

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

The City of White Bear Lake Planning Commission will hold a meeting on Monday, April 27, 2020 beginning at 7:00 p.m. Pursuant to a statement issued by the Mayor under Minnesota Statutes, section 13D.021 as a result of the COVID-19 pandemic, the meeting will be conducted electronically via WebEx. The meeting room at City Hall will not be open to the public.

1. Call to order and roll call.
2. Approval of the April 27, 2020 agenda.
3. Approval of the February 24, 2020 Planning Commission meeting minutes.
4. **CASE ITEMS:**
Unless continued, the cases will go to the City Council meeting on Tuesday, May 12, 2020. Item I requires two readings and will also be heard at the City Council meeting on Tuesday, June 9, 2020.
 - A. **Case No. 19-10-Z:** A **City-Initiated** text amendment to Zoning Code at Section 1303.230, Subd.7 "Shoreland Alterations" to reiterate the limitation that retaining walls not exceed 4 feet in height, restrict retaining walls within the shore impact zone unless determined structurally necessary by the City Engineer, and to clarify that riprap along the shoreline is only appropriate when vegetation alone is not sufficient to curtail an erosion problem.(Tabled indefinitely at Staff's request).
 - B. **Case No. 20-4-V:** A request by **Mark Olson on behalf of Chuck and Ginny Schroeder** for a 15 foot variance from the 30 foot setback required along a side abutting a public right-of-way, per Code Section 1303.050, Subd.5.c.3, in order to build an addition on the property located at 3790 Cranbrook Drive.
 - C. **Case No. 20-2-CUP:** A request by **Brett and Emily Witter** for a Conditional Use Permit, per Code Section 1302.125, for a home accessory apartment at the property located at 2281 Lilac Lane.
 - D. **Case No. 20-5-V:** A request by **Ranee Kostron** for a 3 foot 4 inch variance from the 6 foot height limit for a fence in the side and rear yard and 2 foot variance from the 4 foot height limit for a fence in a front yard, both per Code Section 1302.030, Subd.6, in order to construct a wooden fence along the east and north property lines that, at the maximum height is 9 feet 4 inches tall, at the property located at 3576 Jerry Street.
 - E. **Case No. 20-3-CUP:** A request by **Lake Avenue Marina** for a Conditional Use Permit for an 8 slip marina with 2 transient slips, per Code Section 1303.227, Subd.4.f at the property located at 4453 Lake Avenue.

- F. **Case No. 20-6-V:** A request by **White Bear Baseball Association** for a 970 square foot variance from the 30 square foot sign limit, per Code Section 1202.040, Subd.3.D.3, in order to allow up to 1,000 square feet of advertisement signage on the batting cages and outfield fence at Weyerhaeuser Park located at 1705 9th Street. **WITHDRAWN BY APPLICANT.**

- G. **Case No. 20-7-V:** A request by **John Grant on behalf of Robert Gross and Lydia Najera** for a 52 square foot variance from the 1,000 square foot maximum size for a primary accessory structure, per Code Section 1302.030, Subd.4.i.2.b, in order to expand the existing attached garage by 236 square feet at the property located at 1885 Orchard Lane.

- H. **Case No. 20-4-CUP & 20-8-V:** A request by **Celine Carlson** for a conditional use permit for a second curb cut, per 1302.050, Subd.4.h.9 and the following four variances: A 14 foot variance from the 20 foot setback for an attached garage, per Code Section 1302.030; A 3 foot variance from the 77.7 foot average lakeside setback for the home, per 1302.040, Subd.4.c; A 6.5 foot variance from the 69.7 foot lakeside setback for the unenclosed porch, per 1302.040, Subd.4.a.3; A 6.5 foot variance from the 72.7 foot lakeside setback for the second floor balcony, per 1302.040, Subd.4.a.5, all in order to construct a new single-family residence at the property located at 4312 Cottage Park Road.

- I. **Case No. 20-1-Z:** A **City-Initiated** text amendment to Zoning Code at Section 1303.120, Subd.3 “Permitted Accessory Uses” to clarify that the intent of line (a) is permitting accessory buildings, not a specific use within the building.

5. **DISCUSSION ITEMS:**

- A. City Council Meeting Summary from April 14, 2020.
- B. Park Advisory Commission Meeting Minutes from January 16, 2020.

6. **ADJOURNMENT**

Next Regular City Council Meeting May 12, 2020
 Next Regular Planning Commission Meeting..... May 18, 2020

**MINUTES
PLANNING COMMISSION MEETING
CITY OF WHITE BEAR LAKE
February 24, 2020**

The regular monthly meeting of the White Bear Lake Planning Commission was called to order on Monday, February 24, 2020, 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, Pamela Enz, and Mark Lynch.

MEMBERS EXCUSED: Erich Reinhardt and Peter Reis.

MEMBERS UNEXCUSED: None.

STAFF PRESENT: Anne Kane, Community Development Director, Samantha Crosby, Planning & Zoning Coordinator, Tracy Shimek, Housing & Economic Development Coordinator, Connie Taillon, Environmental Specialist, and Ashton Miller, Planning Technician.

OTHERS PRESENT: Ben Andreski, Don Vry, Craig Drake, Gloria Drake, Judy Craig, Scott Costello, Harleigh Brown, Steve DeShane, Brian Bonin, Rachel Bonin, Allen Holmstrom, Tony Reif, Josh Winchell, David Olson, Shelly Young, William Dinauer, Jason Brown, Pat Ryan, Grant Raykowski, Kathryn Raykowski, and Pat Dempsey.

2. APPROVAL OF THE FEBRUARY 24, 2020 AGENDA:

Member Berry moved for approval of the agenda. Member Lynch seconded the motion, and the agenda was approved (4-0).

3. APPROVAL OF THE JANUARY 27, 2020 PLANNING COMMISSION MEETING MINUTES:

Member Enz moved for approval of the minutes. Member Berry seconded the motion, and the minutes were approved (4-0).

4. CASE ITEMS:

A. **Case No. 19-10-Z:** A **City-Initiated** text amendment to Zoning Code at Section 1303.230, Subd.7 “Shoreland Alterations” to reiterate the limitation that retaining walls not exceed four feet in height, restrict retaining walls within the shore impact zone unless determined structurally necessary by the City Engineer, and to clarify that riprap along the shoreline is only appropriate when vegetation alone is not sufficient to curtail an erosion problem.

Crosby discussed the case. Staff recommended the case be continued to the March Planning Commission meeting to allow time for staff to develop guiding documents.

Member Lynch noted that he is happy that there will be opportunity for public input before the text amendment comes back to the Planning Commission for a vote. He questioned where staff was in creating the guiding documents. Crosby explained that they are at a very early stage in the process and are looking at what other cities are doing.

Member Baltzer opened the public hearing.

Ben Andreski, Scandia, he works to stabilize shorelines and several of his projects were highlighted in staff's presentation. He supplied the Planning Commissioners with a number of pictures representing the work he has done within a five-mile radius of the City to demonstrate the type of erosion his company handles. He commented that staff's reasoning for requiring plantings appears to be a shielding technique to hide the large rocks. He has found that with the winters the region has been having, the ice will freeze down to the lake bottom, expanding everything forward, and undermining the shore. As a way to protect against this, the larger stones are embedded below the frost line, so the bank is not crushed. He has used both boulders and native plantings and has found the effectiveness is circumstantial. Several of his example projects showed that all the planting materials disappeared over the years.

Member Enz asked if the plantings used have been deep rooted. Andreski replied that many of his projects are partnerships with the Rice Creek Watershed District, Ramsey County, or Washington County, who design the projects utilizing their knowledge of native plantings. He described how the rising water has disrupted established vegetation and boats are having a greater impact with more waves against the shoreline. He explained that there is a time and place for larger boulders. Small rocks are better for erosion, but ice is the main concern for shallow lakes like White Bear.

Member Lynch asked Mr. Andreski for his opinion on what the City should be looking at to curtail erosion and protect the lakes. Andreski answered that no one really knows. The recent lack of snow and shallow lakes make it a challenge and a lot depends on soil type. The Department of Natural Resources (DNR) limits the size of riprap to an average 30-inch diameter, not a maximum of 30 inches, as the City is proposing. He believes that limiting the size of boulders is not beneficial. He also suggested that the slope of the riprap should be changed from 3:1 to 2:1 to help alleviate the ice issues and to promote rebuilding the bank. It is hard to regain the land that is lost to erosion.

Andreski commented that there are already several agencies that regulate shoreline alterations. He noted that anything below the Ordinary High Water Level (OHWL) is under DNR jurisdiction, and the City can regulate anything above. However, often time, the shoreline permits come from the watershed district.

Member Berry commented that from the materials that the Planning Commissioners have been given, it appears the ordinance will allow the big rocks right along the lake as the first layer if needed. The rest of the rocks above the high water mark are more decorative, so that is where the plantings could be.

Craig Drake, 4647 Lake Avenue, utilized a series of photographs to demonstrate how their shoreline is in dire need of repair. He described how in 2005, after pulling out tires, concrete and other debris, working with the watershed district, his family installed coconut logs and a retaining wall to create a little living area. After back filling the logs, his wife planted thousands of native

plants and they installed an anti-erosion blanket. During that time, the lake level was very low, so many plants were not exposed to the water until it started coming back up in recent years. They thought they were doing everything right, but at the beginning of last year, the recreational area started to sag. The land by the shore used to be flat, but now the ground underneath is hollow because water is seeping in, so their shore is caving in. He explained that they do not want to do what they are going to do to find a permanent solution to the erosion problem. They want to do what is best for the lake, but sometimes doing what is right does not work. He does not support the City putting more restrictions on what the DNR already regulates. He believes there are other education opportunities that will better the health of the lake.

Don Vry, Champlin, he is an engineer that has a lot of experience working on shoreline restoration. He has learned that when proposing code changes, it is important to develop a statement of need. He understands the desire to protect the lake, but it needs to be made clear what issues have arisen to warrant the changes. Landowners are biased and do not want to spend money if they do not have to. He stated that it is not typical for a City engineer to sign off on a design because it holds the City accountable if the project fails. He believes that staff's memo needs to better clarify that riprap in itself does not degrade water quality, that riprap needs to be defined, since crushed rock works better, and that a distinction needs to be made since lakes are not wetlands. He urged staff to make clear that property owners would not lose their rights over any existing structures.

Pat Ryan, 4609 Lake Avenue, explained that they installed riprap around the same time his neighbors planted vegetation. He is now concerned his rocks are not big enough. He thinks the City is going too fast and should not limit the rock size. Further, he does not want to have to plant native vegetation, since he has a membrane under his riprap and punching holes would undermine its purpose. They terraced their yard in order to have a place to store their dock. He does not think the City should get involved in an area the DNR has provided guidance for and that the wording of the proposed ordinance is not fully developed. He is concerned the retaining wall language is too vague.

Josh Winchell, 2338 South Shore Boulevard, he has a lot of questions because he has a proposed project he is waiting for approval on. He bought the house with small riprap, around 2/3 of which is now missing because of ice heave and traffic to the docks. He stated that when staff came to his house, they told him the larger rocks were not allowed. He wants to know what other cities are doing and whether the proposed change follows other established rules or best management practices. He asked what the City is trying to accomplish, since the lake is already developed. He thinks the rules are too restrictive and wonders if it is about control of homeowners.

Scott Costello, 2359 Joy Avenue, has been a part of the White Bear Lake Conservation District (WBLCD) and the dock association that has a dock off the Winchell property. He noted there are five municipalities around the lake, so any rules the City enacts will not apply to the whole lake. He commented that the evils of riprap have never come up in WBLCD meetings. The DNR rules are successfully applied to the other lakes in Minnesota. He is curious if there are model ordinances out there and believes there are other agencies to regulate riprap.

Gloria Drake, 4647 Lake Avenue, she believes that we should defer to the experts and look at what the evidence says before changing protocol. She has worked on her shoreline for 15 years and has spent lots of time and energy promoting native vegetation, which has not worked. She suggested that the Planning Commission reconsider the text amendment.

Brian Bonin, 4871 Lake Avenue, he has been a part of the lake for 46 years. He described how he has lost about three to four feet of lakefront property over the year, as it is a very sandy bottom. He stated that he has many questions about the proposed changes since he will be exploring the options available to him to prevent more erosion this summer. He agreed with previous comments that the rules should be based on results. He suggested that boat traffic is a huge problem. More boats and bigger waves are detrimental to the shore. The lake has changed a lot and there are chances it will continue to change if more docks are permitted. He would like to find a balance between those who are using the lake, creating many of the issues, and those who want to maintain their lakeshore property. He explained that he wants to know who the experts are because he does not want to make an investment on something that does not work. He questioned what can be done that is a permanent solution and is good for the lake.

Judy Craig, 4643 Lake Avenue, she noted that her home had smaller rocks when she moved in that were eroding. It took a lot for her project to get approved. She had to go through the City, the watershed, and other entities. Another layer of government is unnecessary.

Grant Raykowski, 2503 Manitou Island, he does not agree with what the City is trying to do. He described how there is a wall along two-thirds of his property, which has not been affected by erosion. The portion that has no wall protection is eroding, which has forced him to remove several trees along the shore. He agrees that there are too many rules and regulations.

Ben Andreski spoke again, reiterating that there are other ways to improve the health of the lake. Reducing the amount of runoff from South Shore Boulevard and the amount of salt that ends up in the lake are just two things the City can do to affect lake quality.

Member Baltzer closed the public hearing.

Member Lynch contended that the City should look at some model ordinances of other cities on heavily used, shallow lakes. He commented that he does not mind going further than the DNR because the City has a history of having a unique character and of being more environmentally friendly. He likes deferring to the experts, but wants some quality control on who those experts are. He agreed with the public comments that there needs to be a statement describing the problem this proposed ordinance is addressing.

Member Enz asked staff how the riprap size limits were determined. Crosby noted the aforementioned DNR rule of a 30-inch average. She could not recall where the 12-inch diameter came from, but offered to have that resource for the next meeting. She confirmed that the 12-inch diameter is by right, and larger stones are allowed if site circumstances call for them.

Member Berry stated that while the vagueness of the draft ordinance was intentional to provide flexibility, it has caused concern with property owners who do not know where it is going. Crosby replied that flexibility has been the goal the whole time.

Member Baltzer commented that should the City adopt stricter regulations than the DNR, there will be a hodge-podge of rules among the lake's five municipalities. He is inclined to stay with the rules enforced by the DNR.

Member Berry moved to continue Case No. 19-10-Z to the March 30 Planning Commission Meeting. Member Lynch seconded the motion. The motion passed by a vote of 4-0.

5. DISCUSSION ITEMS:

A. Comprehensive Housing Market Study Summary Presentation.

Shimek presented the findings from Maxfield Research on the City's housing stock. The organization looked at the changing demographics to determine the City's future housing needs. She described some of the changes, including the increase in the baby boomer generation, smaller household sizes, and increases in those living alone. Shimek explained that unemployment rates are low, as are vacancy rates among rentals, particularly affordable housing. White Bear Lake has a lot of natural occurring affordable housing. Even so, roughly half of renters in the City are cost burdened. There is currently a low inventory of housing, which is driving up prices in all unit types.

Maxfield Research projects that there will be a 1,800 unit demand through 2030 in White Bear Lake. Shimek described what the next steps for the City will be now that it is equipped with this information. The goal is to present the report to the community and various organizations to start a conversation to determine what the most pressing issues are and how resources should be allocated to address them.

B. City Council Meeting Minutes of February 11, 2020.

Kane provided a recap on how the City Council voted on the previous month's land use cases.

C. Park Advisory Commission Meeting Minutes of November 21, 2019.

No discussion

6. ADJOURNMENT:

Member Lynch moved to adjourn, seconded by Member Enz. The motion passed unanimously (4-0), and the February 24, 2020 Planning Commission meeting was adjourned at 9:23 p.m.



City of White Bear Lake
COMMUNITY DEVELOPMENT
DEPARTMENT

MEMORANDUM

TO: The Planning Commission

FROM: Samantha Crosby, Planning & Zoning Coordinator

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

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

Background

In February, the Planning Commission continued this matter to allow time for guiding documents to be created. Given the intricacies of the matter, which require a high level of staff time and attention, and given the current social distancing and work from home circumstances, staff recommends tabling the item to a date uncertain. If another public hearing is scheduled regarding this item, the City will provide new public notice.

Recommendation

Table indefinitely.

Attachments

None.



City of White Bear Lake
COMMUNITY DEVELOPMENT
DEPARTMENT

4.B

MEMORANDUM

TO: The Planning Commission

FROM: Ashton Miller, Planning Technician

DATE: March 24, for April 27, 2020 Planning Commission Meeting

SUBJECT: Schroeder Setback Variance, 3790 Cranbrook Drive – Case No. 20-4-V

REQUEST

The applicant, Mark Olson, on behalf of the property owners Chuck and Ginny Schroeder, is requesting a 15-foot variance from the 30-foot setback for the side yard abutting a public right-of-way (ROW) in order to construct a building addition onto the back of the home.

SITE CHARACTERISTICS

The subject site is located at the southeast corner of Cranbrook Drive and Blomquist Avenue. The lot is conforming in size and width and contains a single-family residence with a two car attached garage.

ZONING

The subject site is zoned R-3, Single-Family Residential, as are all of the adjacent properties.

BACKGROUND

According to Ramsey County, the existing home was built in 1957. A variance was granted in 1965 to allow a garage to be built seven feet from the side yard abutting a public right-of-way. The staff report for the request could not be found, so the reasoning behind the approval is unknown.

APPLICANT'S PRACTICAL DIFFICULTY

The location of the home on the lot and the layout of the interior space are the reasons for the variance request. See attached narrative.

ANALYSIS

While the addition does not meet the 30 foot side yard abutting a ROW requirement, it maintains a 30 foot setback from the edge of the actual road, which limits the impact on neighbors. Further, it is no closer to the property line than what already exists, so does not intensify the nonconformity, and will not impede vehicle or pedestrian sight lines at the intersection.

The existing layout of the home limits the viable location for the addition. If the applicants were to narrow the addition to reduce the requested variance, more of the back yard space would be

4.B

covered. As described in the narrative, if the addition shifted south to meet the 30 foot setback, it would require a major reconfiguration of either the kitchen or bedrooms based on the location of existing or possible points of entry. A significant portion of the patio would also need to be removed.

Finally, the proposed addition complies with all other aspects of the code. It will meet the rear and interior side yard setbacks, the rear yard cover will remain below the 25 percent maximum, and the exterior materials will complement those on the home and garage.

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 Comp Plan, and it is in harmony with the intent of the Zoning Code) then the criteria have been met.

Most past variances from the setback along a side abutting a public right-of-way have been granted to allow corner lots in neighborhoods with smaller lots to be buildable. This one is not that same situation, but the applicant has shown a practical difficulty and the request is not anticipated to adversely affect neighboring properties.

RECOMMENDATION

Staff recommends approval as requested subject to the following conditions:

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

Attachments:

1. Draft Resolution of Approval
2. Zoning/Location Map
3. Applicant's Narrative (2 pages) & Plans (3 pages)
4. Neighbor Comment of Support

RESOLUTION NO. _____

**RESOLUTION GRANTING A SETBACK VARIANCE
FOR 3790 CRANBROOK DRIVE
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (20-4-V) has been submitted by Chuck and Ginny Schroeder to the City Council requesting approval of a variance from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 3790 Cranbrook Drive

LEGAL DESCRIPTION: Lot 1, Block 17, Bacchus 4th Addition (PID: 253022320006)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A 15-foot variance from the 30-foot setback required along a side abutting a public right-of-way, per Code Section 1303.050, Subd.5.c.3, in order to construct a 306 square foot building addition on the back of the home; and

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on April 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 of the Planning Commission:

1. The requested variance will not:
 - a. Impair an adequate supply of light and air to 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 variance is a reasonable use of the land or building and the variance is the minimum required to accomplish this purpose.
3. The variance will be in harmony with the general purpose and intent of the City Code.
4. The variance 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 variance.

