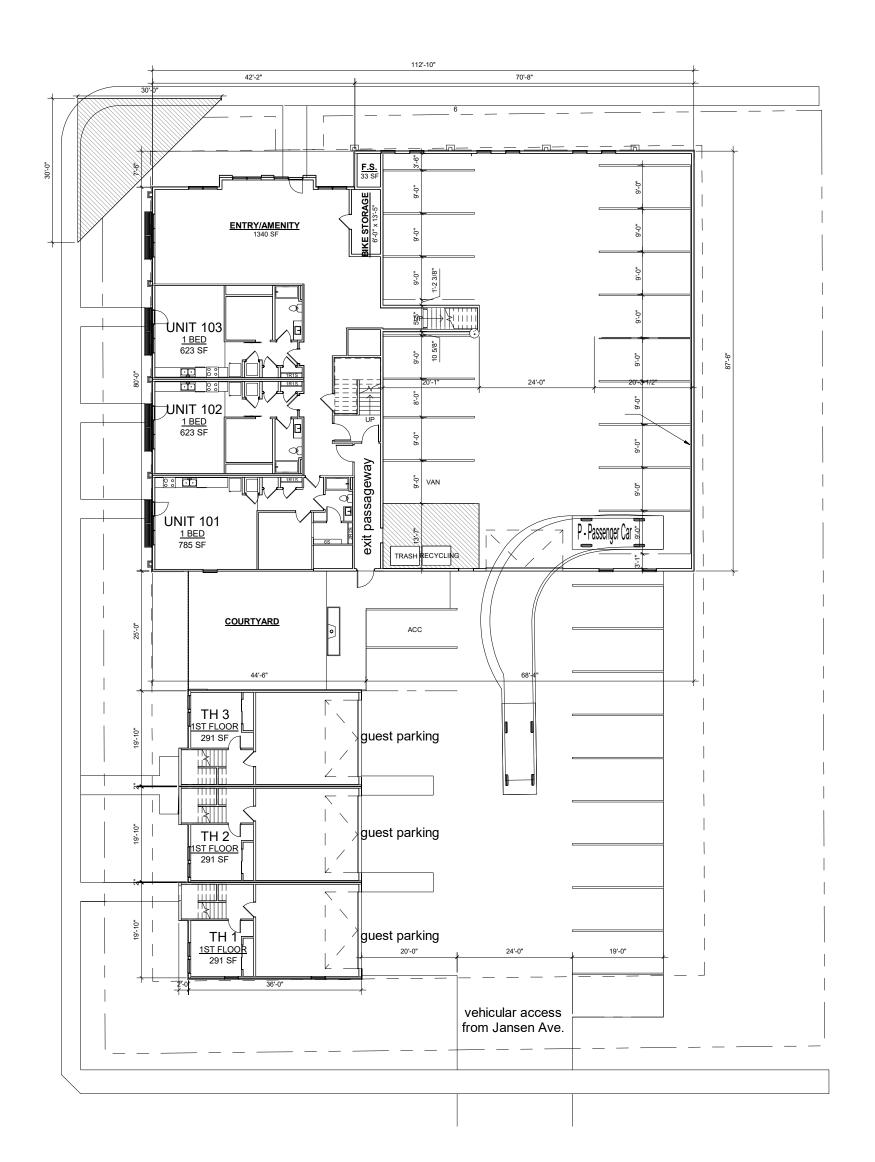
29,155 SF site area
11,805 SF building footprints combined
709 SF common open space (courtyard)
1,432 SF enclosed common shared amenity area
5,957 SF surface parking and access
12 surface spaces
22 enclosed spaces
34 spaces total

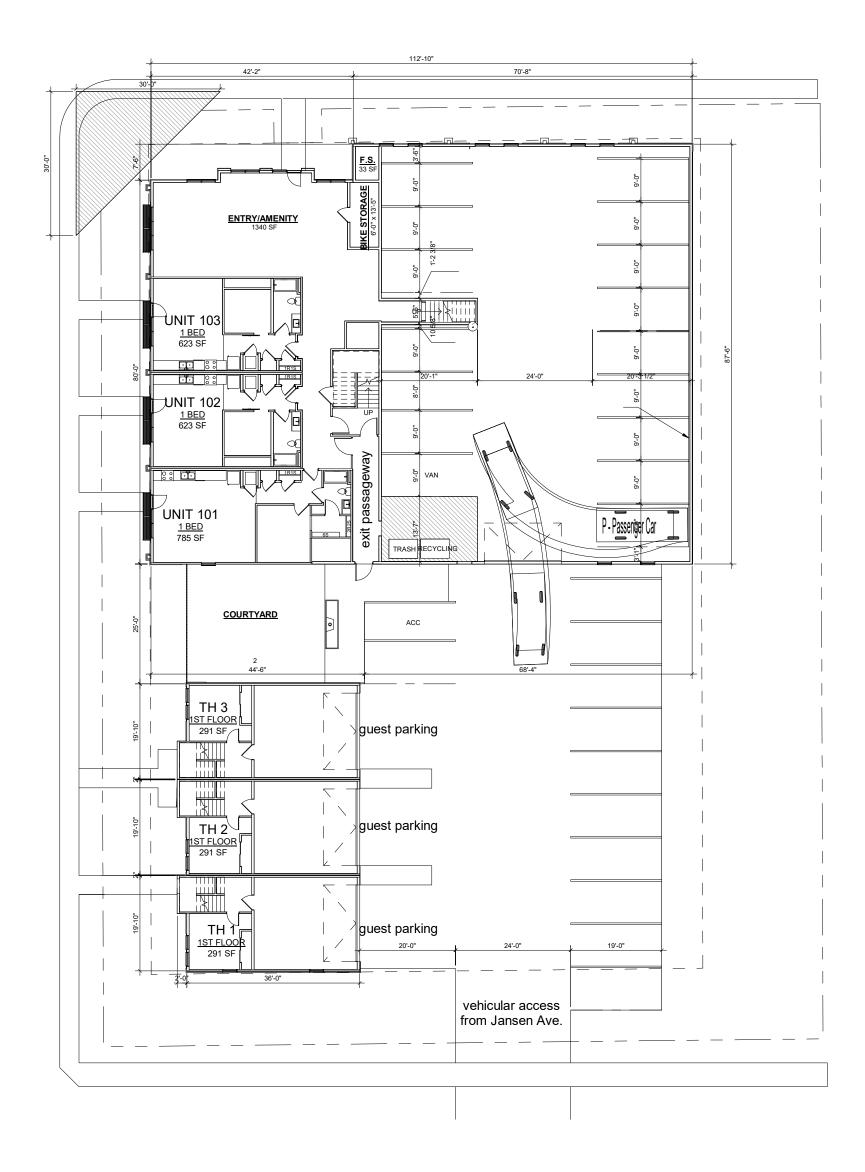
 \square m Ζ () ш Δ Ш Rowhomes σ G artments 0 County Rd E East 2502 County אמ ב בעי White Bear Lake, MN Wildwood EVISIONS: 05 / 03 / 2023 PROJECT NO: 00-000

