

**PLANNING COMMISSION MEETING
AGENDA
CITY OF WHITE BEAR LAKE, MINNESOTA**

The City of White Bear Lake Planning Commission will hold its regular monthly meeting on Monday, January 27, 2020, beginning at 7:00 p.m. in the White Bear Lake City Hall Council Chambers, 4701 Highway 61.

1. Call to order and roll call.
2. Approval of the January 27, 2020 agenda.
3. Approval of the November 25, 2019 Planning Commission meeting minutes.
4. **CASE ITEMS:**
Unless continued, all cases will go to the City Council meeting on Tuesday, February 11, 2020.
 - A. **Case No. 19-10-Z:** A **City-Initiated** text amendment to Zoning Code Section at Section 1303.230, Subd.7 “Shoreland Alterations” to create parameters for the use of riprap and reiterate the limitation that retaining walls not exceed four (4) feet in height. (Continued at the request of staff.)
 - B. **Case No. 20-1-CUP & 20-1-V:** A request by **Richard Herod III** for a 2’ variance from the 4’ height limit for a fence abutting a right-of-way, per Code Section 1302.030, Subd.6.h.4, in order to maintain a six foot fence along Cottage Park Road, and a conditional use permit for two curb cuts accessing Cottage Park Road, per Code Section 1302.050, Subd.4.h.9 at the property located at 4264 Cottage Park Road.
 - C. **Case No. 20-2-V:** A request by **Twin Cities Petroleum** for a 3’8” variance from the 10’ setback requirement along the north property line and a 4’5” variance from the 10’ setback requirement along the east property line, both per Code Section 1202.040, Subd.2.B.1, in order to locate a freestanding monument sign in the existing greenspace on the northeast corner of the property located at 2490 County Road F East.
5. **DISCUSSION ITEMS:**
 - A. City Council Meeting Summary from January 14, 2020.
 - B. Park Advisory Commission Meeting Minutes from October 17, 2019.
6. **ADJOURNMENT**

Next Regular City Council MeetingJanuary 28, 2020
Next Regular Planning Commission Meeting..... February 24, 2020

**MINUTES
PLANNING COMMISSION MEETING
CITY OF WHITE BEAR LAKE
NOVEMBER 25, 2019**

The regular monthly meeting of the White Bear Lake Planning Commission was called to order on Monday, November 25, 2019, beginning at 7:00 p.m. in the White Bear Lake City Hall Council Chambers, 4701 Highway 61, White Bear Lake, Minnesota by Chair Ken Baltzer.

1. CALL TO ORDER/ROLL CALL:

MEMBERS PRESENT: Ken Baltzer, Jim Berry, Mary Alice Divine, Pamela Enz, Mark Lynch, Erich Reinhardt, and Peter Reis.

MEMBERS EXCUSED: None.

MEMBERS UNEXCUSED: None.

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

OTHERS PRESENT: Richard Farrell.

2. APPROVAL OF THE NOVEMBER 25, 2019 AGENDA:

Community Development Director Kane asked to add Vice-Chair elections as item 5.C under the discussion section.

Member Reis moved for approval of the agenda. Member Berry seconded the motion, and the agenda was approved as amended (7-0).

3. APPROVAL OF THE OCTOBER 28, 2019 PLANNING COMMISSION MEETING MINUTES:

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

4. CASE ITEMS:

A. **Case No. 19-11-V:** A request by **Richard Farrell** for a 1'4" variance from the 2-foot maximum width for an eave, per Code Section 1302.040, Subd.4.a.1, in order to allow the roof overhang to encroach into the required setback at the property located at 4763 Lake Avenue.

Crosby discussed the case. Staff recommended approval of the request with standard conditions.

Member Lynch wondered how this variance differed from what was previously granted. Crosby pointed to the areas of the house that were granted setback variances before, which did not include the proposed eaves. Member Lynch then asked why eaves do not have to meet setback requirements and noted that he was against the original variance because of how it would block

the views of neighbors. Crosby explained that the zoning code allows decorative elements, including chimneys, bay windows, and eaves, to encroach up to two feet into the setback.

Member Baltzer opened the public hearing. As no one spoke, Member Baltzer closed the public hearing.

Member Reis moved to recommend approval of Case No. 19-11-V. Member Reinhardt seconded the motion. The motion passed by a vote of 6-1. Member Lynch opposed.

- B. **Case No. 19-9-Z: A City-Initiated** text amendment to Zoning Code Section 1303.230, Subd.5.c “Stairways, Lifts, and Landings” to clarify that only one stairway down to a waterbody is permitted per property.

Crosby discussed the case. Staff recommended approval of the text amendment.

Member Reinhardt asked if two docks could come down from one stairway. Crosby replied that the conservation district regulates dock density, so the City cannot limit the number allowed per property. Kane added that the conservation district limits docks based on how much of the lake is covered, so the number of docks on a residential property could be limited.

In response to Member Divine’s inquiries, Kane noted that the conservation district has a permitting process if the allowable residential dock standards are exceeded and that the City requires a permit for the construction of all stairways.

Member Reis commented that this is a good proactive move.

Member Enz wondered if lifts would count towards the one stairway. Crosby replied that a staircase would not disallow a lift from being installed. Kane supplemented that some clarifying language could be added to the text amendment to differentiate lifts from stairs.

Member Lynch asked if the one stairway applied to large properties. Crosby confirmed only one stairway is allowed to lead to the waterbody, but it can follow the topography and need not be a straight path.

Member Lynch then expressed concern that the limit could incentivize “goat paths”, i.e. numerous foot trails, leading to issues of erosion. Crosby described how this will only regulate properties with steep inclines. Flat properties that do not need stairs to access the water will not be affected.

Member Baltzer opened the public hearing. As no one spoke, Member Baltzer closed the public hearing.

Member Lynch moved to recommend approval of Case No. 19-9-Z. Member Reis seconded the motion. The motion passed by a vote of 7-0.

- C. **Case No. 19-10-Z: A City-initiated** text amendment to Zoning Code Section 1303.230, Subd.7 “Shoreland Alterations” to create parameters for the use of riprap and reiterate the limitation that retaining walls not exceed four (4) feet in height.

Crosby discussed the case. Staff recommended tabling the text amendment to the next Planning Commission meeting to allow for proper notification of the whole text amendment.

Member Reis asked if staff has looked at making the distinction between nonnative and native plantings, since some things, like purple loosestrife, are bad to introduce. Crosby replied that it was a great idea. Member Reis suggested contacting the Department of Natural Resources (DNR) to verify if they have any oversight on plantings.

Member Lynch asked if there was a way to put language into the text amendment regarding maintaining what is there to preserve the shore as opposed to trying to bring every property into compliance. Crosby stated that the engineering department will have a lot of input on what gets approved and will not allow alterations that will cause great damage.

Member Divine asked about the use of the term “recommend” when discussing the type of rocks and plants used along the shoreline in staff’s report. Crosby clarified the actual text amendment requires the smaller rocks and plants.

Member Baltzer asked if the City is in conflict with the DNR regulation of 30-inch riprap. Crosby explained that the City is able to make rules that are stricter than state rules.

Member Enz asked if the phrase “approved native species” could be added to the text amendment, since homeowners may think something is native when it is actually harmful. Crosby affirmed that could be done, but added that the City’s Environmental Specialist would be involved in approving the plant list of each permit issued.

Member Berry moved to table Case No. 19-10-Z until the January 27, 2020 Planning Commission meeting. Member Reis seconded the motion. The motion passed by a vote of 7-0.

5. DISCUSSION ITEMS:

A. City Council Meeting Minutes of November 12, 2019.

Member Divine asked if the recovery center applicants would be returning with a new application. Kane briefed that the City Council vote was 3 to 1 denying the proposal, with many of the same concerns regarding the number of residents echoed by those in attendance. She informed the Commissioners that staff will be meeting with the applicants to discuss potentially reducing the scale of the proposal and a revised application is anticipated.

Member Lynch requested that staff include a discussion surrounding the parking availability when the next application comes forward because he thinks the schedule worked out in the previous application will still lead to issues.

B. Park Advisory Commission Meeting Minutes of September 19, 2019.

No discussion

C. Vice-Chair Election.

Member Baltzer reported that this meeting would be Member Divine’s last on the Planning Commission. He opened nominations for her replacement as Vice-Chair. Member Reinhardt nominated Member Lynch, Member Divine seconded. Vote was unanimous.

6. ADJOURNMENT:

Member Lynch moved to adjourn, seconded by Member Reis. The motion passed unanimously (7-0), and the November 25, 2019 Planning Commission meeting was adjourned at 7:35 p.m.

DRAFT



City of White Bear Lake
COMMUNITY DEVELOPMENT
DEPARTMENT

MEMORANDUM

TO: The Planning Commission

FROM: Samantha Crosby, Planning & Zoning Coordinator

DATE: January 22, 2020 for the January 27, 2020 Planning Commission Meeting

SUBJECT: Case No. 19-10-Z - Shoreland Text Amendment, retaining walls & riprap

REQUEST

Planning staff has initiated a two-part text amendment to shoreland overlay district. The first part is to establish some parameters for the use of riprap along a shoreline. The second part is to re-iterate and expand upon the four-foot height limit for retaining walls.

UPDATE

The item had been previously tabled to allow for a more detailed publication in the newspaper. Due to the volume of affected properties, only newspaper notification is required - a text amendment does not require a mail notice or posted signage. The City's Environmental Specialist mentioned the opportunity to bring the request to the Environmental Commission for review and comment. We also thought it would be beneficial to bring it to the attention of the Birch Lake Improvement District, The White Bear Conservation District, and all 4 of the watershed districts. Then we decided to go ahead and provide mail notice to all affected property owners. This will be a very large mailing, but will provide the full transparency staff is aiming for. Finally, the notice will be posted on the City's website.

RECOMMENDATION

Staff recommends tabling the public hearing until February to allow for the additional outreach mentioned above.

Attachments:

None.