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

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

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

Ayes:
Nays:
Passed:

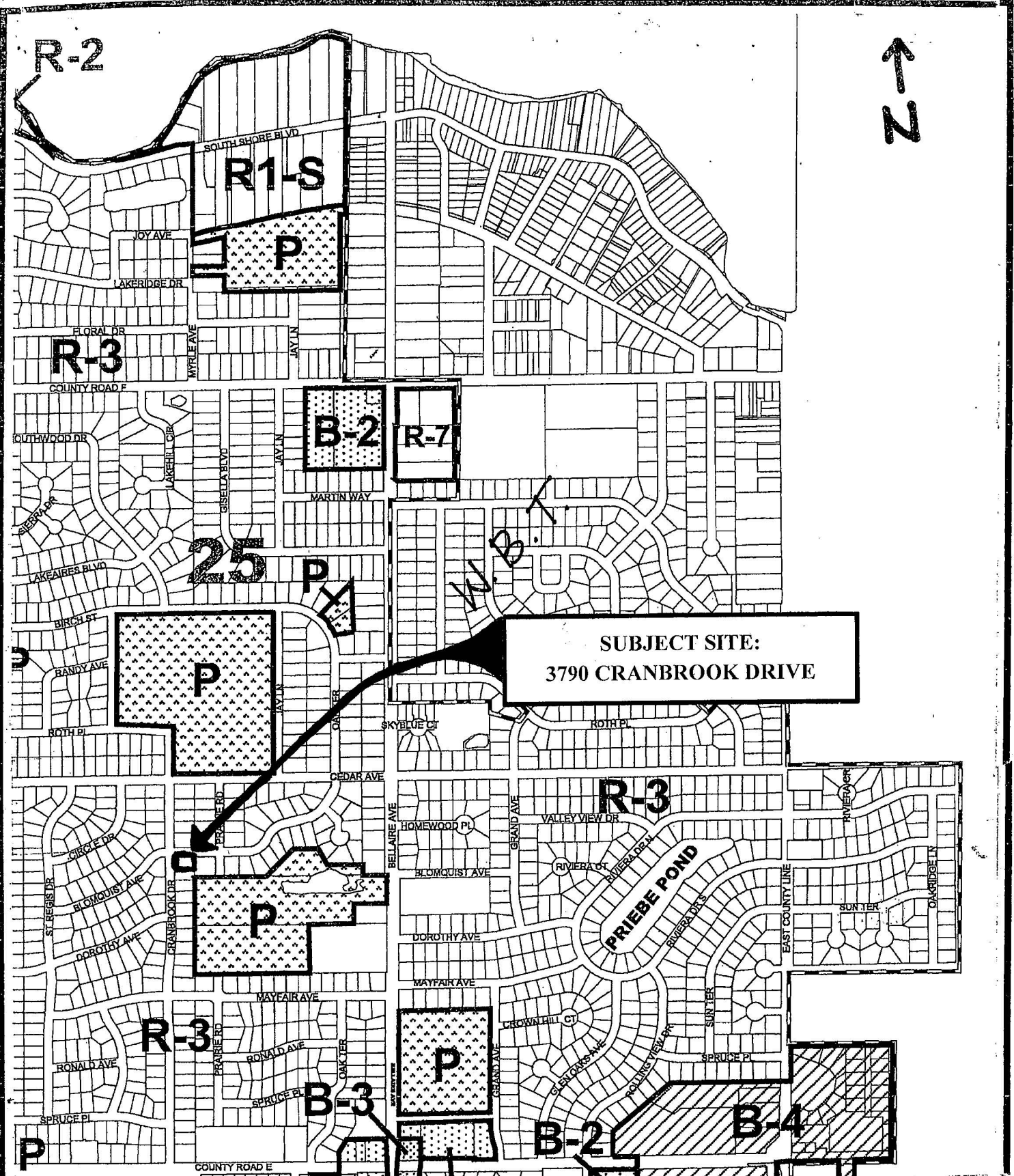
Jo Emerson, Mayor

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.

Charles Schroeder / Virginia Schroeder Date



SUBJECT SITE:
3790 CRANBROOK DRIVE

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

CASE NO. : **20-4-V**
 CASE NAME : **Olson / Schroeder**
 DATE : **April 27 - 2020**

Chuck and Ginny Schroeder
3790 Cranbrook Drive
White Bear Lake, MN 55110
Applewood Builders
Mark Olson

02/10/2020

Planning Commission Members
4701 Highway 61
White Bear Lake, MN 55110

To all Commissioners,

We are writing to you to ask for permission to receive a variance in setback guidelines to build an addition to our home located at 3790 Cranbrook Drive, White Bear Lake MN

We have given Mark Olson of Applewood Builders permission to apply for this on our behalf. Please see the enclosed written permission we have given to him.

We have also enclosed all drawings and fees as required by the city to consider this.

We are requesting a 15' variance from the required 30' setback along a side abutting a public right of way.

Our request is being made because of our existing floor plan in our home and existing patio restraints in our yard making it a hardship on our part to meet the existing requirements set forth by the city.

As you can see by the drawings, we are proposing to build an addition on the back of our home that will be used as a mudroom and additional living space off of our existing dining room.

We are requesting this variance because of 2 main restrictions we would face by moving the addition further south on our lot to comply without a variance.

- 1) If we were to move the addition further south, we would have to completely remove our existing colored and stamped concrete patio that currently exists. If the variance is approved as drawn, we will still have to lose a section of the patio in the building process and we would like not to lose any more of it.
- 2) Also if we were to move the addition further south on the lot, instead of being in a practical place for entry into the addition from our dining room, it would be either in the area of kitchen cabinets that would have to be remodeled to create access into the new addition or directly behind

our main bathroom and bedrooms which would require again a major remodel in the existing home to create access into the new addition. Neither plan would work well and both would require additional funds that would make our addition more expensive then we would be able to afford.

In the process of building the new addition, the exterior finish will complement what is used for the existing exterior finish. We will be using a board and batten style siding that will be painted to match the existing color of the house. We will not be able to match the existing vinyl siding in style or color so that is the reason we will be using a board and batten style. We also feel the contrast in texture will be very appealing.

We will also be matching other finish details as in the soffits and fascia and roofing as close as possible. The roof style and over hangs will also match what is currently on the existing house.

One other reason we feel this request is very reasonable, many years ago, the Council granted a variance for a previous owner to build a garage within 7 feet of the property line. Our request if granted will put us no closer then 15' to the property line.

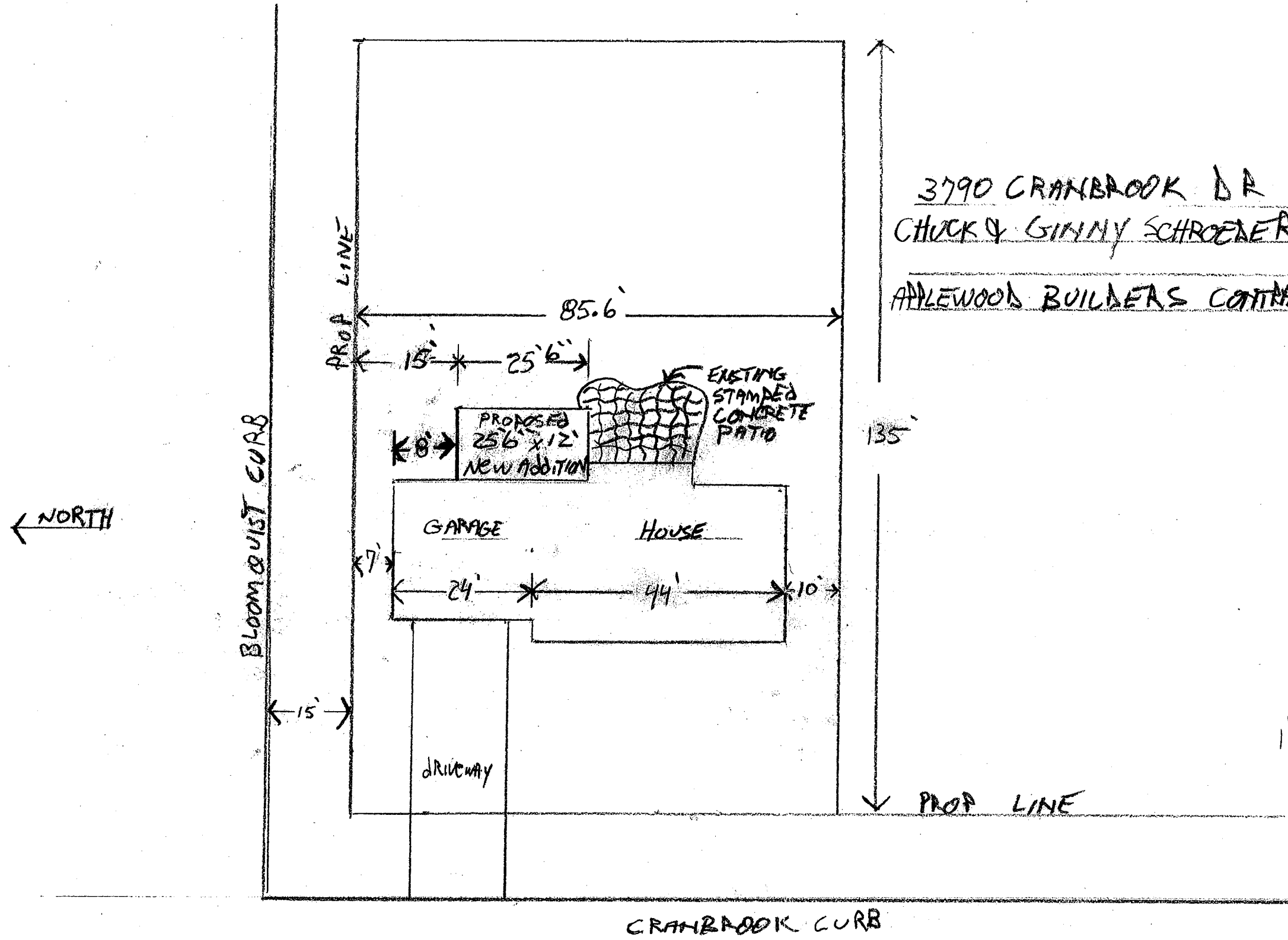
On behalf of the Schroeders, I want to thank you for your consideration in this matter. I, along with the Schroeders, will be at the Planning Commission meeting when this will be considered.

Very sincerely,

Mark Olson
Applewood Builders
5950 Portland Ave.
White Bear Lake, MN 55110
MN Builders License # BC003215

3790 CRANBROOK DR
CHUCK & GINNY SCHROEDER - OWNER

APPLEWOOD BUILDERS CONTRACTOR



1/4" = 20'

CRANBROOK CURB

3790 CRANBROOK DRIVE

EXISTING LIVING ROOM

EXISTING GARAGE

NORTH →

BATH + BEDROOMS

EXISTING KITCHEN

EXISTING DINING ROOM

RANGE

SINK

2R-UP

7' TO PROPERTY LINE

EXISTING CONCRETE PATIO AREA

2R-UP

NEW DECK

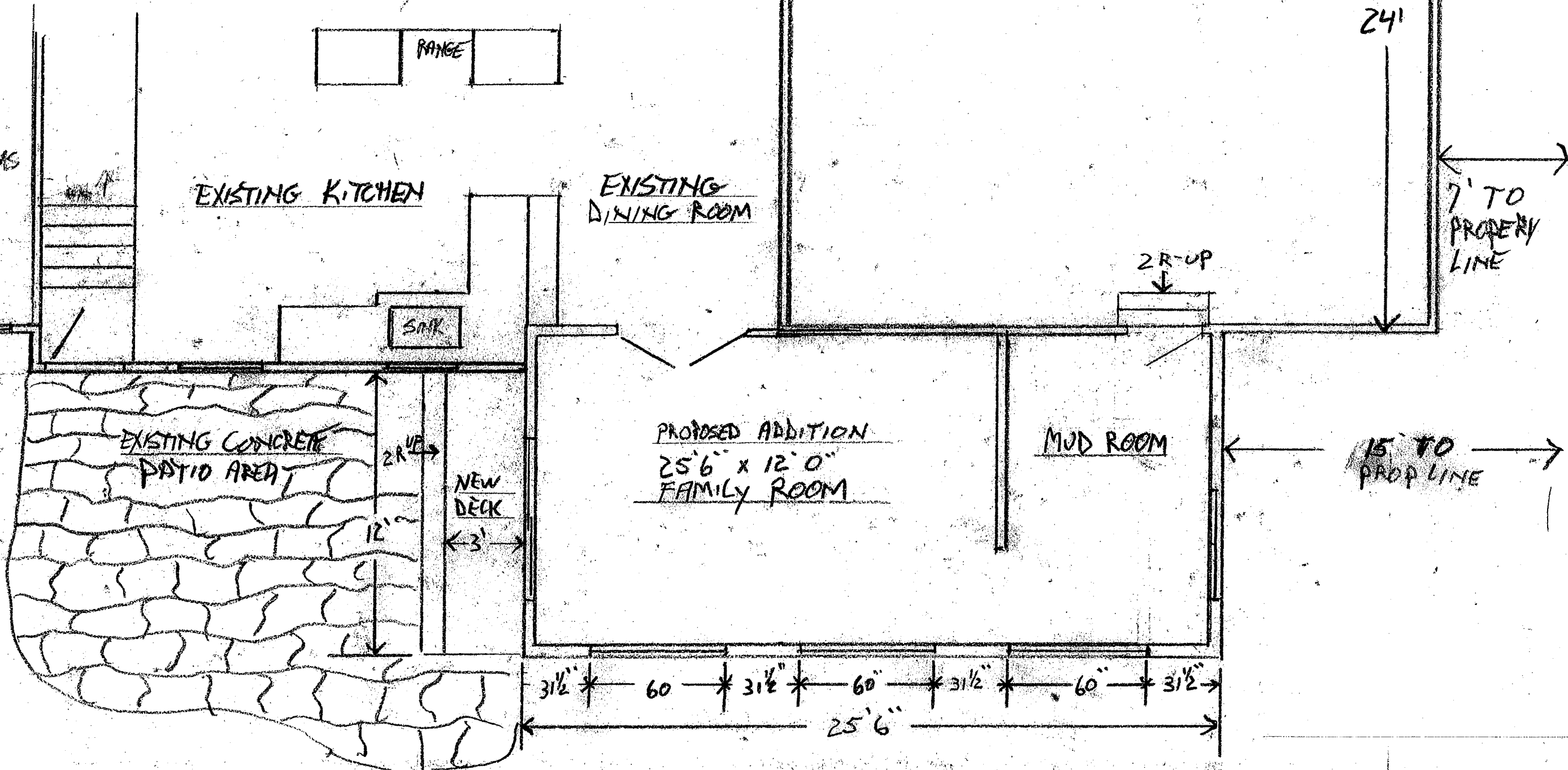
PROPOSED ADDITION
25'6" x 12'0"
FAMILY ROOM

MUD ROOM

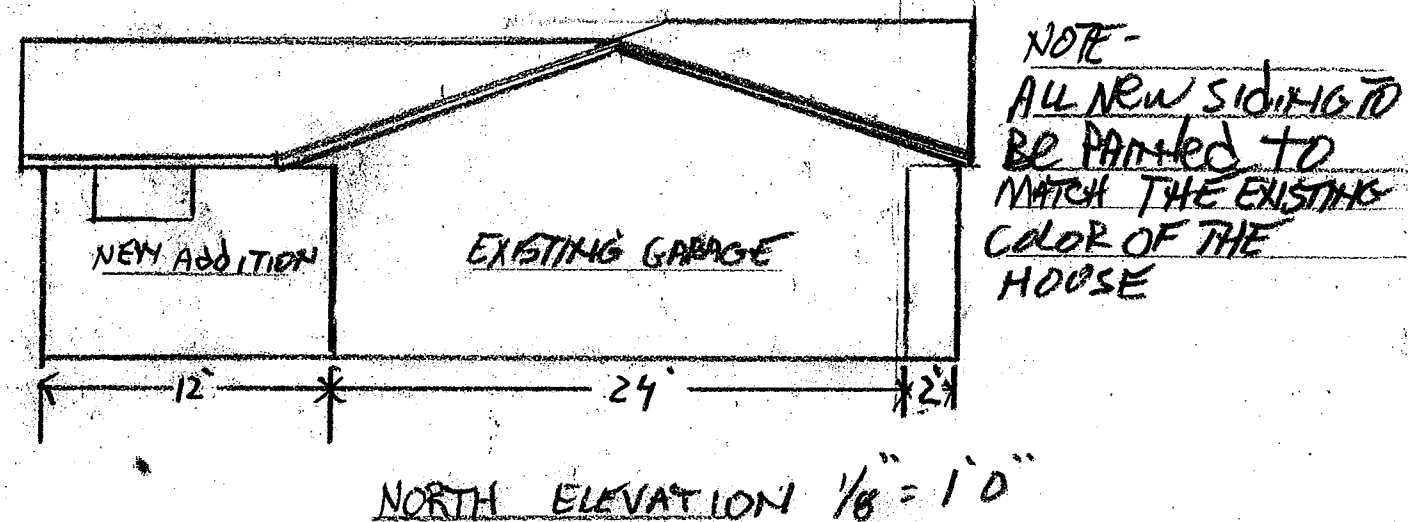
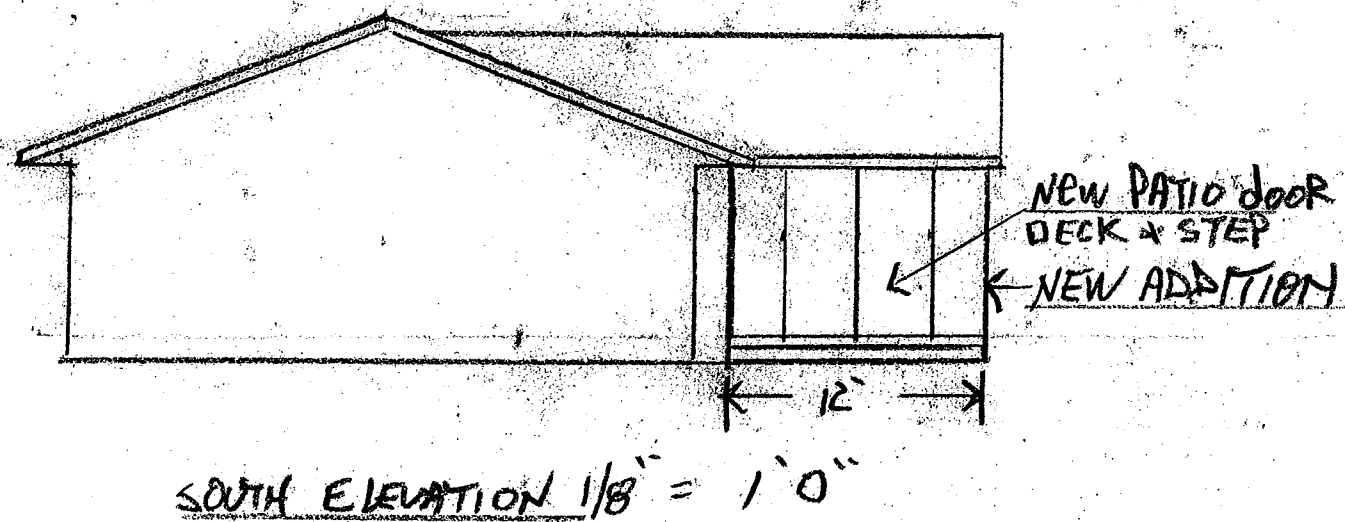
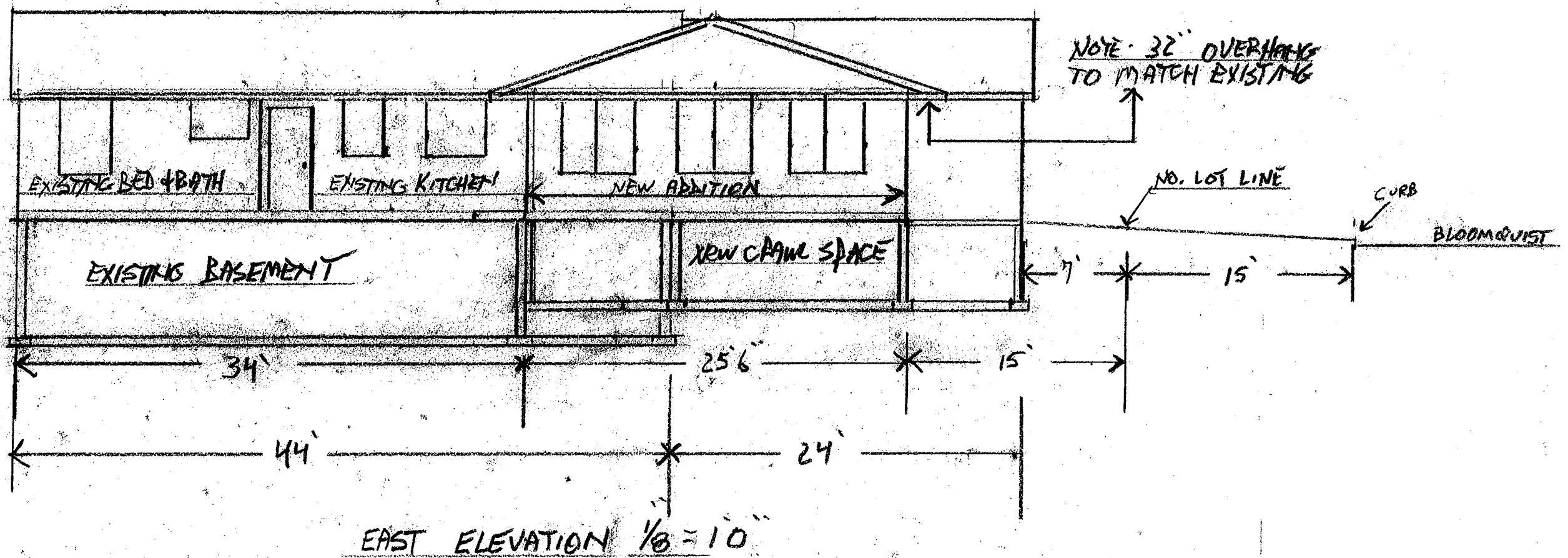
15' TO PROP LINE

3'

3 1/2" * 60" * 3 1/2" * 60" * 3 1/2" * 60" * 3 1/2"
25'6"



CHUCK AND GINNY SCHROEDER 3790 CRANBROOK DRIVE



Ashton Miller

From: Jan DeFlorin <janicerdeflorin@gmail.com>
Sent: Monday, April 20, 2020 5:30 PM
To: Ashton Miller
Subject: Mark Olson on behalf of Chuck and Ginny Schroeder (Case No. 20-4-V), 50 foot variance for an addition to their 3790 Cranbrook Drive property

Chuck and Ginny Schroeder have requested a variance for the building of an addition to their home. We live right next door to the South and fully support their request. The home addition looks beautiful and will only add to the street appeal of the block. If you need any other support from us, please do not hesitate to contact us.