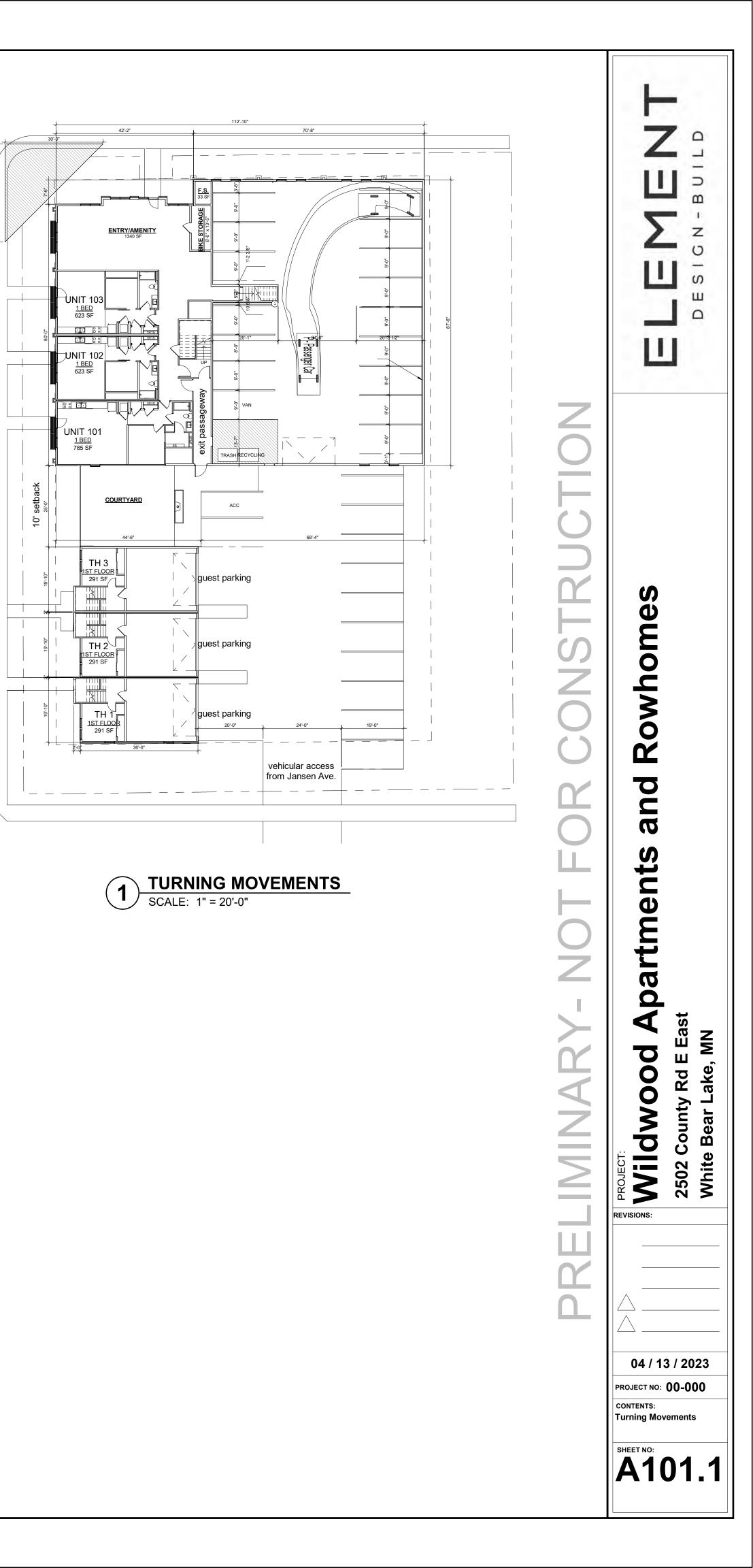
CONTENTS: Site Plan Concept

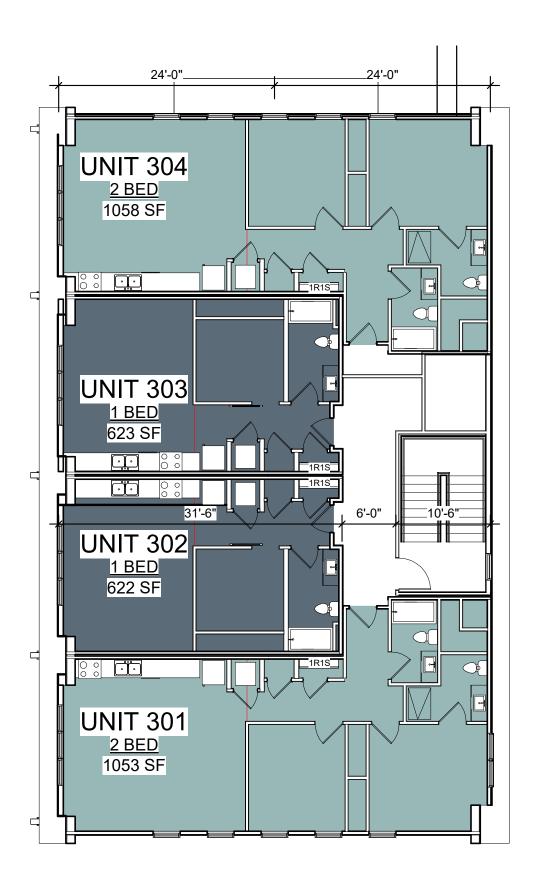
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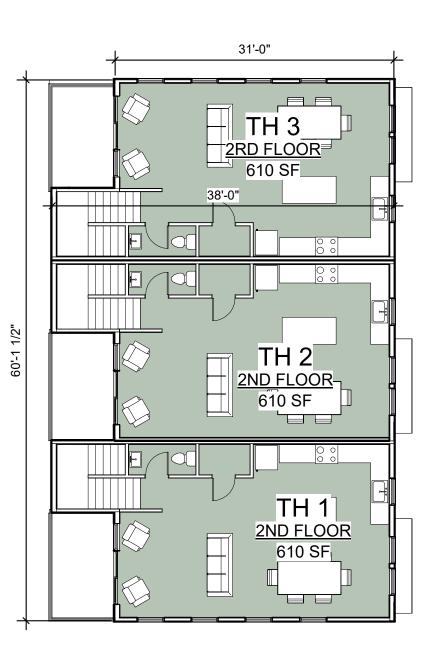
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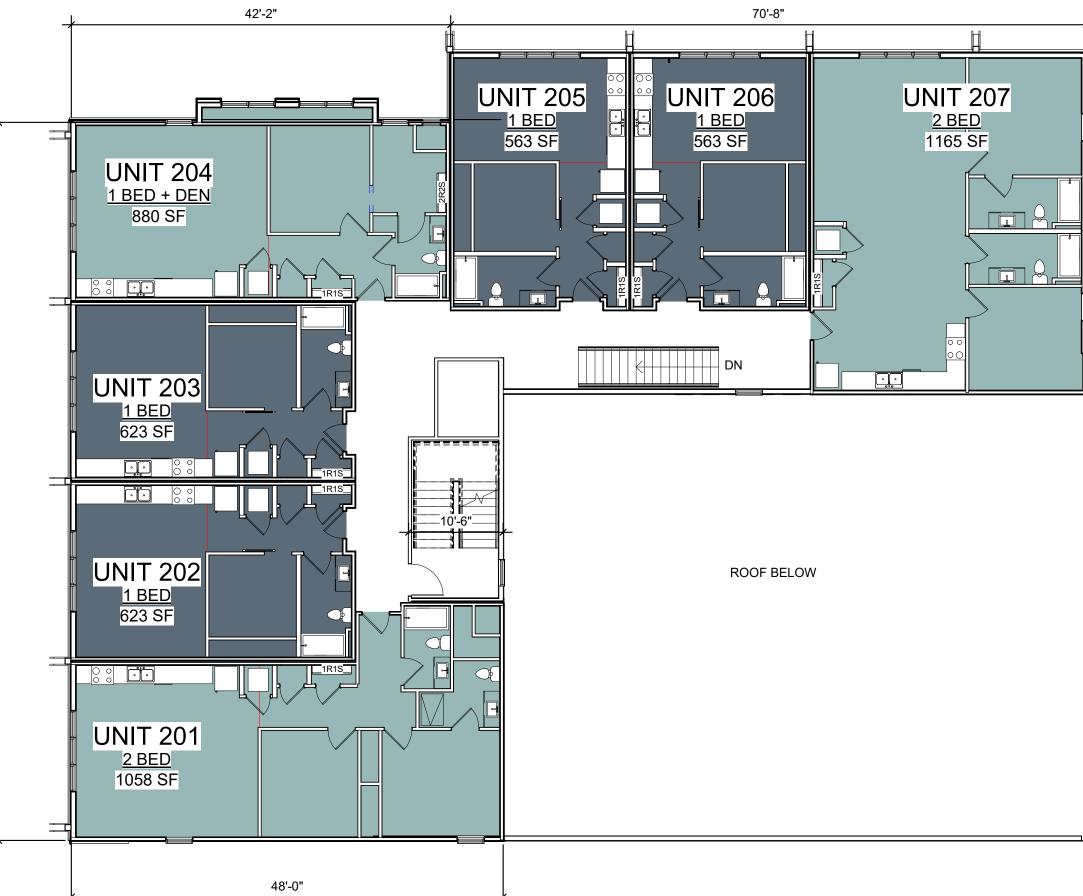