City of White Bear Lake
COMMUNITY DEVELOPMENT
DEPARTMENT

MEMORANDUM

TO: The Planning Commission

FROM: Ashton Miller, Planning Technician

DATE: January 21, 2020 for the January 27, 2020 Planning Commission Meeting

SUBJECT: Richard Herod III, 4264 Cottage Park Road - Case No. 20-1-CUP & 20-1-V

REQUEST

The applicant, Richard Herod, is requesting a variance and a Conditional Use Permit (CUP). The CUP is to allow two additional curb cuts, for a total of three, on the property. The variance is a two-foot variance from the four foot height limit for a fence abutting a right-of-way (ROW) in order to retain a six-foot privacy fence along Cottage Park Road.

SITE CHARACTERISTICS

The property consists of two lots. The portion of land that the house is located on (herein referred to as Parcel 1) is at the northeast intersection of Cottage Park Road and Lakeview Avenue. It abuts White Bear Lake and is approximately 17,848 square feet in size. There is a single family home and an attached garage on site. The driveway access is along Lakeview Avenue. The other portion of land (Parcel 2) is west of the house, in between Cottage Park Road, Lakeview Avenue and Old White Bear Avenue. It is 13,370 square feet in size and there are currently no structures built upon it.

ZONING

The subject site is currently split zoned. Parcel 1 is zoned R-2: Single-Family Residential and Parcel 2 is zoned R-3: Single-Family Residential. The properties to the north and east of the subject site are also zoned R-2, while the properties to the south are zoned R-3. All of the properties in the area are in the Shoreland Overlay District.

BACKGROUND

In the summer of 2019, the applicant hired a company to install a fence on his property. The company began work without a permit and without knowing the exact location of the property lines. Work was ordered to stop until the company applied for and received an approved permit. Once the permit was issued, the company did not follow the approved plan while constructing the fence, which required the six-foot cedar fence along Cottage Park Road to be set back twelve feet from the right-of-way or reduced to four feet in height. As a result, not only is the fence in violation of the Zoning Code, but it also encroaches into city and neighboring property.

APPLICANT'S PRACTICAL DIFFICULTY

See applicant's narrative, attached.

ANALYSIS**Conditional Use Permit**

The applicant is requesting two additional curb cuts to his property. The two curb cuts, one leading to Parcel 1 and the other to Parcel 2, will both access Cottage Park Road. Additional curb cuts are generally requested along high speed, high volume roads where safe access to the property can be a challenge. Since Cottage Park Road is low speed, (20 mph limit) and low volume, staff does not believe a second curb cut on Parcel 1 is appropriate.

The applicant has stated in his narrative that the curb cut will be used to access to the rear yard in order to display lights around the Christmas season. Staff finds that the infrequent use does not warrant the additional curb cut, since the vehicle could gain access through other means, such as a ramp. Staff also believes that as a boating community, should this request be approved, more applications will be sought by those looking for easier access to their rear yards for boat storage.

Staff does support the request for a curb cut onto Parcel 2. Although the land is vacant now, it is possible to build a structure accessory to the principal structure on it, so Mr. Herod has plans for a future accessory structure that he will require access to. The request for the curb cut is being made before a building permit application in anticipation of the reconstruction of Cottage Park Road in 2020. The property directly north of Parcel 2 has a garage and curb cut without a principal structure, so the request is not entirely out of character with the neighborhood.

Variance

The six foot fence begins at the northwest corner of the home, which, when constructed in 1965, was built partially in the City ROW. Consequently, a small portion of the fence is also in the ROW about half a foot, which staff requires to be moved. Staff will also require an encroachment agreement for the house, stipulating that the encroachment cannot be expanded and that should the home ever be demolished and rebuilt, it will need to meet required setbacks.

Similarly, along the northeast portion of the property, towards White Bear Lake, a portion of the fence encroaches into the neighbor's property at 2143 Lakeview Avenue. The City cannot grant a variance for encroachment upon another property, so that section too will need to be moved so that it is entirely on Mr. Herod's property, although this is a civil matter between neighbors.

White Bear Lake is a public resource. While the applicant did construct open iron fencing at the request of his neighbors, staff does not believe the view of the lake should be limited to those who live along it. It is an amenity that everyone should be able to enjoy, which adherence to the code would help ensure.

In 2010, the Zoning Code changed the required setback for six-foot fences along side yard ROWs from 17.5 feet to 12 feet in an effort to mitigate the number of fence height variances the City received. Since the change, five variances have been approved. With few exceptions, those

variances were along high traffic roads to provide increased privacy. Because Cottage Park Road does not have a high amount of daily traffic, staff finds that the request does not align with precedent.

Staff further finds that the applicant could meet code and still have reasonable use of the yard. Should he choose to lower the fence to four feet, it could still provide adequate enclosure for the applicant's dogs. Alternatively, if he decided to move the six-foot fence back twelve feet from the property line, he would still have ample space for backyard activities.

Generally, when a variance for fence height is approved, staff recommends that the applicant install plantings to soften the look. However, due to the current placement of the fence, those plantings would need to be placed on city property. Staff does not support this, as maintenance of those plantings becomes problematic, so there is not an effective way to break up the 68 feet of solid fence.

Finally, staff does not support granting a variance for a project that began without the proper permits in place. The fence company did not follow the rules and the City does not want to gain a reputation that variances can be granted after those rules are broken.

SUMMARY

The City's discretion in approving or denying a Conditional Use Permit is limited to whether or not the proposal meets the standards outlined in the Zoning Ordinance. If it meets these standards, the City must approve the Conditional Use Permit. Additional conditions may be imposed as the Council sees fit.

The City has a high level of discretion when approving or denying a variance because the burden of proof is on the applicant to show that they meet the standards of the ordinance. If the proposal is deemed reasonable (meaning that it does not have an adverse effect on neighboring properties, is consistent with the Comprehensive Plan, and is in harmony with the intent of the zoning code) then the criteria have been met.

RECOMMENDATION

Staff recommends approval of the conditional use permit for one additional curb cut on Parcel 2. Staff recommends denial of the fence setback variance based on the following findings:

1. The variance is not necessary for the reasonable use of the land or building.
2. There are no unique physical characteristics to the building or lot which create a practical difficulty for the applicant.
3. Deviation from the code without reasonable justification will slowly alter the City's essential character.

Staff further recommends approval of the Conditional Use Permit subject to the following conditions:

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the permit.

2. Per Section 1301.050, Subd.4, if within one (1) year after approving the Conditional Use Permit, the use as allowed by the permit shall not have been completed or utilized, the CUP shall become null and void unless a petition for an extension of time in which to complete or utilize the use has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
3. This Conditional Use Permit shall become effective upon the applicant tendering proof (i.e. a receipt) to the City of having filed a certified copy of the signed resolution of approval with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. A driveway permit and a right-of-way permit shall be obtained before construction of the curb cut on Parcel 2 in conjunction with the City street reconstruction project.

Prior to the issuance of a permit to allow the curb cut on Parcel 2, the applicant shall:

5. Enter into an Encroachment Agreement with the City.
6. Remove the portion of fence from the City right-of-way.

Attachments:

1. Draft Resolution of Approval
2. Draft Resolution of Denial
3. Location/Zoning Map
4. Neighbor Letter of Support
5. Applicant's Narrative (2 pages)
6. Survey & Photos (5 pages)

DRAFT RESOLUTION NO. _____

**RESOLUTION GRANTING ONE CONDITIONAL USE PERMIT
AND DENYING ONE CONDITIONAL USE PERMIT
BOTH AT 4264 COTTAGE PARK ROAD
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (20-1-CUP) has been submitted by Richard Herod III to the City Council requesting approval of a conditional use permit from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 4264 Cottage Park Road

LEGAL DESCRIPTION: Attached as Exhibit A

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A conditional use permit for two additional curb cuts accessing Cottage Park Road, per Code Section 1302.050, Subd.4.h.9

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

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake that the City Council denies the request for the curb cut onto Parcel 1, based upon then following findings:

1. The granting of the request is not consistent with the character of the neighborhood.
2. The proposed use of the curb cut into the rear yard is unwarranted since access can be gained in other ways.

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

1. The proposal is consistent with the city's Comprehensive Plan.
2. The proposal is consistent with existing and future land uses in the area.
3. The proposal conforms to the Zoning Code requirements.
4. The proposal will not depreciate values in the area.
5. The proposal will not overburden the existing public services nor the capacity of the City to service the area.

6. Traffic generation will be within the capabilities of the streets serving the site.

FUTHER, BE IT RESOLVED, that the City Council of the City of White Bear Lake hereby approves the request for a curb cut on Parcel 2, subject to the following conditions.

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the permit.
2. Per Section 1301.050, Subd.4, if within one (1) year after granting the Conditional Use Permit, the use as allowed by the permit shall not have been completed or utilized, the permit shall become null and void unless a petition for an extension of time in which to complete or utilize the use has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
3. This conditional use permit shall become effective upon the applicant tendering proof (i.e. a receipt) to the City of having filed a certified copy of this permit with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions. Proof of such shall be provided prior to the issuance of a rental license.
4. A driveway permit and right-of-way permit shall be obtained before construction of the curb cut on Parcel 2 in conjunction with the City street reconstruction project.

Prior to the issuance of a permit to allow the curb cut on Parcel 2, the applicant shall:

5. Enter into an Encroachment Agreement with the City.
6. Remove the portion of fence from the City right-of-way.

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

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

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

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

Richard Herod III

Date

EXHIBIT A**LEGAL DESCRIPTION****Parcel 1**

Lots 27 and 28, Block 2 of Cottage Park, except the following described portion of said Lot 28, viz: Beginning at a point of the S'ly line of said Lot 28, distant 20 feet W'ly from the SE'ly corner of said Lot 28; thence diagonally to a point of the E'ly line of said Lot 28, 86 feet NE'ly from the SE'ly corner of said Lot 28, thence SW'ly on the E'ly line of said Lot 28, to the SE'ly corner of Lot 28; thence 20 feet W'ly to the point of beginning, according to the recorded plat thereof on file and of record in the office the Register of Deeds in and for Ramsey County, State of Minnesota, AND that portion of Lot Four (4) in Block Three (3) of South Shore Addition described as follows; to-wit: Beginning at the Northwest (NW) corner of Lot Four (4), Block Three (3), South Shore Addition thence Southeasterly (SE'ly) a distance of Ten (10) feet along the old shore line of White Bear Lake; thence diagonally in a Southwesterly (SW'ly) direction a distance of Fifty (50) feet to a point on the Westerly (W'ly) line of said Lot 4, said point being fifty-three (53) feet Southerly (S'ly) from the Northwesterly (NW'ly) corner of said Lot 4; thence Northeasterly (NE'ly) fifty-three feet to the point of beginning.