Irv and Jan DeFlorin
3782 Cranbrook Dr.
White Bear Lake, MN
651-357-6611 cell #



City of White Bear Lake
COMMUNITY DEVELOPMENT
DEPARTMENT

MEMORANDUM

TO: The Planning Commission

FROM: Ashton Miller, Planning Technician

DATE: March 22, 2020 for the April 27, 2020 Planning Commission Meeting

SUBJECT: Brett and Emily Witter, 2281 Lilac Lane - Case No. 20-2-CUP

REQUEST

The applicants, Brett and Emily Witter, are requesting approval of a Conditional Use Permit (CUP) for a home accessory apartment in their single-family home.

SITE CHARACTERISTICS

The property is located on the north side of Lilac Lane and east of McKnight Road North. The 11,194 square foot lot contains a single-family home with an attached garage.

ZONING / BACKGROUND

The subject site is zoned R-3 – Single Family Residential and S – Shoreland Overlay. The surrounding properties are also zoned R-3 and S. According to Ramsey County, the home was built in 1956.

ANALYSIS

The zoning code limits accessory units to not more than 880 gross square feet in area, or 40 percent of the habitable area within the single family home, whichever is less. The proposed accessory dwelling unit is 274 gross square feet, or roughly 17 percent of the habitable area of the home, well within the code requirements.

The code requires the owner of the residence/property to reside in the principal unit, which the applicants do. The code also requires that the secondary entrance not face the same street as the principal entrance. As shown on the site plan, the entrance to the accessory unit is on the west side of the home, and will not be visible from the front of the property.

The code states that the unit shall have a habitable floor area of not less than 200 sq. ft. for the first occupant and at least 100 square feet for each additional occupant. At 234 square feet of habitable space, the accessory unit can house one occupant.

The code requires that off-street parking be provided for all vehicles, either in the garage or on the driveway. There is a two-car garage for the applicants' vehicles. The applicants' narrative states that the driveway can accommodate up to six vehicles, which provides more than enough room

for any vehicles generated by the accessory unit.

SUMMARY

The City has long supported the diversity of housing stock and additional density created by Accessory Dwelling Units. The Home Accessory Apartments ordinance was formally established in 1988, although small in-home units have been approved via Special Use Permit since at least 1984. Since 1988, the City has approved eleven units under the current ordinance.

DISCRETION

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; however, additional conditions may be imposed as the Council sees fit.

RECOMMENDATION

Staff has reviewed the proposed request against the standards and finds that they have been met, and that the CUP is consistent with the Comprehensive Plan. For these reasons, staff recommends approval subject to the following standard 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. The right to rent the accessory apartment ceases upon transfer of title unless reissued by the City Council.
5. Per Section 1302.125, Subd.4.a, the owner of the single-family structure shall reside in the principal structure. The permit becomes null and void if the owner ceases to reside in the residence. The accessory apartment shall remain an accessory rental apartment, owned by the occupant of the principal structure. There shall be no separate ownership of the accessory rental apartment.
6. The number of vehicles associated with the principal residence and accessory unit together shall not exceed that which can fit in the garage and on the driveway.
7. The permanent number of occupants of the accessory apartment shall not exceed one (1) tenant.

8. The owner shall obtain a rental license prior to renting out the unit to anyone who is not related.

Attachments:

1. Draft Resolution of Approval
2. Location/Zoning Map
3. Applicant's Narrative
4. Site/Floor Plan – 2 pages
5. Elevations – 2 pages
6. Neighbor Comments

DRAFT RESOLUTION NO. _____

**RESOLUTION GRANTING A CONDITIONAL USE PERMIT FOR
2281 LILAC LANE
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (20-2-CUP) has been submitted by Brett and Emily Witter to the City Council requesting approval of a Conditional Use Permit of the City of White Bear Lake for the following location:

LOCATION: 2281 Lilac Lane

LEGAL DESCRIPTION: Lot 4, Block 1, Thome's Lakeridge, Ramsey County, MN (PID # 243022320019)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF: A Conditional Use Permit for a Home Accessory Apartment, per Code Section 1302.125; and

WHEREAS, the Planning Commission has held a public hearing as required by the city Zoning Code on April 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 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 approved the request, 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. The right to rent the accessory apartment ceases upon transfer of title unless reissued by the City Council.
5. Per Section 1302.125, Subd.4.a, the owner of the single-family structure shall reside in the principal structure. The permit becomes null and void if the owner ceases to reside in the residence. The accessory apartment shall remain an accessory rental apartment, owned by the occupant of the principal structure. There shall be no separate ownership of the accessory rental apartment.
6. The number of vehicles associated with the principal residence and accessory unit together shall not exceed that which can fit in the garage and on the driveway.
7. The permanent number of occupants of the accessory apartment shall not exceed one (1) tenant.
8. The owner shall obtain a rental license prior to renting out the unit to anyone who is not related.

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.

Brett Witter

Date

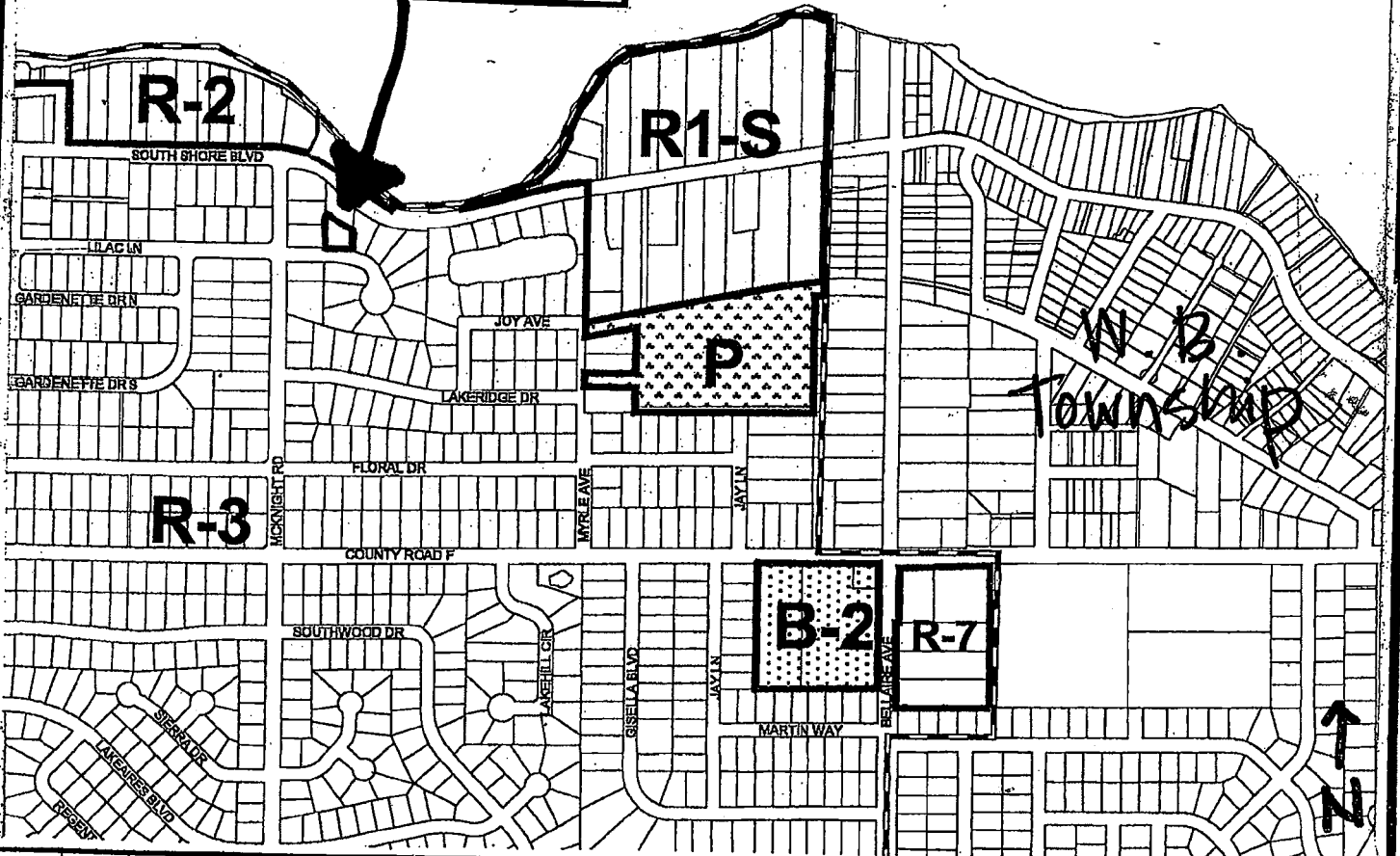
Emily Witter

Date

R14

WHITE BEAR LAKE

SUBJECT SITE:
2281 LILAC LANE



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

CASE NO. : 20-2-CUP
 CASE NAME : Witter
 DATE : April 27, 2020

Date: 2/09/2020

RE: 2281 Lilac Lane

To whom it may concern,

We are applying for a Conditional Use Permit to renovate an unused storage space into a guest efficiency. While the space was formerly part of the garage, the garage would still be able to accommodate 2 vehicles. It will serve as a place for our guests and family to stay short term. The home currently only has one bathroom and this is the best location to add a second one. The efficiency will fit within the existing structure. It will have a separate entrance because we are unable to connect it internally. The entrance to the accessory unit will face west. The gross area of the accessory unit will be 274 square feet with 234 square feet being habitable. This is approximately 17% of the habitable area of the existing home.

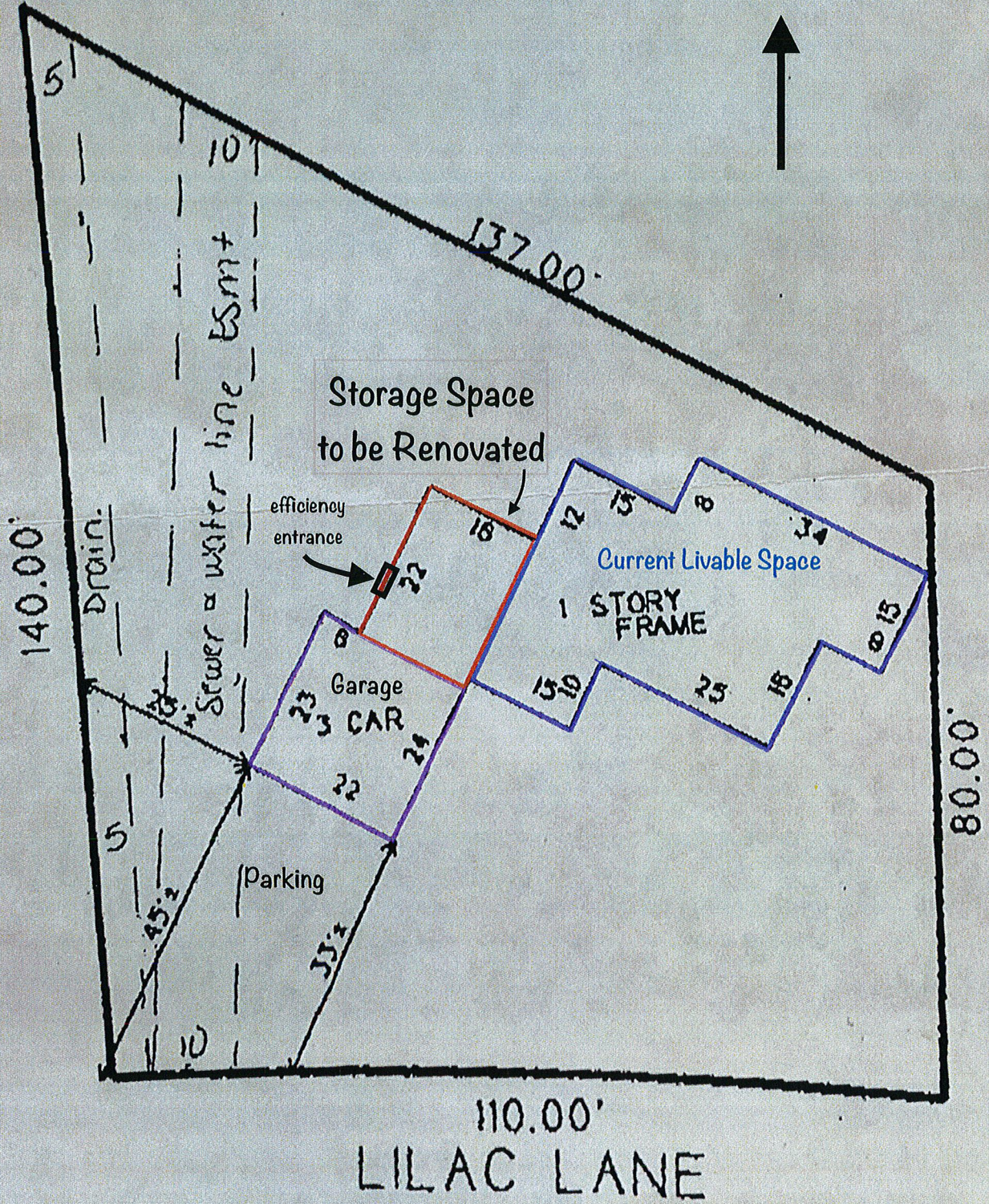
The renovation of the storage area into an efficiency dwelling will improve the property value, in turn improving the value of the properties around it.

This efficiency meets the floor square footage requirements for up to 2 occupants only. Because of this, it will not require any upgrades to the current utility services connected to the home and will not create any burden on the cities systems.

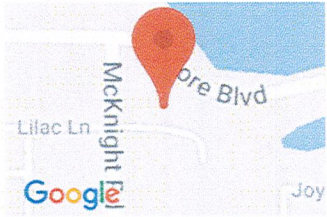
The property is on a cul-de-sac, meaning current traffic is already limited and well within the capabilities of Lilac Lane and McKnight Rd. The driveway of the property is large enough to accommodate up to 6 vehicles and there are 2 licensed drivers in our household. This allows guest vehicles to be parked off the street, keeping it clear for all incoming and out going traffic, municipal plowing, road maintenance, and mail delivery.

Regards,

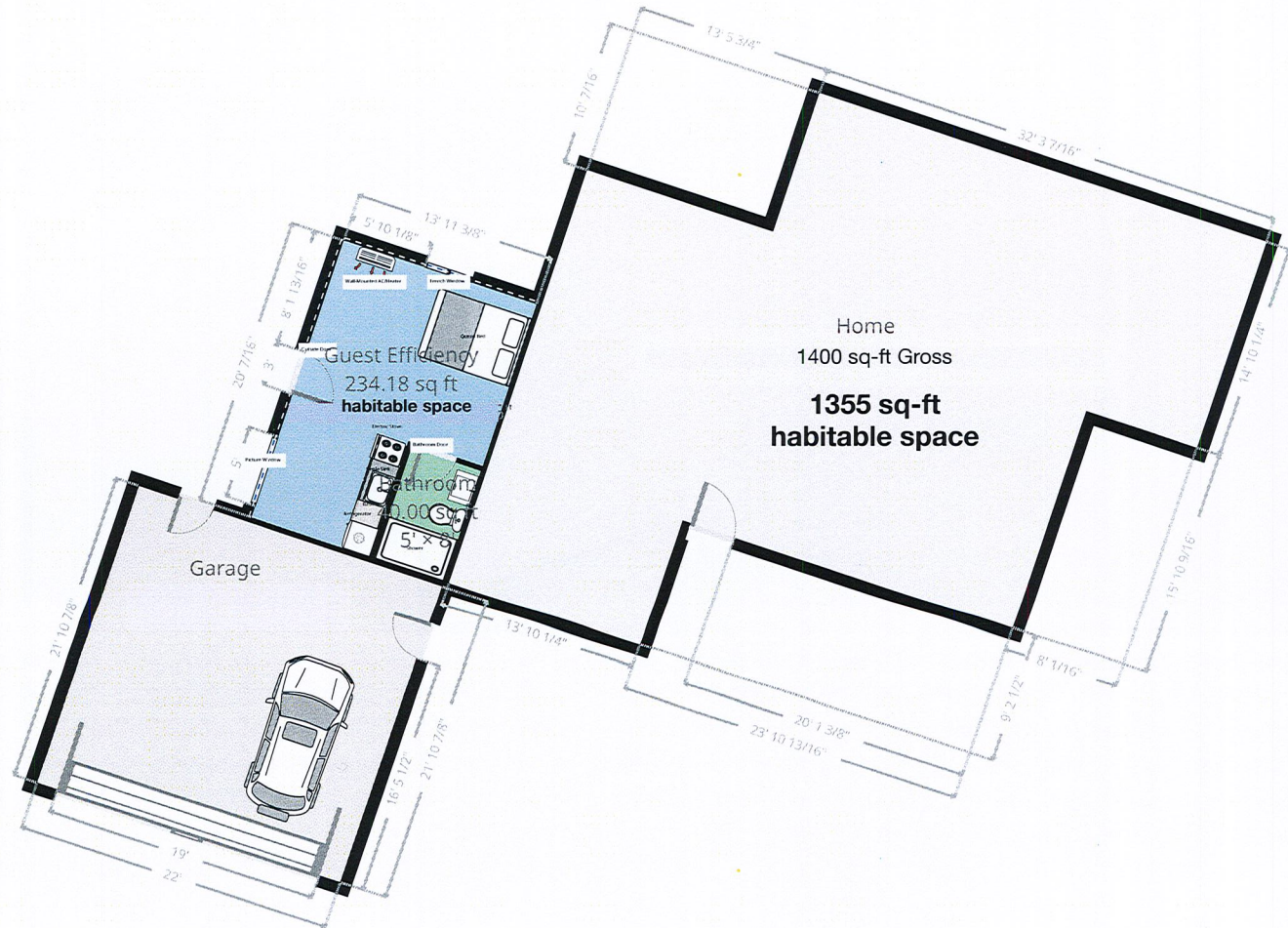
Brett & Emily Witter



Guest Efficiency



2281 Lilac Ln, White Bear Lake, MN, US 55110



THIS FLOORPLAN IS PROVIDED WITHOUT WARRANTY OF ANY KIND. SENSOPIA DISCLAIMS ANY WARRANTY INCLUDING, WITHOUT LIMITATION, SATISFACTORY QUALITY OR ACCURACY OF DIMENSIONS.