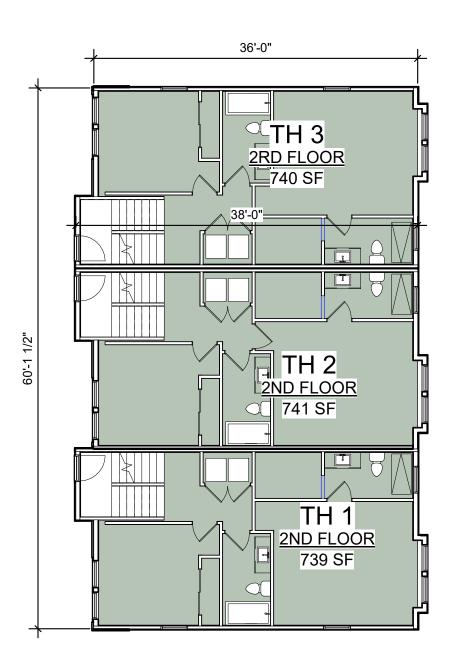




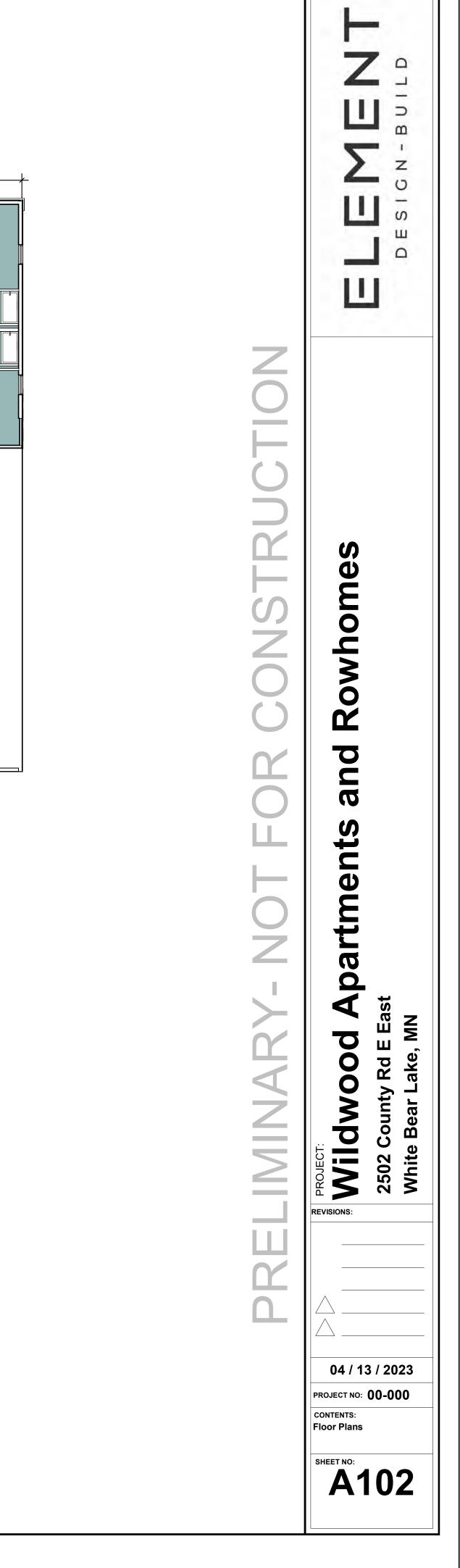










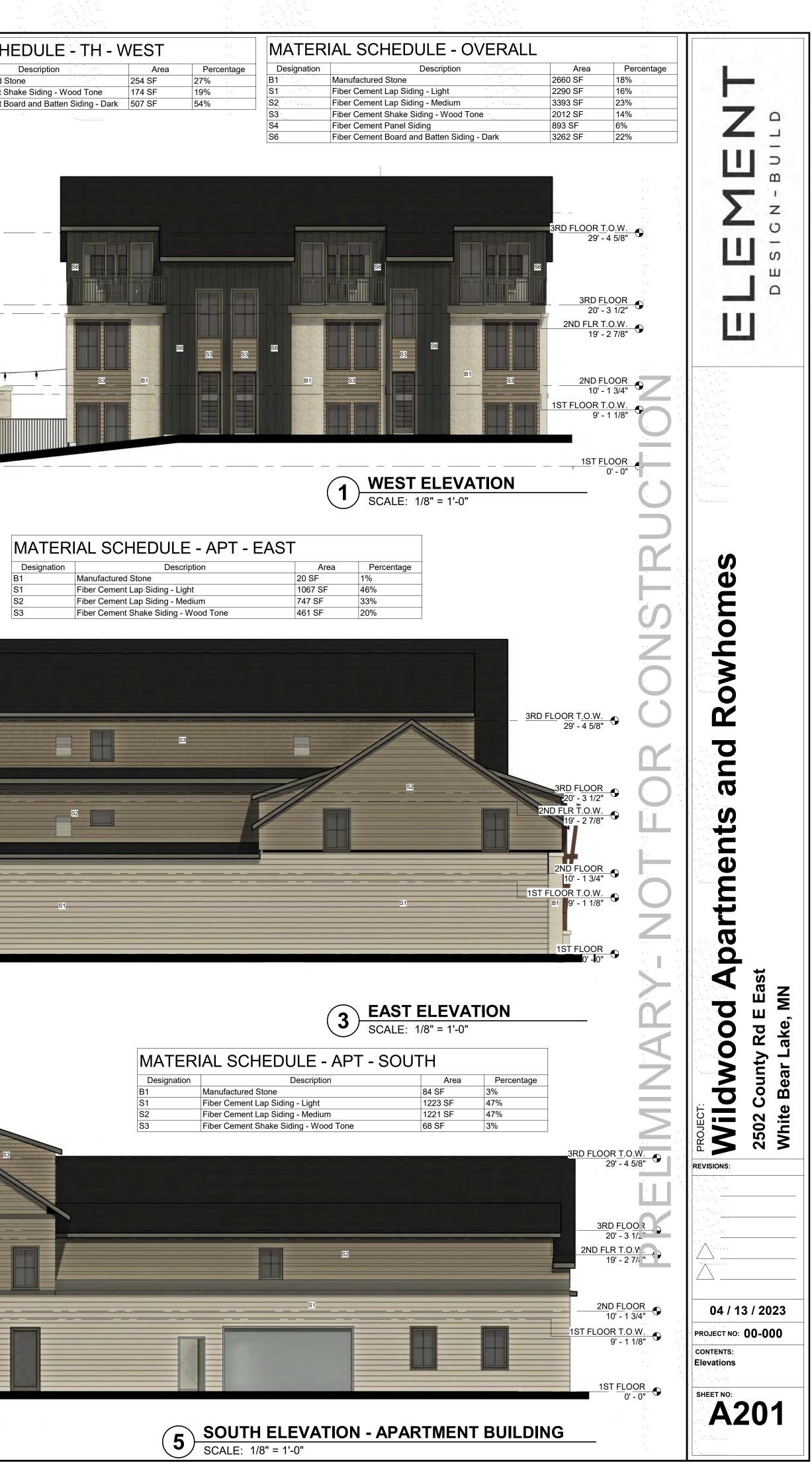


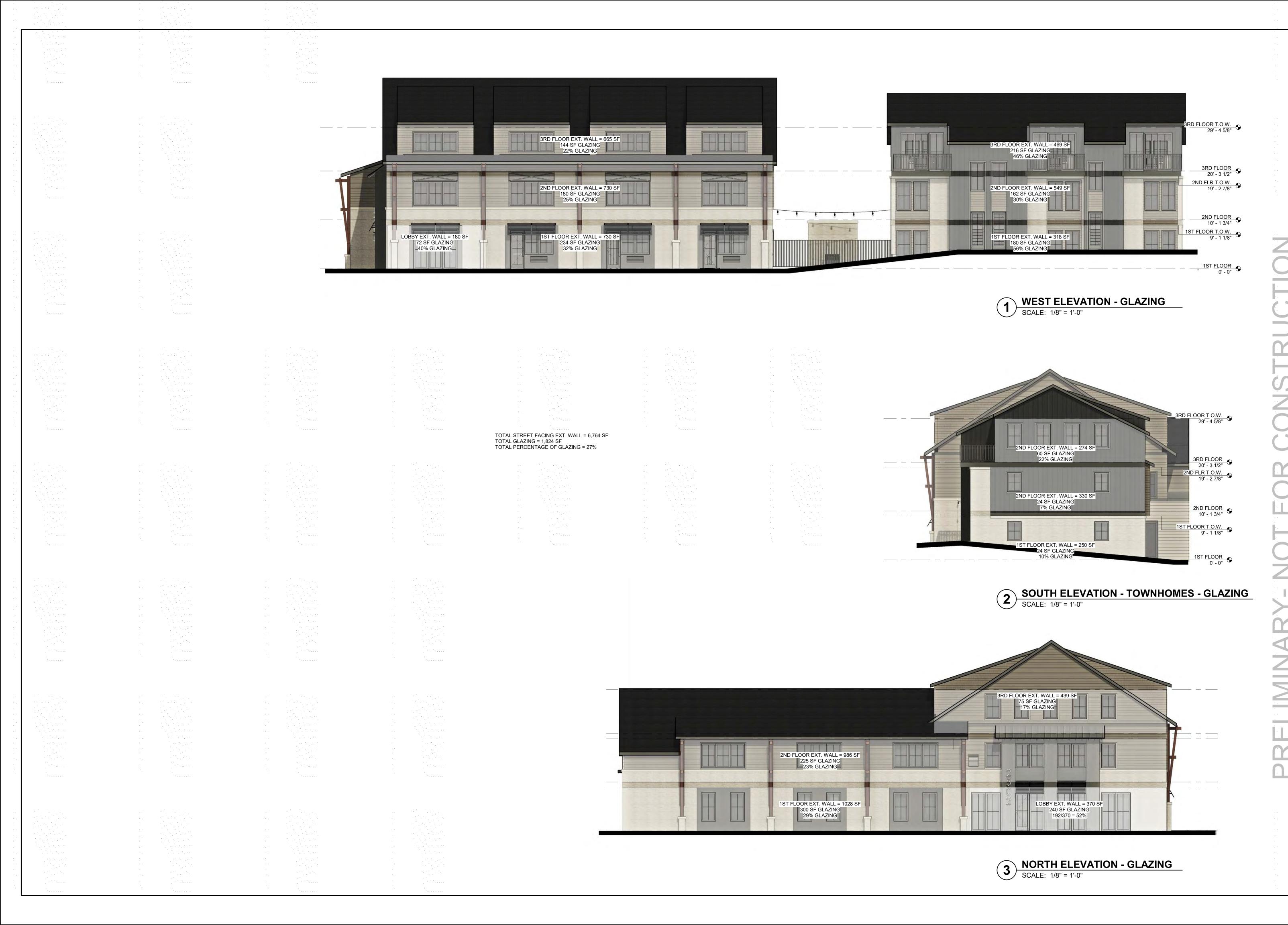


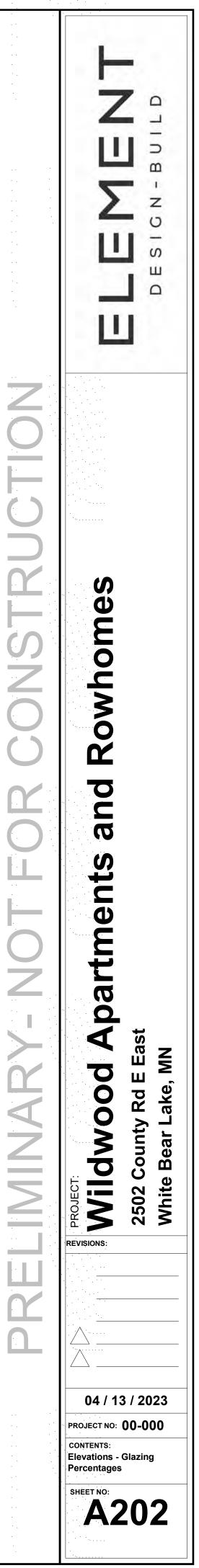


Designation	Description	Area	Percentage	Designation	Description
1	Manufactured Stone	730 SF	41%	B1	Manufactured Stone
2	Fiber Cement Lap Siding - Medium	548 SF	31%	S3	Fiber Cement Shake Siding - Wood Tone
3	Fiber Cement Shake Siding - Wood Tone	284 SF	16%	S6	Fiber Cement Board and Batten Siding - Dar
4	Fiber Cement Panel Siding	223 SF	12%		· · · · · · · · · · · · · · · · · · ·

CHEDULE - TH - EAS	Т	
Description	Area	Percentage
ured Stone	21 SF	2%
nent Shake Siding - Wood Tone	240 SF	21%
nent Board and Batten Siding - Dark	886 SF	77%
nent Board and Batten Siding - Dark	886 SF	77%







-----Original Message-----From: Colleen Chermak <colleensc@hotmail.com> Sent: Tuesday, April 18, 2023 11:10 AM To: Ashton Miller <amiller@whitebearlake.org> Subject: County road E

My concern about these apartments will be the parking. Isn't Bellaire plowed soon after snowfall. Where are these people going to park their cars then?

It doesn't seem realistic that they will have "guest" parking when finding space for tenants alone will be a challenge.

Are we going to have cars parked up and down our street like the apartments on Bellaire closer to the lake?

I think housing should be built but they are trying to cram too many people in a small area. Just won't end up well.

Colleen Chermak 3549 Bellaire

Photos

There are twelve photos that I've put together so that we could all visualize what that actual intersection and the surrounding area looks like. The old adage is that a picture is worth a thousand words. The numbers run clockwise from left to right. The descriptions of the photos follows:

Photo 1: View looking East from the NW corner of the intersection.
Photo 2: View looking East from the SW corner of the intersection.
Photo 3: View looking West from the NE corner of the intersection.
Photo 4: View looking West from the SE corner of the intersection.
You can notice that there are no buildings over one story looking east and the same is true looking west and you mostly see trees along the road in both directions.

Photo 5: View looking SE from the NW corner of the intersection showing both existing buildings... Photo 6: View looking N from the SE corner of the intersection. This is the building that Councilperson Edberg said set the precedent for a three story building in the area. If so, the current design exceeds that. You can see the 3 story apartment building is hardly noticeable and from this view visually looks only a bit higher than the one story building on the corner of County Road E. It has a flat roof and is also set back from the road. The East side of the building is only two and a half stories on the east side as the first level is half in the ground and full three stories on the west side due to the ground dropping off to the West. I haven't measured the total height but could be as much as 5' or 10' lower than the developer's proposal of 35' depending if each level is 10' or 12'. In fact the actual physical height of the developer's proposal is higher than 35' as it is the height to the mid-point of the gable. The developer's proposal will look totally out of place with everything around it. I don't remember who, but someone on the City Council said that the Level UP Academy is a two story building, but similar to the apartment building on Bellaire it is set back and is only two stories on the South side where the land drops off, unlike this proposal. Photo 7: View looking East from the SW corner of the intersection.