Parcel 2

All that part of Block 4, South Shore Rearrangement of parts of Blocks 1, 2, 3, and 4 Cottage Park lying within the following described lines: Commencing at the Southeast corner of the plat of Tousley Lakeview (assumed bearing of said South line is East); thence South 1 degree 37 minutes 40 seconds West 99.63 feet; thence South 1 degree 41 minutes 46 seconds West 100.01 feet to the point of beginning of the line to be herein described; thence continuing South 1 degree 41 minutes 46 seconds West 50.0 feet; thence on a curve to the right 108.90 feet, delta angle of 20 degrees 15 minutes 29 seconds, radius of 308.00 feet bearing North 88 degrees 18 minutes 14 second West to a point on the South line of said Block 4; thence North 68 degrees 51 minutes 17 seconds West 83.45 feet along said South line; thence Northerly on a curve to the right 75.38 feet, delta angle of 13 degrees 03 minutes 12 seconds, radius of 330.87 feet bearing North 83 degrees 10 minutes 42 seconds East to a point of reverse curve on the East line of White Bear Avenue; thence continuing Northerly on a curve to the left 50.0 feet, delta angle of 4 degrees 43 minutes 19 seconds, radius of 606.7 feet bearing North 74 degrees 19 minutes 04 seconds West along said Easterly line; thence North 88 degrees 42 minutes 03 seconds East 90.41 feet to the point of beginning, Ramsey County, Minnesota.

DRAFT RESOLUTION NO. _____

**RESOLUTION DENYING A SETBACK VARIANCE
FOR 4264 COTTAGE PARK ROAD
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (20-1-V) has been submitted by Richard Herod III to the City Council requesting approval of a setback variance from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 4264 Cottage Park Road

LEGAL DESCRIPTION: Attached as Exhibit A

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF: A two foot variance from the four foot height limit for a fence abutting a right-of-way, per Zoning Code Section 1302.030. Subd.6.h.4; and

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

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

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

- 1) The variance is not necessary for the reasonable use of the land or building.
- 2) There are no unique physical characteristics to the building or lot which create a practical difficulty for the applicant.
- 3) Deviation from the code without reasonable justification will slowly alter the City's essential character.

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

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

EXHIBIT A**LEGAL DESCRIPTION****Parcel 1**

Lots 27 and 28, Block 2 of Cottage Park, except the following described portion of said Lot 28, viz: Beginning at a point of the S'ly line of said Lot 28, distant 20 feet W'ly from the SE'ly corner of said Lot 28; thence diagonally to a point of the E'ly line of said Lot 28, 86 feet NE'ly from the SE'ly corner of said Lot 28, thence SW'ly on the E'ly line of said Lot 28, to the SE'ly corner of Lot 28; thence 20 feet W'ly to the point of beginning, according to the recorded plat thereof on file and of record in the office the Register of Deeds in and for Ramsey County, State of Minnesota, AND that portion of Lot Four (4) in Block Three (3) of South Shore Addition described as follows; to-wit: Beginning at the Northwest (NW) corner of Lot Four (4), Block Three (3), South Shore Addition thence Southeasterly (SE'ly) a distance of Ten (10) feet along the old shore line of White Bear Lake; thence diagonally in a Southwesterly (SW'ly) direction a distance of Fifty (50) feet to a point on the Westerly (W'ly) line of said Lot 4, said point being fifty-three (53) feet Southerly (S'ly) from the Northwesterly (NW'ly) corner of said Lot 4; thence Northeasterly (NE'ly) fifty-three feet to the point of beginning.

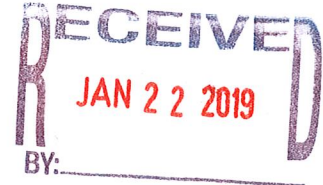
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Trudi A. Taylor, Ed. D.

tataylor46@yahoo.com 651-426-1193 home 651-707-4585 cell
4292 Old White Bear Avenue North
White Bear Lake, Minnesota
55110-3874

TO: White Bear Lake Planning Commission
FROM: Trudi and Franklyn Taylor
4292 Old White Bear Avenue North
White Bear Lake, Minnesota
DATE: January 22, 2020
RE: Proposed Variances for Richard Herod III



Planning Commission Members:

Thank you for the notification regarding Richard Herod III's proposed variances for his Cottage Park home. **FRANK AND I SUPPORT BOTH OF RICHARD'S REQUESTS.**

Having lived in Cottage Park for over 35 years, Frank and I are among the "oldest" residents here and deeply respect our neighborhood and our neighbors. As you know, since Cottage Park is one of the oldest neighborhoods in White Bear Lake, nearly every home in the area has benefitted from some variances. Over the years, the Planning Commission has done a remarkable job to help us maintain an historical, vibrant area while accommodating necessary modernization.



Ever since Richard Herod III moved into the neighborhood, he has been a welcome and active supporter of Cottage Park activities, and has added value to our locations by upgrading and carefully maintaining his property.

Because Richard's acreage is on a very busy and visible corner, it seems to make good sense for him to wish the privacy an additional two feet of fence might afford; and if the curb cuts can help him make better use of his property, then that is a good thing for our crowded streets.

We can see no way that either request could hinder our neighborhood and ask that you grant these variances. Please feel free to contact us if we can add additional perceptions. Thank you for your continuing important work on behalf of our beautiful and unique community.

Respectfully,

Trudi A. Taylor
Franklyn D. Taylor

| | |
|--|--------------------------------------|
| Signature:  | Date: <i>Jan. 22, 2020</i> |
| Signature:  | Date: <i>JAN 22, 2020</i> |

12/13/2019

Request to consider variance and conditional usage of property at 4264 Cottage Park Road.

I would like to first go on record by saying that I'm thankful for the grace and kindness of all city personnel involved in this request. When I hired Fence Me In LLC to create this fencing project it was believed they would have taken the necessary steps to clear all ordinances and lot clearances and gain permits before beginning work.

It was only after they began work, and after I called city hall on a suspicion that a permit was not pulled, that I knew work had begun without prior authorization.

The string of events led to a few key discoveries and four specific requests:

- 1) The front of the house on the Cottage Park is built over the city right of way.
 - a. The first request is to document this – and grandfather – or give conditional usage for the housing structure on the city right of way (survey included).
- 2) The fence height is 6", not 4" as required by city ordinances. Again – this was discussed with Fence Me in LLC, and work was completed without proper city approval, even as work was shut down by city request. This was not my intent to violate city ordinances – had I known a permit was not pulled – I would have gotten the variance in advance, not after like I'm doing in this case.
 - a. I worked with both adjacent neighbors (Chuck Mears and Dan Emery) and wanted privacy fencing to allow privacy for my two French bulldog puppies. A 6" fence allows for privacy and security of my dogs.
 - b. Both neighbors asked me to stop the privacy fence in accordance with their wishes on their property side, and then the fence immediately transitions to open iron fencing – to not obstruct lake views for either neighbor.
 - c. I would like the ability to keep the current fence height at 6 feet for the privacy and security of my dogs.
- 3) The first 6" of the privacy fencing is on the property line – so the third request is to conditionally allow usage of this as technically the fencing is on both city and my property.
 - a. Please note: This line is a direct line that matches the house – so the fence does not intrude on city property as much as the house does.
- 4) Curb cuts:
 - a. With the improvements to Cottage Park coming, I am requesting approval of two curb cuts – one for the land across the street (Parcel 2 on the survey).
 - b. The second curb cut will be along parcel 1. In order to do the Holiday Lights, a boom truck needs access to the back lot and use a crane to hang the Christmas lights on the oak tree in my back yard. I would like the ability to continue to bring holiday cheer to Cottage Park with the "blue tree" lights that my house is known for.

I am sincerely sorry that the work was started in advance of a permit being completed, and I am upset the fencing company completed work – without final approval of the city. I know this puts you in a tough situation.

My hope is that this request will be approved and I am happy to provide any further documentations, explanations as you find necessary.

Respectfully,

A handwritten signature in black ink, appearing to read 'Richard Hero III', is written over a horizontal line. The signature is stylized and somewhat obscured by the line.