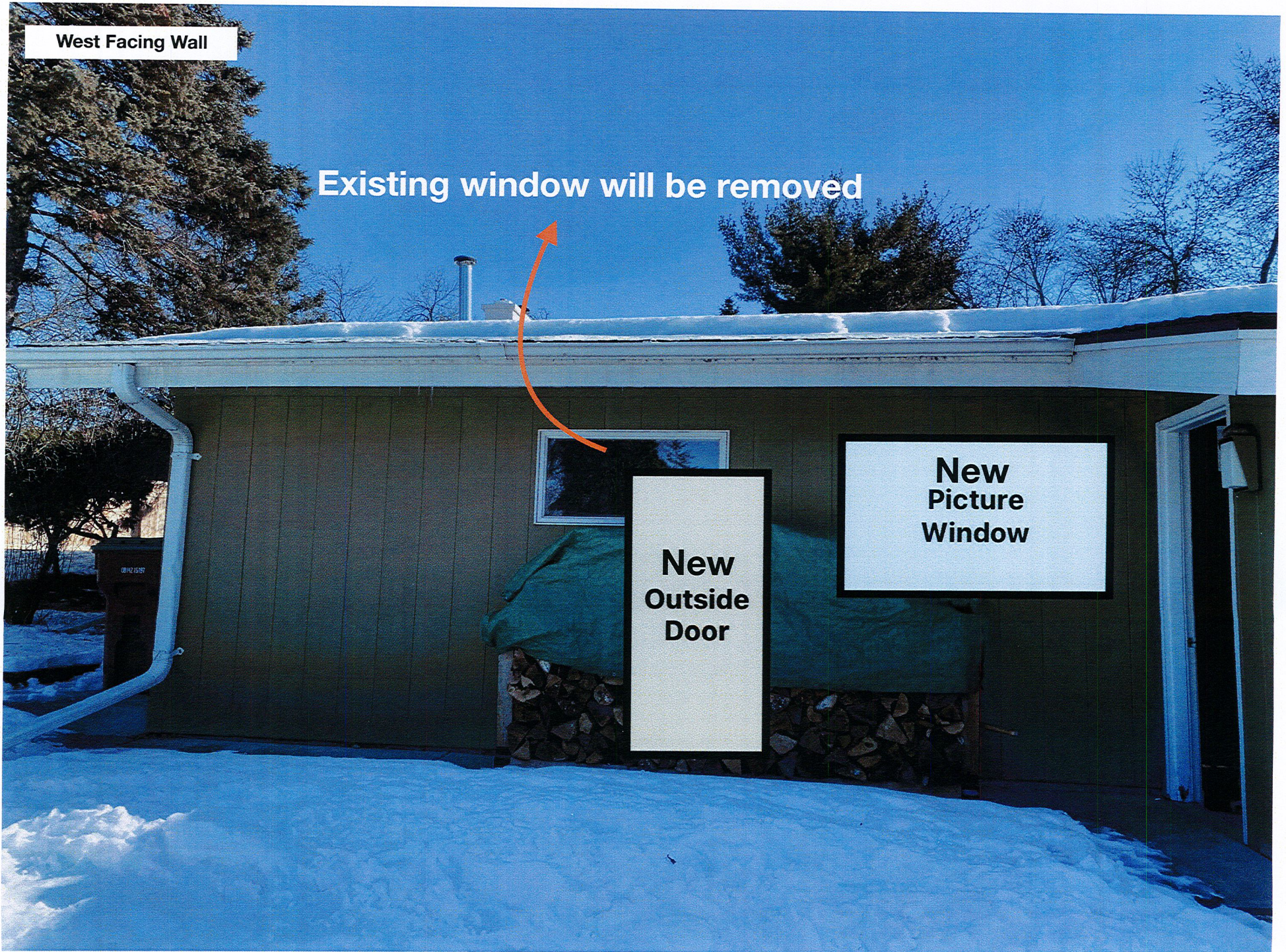
West Facing Wall

Existing window will be removed



**New
Outside
Door**

**New
Picture
Window**



North Facing Wall

Existing Window Staying

**New
Conduit**

**New AC/Heater Unit
(mounted on ground/slab)**



Ashton Miller

From: Mike Koch <mkoch@metroplains.com>
Sent: Sunday, April 19, 2020 2:45 PM
To: Ashton Miller
Subject: Case No. 20-2 CUP . Brett and Emily Witter Conditional Use Permit

Dear Ms. Miller

Thank you for the notice regarding Brett and Emily Witter's Conditional Use Permit.

We are neighbors of Brett and Emily Witter. My wife Carole and I live 2255 Lilac Lane (two houses to the west of the Witters) on the northwest corner of McKnight and Lilac Lane.

We are writing in support of the Conditional Use Permit application. We applaud Brett and Emily's effort to improve their home and to improve the neighborhood. Brett and Emily do a very good job of maintaining their yard and the exterior of their home. They are the kind of young families that we are delighted to have in the neighborhood and as neighbors.

Our daughter and her family live in Illinois. The five of them come to visit a couple of times per year. I can't imagine what it would be like to have them as guests with only one bathroom. Brett and Emily's plan to add a bathroom to their one bathroom home makes a lot of sense. We wish them well with their project and encourage the White Bear Lake City Council to approve their Conditional Use Permit application.

Mike and Carole Koch
2255 Lilac Lane, WBL.

Michael A. Koch

Executive Vice President
MetroPlains Management, LLC
(Direct) 651-523-1212
mkoch@metroplains.com
www.metroplains.com

"Stay Hopeful. Be Resilient."

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

Case Number 20-2-CUP %
RE: 2281 Lilac Lane Proposed Conditional Use Permit. %

Date: 04/22/2020 %

To the White Bear Lake Planning Commission: %

We hope this letter finds the Commission and their respective family members healthy and doing well during the current pandemic. We appreciate the opportunity to provide feedback remotely. After receiving the Planning Commission's notification with associated letter and plans of the proposed project from the Witter family, we would like to get further clarification and understanding from the Witter family and the City of White Bear Lake. %

The largest point of confusion is surrounding the Witter's supplied letter that accompanied the notification to the % surrounding neighbors. The letter states the Witter's are applying for a permit to renovate unused storage space into a "guest efficiency" and refers to "guests and family" who will use the unit on a short term basis. The guest efficiency % would also add a second bathroom. %

Questions:

1. * Will the guest efficiency also be used as a short-term rental unit when not used by friends and family? If so, this was not called out clearly in the letter.
 - a. %It is also important to note that if the unit is intended for rent, Emily Witter manages multiple short-term vacation rentals as her career, so we believe the property would be managed properly.
2. * Why is there no access from the main residence to the second bathroom located in the guest efficiency being considered if this additional bathroom is a main driver for the renovation?
3. * If the proposed accessory rental unit is completely separated by a wall then the additional dwelling would require a separate main entrance. Does this change the property definition from single family to multi-family with two separate housing units contained on one address and under one roof?
4. * Under the Witter's requested conditional use permit will the city be addressing the on street parking, separate entrance, and any other concerns that may be raised?
 - a. %We would like to request that under the conditional use permit, a condition be included that the Witters adhere to the by-laws of the Snyder Bay Beach Club.
5. * Would the Witters be required to obtain a rental license from the City of White Bear Lake?

If the guest efficiency is also to be used as a short-term vacation rental unit, **we feel it would be prudent that the Witter's re-draft the notice letter** that clearly states this added intention so the variance notification recipients have an opportunity to gain a clearer understanding of what this unit will be used for and given the appropriate opportunity to ask questions and/or provide their respective feedback.

We are not opposed to a rental unit, but having the correct permits and conditions in place is important to ensure the equitable balance of the neighborhood.

Thank you,

Josh and Erika Winchell / 2338 South Shore Blvd

Ashton Miller

From: Bernard McCanna <bjjkm@aol.com>
Sent: Thursday, April 23, 2020 7:10 AM
To: Ashton Miller
Subject: Case No. 20-2-Cup

I have no major concerns other than unless they are figuring subcompact or compact vehicles, I would be surprised if six vehicles fit on the driveway. The driveway has a narrow curb cut at the street also. I am sure vehicles would be parked on the street other than when they cannot be during winter time conditions. Also, will the property be subject to regular inspections and licensing?

B. J. McCanna

651- 503 -7969



City of White Bear Lake
COMMUNITY DEVELOPMENT
DEPARTMENT

MEMORANDUM

TO: The Planning Commission

FROM: Samantha Crosby, Planning & Zoning Coordinator

DATE: March 24, 2020 for the April 27, 2020 Planning Commission Meeting

SUBJECT: Kostron Fence, 3576 Jerry Street - Case No. 20-5-V

REQUEST

The applicant, Rane Kostron, is requesting a 3 foot 4 inch variance from the 6 foot height limit for a fence along the side and rear, and a 2 foot variance from the 4 foot height limit for a fence in a front yard - in order to allow a new wooden privacy fence at the same height of the existing chain link fence on the neighboring property.

SITE CHARACTERISTICS

The subject site is the first residence south of County Road E on the east side of Jerry Street. The Summit Shopping Center abuts the site on both the north and east sides. The lot contains a single-family residence with both a two car detached garage and a three car detached garage.

ZONING

The subject property is zoned R-3 – Single Family Residential. The properties to the south and west are zoned the same. The Summit Shopping Center, to the north and east, is zoned B-2 - Limited Business.

BACKGROUND

According to Ramsey County, the residence was constructed in 1955 and the Summit Shopping Center was constructed in 1960. It appears that over the years improvements were constructed without proper verification of property lines: Ms. Kostron’s shed was located on the shopping center’s property and the shopping center’s wall and chain link fence is located on Ms. Kostron’s property. Ms. Kostron has provided the City with a copy of an Easement and Maintenance Agreement document between her and the Shopping Center owners. The document was executed in 2018 and contains concessions by both parties. The agreement specifies the right to construct the fence being requested and provides until December 31, 2020 to do so. It also specifies that the North portion of the Kostron fence be “in a location no farther north than 3 feet south of the existing fence on the Summit parcel, and that the East portion of fence “shall not touch, be constructed upon, or interfere with the retaining wall or the Summit fence”.

APPLICANT'S PRACTICAL DIFFICULTY

The existing conditions on the abutting Summit Shopping Center property; see applicant's narrative.

ANALYSIS

As seen in the applicant's photos, there is a change in grade between the subject site and the Summit Shopping Center property. The difference varies, but is generally 3 feet. As mentioned earlier, the shopping center essentially has a 6 foot tall chain link fence that sits on top of a 3 foot tall cinder block retaining wall. Thus, in essence, there is already a 9-foot tall fence in this area. One of the strongest rationales for a variance is unusual topography or other physical condition of the land which is unique to the subject site. This would definitely fall into that category.

The requested variance is 3-feet 4 inches, but that is the maximum amount which accounts for subtle dip in the ground near the middle of the back yard. So the fence will be as tall as 9 feet 4 inches in height as measured from ground grade in that one area, but the rest of the fence will be less – varying between 9 feet and 6 feet in height. At no point will the proposed wooden fence exceed the height of the existing chain link fence.

The “business abutting residential” section of code requires that the business provide “an opaque wooden or masonry fence at least 8 feet in height” along the boundary of the residential property, and “a planting strip which includes a combination of deciduous trees to provide added screening above the fence line.” In essence, the property owner is requesting what would be required of the commercial property if it were being constructed under today's code. For this reason, staff supports the variance.

DISCRETION

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 harmony with the intent of the zoning code) then the criteria have been met.

Given the proximity of the commercial property and the existing boundary line demarcation of a similar height that has been in place since at least 1991, staff finds the request to be reasonable.

RECOMMENDATION

Staff recommends approval of the variance, 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. The variance shall become null and void if the project has not been completed within one (1) calendar year after the approval date, subject to petition for renewal. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.

3. The applicant shall verify the property lines and have the property pins exposed at the time of inspection.
4. A zoning permit shall be obtained before any work begins.

Attachments:

1. Draft Resolution of Approval
2. Zoning/Location Map
3. Applicant's Request Narrative, Site Plan and Graphics, 7 pages
4. Neighbor Comment of Support

RESOLUTION NO. _____

**RESOLUTION GRANTING A VARIANCE FOR
3576 JERRY STREET
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (20-5-V) has been submitted by Ranee Kostron to the City Council requesting approval of a fence height variance from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 3576 Jerry Street

LEGAL DESCRIPTION: Lot 7, Block 1, Rivard Addition, Ramsey County, MN.
(PID #353022210027)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF: A 3 foot 4 inch variance from the 6 foot height limitation for a fence in the side and rear yard and a 2 foot variance from the 4 foot height limit for a fence in the front yard, both per Code Section 1302.030, Subd.6, in order to construct a wood fence along the north and east property lines that, at the maximum height is 9 foot 4 inches tall; and

WHEREAS, the Planning Commission has held a public hearing as required by the city Zoning Code on April 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 of the Planning Commission:

1. The requested variances will not:
 - a. Impair an adequate supply of light and air to 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. Because a boundary line demarcation of a similar height has been in place since at least 1991 with no known adverse impacts, the variances are a reasonable use of the land or building.
3. The variances should not be injurious to the neighborhood or otherwise detrimental to the public welfare.

- 4. The special conditions and circumstances are not the result of actions of the owner or a predecessor in title.
- 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.

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

- 1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
- 2. The variance shall become null and void if the project has not been completed within one (1) calendar year after the approval date, subject to petition for renewal. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
- 3. The applicant shall verify the property lines and have the property pins exposed at the time of inspection.
- 4. A zoning permit shall be obtained before any work begins.

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

Ayes:
Nays:
Passed:

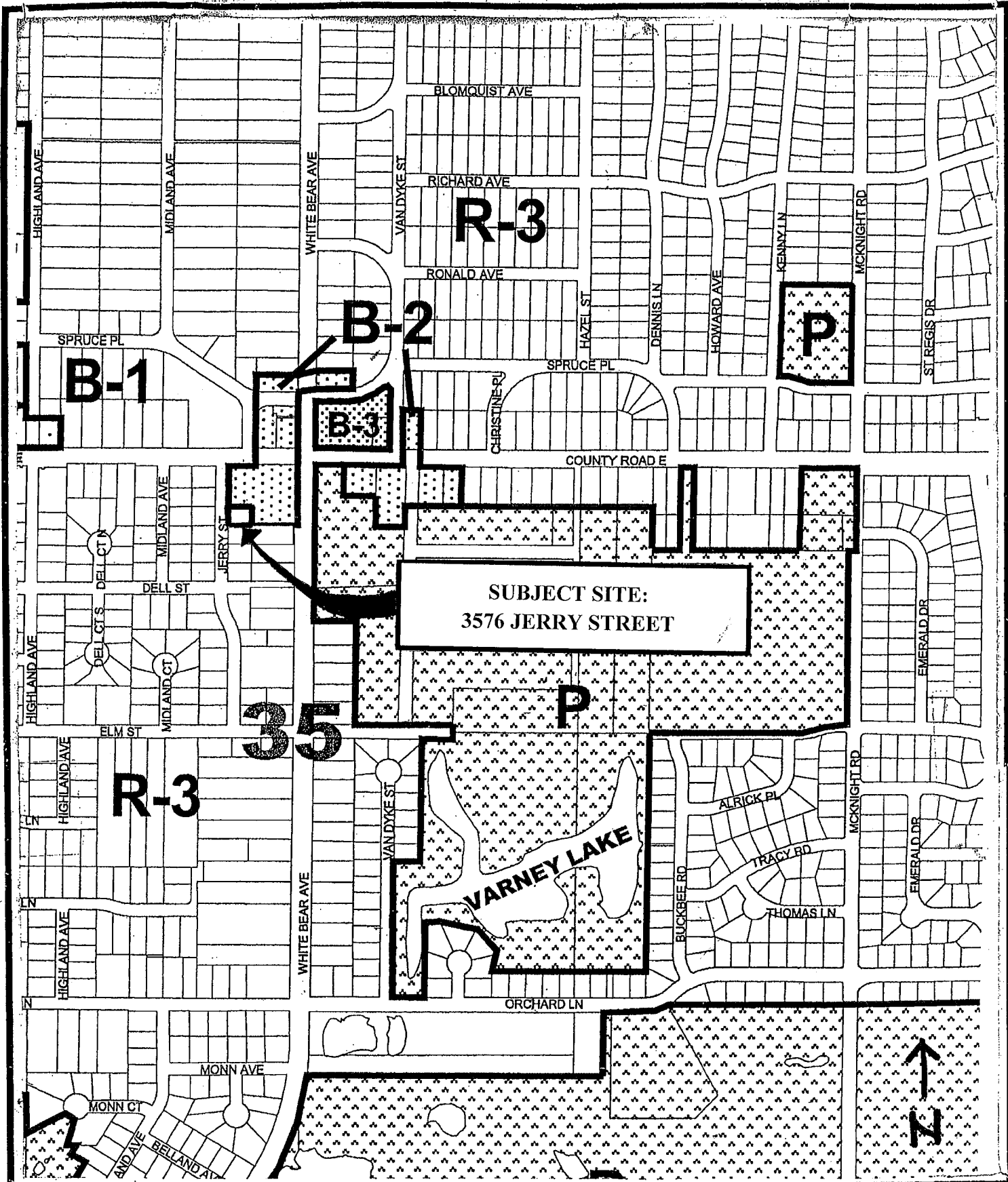
Jo Emerson, Mayor

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.

Ranee Kostron Date



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

CASE NO. : 20-5-V
CASE NAME : Kostrom
DATE : April 27, 2020

DEAR PLANNING COMMISSIONERS

2-6-2020

WE (THE KOSTRON FAMILY) MOVED INTO OUR HOME AT 3576 JERRY ST. ON JULY 31, 1974. THE FENCE LINE ON THE 2 SIDES (NORTH + EAST) WERE OF SOLID REDWOOD FENCING. THAT REMAINED FOR SOME TIME, UNTIL THE SUMMIT CORP. PUT UP OR REPLACED IT BY A CHAIN LINK FENCE. THAT FENCE HAS BEEN REPEATEDLY GETTING DAMAGED AND ONLY SOME REPAIRS HAVE BEEN DONE. THE RETAINING WALL OF 3 FT. HIGH MADE OF CONCRETE BLOCKS HAS ALWAYS BEEN THERE.