Photo 8: View looking West toward the intersection from North side of County Road E. Again one sees mostly trees along County Road E and the two buildings on the south side of County Road E are just visible. The proposed building will be about as high as the trees and will really be visible. Speaking of setbacks and variances, our homes in this area have much larger setbacks and ours is 45' from the street, 10 feet on the house side and 5' on the garage side. If there were a vacant lot and a proposal was made to build a house with a 15' setback form the street and 3' on the house side and 2 feet on the garage site, I believe that it would require the neighbors to approve the variance before it could be done, and there's high probability that it would not be approved. We are neighbors for this proposal and are in agreement that we don't want it.

Photos 9-12 show the property from different angles to give you a perspective on how it relates to everything around it as well as the existing trees that are there.

Photo 9: View looking E from Bellaire down Jansen. You can see the trees on the property and the home on the North side of Glen Oaks Avenue.

Photo 10: View of the Service Station looking NE from Bellaire showing the trees and the snow plow windrow as one can see in the previous photo. This will be an issue in the winter with the sidewalk and as good as the City is in plowing streets, one cannot say the same for sidewalks. It's a

blessing that the City does so as not every city does, but it may be days later and during this spring and the last snowfalls it wasn't done at all.

Photo 10: View looking NE from Bellaire again showing the g windrow and trees that have to be replaced.

Photo 11: View of property looking N from Jansen showing the home to the east of the property and the "privacy fence" that doesn't provide any privacy to the homeowner from anyone standing on what will be a parking lot, let alone anything higher.

Photo 12: View looking N from Jansen showing the trees on both properties. As well as the large plow windrow along Jansen.

The objective of these photos is to show you that there are no buildings in this area from Century Avenue to White Bear Avenue like the proposal and it does not fit in with the environment that is now there. The design, while appropriate for different locations, just doesn't fit. Their statement, "Our driving design concept is to relate to the lake culture, heritage of resorts and nautical elements, and Northwoods feel of Minnesota. Creating a pitched roof design relates to the predominate architecture of the area and using slightly rustic materials such as shakes gives it a nod toward the "cottage on the lake" or "cabin in the woods" feel while being subtle and not overly literal," is not relevant to this area of County Road E or Bellaire Avenue. Cabins in the woods are in the woods and not three stories and close to major streets.