Richard Hero III
4624 Cottage Park Road
White Bear Lake MN 55110
612 239 9545

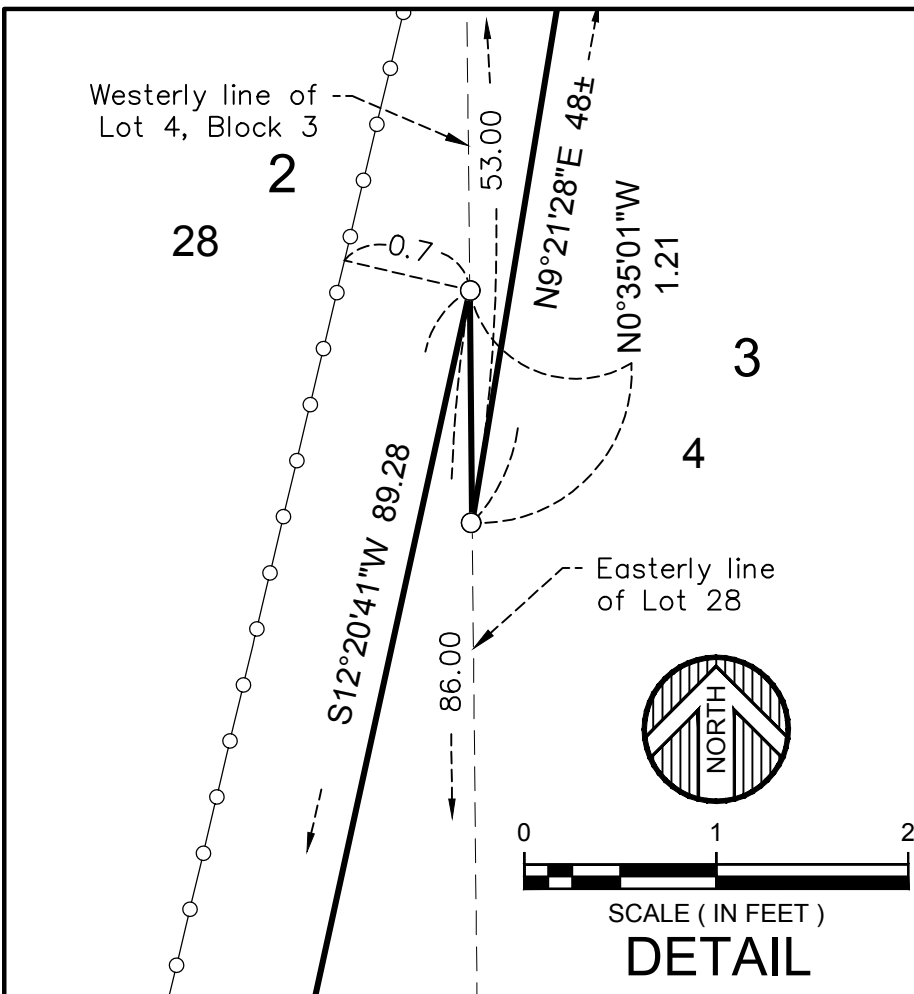
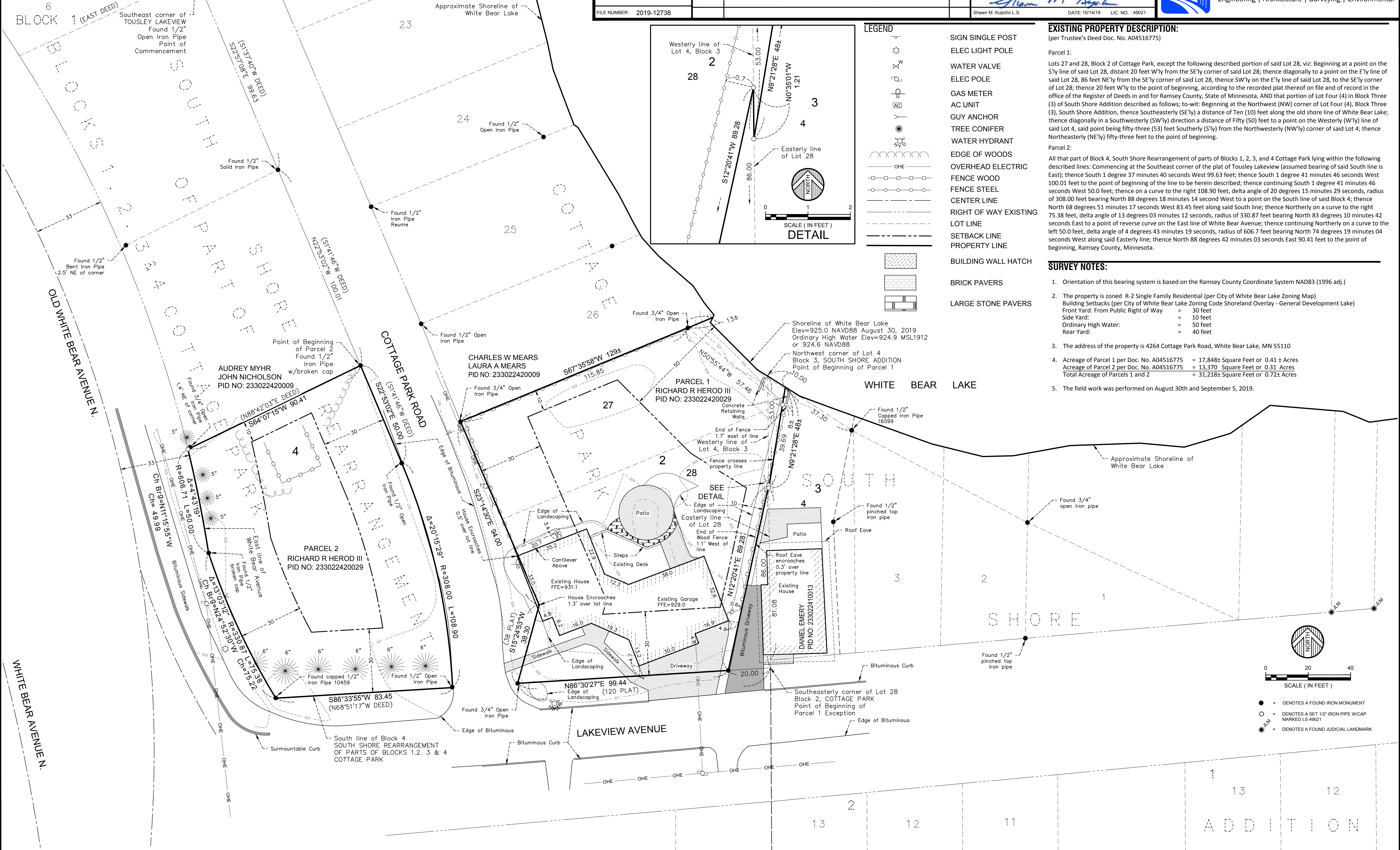
TOUSLEY LAKEVIEW
BLOCK 1 (EAST DEED)

CERTIFICATE OF SURVEY

| | | | | | | | |
|--------------|------------------|-------|--|-------------|--|-----|--|
| DATE: | October 14, 2019 | DATE: | | AMENDMENTS: | | BY: | PREPARED FOR: RICHARD HEROD |
| SCALE: | AS SHOWN | | | | | | I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA. |
| DRAWN BY: | SMK | | | | | | <i>Shawn M. Kupcho</i> |
| CHECKED BY: | JMB | | | | | | Shawn M. Kupcho L.S. DATE: 10/14/19 LIC. NO. 49021 |
| FILE NUMBER: | 2019-12738 | | | | | | |



WIDSETH SMITH NOLTING
Engineering | Architecture | Surveying | Environmental



LEGEND

- SIGN SINGLE POST
- ELEC LIGHT POLE
- WATER VALVE
- ELEC POLE
- GAS METER
- AC UNIT
- GUY ANCHOR
- TREE CONIFER
- WATER HYDRANT
- EDGE OF WOODS
- OVERHEAD ELECTRIC
- FENCE WOOD
- FENCE STEEL
- CENTER LINE
- RIGHT OF WAY EXISTING
- LOT LINE
- SETBACK LINE
- PROPERTY LINE
- BUILDING WALL HATCH
- BRICK PAVERS
- LARGE STONE PAVERS

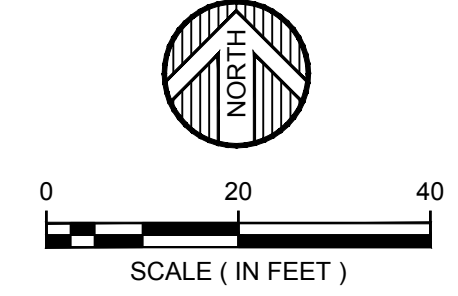
EXISTING PROPERTY DESCRIPTION:
(per Trustee's Deed Doc. No. A04516775)

Parcel 1:
Lots 27 and 28, Block 2 of Cottage Park, except the following described portion of said Lot 28, viz: Beginning at a point on the S'y line of said Lot 28, distant 20 feet W'y from the SE'y corner of said Lot 28; thence diagonally to a point on the E'y line of said Lot 28, 86 feet NE'y from the SE'y corner of said Lot 28, thence SW'y on the E'y line of said Lot 28, to the SE'y corner of Lot 28; thence 20 feet W'y to the point of beginning, according to the recorded plat thereof on file and of record in the office of the Register of Deeds in and for Ramsey County, State of Minnesota, AND that portion of Lot Four (4) in Block Three (3) of South Shore Addition described as follows; to-wit: Beginning at the Northwest (NW) corner of Lot Four (4), Block Three (3), South Shore Addition, thence Southeasterly (SE'y) a distance of Ten (10) feet along the old shore line of White Bear Lake; thence diagonally in a Southwesterly (SW'y) direction a distance of Fifty (50) feet to a point on the Westerly (W'y) line of said Lot 4, said point being fifty-three (53) feet Southerly (S'y) from the Northwesterly (NW'y) corner of said Lot 4; thence Northeasterly (NE'y) fifty-three feet to the point of beginning.

Parcel 2:
All that part of Block 4, South Shore Rearrangement of parts of Blocks 1, 2, 3, and 4 Cottage Park lying within the following described lines: Commencing at the Southeast corner of the plat of Tousley Lakeview (assumed bearing of said South line is East); thence South 1 degree 37 minutes 40 seconds West 99.63 feet; thence South 1 degree 41 minutes 46 seconds West 100.01 feet to the point of beginning of the line to be herein described; thence continuing South 1 degree 41 minutes 46 seconds West 50.0 feet; thence on a curve to the right 108.90 feet, delta angle of 20 degrees 15 minutes 29 seconds, radius of 308.00 feet bearing North 88 degrees 18 minutes 14 second West to a point on the South line of said Block 4; thence North 68 degrees 51 minutes 17 seconds West 83.45 feet along said South line; thence Northerly on a curve to the right 75.38 feet, delta angle of 13 degrees 03 minutes 12 seconds, radius of 330.87 feet bearing North 83 degrees 10 minutes 42 seconds East to a point of reverse curve on the East line of White Bear Avenue; thence continuing Northerly on a curve to the left 50.0 feet, delta angle of 4 degrees 43 minutes 19 seconds, radius of 606.7 feet bearing North 74 degrees 19 minutes 04 seconds West along said Easterly line; thence North 88 degrees 42 minutes 03 seconds East 90.41 feet to the point of beginning, Ramsey County, Minnesota.