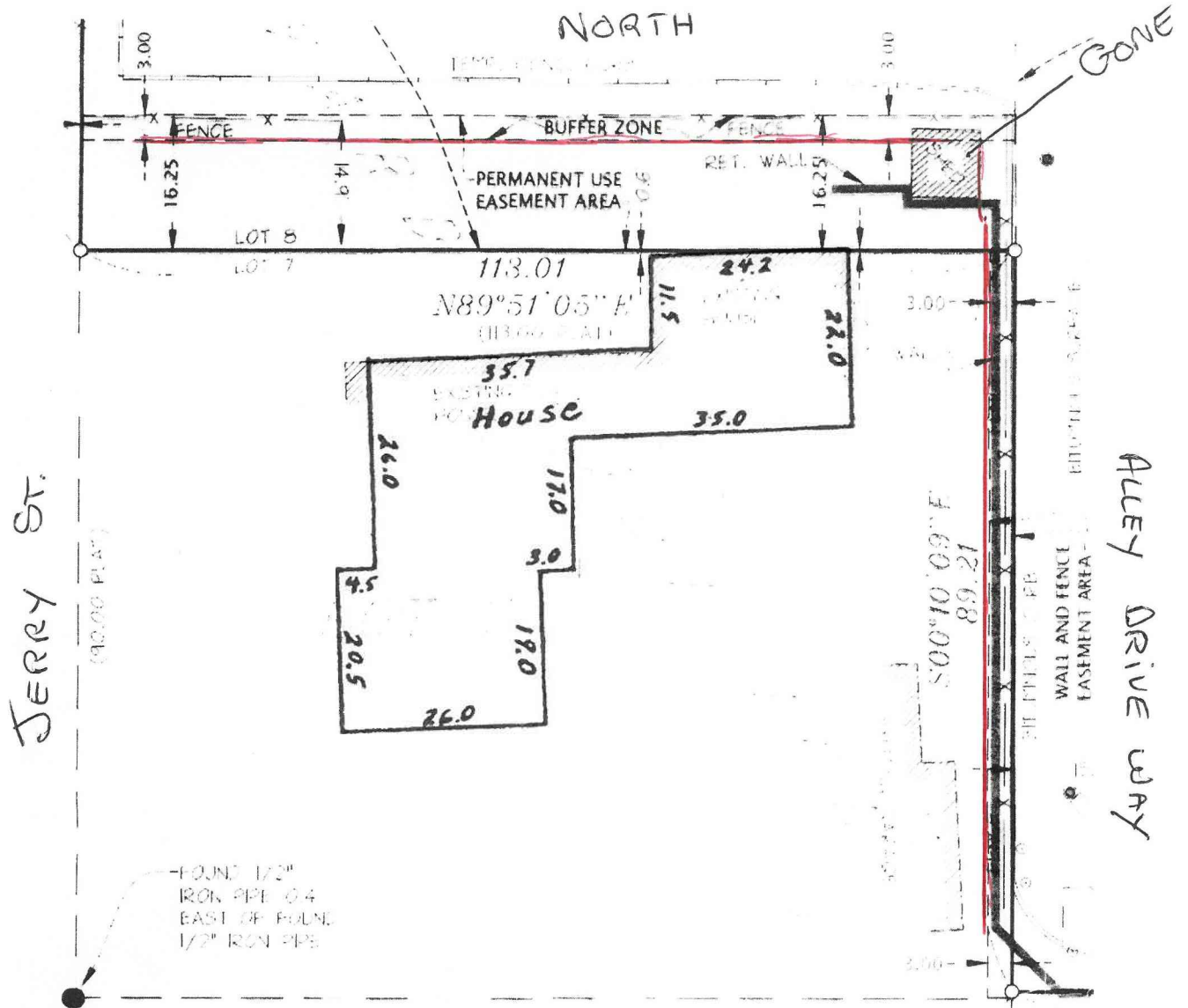
MY NEW FENCE WILL BE MADE OF CEDAR WOOD #1 GRADE AND POSTS. INSTALLED BY SINGLE INDIVIDUAL BOARDS. PER (AND CONTRACT) THE NEW WOOD FENCE HAS TO BE 3 FEET FROM THEIR EXISTING CHAIN LINK FENCE.

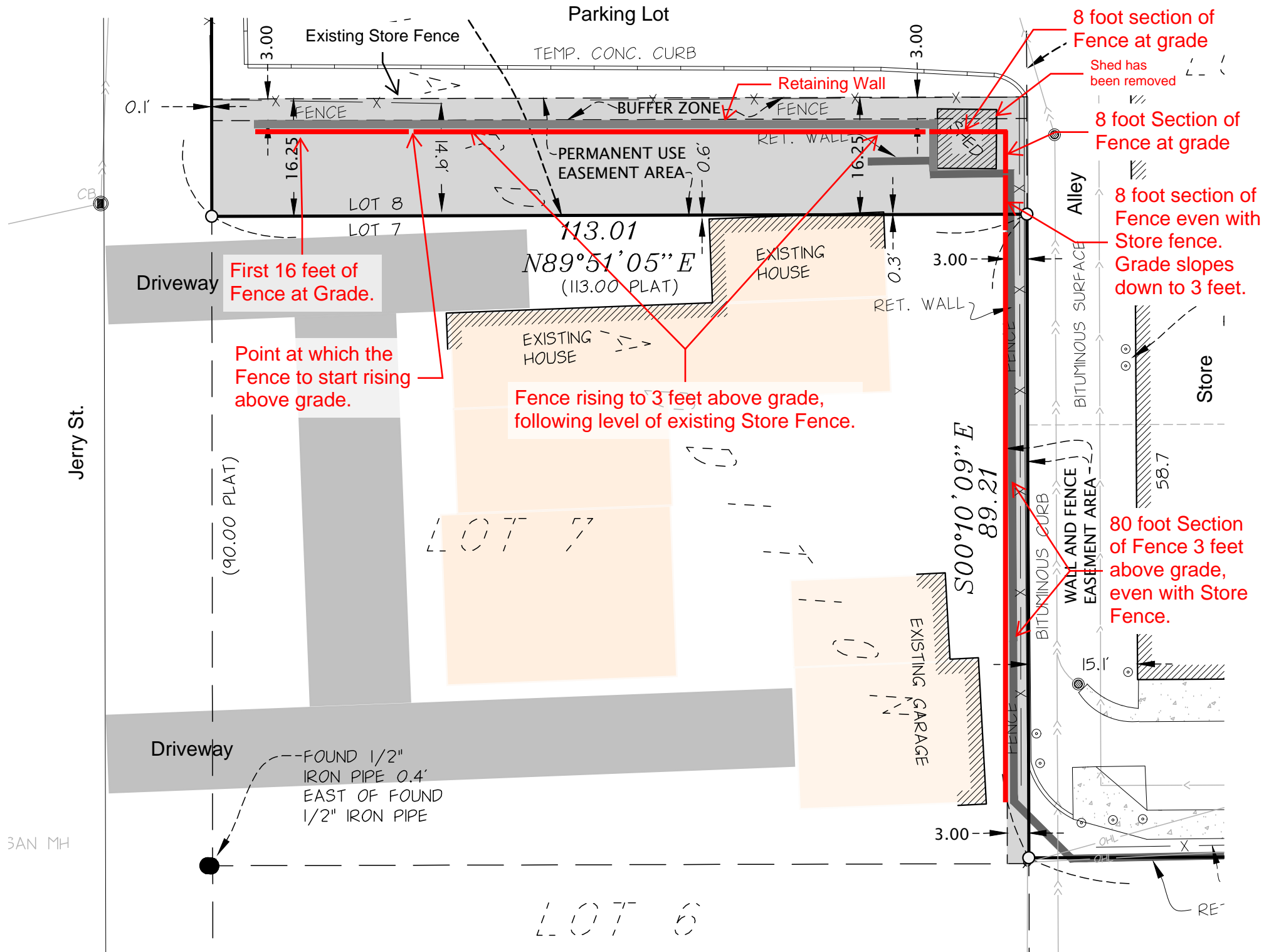
TO FOLLOW THE SAME FENCE LINE THE WOOD FENCE WILL BE 6 FEET HIGH, 8 FEET WIDE, BETWEEN POSTS. BELOW WILL BE 3 FOOT POSTS. THIS WILL BE ALONG THE EAST SIDE. THE (AND ON THE NORTH SIDE IS SLOPED, SO THE POSTS WILL BE 3 FT IN BACK, BUT DROP DOWN TO AN EVEN GROUND LEVEL IN FRONT (EAST TO WEST) ENCLOSE PICTURES

THE NEW WOOD FENCE WOULD ALLOW FOR PRIVACY, LESS NOISE, A NICER LOOK AND MORE SECURITY. (HAD TIMES WHEN PERSONS CLIMBED AND JUMPED THE CHAIN LINK FENCE — HARD TO DO ON A WOOD FENCE.)

Ranee Kostron

PARKING LOT
NORTH





First 16 feet of Fence at Grade.

Point at which the Fence to start rising above grade.

Fence rising to 3 feet above grade, following level of existing Store Fence.

8 foot section of Fence at grade

Shed has been removed

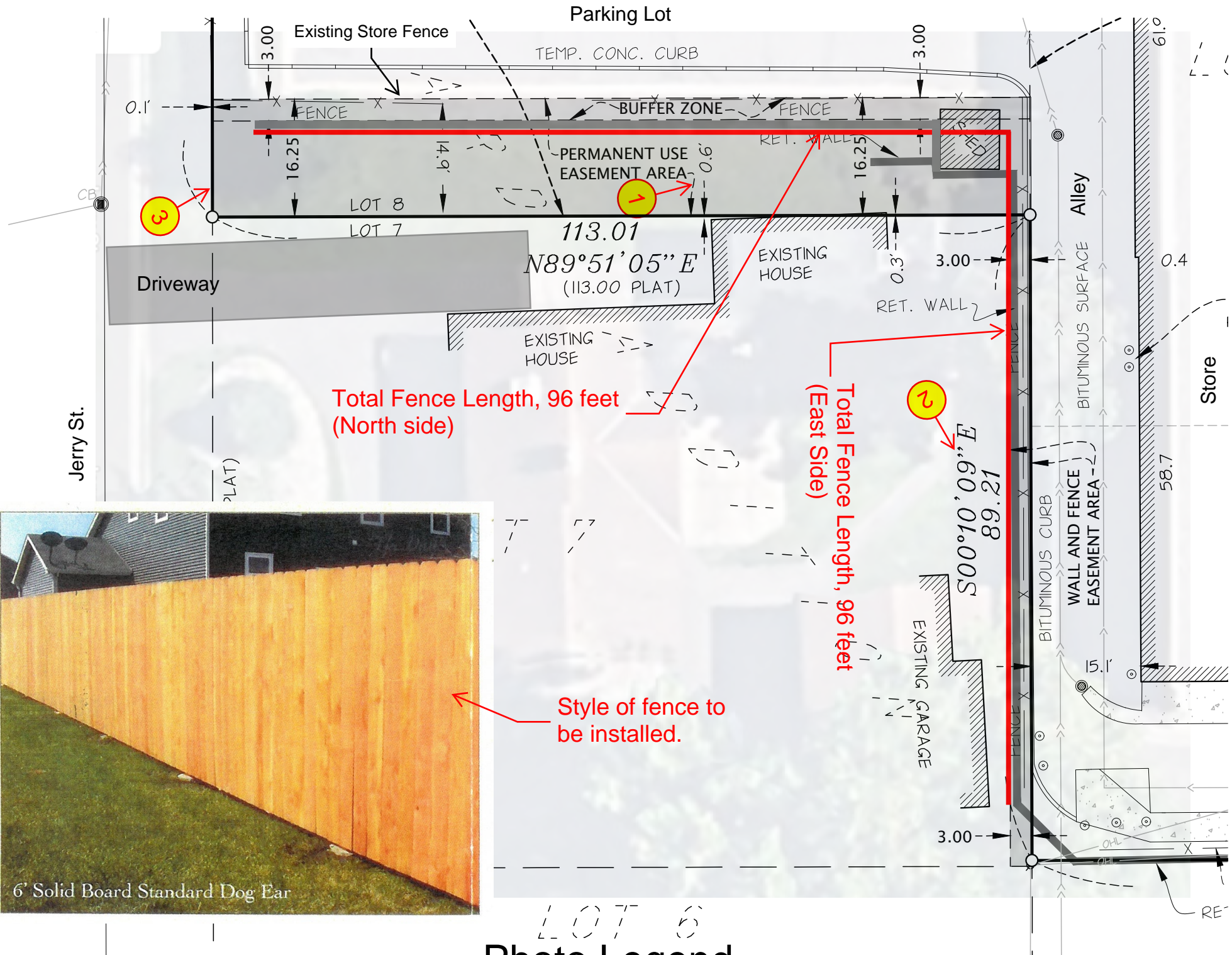
8 foot Section of Fence at grade

8 foot section of Fence even with Store fence. Grade slopes down to 3 feet.

80 foot Section of Fence 3 feet above grade, even with Store Fence.

Jerry St.

3AN MH



Style of fence to be installed.

LOT 6
Photo Legend

Existing



Proposed



Photo 1

Existing



Proposed

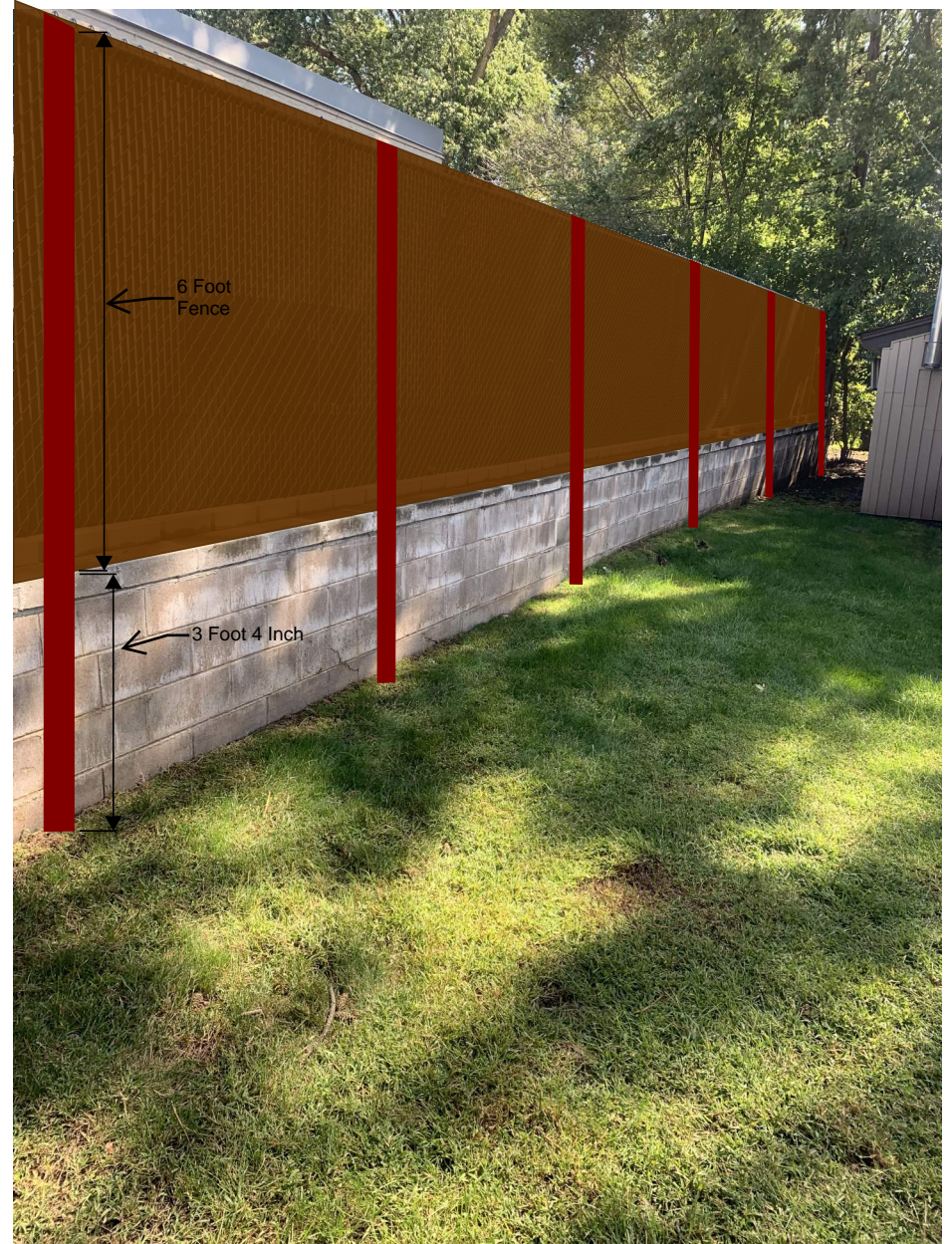


Photo 2

Existing



Proposed

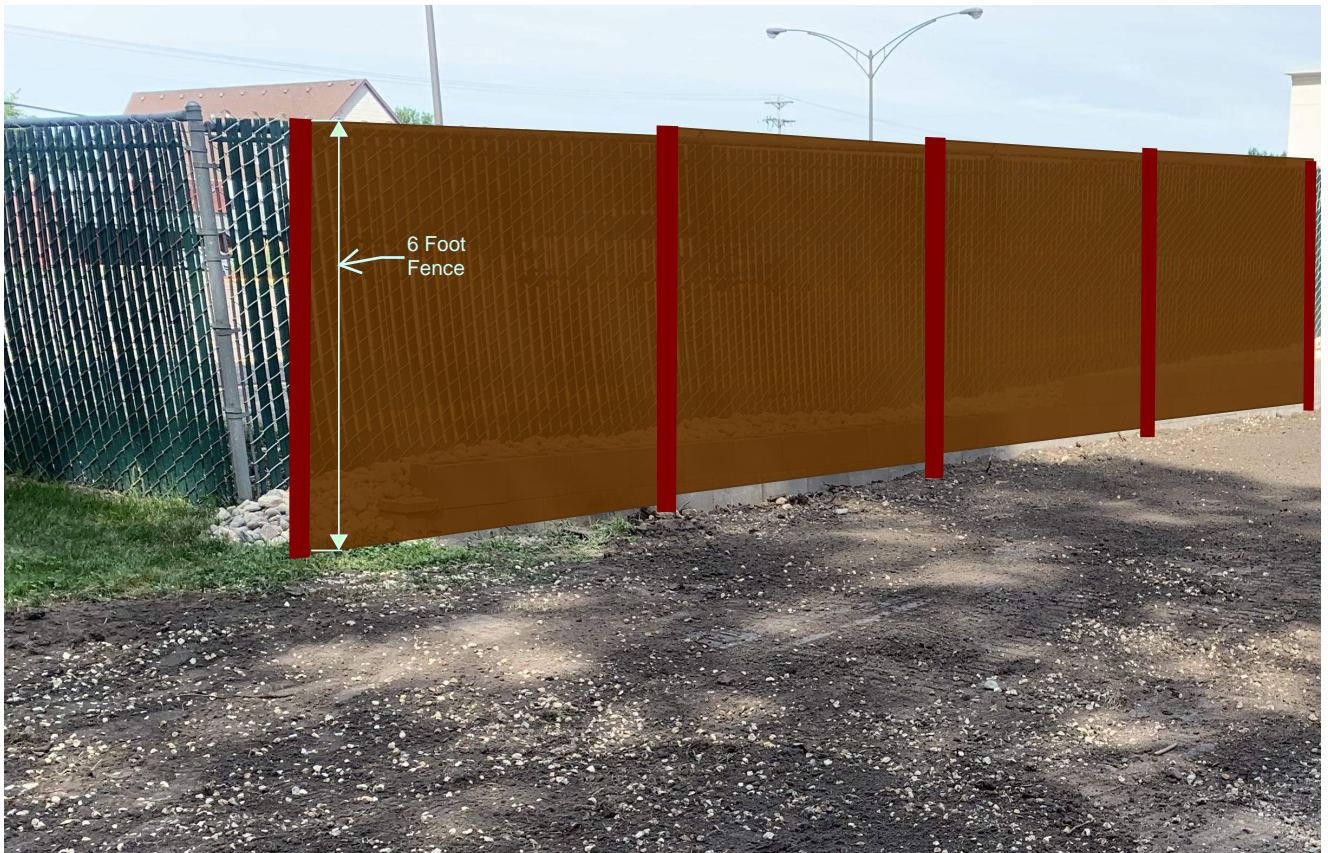


Photo 3

Ashton Miller

From: dlkeller1@comcast.net
Sent: Friday, April 17, 2020 4:49 PM
To: Ashton Miller
Subject: Variance on 3576 Jerry Street

Planning Department,

We live across the street from Ranee and we see no problem with her plans.
We hope they are approved so she can start her project.

Dave and Lynell Keller
3583 Jerry Street
612-270-8951 (Dave)



City of White Bear Lake
COMMUNITY DEVELOPMENT
DEPARTMENT

M E M O R A N D U M

TO: The Planning Commission

FROM: Samantha Crosby, Planning & Zoning Coordinator

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

SUBJECT: **Lake Avenue Properties Marina - 4453 Lake Avenue South - Case No. 20-3-CUP**

REQUEST

The applicant, Lake Avenue Properties, is requesting a Conditional Use Permit for an 8 slip marina with 2 transient slips. See applicant's narrative.