Our concerns are still the same, and while the developer has tweaked the design, it still doesn't address our concerns, and we still are in favor of getting rid of the existing building. We do have some new comments, and they are:

Stormwater Runoff: Apparently the storage tanks for runoff have been dropped from the plan. This still doesn't resolve the situation during the winter as once the ground is frozen and the snow from the parking lot with its salt and other contaminants would be plowed into land towards the Vang's home and then in the spring they will melt and run onto their property on its way into Peppertree pond which will be detrimental to the Vang's property and adding more salt and silt to the pond which is already an issue. In fact the city determined that it needed to be dredged some years ago and had it in their plans, but it never happened, but still needs to be done even more so.

The issue with replacing the trees: My understanding from the City Council meeting is that the trees need to be replaced. My question is does that mean with other mature trees or Seedlings?

Then in looking at the landscape plan in their proposal, they are proposing replacing the trees and shrubs, so that's good. My question is that they propose planting some trees on the Bellaire and County Road trees with "Columnar Overstory trees. However the trees they propose do not meet the classification of Overstory trees, as they are all columnar trees. They also have mature diameters of from 10 ranging from 10'-12', to 25'-30'. That's pretty large for the space with only a ten foot setback. They also to my knowledge are not trees commonly found in this area. I'm also not sure they would be an issue with the powerline that is there.



PHOTO 3

PHOTO 4



PHOTO 7

PHOTO 8



PHUTO 11

PHOTO 12

From:	Ashton Miller
To:	Jason Lindahl
Subject:	FW: Case No. 23-13-PUD (2502 Co. Rd E)
Date:	Wednesday, April 19, 2023 11:00:20 AM

From: Larry/Judy Behm <jandlbehm@q.com>
Sent: Wednesday, April 19, 2023 10:57 AM
To: Ashton Miller <amiller@whitebearlake.org>
Subject: Case No. 23-13-PUD (2502 Co. Rd E)

Why would you approve this project in this space and cram it in a small space and right next to a road a very busy road. How about some consideration for the neighborhood. Yes something should be there but NOT THIS, Entirely different if it was a spacious location which it is not, all the parking which we all know will be a lot of it on Bellaire Avenue people in apartment units always park on streets especially with this SMALL SPACE THEY WILL HAVE. Also kids in the units playing right next to the street which we all know they will. What is really maddening is at one of your meeting when a Council Member made the comment he is ashamed of us not wanting it well put it in his neighborhood, we are ASHAMED of him for saying what he said and not caring for the neighborhood.Also when it comes to parking visitors will also be parking on Bellaire we all know that and so does the developer which he does not care.We all hope they will reconsider and not build these units here Again yes you need to have something there but please not this we do not want please think of the neighborhood and know what a mess and problems it will cause. WE ARE CONCERNED HOME OWNERS AND DO NOT WANT IT IN THIS AREA.

Larry& Judy Behm 3511 Bellaire Ave. White Bear Lake, Mn 55110

From:	Ashton Miller
To:	Jason Lindahl
Subject:	FW: Development proposal for 2502 County Road E
Date:	Thursday, April 20, 2023 10:41:33 AM

From: Bill Kolesar <bill@us-print.biz>
Sent: Thursday, April 20, 2023 10:40 AM
To: Ashton Miller <amiller@whitebearlake.org>
Subject: Development proposal for 2502 County Road E

Dear White Bear Lake Planning Commission,

We are writing you with our concerns regarding the proposed development at 2502 County Road E. Several years ago a similar plan, that included high density (what you call medium density) residential development on all four corners of the Bellaire Avenue, County Road E intersection, was turned down. The reasons were the same as those for this development. 17 living units are being packed into a very small space. One of the main concerns for the previous proposal was the lack of set back near the intersection, which causes a safety concern for both pedestrians and vehicles. There is an elementary school one block to the north and you have students crossing that intersection. There are 34 parking spaces total, two for each unit, however 3 of those 34 are designated for guests. Because of the density of this proposal, we're predicting that there will be on street parking associated with the proposed development on Jansen and Glen Oaks Avenue. We also didn't see any accommodation for dumpsters or trash containers. It's also our concern that if this proposal is accepted and implements that the two vacant lots on the north side of County Road E will be developed in the same way leading to far more traffic and congestion. Why can't we have a small business in each of the three remaining vacant corner lots rather than a behemoth apartment/townhouse proposal? Please take into consideration your fellow White Bear Lake residential homeowners and not the non-elected Metropolitan Council. Thank you.

Roberta and Bill Kolesar

3505 Glen Oaks Avenue White Bear Lake, MN 55110 651-779-3670 651-777-2800 <u>bill@us-print.biz</u>

From:	Bassman1950
To:	Ashton Miller
Cc:	Jason Lindahl
Subject:	FW: Case No. 23-13-PUD (2502 Co. Rd E)
Date:	Saturday, April 22, 2023 5:12:20 PM

I will start by saying that I agree with 99% of the comments already made concerning this proposed project on the southeast corner of County Road E and Bellaire. The parking issue, the height of the building, the idea of squeezing all of this into such a small piece of land are the primary issues for me. I will keep this short.

I live directly south of the proposed development, across Jansen, at 3598 Glen Oaks Ave. We all agree that something needs to be developed to replace the dilapidated eyesore that has been there for years; but NOT this. The parking is a huge issue for me. Everyone talks about the excess parking being on Bellaire but I can foresee cars parking on Jansen as well. The increased traffic and parking issues in a neighborhood filled with kids is not welcomed by anyone.

I question the thought given to the entire project. Is the expectation that the townhomes be sold? If so, I can't imagine who would want to live "spitting distance" (literally) from that very busy intersection, much less a few feet from the apartment building.

As others have mentioned, there are no other 3 story buildings as far as the eye can see. The developers mention the apartment on Bellaire, just north of County Road E, as being 3 stories but it's really only 2 ½ stories on the street-side of the building – with a flat roof – and set back from the street.

Again, I am very much against this development. I hope that we can find something appropriate for that lot in the near future.

Mark Newstrand 3598 Glen Oaks Ave

RE: Proposed Development SE Corner of Country Road E and Bellaire Ave.

I just learned today of the public hearing scheduled for this evening to consider the housing development proposed for the SE corner of Country Road E and Bellaire Ave. I am unable to attend the hearing, so I respectfully request my comments herein to be shared for the record.

As background, my wife and I are 43-year residents of White Bear Lake. Our home, since Feb 1, 1980, is a 3–5-minute walk from this property. I am also a retired city planner with 15 years+ of experience dealing with land use issues in the nearby communities of Maplewood and Shoreview.

I spoke on several occasions with the previous Community Development Director (Anne Kane) and former City Manager Ellen Hiniker regarding overly dense/substantially out-of-character housing redevelopments that had been proposed for the SW corner of Bellaire Ave and County Road E (now Bean & Co.) and SW corner of County Road E and Rollingview Ave (Level Up Academy). Both of those proposals thankfully failed.

I am once again concerned about the excessive housing density proposed for the former gas station/convenience store located on the SE corner of County Road E and Bellaire Ave. I checked with Ramsey County Property Records and found the net area for the property is 0.67 acres. I reviewed the Land Use Component of the June 2021 WBL Comprehensive Plan and learned that the planned land use designation is Neighborhood Mixed Use, which allows 16-36 units/acre (for this property, the minimum number of units is 10.72¹). Most importantly, since this site adjoins single-family, detached housing, the following except from the current land use designation text should be a principal consideration in defining the appropriate density for this site, "...with townhomes and villas used where appropriate in transitional areas abutting surrounding residential neighborhoods..."

The developer's proposal for 18 units is 7.28 units greater than the minimum allowable (10.72du) and 79% of the maximum allowed (22.78 du). Based on the above-cited text excerpt, the maximum (or anywhere near it) should NOT be an option for a transitional property, such as this, that adjoins long standing, conforming, single-family detached dwellings. Secondly, the proposed deviations from the standard minimum setback and parking requirements are further justification for reducing the number of units allowed. I would argue that the City has sufficient grounds, given these two statements, to require a density at or nearer to the minimum allowable to make a finding of consistency with the intent of the City's adopted Land Use Plan.

Regarding the developer's proposal for fewer parking spaces than the standard per unit, please also keep in mind the public safety implications for this site. Although a turning lane is not currently designated for north-bound Bellaire Ave. turns to east-bound County Road E, drivers consistently use the shoulder to queue up for this turn. Hence, currently there is no room to safely accommodate on-street parking on Bellaire Ave. adjacent to this property. With the anticipated added traffic, I would trust that the city/county would keep the option open to eventually designate the shoulder as a turn lane and post Bellaire Ave to Jansen Ave. for no-parking to provide adequate queuing.