SURVEY NOTES:

- Orientation of this bearing system is based on the Ramsey County Coordinate System NAD83 (1996 adj.)
- The property is zoned R-2 Single Family Residential (per City of White Bear Lake Zoning Map) Building Setbacks (per City of White Bear Lake Zoning Code Shoreland Overlay - General Development Lake)
Front Yard: From Public Right of Way = 30 feet
Side Yard: = 10 feet
Ordinary High Water: = 50 feet
Rear Yard: = 40 feet
- The address of the property is 4264 Cottage Park Road, White Bear Lake, MN 55110
- Acreeage of Parcel 1 per Doc. No. A04516775 = 17,848± Square Feet or 0.41± Acres
Acreeage of Parcel 2 per Doc. No. A04516775 = 13,370 Square Feet or 0.31 Acres
Total Acreeage of Parcels 1 and 2 = 31,218± Square Feet or 0.72± Acres
- The field work was performed on August 30th and September 5, 2019.



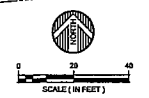
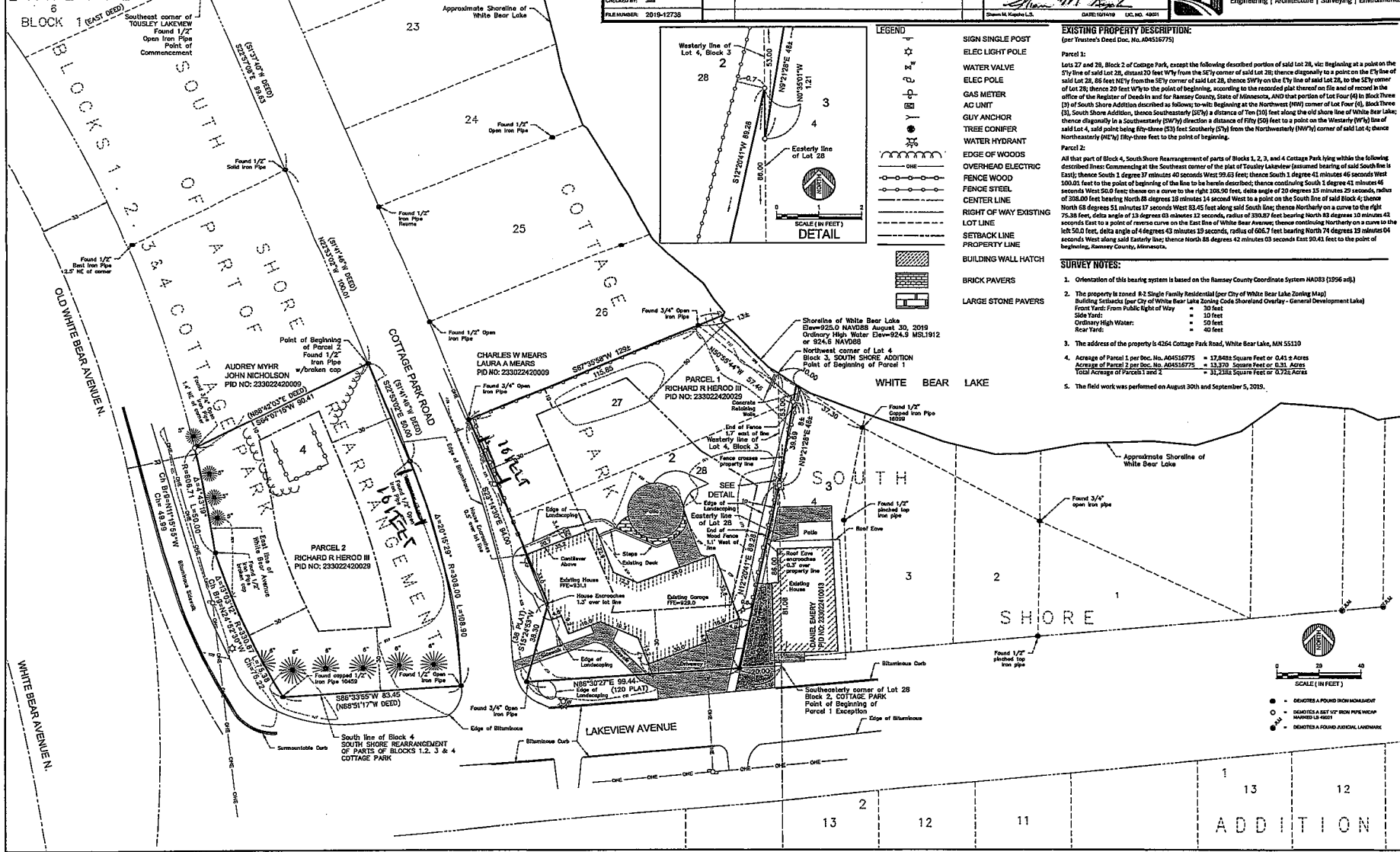
- = DENOTES A FOUND IRON MONUMENT
- = DENOTES A SET 1/2" IRON PIPE W/CAP MARKED LS 49021
- ⊙ = DENOTES A FOUND JUDICIAL LANDMARK

2 CURB CUTS EXHIBIT
10 FEET ON BOTH SIDES OF SPACED

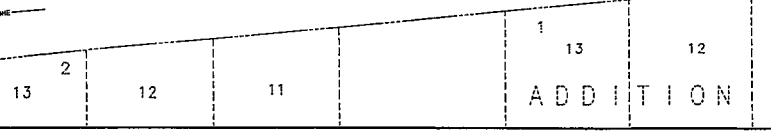
CERTIFICATE OF SURVEY

| | | | |
|-------------------------|-----------------|-------------------|---------------------------------|
| DATE: October 14, 2019 | DATE: _____ | AMENDMENTS: _____ | BY: PREPARED FOR: RICHARD HEROD |
| SCALE: AS SHOWN | DATE: _____ | DATE: _____ | ENGINEER: WIDSETH SMITH NOLTING |
| DRAWN BY: JAH | CHECKED BY: JAH | DATE: _____ | PROJECT NO: 2019-12738 |
| FILE NUMBER: 2019-12738 | | | |

WIDSETH SMITH NOLTING
Engineering | Architecture | Surveying | Environmental



- INDICATES A FOUND IRON MARKER
- INDICATES A SET OF IRON PIPE W/OPEN ENDS IN ROW
- INDICATES A FOUND ADJACENT LANDMARK













City of White Bear Lake
COMMUNITY DEVELOPMENT
DEPARTMENT

MEMORANDUM

TO: The Planning Commission

FROM: Samantha Crosby, Planning & Zoning Coordinator

DATE: January 22, 2020 for the January 27, 2020 Commission Meeting

SUBJECT: Twin Cities PETROLEUM / Setback Variance, 2490 County Road F, East
Case No. 20-2-V

REQUEST

The property owner, Twin Cities Petroleum, is requesting two setback variances in order to locate a freestanding monument sign in the existing greenspace. The first variance is a 3 foot 8 inch variance from the 10 foot setback requirement along the north property line. The second variance is a 4 foot 5 inch variance from the 10 foot setback required along the east property line. See applicant's narrative.

ZONING

The subject property is zoned B-2 – Limited Business. The land to the west and south is zoned the same. The townhomes across Bellaire Avenue to the east are zoned R-7 – High Density Residential. There is a single-family residence across County Road F to the north located in White Bear Township and is zoned R-1, Suburban Residential. Finally, Bellaire Automotive Services, which is also in White Bear Township, is zoned B-1 Limited Business.

SITE CHARACTERISTICS

The subject site meets both the minimum lot width requirement (100 feet) and the minimum lot area (none). While the lot is conforming, the use is not; gas stations are first permitted in the B-3 zoning district as a conditional use. The use is grandfathered-in. The site is highly impervious. Aside from very narrow setbacks, the only greenspace is a triangular piece of sod in the northeast corner of the property. The building is approximately 3,400 square feet in size and the canopy shelters eight pumps.

BACKGROUND

Records indicate that the property was first developed in the mid-sixties as an automotive service station. It appears to have been converted to a convenience store in 1980, and the underground tanks were added in 1981. The current building and canopy layout was constructed in 1986 and it appears that not much has changed since then.

APPLICANT'S PRACTICAL DIFFICULTY

The tight configuration of a very small site is the reason behind the variance. As a comparison, the gas stations at County Road E and Bellaire are all around a half acre in size and the subject site is barely over a quarter acre in size. The site plan shows that meeting the ten foot setback leaves about two

square feet in which to construct a sign. Also, digital signs are not permitted as wall signs, therefore, a freestanding sign is the only option when a gas pricer is desired.

ANALYSIS

There are seven parking stalls on site, which is less than required by current code, and the areas not used for building or parking are dedicated to the pumps or on site circulation. Staff agrees that there is no better location on site than the location proposed.

The applicant had originally approached the City with a larger (both taller and wider) design. Given the limited amount of space available, staff encouraged a more compact design in order to minimize both the impact to surrounding properties and the amount of variance needed. The proposed sign is only 20.5 square feet in size when up to 35 square feet is allowed by code. It is also only 6 feet tall when 10 feet of height is allowed by code. Staff finds that the proposed sign is appropriately scaled to the size of the lot.

The sign will be setback about one foot from the curb that separates the greenspace from the drive aisle. This provides a little protection from vehicles and it provides space for the landscaping to grow around all sides of the sign. The sign will have a small brick base that matches the brick on the building and the required landscaped planter bed surrounding it. The sign will also feature a digital price display. You may recall that the sign code was recently amended to allow for digital signs “an electronic sign limited to alpha-numeric display of one or two colors only”. Digital signs are limited to no more than 70% of the total square footage of the overall sign or 25 square feet, whichever is less. The digital portion of the proposed sign comprises 44% and 9 square feet. The sign must also comply with all criteria required of a dynamic display sign except spacing and resolution. Of note is that, if it had been required, the sign does comply with the 100 foot setback from residences.

Finally, staff double checked the required sight triangles to insure the proposed sign will not encroach into these required “clear view” areas.

SUMMARY

The City has a high level of discretion when approving or denying a variance because the burden of proof is on the applicant to show that they meet the standards of the ordinance. If the proposal is deemed reasonable (meaning that it does not have an adverse effect on neighboring properties, it is consistent with the Comprehensive Plan, and it is in harmony with the intent of the Zoning Code) then the criteria have been met.