SITE CHARACTERISTICS

The subject site, formerly known as the Sampair building, and before that, the Chestnut building, currently houses Acqua restaurant and bar. The riparian parcel is long and narrow and contains a two-story building, the parking for which is provided in the adjacent public parking ramp.

ZONING

The property is zoned LVMU - Lake Village Mixed Use and S -Shoreland Overlay, as are the surrounding properties.

BACKGROUND

The original building on this property was first constructed in 1928 as a residence. In 1985, the City granted "setback variances to expand a pre-existing dimensionally non-conforming house into an office complex". The property was zoned B-4 - General Business at the time. We assume the marina as a commercial use came into existence with this conversion in 1985, however, there is no reference in the City files for such. The property was rezoned from B-4 to B-6 - Commercial Recreational circa 2000, and rezoned again to LVMU - Lake Village Mixed Use, with the creation of that district in 2003. The first floor of the building was converted from office to restaurant (at first a coffee shop) in 2004, Acqua moved in circa 2009, and the upstairs was converted from office to restaurant in 2012.

ANALYSIS

Although it is known that this marina has existed for many years it was surprisingly difficult to prove. Due to its small size, the MN Department of Natural Resources (DNR) considered it a "mooring facility" and until recently did not require a permit. Due to the low water levels, between 2013 and 2017, the slips were "tacked onto" the Tally's Dock, and therefore did not

receive a permit from the White Bear Lake Conservation District. Prior to 2013, the Conservation District files were not able to be found.

A private dock does not require additional parking per code, but a Marina (where slips are rented to others) does. Towards that end, staff contacted the previous owner, Pete Sampair. Mr. Sampair purchased the property in 2004 and provided proof of rental income back to that year, see attached. He “testified” that the dock had been a rental marina prior to 2004 and that he had rented the slips to the same people that had been renting them prior to his acquisition of the property.

To help bridge the time gap, a long-standing member of the White Bear Lake Conservation district “testified” that he recalls issuing permits for this dock as far back as 1998, which pre-dates the City’s creation of the LVMU district. This is important because the LVMU imposes the requirement of one parking stall per 4 slips, and the requirement of 4 feet of shoreline per rental slip. Given the well-known presence of the marina, as evidenced by these testimonies, staff supports the marina as “grandfathered-in” in regards to these requirements.

The applicant has already obtained permits for the 2020 boating season from both the DNR and the White Bear Lake Conversation District, and has provided the city with a copy of each. Both permits are for the same number of slips in the same configuration.

DISCRETION

The City’s discretion in approving or denying a conditional use permit amendment is limited to whether or not the changes meet 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 deems fit.

SUMMARY

There are two main ordinance standards, slip density and parking. Due to its age, it is staff’s determination that the Marina should be considered “grandfathered-in” for both.

RECOMMENDATION

Staff recommends approval of the request, which will bring the long-standing use into compliance with the zoning code, subject to the following conditions:

1. All application materials, maps, drawings, and descriptive information submitted by the applicant 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 to the City of filing a certified copy of this permit with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.

4. All portions of the dock shall be contained within lines drawn radially into the lake from the shoreline at the property lines.
5. The property owner shall sign the resolution of approval, return a copy of such to the City and provide proof that the resolution has been filed with the County Recorder's Office.
6. The subject site and marina operation shall comply with all 17 provisions listed in Section 1303.227, Subd.4.f.
7. The transient slips shall be signed "no overnight parking".
8. No change to lighting or audio is approved through this conditional use permit.
9. The applicant shall furnish the City with evidence of annual licensing approval by the Lake Conservation District (and the DNR, if required) including any conditions they may wish to impose on the use. Future use of the marina is contingent upon all applicable jurisdictional authorizations.

Attachments:

1. Draft Resolution of Approval
2. Location/Zoning Map
3. Applicant's Narrative & Graphics, 3 pgs
4. White Bear Marina LLC Profit & Loss Tabulation for 2004

RESOLUTION NO. _____

**RESOLUTION APPROVING
A CONDITIONAL USE PERMIT FOR
LAKE AVENUE PROPERTIES, LLC MARINA
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (20-3-CUP) has been submitted by Lake Avenue Properties, LLC to the City Council requesting a Conditional Use Permit from the City of White Bear Lake at the following site:

ADDRESS: 4453 Lake Avenue South.

LEGAL DESCRIPTION: Section 23, Parcel 030-31, T30, R22, Tracts E, F & G, Registered Land Survey #613 (PID #: 233022210108)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING PERMIT: A Conditional Use Permit in order to bring an existing 8 slip marina with 2 transient slips into compliance with code, per Code Section 1303.227, Subd.4.f; and

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

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

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

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

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

1. All application materials, maps, drawings, and descriptive information submitted by the applicant 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 to the City of filing a certified copy of this permit with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. All portions of the dock shall be contained within lines drawn radially into the lake from the shoreline at the property lines.
5. The property owner shall sign the resolution of approval, return a copy of such to the City and provide proof that the resolution has been filed with the County Recorder’s Office.
6. The subject site and marina operation shall comply with all 17 provisions listed in Section 1303.227, Subd.4.f.
7. The transient slips shall be signed “no overnight parking”.
8. No change to lighting or audio is approved through this conditional use permit.
9. The applicant shall furnish the City with evidence of annual licensing approval by the Lake Conservation District (and the DNR, if required) including any conditions they may wish to impose on the use. Future use of the marina is contingent upon all applicable jurisdictional authorizations.

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

Ayes:
 Nays:
 Passed:

 Jo Emerson, Mayor

ATTEST:

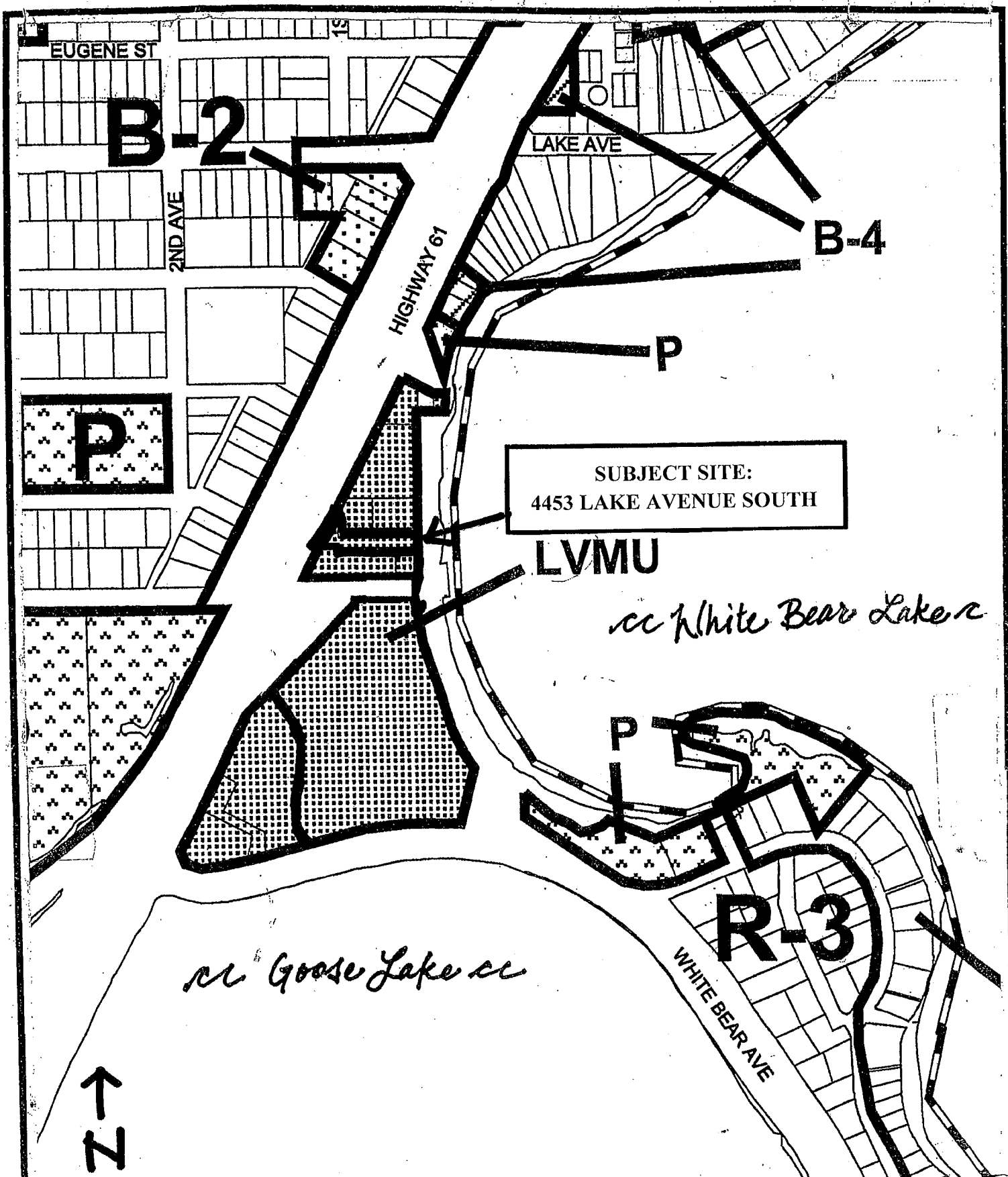
 Kara Coustry, City Clerk

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.

George Gregory Saer, Owner

Date



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

CASE NO. : **20-3-CUP**

CASE NAME : **Lake Area Marina**

DATE : **April 27, 2020**



Lake Avenue Marina

4453 Lake Avenue South, White Bear Lake MN 55110

March 4th, 2020

To Whom it May Concern,

My name is Pat Igo, I'm representing Lake Avenue Properties, LLC. Mankato, Minnesota. In 2017 they purchased the property located at 4453 Lake Avenue. Acqua Restaurant is the tenant for the building and the Patio across the street.

Lake Avenue Marina is in front of the patio on the lake. The property has had a marina in front of it since the early 80's with the previous owners. The Minnesota Department of Natural permit number 2019-0534 (Expiration date 05/09/2024) allows a 8 slip with 2 tie ups for the Restaurant customers on a 100' long dock. The White Bear Lake Conservation has approved a 8 Slip seasonal marina pending the compliance letter from the City Of White Bear Lake. Acqua provides the Bathrooms and the required parking for the Marina. We are requesting a Conditional Use permit from the City of White Bear Lake to continue to use the shoreline as it has in the past. The Marina is used from May thru October. We are in compliance with White Bear Lake Conservation District and the Minnesota DNR rules.

Thank you for your consideration.

Pat Igo

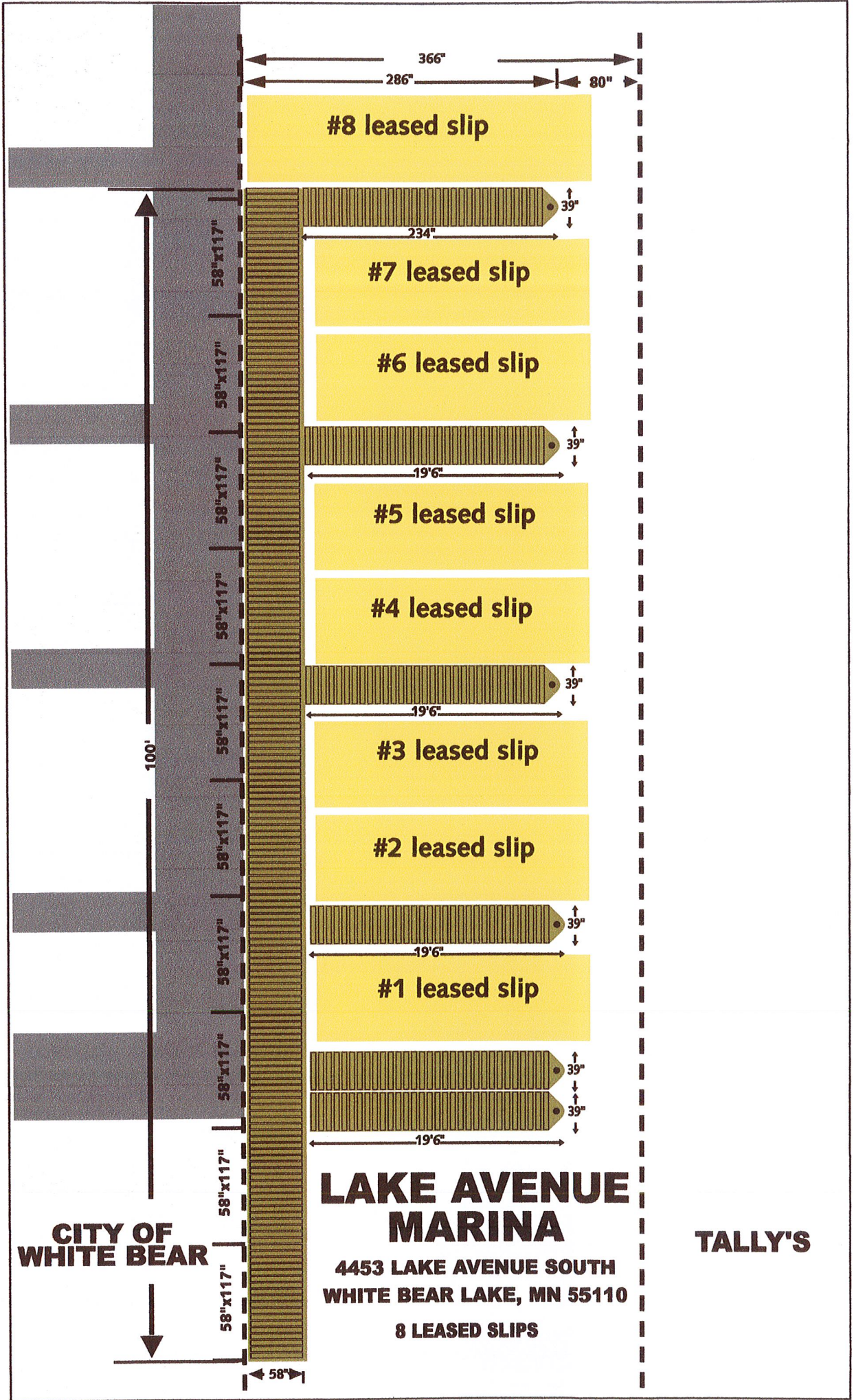
Patrick J Igo

Marina Manager

1621 Goose Lake Road

Gem Lake, MN 55110

612-723-4131



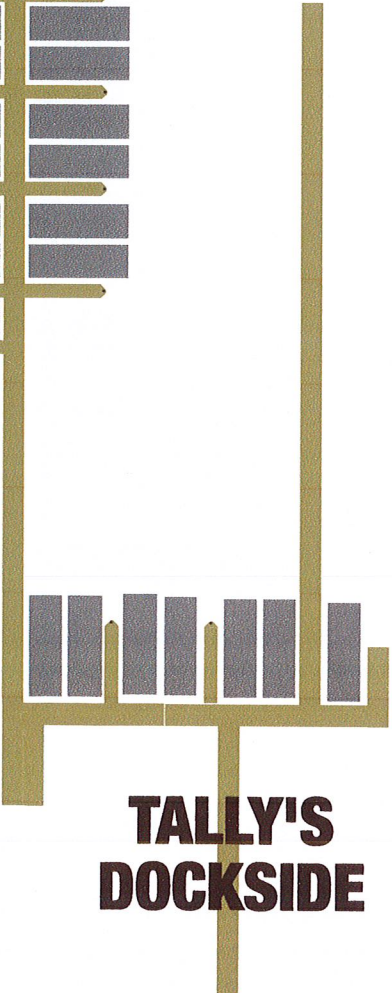
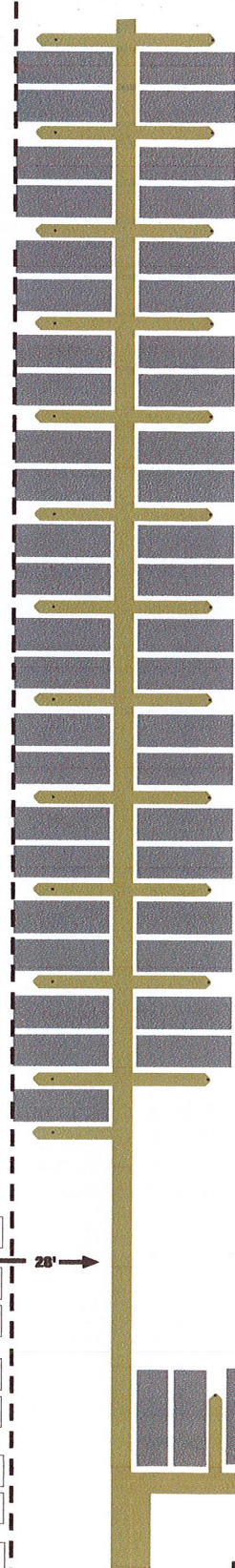
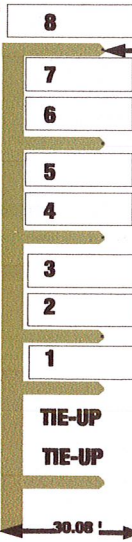
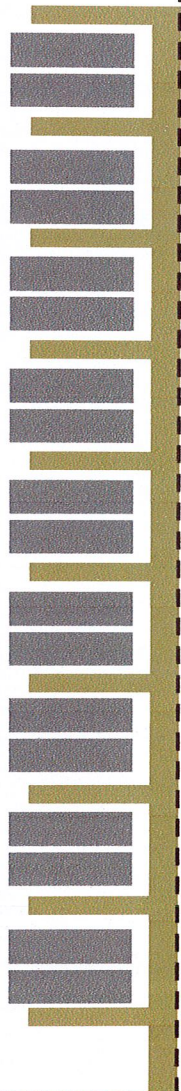
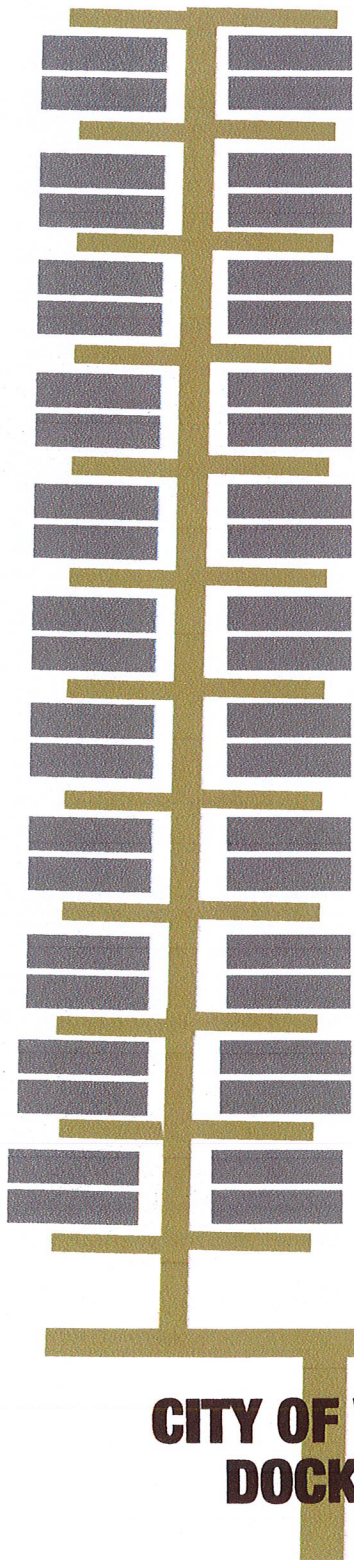
**CITY OF
WHITE BEAR**

**LAKE AVENUE
MARINA**

**4453 LAKE AVENUE SOUTH
WHITE BEAR LAKE, MN 55110**

8 LEASED SLIPS

TALLY'S



LAKE AVENUE MARINA

30.08'

28'

CITY OF WBL DOCKS

TALLY'S DOCKSIDE

White Bear Marina LLC
Profit & Loss
January through December 2004

	<u>Jan - Dec 04</u>
Ordinary Income/Expense	
Income	
Rental	5,600.00
Total Income	5,600.00
Expense	
Bank Service Charges	10.00
Insurance	180.00
Total Expense	190.00
Net Ordinary Income	5,410.00
Net Income	<u>5,410.00</u>



City of White Bear Lake
COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

TO: The Planning Commission

FROM: Anne Kane, Community Development Director

DATE: April 23, 2020 for the April 27, 2020 Planning Commission Meeting

**SUBJECT: WHITE BEAR BASEBALL ASSOCIATION/Sign Variance Request
Babe Ruth Ball Fields - Case No. 20-6-V**

At Staff's request, the White Bear Baseball Association has withdrawn this application. Rather than administer through a variance process, Staff believes it is more appropriate to propose an amendment to the City's Sign Code to allow the promotional signage as contemplated by the baseball association. Before the 2021 baseball season, Staff plans to initiate such an amendment that will address such signage on a comprehensive citywide basis rather than through individual associations or community groups.