In closing, assuring a respectful transition to the adjoining detached, single-family dwelling (SFD) properties and maintaining the long-standing SFD character of the area (townhomes fine) should be more important than allowing the developer to push the limits on density using walk-up apartment-style structures for which deviations from minimum setback and parking space standards are required.

Thank you for your consideration.

Randall Johnson 3638 Glen Oaks Avenue

¹ The minimum number of units for this .67a parcel is $16du/a \times 0.67a = 10.72$ units. The maximum number of units for this .67a parcel is $36du/a \times 0.67a = 22.78$.

From:	Dar & Ken Hoekstra
To:	Jason Lindahl; Ashton Miller; ward4
Cc:	<u>Mayor</u>
Subject:	2502 Co Rd E
Date:	Monday, April 24, 2023 10:19:35 AM
Attachments:	JKesselWBPress.png

Hi, I would like to comment on the proposed development at 2502 Co Rd E. I know there have been previous meetings with the Planning Commission and the City Council and the neighbors have voiced their numerous and legitimate concerns on this project and the firm belief that this is not good for the residents that live in the neighborhood. Attached is a letter from a neighbor that was in the Letters to the Editors section of the White Bear Press and it accurately describes how we all feel. I am not sure I know where the support for this project (if any) other than the developer is coming from but it is quite clear there is no support from the people that will be most affected by this project. At the Planning Commission meeting which is tonight I hope the members listen to the neighborhoods concerns and the Commission members act accordingly. Thanks



White Bear Glass 1759 Commerce Ct White Bear Lake, MN 55110 (P) 651-426-3289 <u>www.whitebearglass.com</u> sales@whitebearglass.com

4.24.2023

RE: Element Design Build Co Rd E @ Bellaire Ave

Hello Planning Commission,

I would like to publicly show my support for the proposed housing development for this location and Ryan from Element Design Build.

As a long time, business owner on south side and member of WBL EDC I want to see this type of change for our city. New housing offers a larger cross section of people to live and experience the Northeast Metro.

Sincerely,

Jeff Meyer, President White Bear Glass, Inc.

From:	dan55555@comcast.net
To:	Jason Lindahl; Ashton Miller; Lindy Crawford; Mayor; ward1; ward2; Dan Jones; ward4; ward5; Community
	<u>Development; kenbaltzer@gmail.com; jeberry55110@msn.com; markmlynch@gmail.com;</u>
	ereinhardt628@gmail.com; pjenz1@gmail.com; mike.r.amundsen@gmail.com; andreaopus@goldengate.net
Subject:	White Bear Lake Planning Commission Public Hearring Case No. 23-13-PUD April 24, 2023
Date:	Wednesday, April 26, 2023 11:36:08 AM

City of White Bear Lake,

Thank you for the opportunity to discuss our concerns regarding Case No. 23-13-PUD on April 24, 2023. We would like to confirm our opposition to this development project.

The current proposal will significantly increase the amount of traffic and danger in an area where children play, and walk or bike to both Matoska and Level Up elementary schools. The current proposal will also redirect a significant amount of additional storm water to Peppertree Pond just across the street and downstream from the development, instead of its current flow north, away from the pond. The pond has accumulated nearly 10 feet of silt runoff from other construction projects. This is a a situation the city is unwilling to change, after being asked many times to dredge out the pond.

It is highly likely Peppertree Pond will be negatively affected by this project. If the project moves forward, <u>the city should have the legal obligation to fix any negative affect on this pond.</u> Neighbors have cared for Peppertree Pond for many decades. We pay each year to have the pond treated to keep it safely free of weeds, so it remains usable. When we moved into our home in 1981, the pond was choked with weeds. It has cost the pond residents \$5,000 yearly for this treatment these past 40+ years, which is a total investment of over \$200,000.

The closing statements made by the Planning Commission and subsequent decision to support this project disregarded the amount of negative feedback provided by many members of the neighborhood. As the meeting closed, every Planning Commission member chastised the meeting attendees, essentially saying we are unable to accept change. We find these statements to be inappropriate and insulting. We have been looking forward to change at that corner for many years. We would like the change to be positive, not negative, for the future residents of this area.

The current proposal is the equivalent of cramming 10 pounds into a 5 pound sack. The area is about the size of two typical home lots. There is simply not enough land to support medium density housing for 20 units in this space. That is made evident by the fact that in additon to the rezoning request, the developer has already requsted a variance to the new zoning code.

It was inappropriate for the planning commission to state in the closing comments that the "Indians didn't like change either." The <u>Native Americans</u> resisted change in order to preserve their culture. It is not lost on us, that by making this statement, the Planning Commission is correllating itself to the Europeans of that time. Please include this letter with the other letters filed in the case packet.

Regards, John and Diane Noll 2571 Elm Drive, White Bear Lake, MN 55110 Addendum to petition:

I attempted to contact all homeowners on Glen Oaks Ave to Rolling View Drive. I insisted all read the short paragraph at the start of the petition before signing. One resident near Rolling View state was intending to attend the scheduled meetings and would reserve judgement before signing the petition. The houses south of the proposed development were also visited. All who answered their doors signed the petition. One house on Bellaire Ave answered by Ring Doorbell remotely and stated thy would have been interested in signing, but they were not home.

The house adjoining the property was recently sold. Please add the Vang's to your mailings and email (name and address at bottom of page 7. Mr. Vang was very surprised by the proposed development and asked how long this has been anticipated – not disclosed. Keep this in mind when evaluation of valuations of the present houses.

Alle Rivar

Allen J. Rivard April 21.2022 Signed petition attached

To: Mayor, City Council and Planning Committee of White Bear Lake Petition to objections of proposed 2502 County Rd E initiated April 18, 2023

Some council members and an article in the White Bear Press indicated that the neighbors approved of the proposed subject site – 2502 County Rd E – SE of intersection of County Rd E and Bellaire Ave. This is NOT a plan that is acceptable to neighbors who actually live in the area. The density, height, and reduced setback do not fit into the existing neighborhood and would contribute to safety for automobiles and pedestrians on Bellaire and Jansen Ave and water runoff on Jansen Ave. Jansen does not have a sidewalk and is used by adults and children as an access to this intersection and the grade school to the North. These objections include the updated Planning Commission letter dated April 14, 2022.

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Name print MARK BIGALIC Name sign Man P By Address 3594 BIEN OAKS HUE

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Name print Patriciak Bigalk Name sign Patricia K Bigalk Address 3394 Glen Cars Ave

4-18-23

CHRIS CREENE Name print Name sign Clu Gule Address 3587 GLEN O AWS AVE.

Name print CEE BRANNALL 4/18/23 Address 3583 GEEN ONKS AVENUE

Name print Andrea Triplett Name sign andrea Liptett Address 35910 GIER Oaks are

Name print MARIE DECENTRAD Address 3598 GLED OAKS AVE

Name print Ann Koves Name sign Ann Kover Address 3585 Glen Oak Aue

Name print Julie Williams Name sign Jui Mr 4.18.23 Address 35816 for Oaks Ave

Name print GORDON NAKAGAWA Name sign Gadn Nahyn 4.18.23 Address 3581 Glan Oaks ATT.

Name print Jon Hanson Name sign Jon Hum Address 3871 Glen Oaks Ave WBL, Mr. 55110

Name print Brenda Davis Name sign Budalas Address 3576 Gren Oaks Ave WBL, MN 55110

Name print Kristian Lattimore Name sign KA Post Address JS64 Glan Oaks Ave WBG MN SSIM

Name print Darlene Hoekstra Name sign Darlene Hockstra Address 3561 Glen OaksAve, WBL, MN 55110

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Name print Mary A. GEYER Name sign Mary a. Stegger Address 3552 Glen Oak Ct. WAL, 55110

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Name print Humberto Mendozen Name sign Address 3535 Bellainie Ave N

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To: Mayor, City Council and Planning Committee of White Bear Lake Petition to objections of proposed 2502 County Rd E initiated April 18, 2023

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Name print Robert Lunchberg Name sign Ropsert fundret Address 3515 GLED OAKS-T

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April 18, 2023 Petition Page 2 Name print JESSE DEL PLO Address 2425 GLEN DAR AND WHITE BEAR LARE MIN 55716 Name print Bill Kalesar

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Name print Kurt La Rock Name sign Address 3525 Glen Dales Ave, WBL 55110

Name print Rod Collins Name sign C.C. Address 3475 Glen Oaks Ave

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Roberta Kolesan Roberta Kelesar 3505 Slen Oaks Avenue Ithile Bear Lake, MK 55110

April 18, 2023 Petition Page 6 Name print Colton Anderson Name sign le Address 3495 Glen Oaks Are WBL MN #55110

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MARLENE PETERSON Marline Otterson WSL. Mn 55110 2522 Och CL- WSL. Mn 55110 Name print Name sign



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DUPLICAT ?