RECOMMENDATION

The existing physical conditions of the site are the reason for the variance request. Staff supports the variances which will allow a modestly sized sign which has been intentionally designed to fit in the space available. Staff recommends approval of the requested variances when subject to the following conditions:

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

3. A sign permit shall be obtained prior to installing the freestanding sign.
4. The sign shall comply with the duration, transition, brightness, display, and malfunction requirements of Section 1202.040, Subd.2.B.3 of the Sign Code.
5. The applicant shall verify the property lines and have the property pins exposed at the time of inspection.

Attachments:

1. Draft Resolution of Approval
2. Zoning/Location Map
3. Applicant's Narrative
4. Plan Set: 5 pages

DRAFT RESOLUTION NO. _____

**RESOLUTION GRANTING TWO SETBACK VARIANCES FOR
2490 COUNTY ROAD F, EAST
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (20-2-V) has been submitted by Twin City Petroleum and Property LLC, to the City Council requesting approval of two setback variances from the Sign Code of the City of White Bear Lake for the following location:

LOCATION: 2490 County Road F, East

LEGAL DESCRIPTION: The North 110 feet of the East 110 feet of Lot 1, Block 1, Normandy Park, Ramsey County, Minnesota (PID # 253022210001)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A 3 foot 8 inch variance from the 10 foot setback requirement along the north property line and a 4 foot 5 inch variance from the 10 foot setback requirement along the east property line, both per Code Section 1202.040, Subd.2.B.1, in order to locate a freestanding monument sign in the existing greenspace on the northeast corner of the property; and

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

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

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

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

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

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

- 1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
- 2. Per Section 1301.060, Subd.3, the variance shall become null and void if the project has not been completed or utilized within one (1) calendar year after the approval date, subject to petition for renewal. A request for renewal shall be submitted in writing at least one month prior to expiration of the approval.
- 3. A sign permit shall be obtained prior to installing the freestanding sign.
- 4. The sign shall comply with the duration, transition, brightness, display, and malfunction requirements of Section 1202.040, Subd.2.B.3 of the Sign Code.
- 5. The applicant shall verify the property lines and have the property pins exposed at the time of inspection.

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

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

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

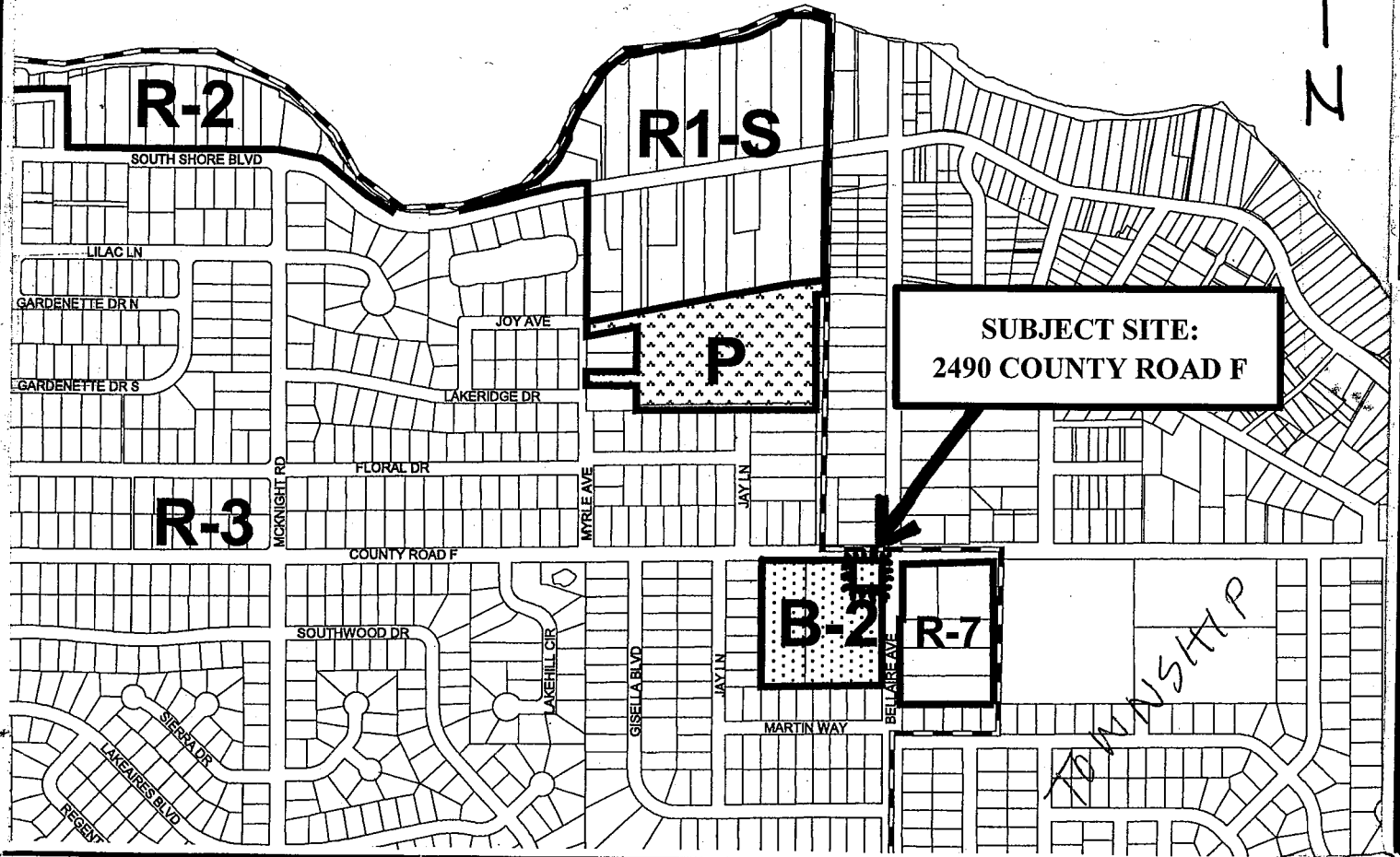
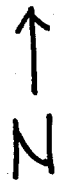
Owner's Printed Name and Signature

Date

R1-I

WHITE BEAR LAKE

24



SUBJECT SITE:
2490 COUNTY ROAD F

R-2

R1-S

P

R-3

B-2

R-7

TRANSIT P

City of
White Bear Lake
Planning and Zoning Office
(612)-429-8561

CASE NO. : 20-2-V
CASE NAME : Twin Cities Petroleum
DATE : January 27, 2020



12-18-19

Samantha,

We would like to ask for two setback variances from the sign code for the Marathon station located at 2490 Cty Rd F East White Bear Lake MN 55110. We do not have a gas price sign at that location since we only have a small green area in which to put a sign and that is not sufficient. The request is for A 3' 8" variance from the North property line (36%) and 4' 5" from the East property line (45%).

We have customized the sign and made it smaller to minimize the amount of variance being requested. The sign will not obstruct any visibility of traffic on adjacent roadways or access to and from the property. We think it would be in the best interest of the City, The Customers and the owner of the property to bring it up to industry standards.

The landscape plan will consist of two Creeping junipers per side. They are described below.

Juniperus horizontalis 'Wiltonii' is a dense, compact, slow growing, very flat, selection of Creeping juniper with trailing branches and attractive, silver-Blue foliage. It is arguably the most-popular ground-cover juniper in the nursery trade. After 10 years of growth, a mature specimen will measure 6 to 10 feet (2 - 3 m) wide, but only a few inches (2 - 3 cm) high, an annual growth rate of 7 to 10 inches (18 - 25 cm).

Thank You for your consideration.

Jim Hamilton

Hamilton Sign

PO Box 148

Rosemount, MN 55068

651-247-8224 Direct

651-322-7936 Fax

sales@hamiltonsign.com



SPECIFICATIONS:
 D/F internally LED illuminated
 12' digital price display
 Polycarbonated faces
 Aluminum constructed cabinet
 Brick to match building brick
 Juniperus hor. 'Wiltonii' (Creeping Juniper)
 Mature height 6" to 8"



Client Marathon Freedom valu
 Location 2490 Cty Rd F
 Description White Bear Lake MN

Date: 11/18/19
 Revision: v.1
 Drawn By: _____

Description
 4'-0" x 5'-0" D/F internally illuminated with LEDs
 12" Digital Gas numbers display

P.O BOX 148 Rosemount, MN 55068 • 651-247-8224 fax • sales@hamiltonsign.com

* This drawing is the property of Hamilton Sign Co. It is submitted to your company for the sole purpose of your consideration of whether to purchase a sign(s) manufactured according to these plans from Hamilton Sign Co. Distribution or exhibition of this plan to anyone other than employees of your company or use of this plan for construction of a similar sign to the one(s) created herein, is forbidden. In the event that such exhibition occurs, Hamilton Sign Co. will expect to be reimbursed for the time and materials used in creating this drawing.



Center Pole Sign - Double Face
 Chassis Size: 61.375" H X 48" W X 8" D
 Area: 20.5 SQ FT
 Standard Windload
 Chassis Color: Sky White

Light Strips Draw: 1.85 Amps
 Light Strips Circuits: 1

LED(Pricelines/EMC) Draw: 1 Amps
 LED Circuits: 1


Total Circuits Recommended: 2

Detail 1, Logo Face
 Marathon, Flat Embossed Face
 VO: 25.5"H X 43.625"W

Detail 2, LD4 Digits
 VO: 29.5"H X 43.625"W
 LED Priceline 1 : Red 14"