City of White Bear Lake
COMMUNITY DEVELOPMENT
DEPARTMENT

MEMORANDUM

TO: The Planning Commission
FROM: Samantha Crosby, Planning & Zoning Coordinator
DATE: April 22, 2020 for the April 27, 2020 Planning Commission Meeting
SUBJECT Gross/Najera Workshop, 1885 Orchard Lane - Case No. 20-7-V

REQUEST

The applicant, John Grant, on behalf of the homeowners, Robert Gross and Lydia Najera, is requesting a 52 square foot variance from the 1,000 square foot maximum size for an a garage in order to construct a 236 square foot workshop space onto the back side of the existing 3 car attached garage.

SITE CHARACTERISTICS

The subject site is located on the north side of Orchard Lane, between Auger Avenue and Highland Avenue. The lot is not substandard in size or width. The attached garage is 816 square feet in size and the shed is 184 square feet in size.

ZONING

The subject property is zoned R-3 – Single Family Residential, as are all surrounding properties.

BACKGROUND

According to Ramsey County, the house was built in 2006. The 3-car attached garage was original with the home. The shed was constructed in 2008 and the 3-season porch and deck were constructed in 2009.

APPLICANT’S PRACTICAL DIFFICULTY

See applicant’s narrative.

ANALYSIS

The code allows two accessory structures per property and limits them in size based on the size of the lot and the size of the first floor area of the home. In this instance, the maximum size allowed between the two structures combined is 1,250 square feet. The proposed total of the expanded garage and existing shed combined will be 1,236 square feet. Thus, the proposal does not exceed the total amount of accessory structure otherwise allowed on the property – it is simply rearranging the way in which it is distributed. This is because the property (through an administrative variance) would be allowed to have a shed up to 434 square feet in size (1,250

minus 816). The applicants are basically requesting to add the unused shed space onto the back of the garage.

	Allowed By Right	Existing	Could have by Administrative Variance	Proposed
Garage	1,000	816	816	1,052
Shed	120	184	434	184
Total	1,120	1,000	1,250	1,236

Both the existing garage and the proposed addition meets residential setback requirement of 10 feet from the side property line. If the workshop were insulated, conditioned and accessed from the home rather than through the garage it would be permitted by right. The applicants had considered this option to avoid the variance, but due to the interior layout of the kitchen, which is the space adjacent to the workshop, there was no way to make a physical connection.

The proposed addition is located to the rear of the attached garage and therefore the garage does not appear much larger as viewed from the front. This is consistent with other size variances for garages granted in the past. Due to the east-west peak of the roof, the height of the garage will need to increase slightly to accommodate the additional length, however it is only an additional 3 feet.

The owners have approached the surrounding property owners to explain their project and, although not required, have asked for their consent. All of the surrounding owners have provided signatures of support.

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 harmony with the intent of the zoning code) then the criteria have been met.

RECOMMENDATION

Staff recommends approval of the variance as requested, subject to the standard conditions:

1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
2. The variance shall become null and void if the project has not been completed within one (1) calendar year after the approval date, subject to petition for renewal. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
3. A building permit shall be obtained prior to construction of the addition.

4. The applicant shall verify their property lines and have the property pins exposed at the time of inspection.
5. The owner shall acquire proper City approvals prior to operating a home occupation or home based business out of the workshop.

Attachments:

1. Draft Resolution of Approval
2. Zoning/Location Map
3. Applicant's Request Narrative
4. Site Plan, Floor Plan and Elevations – 6 pages

RESOLUTION NO. _____

**RESOLUTION GRANTING A VARIANCE FOR
1885 ORCHARD LANE
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (20-7-V) has been submitted by John Grant on behalf of Robert Gross and Lydia Najera, to the City Council requesting approval of a variance from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 1885 Orchard Lane

LEGAL DESCRIPTION: Lot 2, Block 1, Delrollman Estates, White Bear Lake, Ramsey County, MN; (PID #)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF: A 52 square foot variance from the 1,000 square foot maximum for a primary accessory structure, per Code Section 1302.030, Subd.4.i.2.b, in order to expand the existing attached garage by 236 square feet; and

WHEREAS, the Planning Commission has held a public hearing as required by the city Zoning Code on April 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 of the Planning Commission:

1. The requested variance will not:
 - a. Impair an adequate supply of light and air to 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.
2. Because the additional size will not be visible from the front of the home, the variance is a reasonable use of the land or building.
3. The variance will not be injurious to the neighborhood.
4. The non-conforming uses of neighboring lands, structures, or buildings in the same district are not the sole grounds for issuance of the variance.

FURTHER, BE IT RESOLVED, that the City Council of the City of White Bear Lake hereby approves the requests, 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. The variances shall become null and void if the project has not been completed within one (1) calendar year after the approval date, subject to petition for renewal. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
3. A building permit shall be obtained prior to construction of the garage.
4. The applicant shall verify their property lines and have the property pins exposed at the time of inspection.
5. The owner shall acquire proper City approvals prior to operating a home occupation or home based business out of the workshop.

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

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

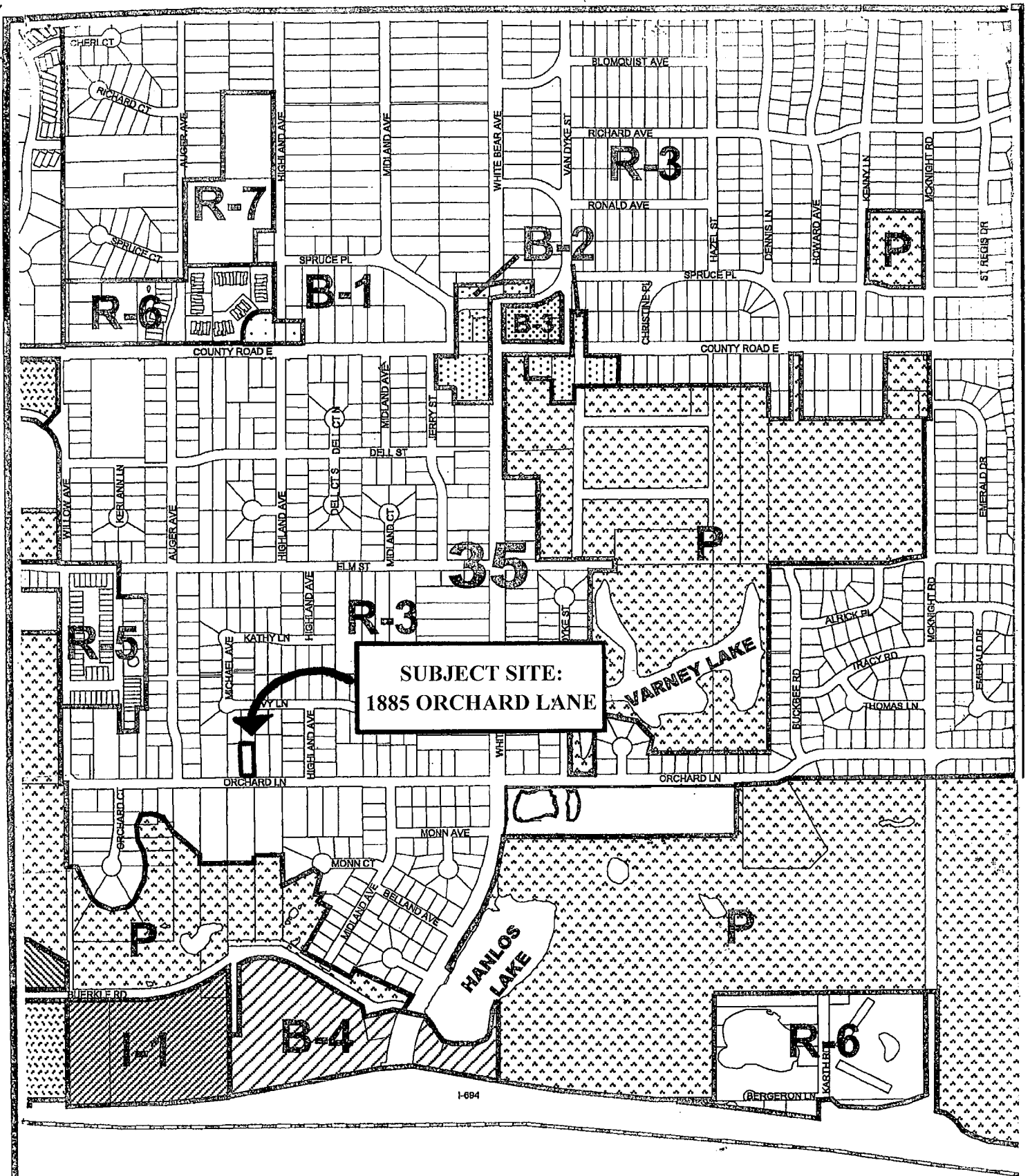
Kara Coustry, City Clerk

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.

Robert J. Gross

Lydia Najera

Date



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

CASE NO. : 20-7-V
CASE NAME : Najera/Gross
DATE : April 27, 2020

Lydia Najera and Robert Gross' Variance Request

We, (Lydia Najera and Robert Gross), purchased our home new in 2007 after living for 15 years just down the street.

We are looking to add some more space to our existing garage to accommodate our woodworking hobbies. Lydia builds larger detailed doll houses and Robert builds smaller wood working projects, (e.g. bird houses, toys), to donate to our church's annual fund raisers for Homeless Shelter and Christian Cupboard. The additional space will allow us to have an isolated area where we can continue this hobby in a warm conditioned space and allow us to move our hobby space out of the basement.

In keeping with standards of our home design and with the design of homes in our neighborhood, we felt it would be best to extend our third garage stall to the back corner of our home. Unfortunately, this makes the total garage space 52 square feet over our maximum allowable garage size based on current regulations.

We considered cutting back on the size of the additional space in order to conform to the regulation, but realized that would not allow for the space need to work on multiple projects in a safe manner, (e.g. not bumping into someone operating a tool, while doing assembly on another project). Also, we felt extending the garage to be even with the rear of the house made the addition look like it was always a part of the design.

We plan to heat the space during the winter when working in the space, but we do not plan on using the space as conditioned interior space. The only access to the space would be from the interior of the garage.

Ordinance 10-1-1062, 1/12/10 limits an attached garage to 1000 square feet. By squaring off the northwest corner of our garage, our square footage will be 1052 sq. feet, only 5.2% over the allowable maximum. However, it is in compliance with the maximum 1250 sq. feet specified in ordinance Ref. Ord. 00-10-981, 10/10/00, 10-11062, 1/12/10.

We appreciate your consideration on this matter.

Lydia Najera

Robert Gross



YOUR HOME PLAN
kimberlys@simonsondesignstudios.com
yourehomeplan.com

**Bob Gross &
Lydia Najera**
1885 Orchard Lane,
White Bear Lake, MN 55110.

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Your Home Plan is a violation of the United States Federal Copyright Act.

CONTRACTOR

**GRANT
REMODELING INC.**

CERTIFICATION OF DRAWINGS

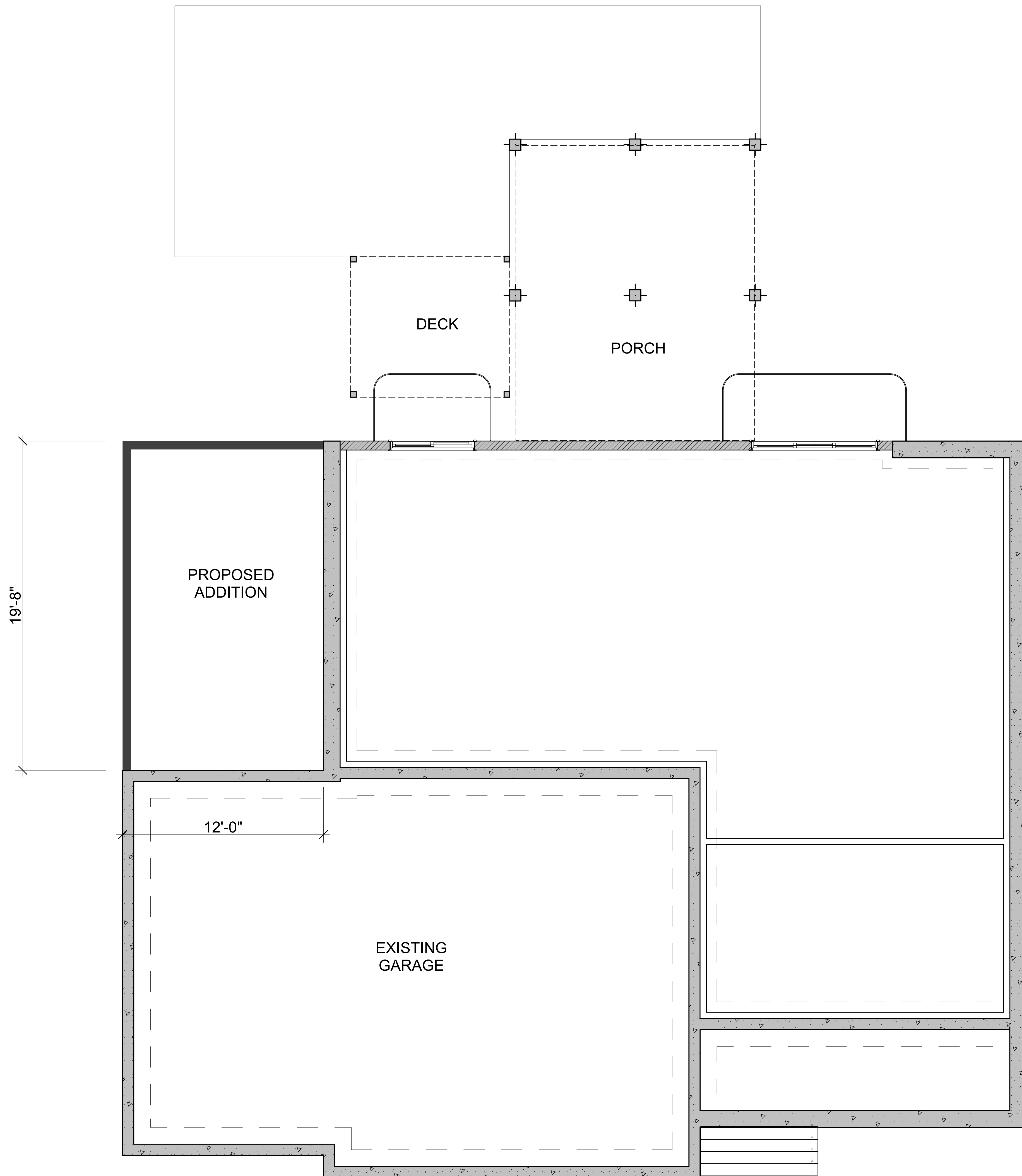
REV. ID	CHANGE NAME	DATE

DATE ISSUED:
UPDATED DATE: 2020-03-13

**SIMONSON DESIGN STUDIOS IS
NOT RESPONSIBLE FOR ANY
CHANGES AFTER THE ABOVE DATE**

DRAWN BY: EDUARDO REYES
CHECKED BY: ROBERTH JORDAN
PROJECT NUMBER:
Scale: REFER TO PLAN

GARAGE FLOOR PLAN



1 GARAGE FLOOR PLAN
SCALE: 1:38,40



YOUR HOME PLAN
 kimberlys@simonsondesignstudios.com
 yourehomeplan.com

**Bob Gross &
 Lydia Najera**
 1885 Orchard Lane,
 White Bear Lake, MN 55110.

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CERTIFICATION OF DRAWINGS

REV. ID	CHANGE NAME	DATE

DATE ISSUED:
 UPDATED DATE: 2020-03-13

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 CHANGES AFTER THE ABOVE DATE**

DRAWN BY: EDUARDO REYES
 CHECKED BY: ROBERTH JORDAN
 PROJECT NUMBER:
 Scale: REFER TO PLAN

ELEVATIONS

3



1 FRONT/SOUTH ELEVATION
 SCALE: 1:27.43



YOUR HOME PLAN
kimberlys@simonsondesignstudios.com
yourehomeplan.com

**Bob Gross &
Lydia Najera**
1885 Orchard Lane,
White Bear Lake, MN 55110.

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REMODELING INC.**

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REV. ID	CHANGE NAME	DATE

DATE ISSUED:
UPDATED DATE: 2020-03-13

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CHECKED BY: ROBERTH JORDAN
PROJECT NUMBER:
Scale: REFER TO PLAN

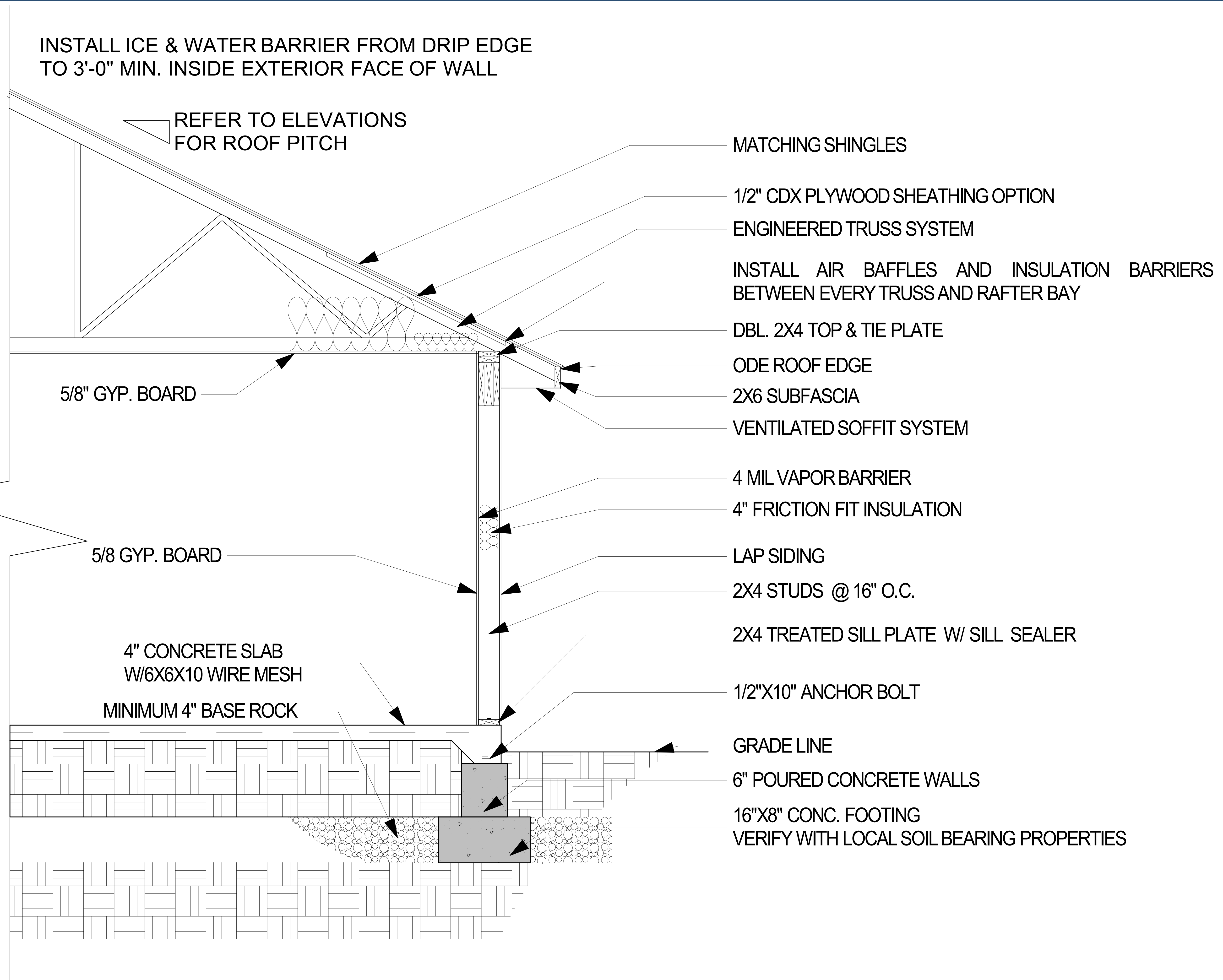
ELEVATIONS



1 REAR/NORTH ELEVATION
SCALE: 1:27,43

INSTALL ICE & WATER BARRIER FROM DRIP EDGE TO 3'-0" MIN. INSIDE EXTERIOR FACE OF WALL

REFER TO ELEVATIONS FOR ROOF PITCH



- MATCHING SHINGLES
- 1/2" CDX PLYWOOD SHEATHING OPTION
- ENGINEERED TRUSS SYSTEM
- INSTALL AIR Baffles AND INSULATION BARRIERS BETWEEN EVERY TRUSS AND RAFTER BAY
- DBL. 2X4 TOP & TIE PLATE
- ODE ROOF EDGE
- 2X6 SUBFASCIA
- VENTILATED SOFFIT SYSTEM
- 4 MIL VAPOR BARRIER
- 4" FRICTION FIT INSULATION
- LAP SIDING
- 2X4 STUDS @ 16" O.C.
- 2X4 TREATED SILL PLATE W/ SILL SEALER
- 1/2"X10" ANCHOR BOLT
- GRADE LINE
- 6" POURED CONCRETE WALLS
- 16"X8" CONC. FOOTING
VERIFY WITH LOCAL SOIL BEARING PROPERTIES

5/8" GYP. BOARD

5/8 GYP. BOARD

4" CONCRETE SLAB
W/6X6X10 WIRE MESH

MINIMUM 4" BASE ROCK

1 WALL DETAIL
NOT TO SCALE



YOUR HOME PLAN
kimberlys@simonsondesignstudios.com
yourehomeplan.com

**Bob Gross &
Lydia Najera**
1885 Orchard Lane,
White Bear Lake, MN 55110.

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Your Home Plan is a violation of the United States Federal Copyright Act.