April 18, 2023 Petition Page 10 8-7-22 Name print Carolyn Church Name sign Caushyn Gench Address 3569 Glen Oaks Ave. WBL, MN 55110

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From:IbulenTo:Jason Lindahl; Ashton MillerSubject:Development at Bellaire Ave. and County Road EDate:Tuesday, May 9, 2023 5:22:43 PM

Dear Council Members,

We write in support of the proposed development at Bellaire Avenue and County Road E.

It will remove an ugly blight on our neighborhood, increase the city's tax base, improve runoff to the nearby pond, and enhance the County Road E corridor.

Sincerely,

Mike and Laurel Hemstad 2557 Oak Drive WBL

Sent from my Galaxy

May 9, 2023

To: City Council Members

From: Kevin Edberg

Re: 2502 Rezoning and PUD issues tonight

Colleagues-

For the past couple of months, we have been reviewing and considering an application for rezoning of the property at 2502 Co. Rd. E. As the Council member representing that ward, I wanted to share my current thinking. I will keep an open mind during our deliberations tonight so as to hear your arguments one way or another, as well as testimony and comment from city residents. But as of today, my thoughts are:

- I value the work done by the Applicant. My sense is that they have done honorable work and engaged well in listening to our community as they moved from initial draft to final proposed versions.
- Boundary parcels (e.g., parcels that sit in between different zoning designations) are the places that tend to generate the greatest tensions.
- The specific site in question is such a boundary or transition area. It is immediately adjacent to one residential home, directly across the street from another, and kitty corner across the street from yet a third residential dwelling.
- Our Comprehensive Plan, on page 2-30 of the Land Use section, guides this parcel to Neighborhood Mixed Use. The following language, taken directly from the Comp Plan, states, in relevant part (my emphasis added):
- ""...Stacked multi-family housing and courtyard apartments will the predominant use, with townhomes and villas used where appropriate in transitional areas abutting surrounding residential neighborhoods. The desired density for this designation is 16-34 dwelling units per net acre."
- I believe a plain-text reading indicates that, because this parcel is a transitional parcel directly abutting a residential neighborhood, the appropriate siting of buildings calls for "townhomes and villas", and by omission, indicates that "courtyard apartments" are not appropriate on this site. If the site were much larger, then transitional use of townhomes/villas on the parcel might be considered, but not this site.

While withholding final decision pending our discussions tonight, my inclination is to deny the application for rezoning and PUD development.

Having said that, I believe "something" belongs on that site, whether built by the current Applicant or a successor. I believe Applicant should be permitted to return with a request for another zoning option (residential, commercial or mixed use) and concept that is more in keeping with the Comp Plan guidance. I look forward to our discussion tonight.

CITY OF WHITE BEAR LAKE PLANNING COMMISSION PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the White Bear Lake Planning Commission will meet on **Monday, April 24, 2023, at 7:00 p.m. in the City Council Chambers** at City Hall located at 4701 Highway 61, to consider an application by **Element-Design Build** (Case No. 23-13-PUD), for rezoning from B-3, Auto Oriented Business to R-6, Medium Density Residential per code section 1301.040 and both General and Development Stage approvals of a Planned Unit Development, per code section 1301.070, in order to construct a 14 unit apartment building and three townhomes on the property located at 2502 County Road E.

Legal Description: On file at City Hall.

Address: 2502 County Rd E

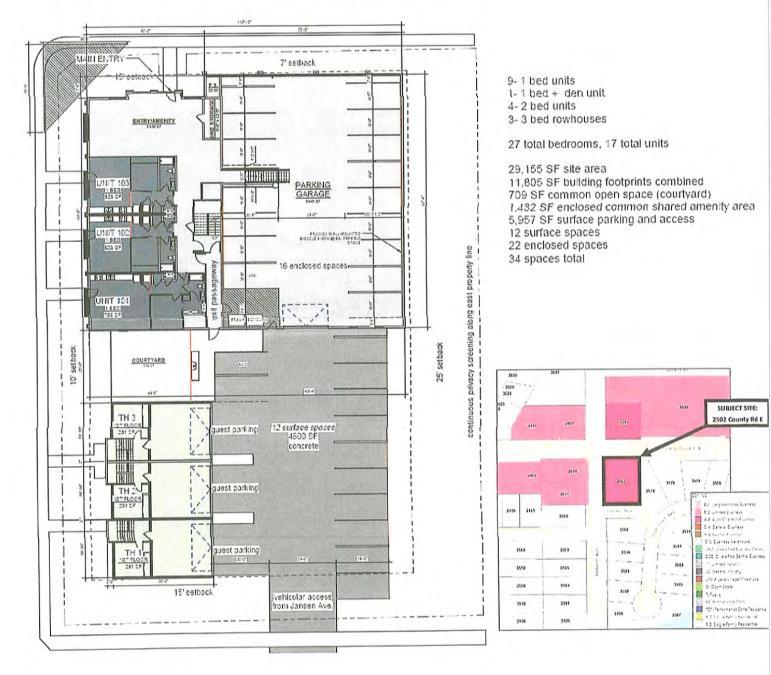
Unless continued by the Planning Commission, the recommendation will be considered by the City Council on Tuesday, May 9, 2023 at the same time and place as listed above.

If there are questions concerning this application, please contact the City's Planning Department at (651) 429-8534.

Comments concerning this application may be presented at the public hearing or filed with the City Clerk until 4:30 p.m. on the Friday before the hearing. Comments can also be emailed to <u>amiller@whitebearlake.org</u> or dropped off at City Hall during normal business hours. Each response will be considered before the Planning Commission makes a recommendation to the City Council. If there are questions concerning this application, please contact the City's Planning and Zoning Office at (651) 429-8561.

Dated: April 14, 2023.







City of White Bear Lake Fire Department

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



April 7, 2023

Element Design – Build LLC 1110 Raymond Ave Apt 3 St. Paul, MN 55108

Dear Element Design - Build:

Thank you for submitting documents for Fire Department review. The plans for the above project located at 2502 County Road E East have been evaluated. Please review the comments within this document.

Please let me know if I can assist you further.

Sincerely,

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

Encl.



City of White Bear Lake Fire Department

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



General Comments

- 1. All roads and drive lane shall meet the White Bear Lake Fire Department requirements for widths and turning radiuses. Provide layout showing White Bear Lake Fire Apparatus turning radius overlay on drive lanes into the parking lot. Drive lanes shall be a minimum of 20 feet.
- 2. Address number shall be plainly visible from the street fronting the property and shall contrasting color from the background.
- 3. Install an approved emergency lock box for Fire Department emergency access to building in an **approved location**. Provide keys for emergency access into and throughout the occupancy as required. The White Bear Lake Fire Department will provide instructions for ordering from Knox when requested.
- A fire sprinkler system shall be installed in all structures compliant with provisions of 2016 NFPA Standards, Installation of Sprinkler Systems. A city permit is required **prior** to initiation of work. The fire sprinkler controls locations shall be approved prior to design.
- 5. Fire Department sprinkler connection location to be **approved** prior to installation.
- A fire alarm system shall be installed compliant with provisions of 2016 NFPA Standard
 72, National Fire Alarm Code. A city permit required **prior** to initiation of work.
- 7. The sprinkler system shall be properly monitored by a qualified monitoring company.
- 8. Install emergency egress illumination in the means of egress including exit discharge compliant with 2020 MSFC.
- 9. Provide information concerning combustible interior finish materials used for this project. Interior finish materials shall be classified as required by 2020 MSFC as to flame spread and smoke development characteristics. Interior wall and ceiling finish shall have a flame spread index not greater than that specified in 2020 MSFC for the group of proposed occupancy and location of interior finish. Please furnish product specification sheets listing this information.
- 10. Open flames and grills are prohibited on balconies or with 15 feet of the structure.