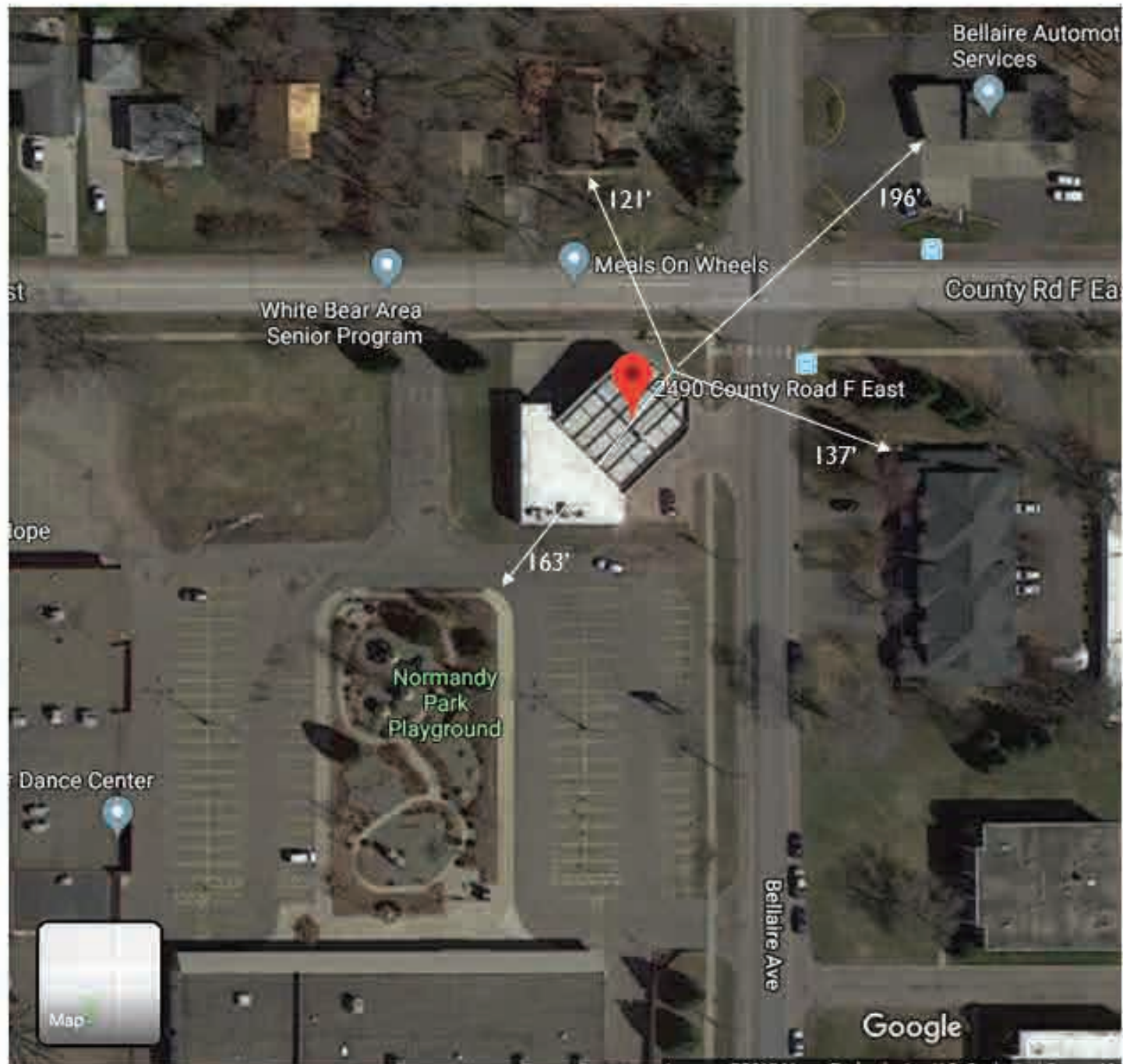
Est. Crated Weight: 330 pounds
 Crate HxLxW: 67x55x21"

Everbrite_Center_Pole_Sign 1.1.111319

| | | | |
|---|------------------------|--|-------------------------------|
|  | | <small>DISCLAIMER: Renderings are for graphic purposes only and not intended for actual construction dimensions. For windload requirements, actual dimensions and mounting detail, please refer to engineering specifications and install drawings. These drawings and designs are the exclusive property of Everbrite LLC Use of, or duplication in any manner without express written permission of Everbrite LLC is prohibited.</small> | |
| Customer: Marathon | | Description: | |
| Project No: PP420976A | Scale: N/A | Customer Approval: NOTE: Unless specified by customer, all depth of embossing will be determined by Everbrite Engineering or existing customer specifications on file. Colors and graphics on file will be used unless otherwise specified by customer. Please read carefully, check appropriate box and fax back to Everbrite: <input type="checkbox"/> Sketch OK as is <input type="checkbox"/> New Sketch Required | |
| Date: 11/13/2019 3:44:40 PM | Drawn By: Joshua Scott | | |
| Location & Site No: MA2490ADR-1, 2490 COUNTRY RD F EAST, WHITE BEAR LAKE, MN, 55110 | | Version:1 | SIGNATURE _____ DATE _____ |

MARATHON

Distance to adjacent structures:



2490 Cty Rd F
White Bear Lake MN 55110

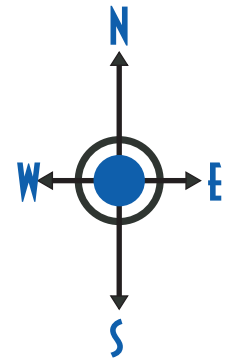
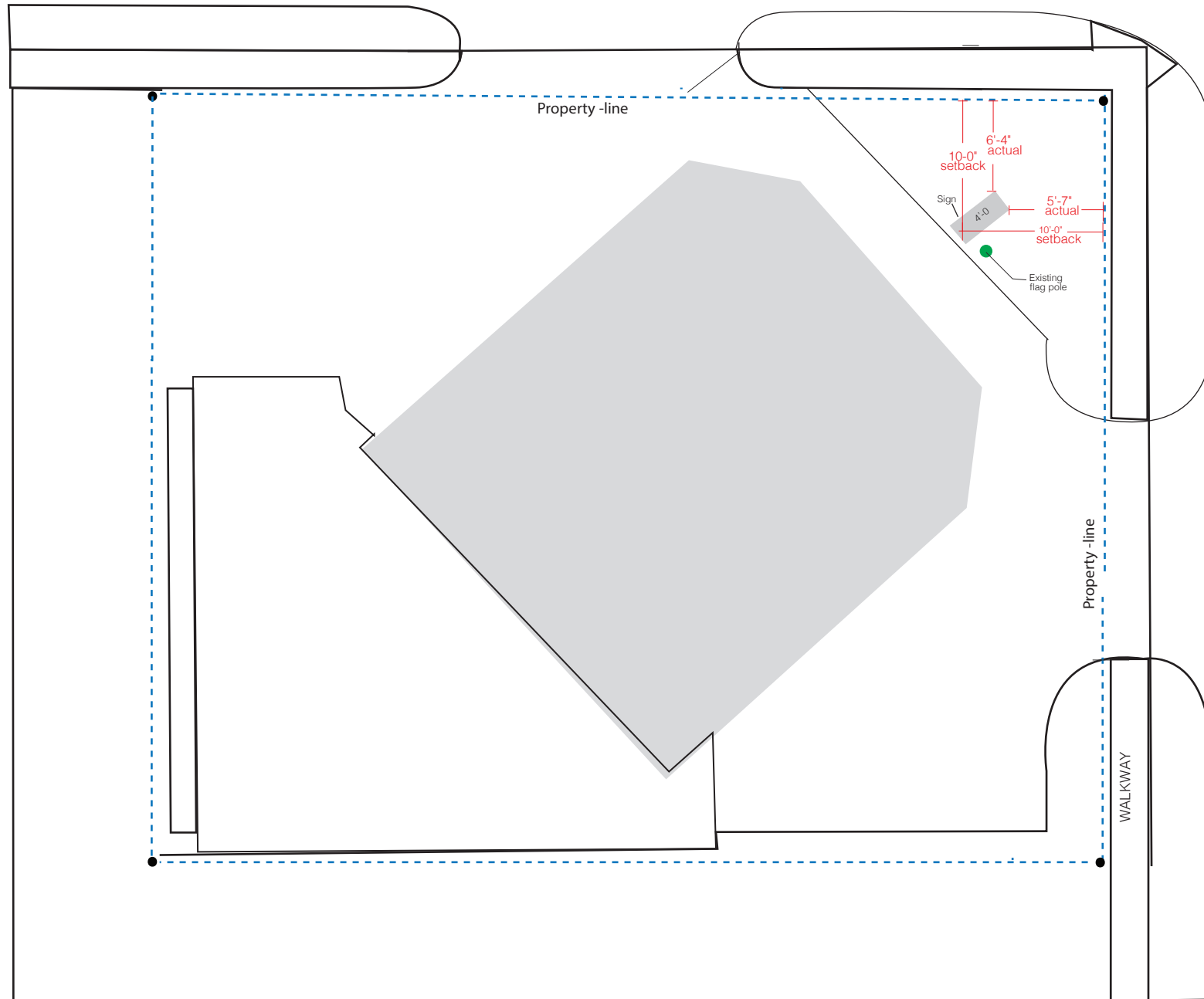


Jim Hamilton 651-247-8224
sales@hamiltonsign.com

1117/0030

County Road F East

Bellaire Ave.



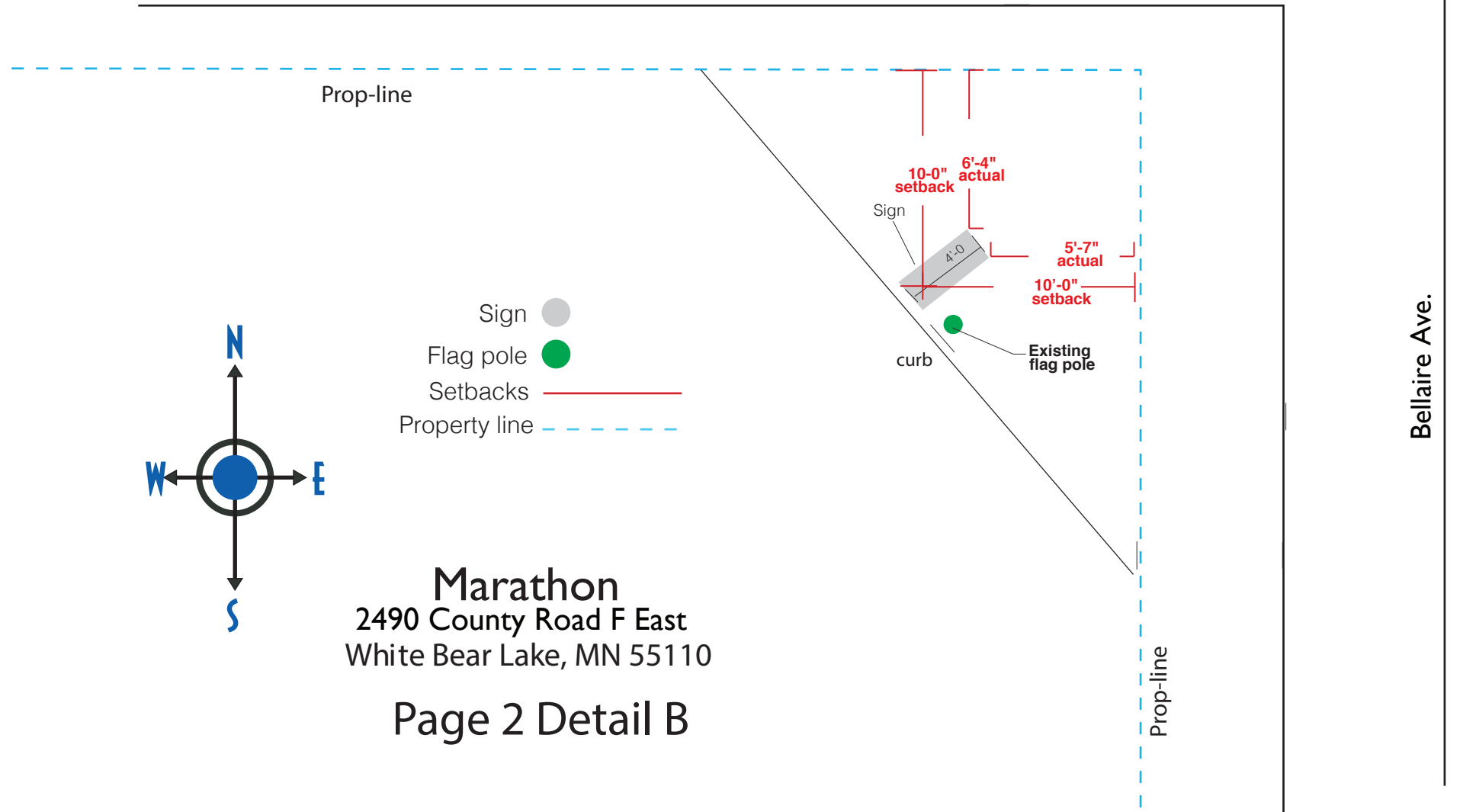
Marathon
 2490 County Road F East
 White Bear Lake MN 55110

- Sign ●
- Flag pole ●
- Setbacks —
- Property line - - -

**HAMILTON
SIGN**
 A Hamilton LLC Company

P.O. Box 148 / Rosemount, MN 55068
 651-247-8224 / 651-322-7936 Fax
 sales@hamiltonsign.com

County Road F East



Client Marathon-superette
Location 2490 County Road F East
White Bear Lake MN 55110
Description

Date:
Revision: v.1
Drawn By: _____

Description
Monument sign placement

P.O BOX 148 Rosemount, MN 55068 • 651-247-8224 fax • sales@hamiltonsign.com
* This drawing is the property of Hamilton Sign Co. It is submitted to your company for the sole purpose of your consideration of whether to purchase a sign(s) manufactured according to these plans from Hamilton Sign Co. Distribution or exhibition of this plan to anyone other than employees of your company or use of this plan for construction of a similar sign to the one(s) created herein, is forbidden. In the event that such exhibition occurs, Hamilton Sign Co. will expect to be reimbursed for the time and materials used in creating this drawing.

CITY COUNCIL MEETING SUMMARY

January 14, 2020

APPROVAL OF MINUTES – Approved

City Manager Hiniker administered the Oath of Office to, Councilmember Bill Walsh – Ward 1, Councilmember Dan Jones – Ward 3 and Councilmember Steven Engstran – Ward 5

APPROVAL OF THE AGENDA - Approved

VISITORS AND PRESENTATIONS – Nothing scheduled

PUBLIC HEARINGS – Nothing scheduled

LAND USE – Nothing scheduled

UNFINISHED BUSINESS – Nothing scheduled

ORDINANCES - Approved

- A. Second reading of a Charter Commission recommendation to amend the City Charter pertaining to assessment of code enforcement penalties and fines **Ordinance No. 20-1-2042**
- B. Second reading of a City-initiated request to amend the Zoning Code to clarify that only one stairway to a waterbody is permitted per property (19-9-Z) **Ordinance No. 20-1-2043**

NEW BUSINESS – Approved

- A. Resolution appointing City representatives to Ramsey County League of Local Governments, Ramsey County Dispatch Policy Committee, Vadnais Lake Area Water Management Organization, Rush Line Task Force and Northeast Youth and Family Services **Resolution No. 12508**
- A.1. Resolution appointing City Council Chair **Resolution No. 12509**
- B. Resolution authorizing purchase of a ladder truck for the Fire Department. **Resolution No. 12510**
- C. Resolution naming the official newspaper to perform official publications. **Resolution No. 12511**
- D. Resolution establishing regular meeting nights of the City Council of the City of White Bear Lake. **Resolution No. 12512**
- E. Resolution designating City Attorney –Counselor and Prosecutor for 2020. **Resolution No. 12513 and Resolution No. 12514**
- F. Resolution authorizing bid advertisement for window replacement project at Pioneer Manor. **Resolution No. 12515**

- G. Resolution authorizing the Mayor and City Manager to execute an agreement for Social Services with Northwest Youth and Family Services. **Resolution No. 12516**
- H. Resolution approving plans and specifications and authorizing advertisement for bids for the Centerville Road Water Reservoir Painting Project. **Resolution No. 12517**

CONSENT – Approved

- A. Resolution authorizing City Manager to invest and transfer funds for the City, designation of bank depository and depositing for investments. **Resolution No. 12518**
- B. Resolution fixing surety bonds for various City Officials and providing for approval of the same. **Resolution No. 12519**
- C. Resolution authorizing the City Manager to pay claims made against the City. **Resolution No. 12520**
- D. Resolution authorizing 2020 travel reimbursement amounts. **Resolution No. 12521**
- E. Resolution approving gas station and tobacco license to White Bear Express, Inc. **Resolution No. 12522**
- F. Resolution approving massage establishment licenses. **Resolution No. 12523**
- G. Resolution approving temporary liquor licenses for various qualifying non-profit groups. **Resolution No. 12524**
- H. Resolution accepting work and authorizing final payment to T.A. Schifsky & Sons, Inc. for the completion of the 2019 Mill and Overlay Project, City Project Nos.: 19-04 & 19-13. **Resolution No. 12525**
- I. Resolution appointing an administrative hearing officer through January 2021. **Resolution No. 12526**
- J. Resolution authorizing a food truck at Lakewood Hills Park pavilion for Redeemer Lutheran Church. **Resolution No. 12527**

DISCUSSION

COMMUNICATIONS FROM THE CITY MANAGER

- Strategic planning 2020: participation with the school district facility build-out, City's facility study, the downtown planning process in February, capital improvement plan, work with Trane for energy planning in March, utility rate study, recodification
- Mayor Emerson remembered Donald Strange who served on the White Bear Lake City Council from 1962-69 and 1972-78. She announced his passing and funeral this week and expressed sympathies to the family.
- Councilmember Edberg made a request for discussion of Councilmember and Mayor to discuss salaries such that compensation remains adequate and attractive to candidates.

He noted that proposed increases should be set for two years out to avoid accusations of padding.

- Mr. Kauppi reminded residents to remove vehicles from the streets during plow events.
- Ms. Kane announced that in following with the strategic plan, at the first meeting in February, the consultant will present a summary of the City's Comprehensive Housing Plan.

ADJOURNMENT – 8:05 p.m.

Park Advisory Commission Meeting Minutes

OCTOBER 17, 2019

6:30 P.M.

CITY HALL

| | |
|-----------------|--|
| MEMBERS PRESENT | Bill Ganzlin, Bryan Belisle, Victoria Biehn, Mark Cermak, Anastacia Davis, Ginny Davis, Mike Shepard |
| MEMBERS ABSENT | |
| STAFF PRESENT | Mark Meyer and Andy WietECKi |
| VISITORS | |
| NOTE TAKER | Mark Meyer |

1. CALL TO ORDER

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

2. APPROVAL OF MINUTES

Approval of the minutes from September 19, 2019 was moved by Mark Cermak and seconded by Ginny Davis.

3. APPROVAL OF AGENDA

Approval of the October 17, 2019 agenda was moved by Mike Shepard and seconded by Victoria Biehn. Motion carried.

4. UNFINISHED BUSINESS

a. Bossard Park

Parking is a problem at Bossard Park. The park lacks a parking lot which makes it difficult to expand the use of the park. Residents that use the park must park on secondary roads. In the past, there has been discussion about putting in a parking lot but it was not well received by residents. The Park Advisory Commission discussed reaching out to the neighborhood to see what they would like the park to look like.

b. Futsal Court

There was continued discussion about the possibility of a Futsal court at Podvin Park in the hockey area. The soccer association would have to fund the hard surface installation for the court. There was talk about using gyms like the Armory or school district.

5. NEW BUSINESS

a) Summer Park Tours

The summer tours were a big hit with the Parks Advisory Commission. It gives everyone a chance to see the locations of the parks and amenities that each park offers as well as the condition of each location and the updates and repairs needed. The park tours will start up again next spring.

b) Budget Reviews

The Park Advisory Commission discussed the 2019 and 2020 budget. One of the large projects for next year will be a larger pavilion at West Park with more power for various events like the Fourth of July. There will be continued discussion on this project as the final design is determined. The Commission also discussed whether the baseball backstop should be removed at West Park. The backstop will stay in place as families continue to use it for pick-up games. The volleyball poles by the bathrooms will be removed next year because there are regularly used volleyball nets down at the beach.

6. OTHER STAFF REPORTS

Andy Wieteki is picking up sample shirts for the Park Advisory Commission to try on for sizing. The City will order shirts for the Commission for their summer park tours.

7. COMMISSION REPORTS

None.

8. OTHER BUSINESS

None.

9. ADJOURNMENT

The next meeting will be held on November 21, 2019 at 6:30 p.m at City Hall.

There being no further business to come before the Park Commission, the meeting was adjourned. Moved by Bryan Belisle and seconded by Anastacia Davis.