Codes and Standards Used for this Review

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

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



City of White Bear Lake

Engineering Department

MEMORANDUM

То:	Jason Lindahl, Community Development Director
From:	Nathan Christensen, P.E., Assistant City Engineer
	Connie Taillon, P.E., Environmental Specialist/Water Resources Engineer
Date:	May 9, 2023
Subject:	County Road E Apartments Engineering Review Comments

The Engineering Department reviewed the stormwater calculations dated April 10, 2023 and received April 10, 2023; Civil plan sheets (C100, C200, C300, C400, C500, C600, C601, C602) and Landscape plan sheets (L000, L100, L200, L300) dated March 31, 2023 and received April 5, 2023 for the above referenced project and have the following comments:

Findings:

Description

The project is located in the southeast corner of County Road E and Bellaire Avenue in White Bear Lake. The existing site is a vacant gas station consisting of primarily pavement and building. The perimeter of the property is grass. The project proposes to construct an apartment building, townhouse building, parking lot, concrete patio and walkways, and an associated stormwater management facility. The proposed development will result in a slight increase in impervious surfaces from 19,220 to 19,273 square feet, and disturb 29,227± square feet (0.67 acres).

Stormwater

Existing Conditions: The majority of stormwater runoff from the existing site drains untreated to the north and into the County Road E storm sewer. This storm sewer flows to the east and south to Peppertree Pond, a DNR public water wetland. A small portion of the existing site (~12.9%) drains untreated to the south into the City storm sewer which also outlets to Peppertree Pond.

Proposed Conditions: The proposed site will maintain similar drainage patterns as existing, with the majority of the site draining to the north and a smaller portion of the site (~3.4%) draining to the south. Runoff rate and water quality impacts from the site will be managed per the City's Engineering Design Standards for Stormwater Management dated May 12, 2015. The project proposes to construct a biofiltration basin to meet stormwater rate and water quality requirements.

- *Stormwater rate:* Per the City's requirements, proposed peak runoff rates shall not exceed existing rates. The stormwater calculations submitted by the applicant demonstrate that the

stormwater runoff rate to County Road E and offsite to the south are less than existing rates for the 2-, 10-, and 100-year storm events and 100-year, 10 day snowmelt condition.

- Stormwater runoff treatment: Per the City's requirements, a volume equivalent to 1.1- inches of stormwater runoff over all new and reconstructed impervious surface areas must be treated for removal of sediment and nutrients from stormwater prior to discharging off the site. Due to the presence of poor draining soils, onsite infiltration is not a feasible treatment option; therefore a biofiltration basin is proposed. The proposed biofiltration basin is designed to meet the City's stormwater runoff treatment requirements. A total volume of 3,215 cubic feet is required to be treated, with 3,269 cubic feet of treatment being provided.

<u>Freeboard</u>

Per the Geotechnical Evaluation Report, groundwater was not observed at the maximum soil boring depths of 24.5 feet, 21 feet, and 11 feet; therefore, the at grade low floor elevation of the proposed buildings meet groundwater freeboard requirements.

Erosion Control

Proposed erosion control methods include silt fence, bioroll, rock construction entrance, inlet protection, erosion control blanket, and riprap.

<u>Floodplain</u>

The site is not in a regulatory floodplain.

Shoreland Overlay District

The site is not within the Shoreland Overlay District.

Documenting Maintenance Obligations

Applicant must execute a Stormwater Operations and Maintenance Agreement (SOMA) with the City for the maintenance of the stormwater management facility to ensure proper functioning.

<u>Note</u>

- A) In general, the site meets or exceeds the City's stormwater management requirements. Minor stormwater related comments are included in this memo that will need to be addressed prior to issuance of a building permit.
- B) The City has had multiple complaints about water pressure in this area over the years. Please be aware that a 3 story building may need additional plumbing components in order to furnish the units with City water.

The following outstanding items must be addressed prior to issuance of a Building Permit

General

- 1) Contact the MPCA to determine if any environmental assessments need to be completed for this site due to its previous use as a gas station. Please provide the MPCA response for our records and the environmental assessment for review if available.
- 2) In recent years, the MPCA performed a volatile organic compound (VOC) vapor intrusion investigation near this intersection. Contact the MPCA to determine if the vapor intrusion investigation is complete and to make them aware of this development project. Provide their response to the investigation and their recommendation of this development, based on the findings of the investigation, for our records. Please contact Connie Taillon at the City if you have any initial questions prior to contacting the MPCA. Her contact information can be found at the end of this memo.
- 3) Permits may be required from Ramsey-Washington Metro Watershed District, Ramsey County, and the MPCA. Submit a copy of each permit for our records or provide documentation from each agency that a permit is not required.
- 4) Submit a snow storage/removal plan for review.

Stormwater Calculations

5) For proposed pond 1P, should device #3 be the bottom elevation of the pond (1026)? Please clarify.

Demolition Plan (C100)

- 6) Please disconnect the existing water service at the watermain by turning off the corporation stop and removing a few feet of the service.
- 7) It appears that the existing wood fence along the east side of the property will be removed. If this is the case please label on the plan. Please clarify ownership of this fence. If the fence belongs to 3578 Glen Oaks Avenue show how the fence will be protected from damage.

Paving Plan (C200)

- 8) Bellaire Avenue and Jansen Avenue pavements are less than 5 years old. Any pavement disturbance shall be restored to the full width of the street from curb to curb.
- 9) The match existing pavement thickness note in the symbol legend references a detail. Please add a detail to the corresponding sheet.
- 10) All joints in new concrete sidewalk shall be sawcut, not tooled. Please add a note to the plan sheet.

Grading Plan (C300)

11) Include the 100-year elevation of the biofiltration basin on the plan.

- 12) Label the overland emergency overflow location and elevation of the biofiltration basin, and ensure that the buildings meet freeboard requirements.
- 13) Include spot elevations for the patio on the plan.
- 14) Add that topsoil is not allowed in the bottom of the biofiltration basin to note 4.

Erosion Control Plan (C400)

15) Please identify the proposed construction entrance location on the plan.

Utility Plan (C500)

- 16) The size and material of the proposed water service is labeled in the street. Please label the service if the size or material changes. Please clarify if the entire service will be 6 inch DIP.
- 17) How will the proposed water service connect to the watermain (ex. Wet tap)? Please add a gate valve and corresponding note to the plan sheet for this connection.
- 18) Ramsey County approval will be required for the proposed storm sewer connection on County Road E (see comment 4).

Details (C600)

- 19) Add elevations for the pipe inverts, weir, and top of casting to the outlet control structure detail.
- 20) Please provide an air gap between the downspout and pipe connection.

Details (C601)

- 21) Biofiltration basin cross section: is filter fabric needed to keep existing soils from mixing with the fine filter aggregate?
- 22) Biofiltration basin cross section: label the elevation of the bottom of the basin.

Landscape Plan (L100)

23) Please consider native tree species for some of the over story trees.

Landscape Plan (L200)

- 24) Note 17 identifies an Irrigation Plan Layout. Please submit the layout to the City for review when available.
- 25) Add a note on the plan that irrigation is not allowed in the biofiltration basin.
- 26) Add a note on the plan that topsoil is not allowed in the bottom of the biofiltration basin.

Landscape Plan (L300)

27) Add a note to the Irrigation Performance Requirements that irrigation is not allowed in the biofiltration basin.

- 28) Many of the live plug species proposed for the biofiltration basin prefer consistently wet conditions; however, the basin will dry out between rain events. Please clarify.
- 29) Please consider using more forb species in the biofiltration basin.
- 30) A drier seed mix should be specified for the upper side slopes of the biofiltration basin.

The following items must be addressed prior to the release of the letter of credit

i) An as-built record drawing is required for this project. A list of record drawing requirements will be provided as part of the building permit review process.

The following items must be addressed prior to issuance of a Certificate of Occupancy

ii) A Stormwater Operations and Maintenance Agreement (SOMA) is required for this project. A SOMA template will be provided as part of the building permit review process.

While the following items are not required for issuance of a permit, we would like to take this opportunity to raise these points:

- a) It is highly recommended that an individual familiar with the stormwater design be on site while the biofiltration basin is being constructed to ensure that the basin is constructed per plan.
- b) To ensure the success of the native seeding, we highly recommend contracting with a native plant restoration company to install and maintain the native seed areas for the three-year establishment period. After the three-year establishment period, we encourage the owner to continue to contract with the company for yearly maintenance of the prairie to control invasive plants and other weeds.
- c) Consider installing conduit at this time for future electric vehicle charging stations.
- d) Consider additional space to accommodate future food scraps recycling.
- e) Consider mostly native trees and plants (less water, higher resiliency, wildlife habitat) and/or pollinator plantings.

<u>Note</u>

For the next plan review submittal, please provide the following:

- A response to each review comment in this memo
- Revised stormwater calculations
- Revised design plans

Contact Information

For questions contact Nate Christensen at: 651-762-4812 or <u>nchristensen@whitebearlake.org</u> or Connie Taillon at: 651-429-8587 or <u>ctaillon@whitebearlake.org</u>