CONTRACTOR
**GRANT
REMODELING INC.**

CERTIFICATION OF DRAWINGS

REV. ID	CHANGE NAME	DATE

DATE ISSUED:
UPDATED DATE: 2020-03-13

SIMONSON DESIGN STUDIOS IS
NOT RESPONSIBLE FOR ANY
CHANGES AFTER THE ABOVE DATE

DRAWN BY: EDUARDO REYES
CHECKED BY: ROBERTH JORDAN
PROJECT NUMBER:
Scale: REFER TO PLAN

WALL DETAIL



City of White Bear Lake
COMMUNITY DEVELOPMENT
DEPARTMENT

MEMORANDUM

TO: The Planning Commission

FROM: Samantha Crosby, Planning & Zoning Coordinator

DATE: April 23, 2020 for the April 27, 2020 Planning Commission Meeting

SUBJECT: Celine Carlson, 4312 Cottage Park Road - Case No. 20-4-CUP & 20-8-V

REQUEST

The applicant, Rehkamp Larson Architects, Inc, on behalf of the homeowner, Celine Carlson, is requesting 4 variances and a conditional use permit for the construction of a new two-story residence with a 995 square foot attached garage:

- A 14 foot variance from the 20 foot setback for an attached garage;
- A 3 foot variance from the 77.6 foot average lakeside setback for the home;
- A 6.5 foot variance from the 69.6 foot lakeside setback for the unenclosed porch;
- A 6.5 foot variance from the 72.6 foot lakeside setback for the second floor balcony; and
- A conditional use permit for a second curb cut.

The 6.5 foot dimension in the third and fourth request differ slightly from the applicant's narrative. The applicant's narrative took into account the 3 foot house variance and applied the unused footage to the width of the porch and balcony, and then measured from that point, rather than measuring from the code requirement. There have been no changes to the elevations or other drawings that were shown to the neighbors. Staff is simply describing the request in a way that more closely aligns with the code language.

ZONING

The subject property is zoned R-2 - Single Family Residential and S - Shoreland Overlay. The homes to the north and south are also zoned R-2 and S. The properties to the west are zoned R-3 - Single Family Residential and S. White Bear Lake abuts the lot to the east.

SITE CHARACTERISTICS

The lot is located on the east side of Cottage Park Road, at the south end of Circle Drive. The undeveloped lot is relatively flat with a gentle slope towards the lake. It contains a few trees.

BACKGROUND

The subject site used to be the private tennis court of the neighboring lot to the north. The subject site was subdivided (lot split) as its own independent parcel in the fall of 2018. As part of that subdivision, the property was granted two variances: An 85 square foot variance from the

15,000 square foot lot size requirement, and a 12 foot variance from the 80 foot minimum lot width requirement at the Ordinary High Water Level (OHWL). These are minor variances compared with the substandard dimensions of many of the neighboring properties.

APPLICANT'S PRACTICAL DIFFICULTY

See attached narrative.

ANALYSIS

1. Garage Setback Variance (Street side)

A 14 foot variance from the 20 foot setback requirement places the attached garage 6 feet from the property line. This is one foot outside of the 5 foot wide transportation, drainage and utility easement that was dedicated with the subdivision of this property. The additional foot allows room for a one-foot wide eave overhang without encroaching into the easement.

With a lot that is 13,165 square feet in size (not including the road) there is little rationale for a variance of this size. The buildable area is 2,262 square feet in size. In fact, the staff report for the 2018 subdivision cites "the newly created parcel has a building pad large enough to support both principal and accessory structures without variance" as a reason for supporting the request. The amount of variance requested does not correspond in any way to the substandard size or width of the lot. The applicant points to the surrounding properties which have garages close to the street but many of those properties predate the code and are so substandard that if all setbacks are adhered to, only a very modest amount of the property is buildable. That is not the case for this parcel. The applicant seems to be using neighboring properties with differing circumstances as their sole reason for consideration with no real practical difficulty. Consequently, staff recommends denial of this portion of the request.

2. House Setback Variance (Lakeside)

A 3 foot variance from the 77.6 foot average lakeside setback for the home places the home 74.6 feet from the OHWL (at the southeast corner). Due to the curvature of the lake, the flat plane of the house does not "align" with setback, so the encroachment is a triangular shape that tapers from 3 feet in the southeast corner down to 0 feet just northward of the middle of the house. As mentioned in the applicant's narrative if the home were not a riparian parcel this could have been processed administrative variance and both neighbors to either side have provided their consent. The code allows ornamental features to encroach up to 2 feet into a setback by right. This is not technically and ornamental feature and it is 1 foot wider, but it is very comparable. Consequently, staff supports this variance.

3. Porch Setback Variance (Lakeside)

The zoning code allows an unenclosed deck or porch to encroach up to 8 feet into the required setback. In this case $77.6 - 8 = 69.6$. The proposed porch encroaches another 6.5 feet, which places it 63.1 feet from the OHWL at the closest point. The porch is arched, or rounded, in the middle. Eliminating the arch would reduce the request, but not by much. (Please note that the green hatched area on the site diagram, Sheet 0.1, is shown slightly smaller than the actual

request, but the hatching is more accurately reflected on Sheet 3.0) Since the curvature of the lake impacts the setback and the proposed variance “would be behind a string test of the adjacent deck and porch on each side, thus not obstructing views” staff supports the variance.

4. Balcony Setback Variance (Lakeside)

The zoning code allows a second floor balcony to encroach up to 5 feet into the required setback. In this case, $77.6 - 5 = 72.6$. The proposed balcony protrudes an additional 6.5 feet, which puts it 66.1 feet from the OHWL at the closest point. Again, the balcony is arched, so the request tapers as the feature recedes. (Again, please note that the purple hatched area on the site diagram, Sheet 0.1, is smaller than the actual request, but the area has been corrected on Sheet 4.0.) The applicant points out that the balcony passes the string test as well, however, the neighboring deck and porch are on the ground level and the balcony is on the second level, so it is not an equitable comparison. Both neighbors on either side have seen the plans and have indicated their support for the project as proposed. The size of the balcony is directly related to and dependent upon the size of the porch, and as an unenclosed, uncovered feature, the railing is the only “intrusive” aspect. Staff encourages the design of the railing to be as transparent as possible; otherwise staff supports the request.

5. CUP for second curb cut

Staff supports the request for a second curb cut, for the reasons listed in the applicant’s narrative. The narrow width of the road, the location of the home on a curve which limits visibility, and the proximity to the intersection with Circle Drive warrant the additional space for off-street parking and the two openings together do not exceed the maximum 24 feet allowed, so the proposal is trying to meet the intent of the code.

Other

Some of the trees on site will need to be removed to accommodate the home and curb cuts. A tree preservation and replacement plan will be required prior to the issuance of a building permit.

The project creates 35.5% of impervious area for the site. The applicant will need to mitigate the amount of impervious area above and beyond the 30%, as required by code, but has not yet provided the details for how this will be accomplished. Preliminary discussions indicate a raingarden on the lake side of the property. Final design will need to be approved prior to the issuance of a building permit.

Two letters of support – one from the neighbor directly across the street (Gacek) and one from the neighbor to the south of that (Taylor) – are also attached.

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 Comp Plan, and it is in harmony with the intent of the Zoning Code) then the criteria have been met.

The garage setback variance is not the minimum necessary to alleviate a practical difficulty. The majority of residences along this stretch of lakeshore were cottages from the early 1900's that have been added onto and remodeled over time, working with the existing conditions to make improvements. A blank slate offers greater flexibility for compliance with code. Also, the vast majority of lots are significantly substandard in both size and width. For example, with the Klegin house to the south, if all setbacks were adhered to, only 884 square feet of the property is buildable (versus 2,262). However, unlike the Klegin residence, the architect has made a concerted effort to minimize the mass of the structure by keeping it one story and utilizing a hipped roof to lower the height.

RECOMMENDATION

Staff recommends denial of the garage setback variance based on the following findings:

1. The variance as requested is not necessary for the reasonable use of the land or buildings; other design options exist.
2. The variance requested is not the minimum necessary to alleviate a practical difficulty or unique physical condition.
3. The granting of the variance is contrary to the intent of the zoning code.
4. The non-conforming use of neighboring properties is the sole grounds for the variance.

Staff further recommends approval of the remainder of the request subject to the following conditions:

1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
2. Per Section 1301.060, Subd.3, the variances shall become null and void if the project has not been completed or utilized within one (1) calendar year after the approval date, subject to petition for renewal. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
3. A building permit shall be obtained before any work begins.
4. Prior to the issuance of a building permit, the applicant shall provide proof (ie: a receipt) to the City of having filed a certified copy of this resolution of approval with the County Recorder to ensure continued compliance of the herein-stated conditions.
5. All impervious area above 30% shall be mitigated according to the zoning code; design and infiltration calculations shall be approved prior to the issuance of a building permit.

6. Porous pavers, rain gardens or other mitigative features used to off-set impervious area shall be maintained by homeowner according to manufacturer's specifications or to preserve design function and capacity.
7. Tree Preservation calculations to be provided prior to the issuance of a building permit. Replacement trees to be provided prior to certificate of occupancy.
8. The architectural features of the new house, including exterior materials, shall be consistent with elevations provided to the City with the variance application.
9. If grading extends closer than 50 feet to the OHWL, a grading plan must be submitted to the Rice Creek Watershed District for review and approval.
10. The applicant shall verify their property lines and have the property pins exposed at the time of inspection.

Attachments:

1. Draft Resolution of Approval
2. Draft Resolution of Denial
3. Zoning/Location Map
4. Applicant's Narrative
5. Applicant's Design Documents, (8 pages double-sided)
6. Taylor Support Letter, received April 18, 2020
7. Gacek Letter of Support, received April 22, 2020

RESOLUTION NO. _____

**RESOLUTION GRANTING FOUR VARIANCES AND
A CONDITIONAL USE PERMIT FOR
4312 COTTAGE PARK ROAD
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (20-4-CUP & 20-8-V) has been submitted by Celine Carlson to the City Council requesting approval of 4 variances and a conditional use permit from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 4312 Cottage Park Road

LEGAL DESCRIPTION: Lot 18 and those parts of Lots 16 and 17, lying Southwesterly of a line running from a point on the Westerly line of and 5.5 feet Northerly from the Southwesterly corner of Lot 16, through a point on the Southerly line of and 69.2 feet from the Southwesterly corner of Lot 16, extended to the lakeshore of White Bear Lake, all in Block 2, Cottage Park, Ramsey County, Minnesota, subject to transportation, drainage and utility easement (PID #233022420031);

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: Three variances and a conditional use permit:

- A 3 foot variance from the 77.7 foot average lakeside setback for the home per Code Section 1303.040, Subd.4.c;
- A 6.5 foot variance from the 69.7 foot lakeside setback for the unenclosed porch per Code Section 1302.040, Subd.4.a.3;
- A 6.5 foot variance from the 72.7 foot lakeside setback for the second floor balcony per Code Section 1302.040, Subd.4.a.5; and
- A conditional use permit for a second curb cut per Code Section 1302.050, Subd.4.h.9;

in order to construct a new 5 bedroom, two-story single family residence with a 995 square foot attached garage; and

WHEREAS, the Planning Commission has held a public hearing as required by the city Zoning Code on April 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. Because the variances are either an improvement over the existing conditions, or extremely similar to the existing conditions and in keeping with the surrounding residential development pattern, the requested variances will not:
 - a. Impair an adequate supply of light and air to 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.
3. The variances will be in harmony with the general purpose and intent of the City Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
4. Because the lot is the originally platted lot of record, the special conditions or circumstances are not the result of actions of the applicant or previous owners.
5. Although the proposal is consistent with the development pattern of the immediate neighborhood, the non-conforming uses of neighboring lands, structures, and buildings in the same district are not the sole grounds for issuance of the variances.

FURTHER, 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.

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

1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
2. Per Section 1301.060, Subd.3, the variances shall become null and void if the project has not been completed or utilized within one (1) calendar year after the approval date, subject to petition for renewal. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.

3. A building permit shall be obtained before any work begins.
4. Prior to the issuance of a building permit, the applicant shall provide proof (ie: a receipt) to the City of having filed a certified copy of this resolution of approval with the County Recorder to ensure continued compliance of the herein-stated conditions.
5. All impervious area above 30% shall be mitigated according to the zoning code; design and infiltration calculations shall be approved prior to the issuance of a building permit.
6. Porous pavers, rain gardens or other mitigative features used to off-set impervious area shall be maintained by the homeowner according to manufacturer’s specifications or to preserve design function and capacity.
7. Tree Preservation calculations to be provided prior to the issuance of a building permit. Replacement trees to be provided prior to certificate of occupancy.
8. The architectural features of the new house, including exterior materials, shall be consistent with elevations provided to the City with the land use application.
9. If grading extends closer than 50 feet to the OHWL, a grading plan must be submitted to the Rice Creek Watershed District for review and approval.
10. The applicant shall verify their 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.

Celine Carlson

Date

RESOLUTION NO. _____

**RESOLUTION DENYING A VARIANCE
FROM THE CITY OF WHITE BEAR LAKE ZONING CODE FOR
4312 COTTAGE PARK ROAD**

WHEREAS, a proposal (20-8-V) has been submitted by Celine Carlson to the City Council requesting approval of a variance from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 4312 Cottage Park Road

LEGAL DESCRIPTION: Lot 18 and those parts of Lots 16 and 17, lying Southwesterly of a line running from a point on the Westerly line of and 5.5 feet Northerly from the Southwesterly corner of Lot 16, through a point on the Southerly line of and 69..2 feet from the Southwesterly corner of Lot 16, extended to the lakeshore of White Bear Lake, all in Block 2, Cottage Park, Ramsey County, Minnesota, subject to transportation, drainage and utility easement (PID #233022420031)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF: A 14 foot variance from the 20 foot setback for an attached garage per Code Section 1032.030, Subd.4.h.1;

WHEREAS, the Planning Commission has held a public hearing as required by the city Zoning Code on April 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 hereby denies the variance, based upon the following findings:

1. The variance as requested is not necessary for the reasonable use of the land or buildings; other design options exist.
2. The variance requested is not the minimum necessary to alleviate a practical difficulty or unique physical condition.
3. The granting of the variance is contrary to the intent of the zoning code.
4. The non-conforming use of neighboring properties is the sole grounds for the variance.

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

LVMU

WHITE BEAR LAKE

SUBJECT SITE:
4312 COTTAGE PARK ROAD

R-3

R-2

GOOSE LAKE



P

HAZEL ST

SOUTH SHORE BLVD

LILAC LN

GARDENETTE DR N

GARDENETTE DR S

R-3

FLORAL DR

B-2

WHITE BEAR AVE

DOUGLAS LN

RISHWORTH LN

MCKNIGHT RD

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

CASE NO. : 20-4-CUP & 20-8-V
CASE NAME : Carlson
DATE : April 27, 2020

March 16th, 2020

Attn: White Bear Lake Planning Commission

Regarding: Carlson Residence Variance Application – Request Letter

Property Address: 4312 Cottage Park Road, White Bear Lake, MN 55110

Request Submitted by Celine Carlson along with Rehkamp Larson Architects

Ms. Celine Carlson is planning to build a new home on the property at 4312 Cottage Park Road which is currently an empty lot that was recently subdivided from the adjacent property. This request includes 4 elements and 1 conditional use permit that would allow for a new home.

1. A 14 foot variance from the 20 foot setback for the attached garage

This single story garage maintains a very low profile roof to minimize the appearance and relate to the old detached garages in this neighborhood. The window and swinging doors on the street side provide more character than a typical blank façade. There is precedent for garages and homes in this historic neighborhood to be very close to the street. (see diagram 1.1). The owner would like to build a garage up to the transportation, drainage, and utility easement (which is 5' from the edge of road). The garage would be 14' over the 20' setback line not including roof overhangs (see the drawing 1.0), and roof overhangs would remain behind the easement. The area of the garage over the setback would be up to 325 square feet.

2. A 3 foot variance from the 77.7 foot lakeside average setback for the home

If the property was not a riparian lot, this could have been processed by an administrative variance signed by the two neighbors on either side. We request that the setback be moved toward the lake 3 feet or 74.7 feet off the OHW– the house will be behind a string test from corner to corner of the two adjacent houses thus not obstructing views. (see drawing 2.0)

3. A 3.5 foot variance from the 8 foot allowable encroachment by an open porch into a setback

This request assumes that request #2 is allowed. A majority of historic homes in this neighborhood have a lakeside deck, a screened porch, or an open porch. This open porch has a curved design and the 3.5 foot dimension over the allowable 8 foot encroachment on the main level is the measurement at the widest point of the deck or porch. The area of encroachment is 75 square feet on the main level (see drawing 3.0 and A1). Note that this new proposed open porch would be behind a string test of the adjacent deck and porch on each side thus not obstructing view. (see drawing 3.0)

4. A 3.5 foot variance from the 5 foot allowable encroachment by an upper deck into a setback

This request assumes that request #2 is allowed. This second level open deck has a curved design and the 3.5 foot dimension over the allowable 5 foot encroachment is the measurement at widest point of the deck. The area of encroachment is 55 square feet on the upper level (see drawing 4.0 and A2). Note that this new proposed open deck would be behind a string test of the adjacent deck and porch on each side thus not obstructing view. (see drawing 4.0)

5. A conditional use permit for a second curb cut, including parking in front of the home

In this old established neighborhood, the curved road in front of the house is very narrow with limited options for on-street parking or space to turn around. A driveway with two curb cuts provides for guest parking and circulation while maintaining a narrow drive that is more in scale with old house driveways typical of this neighborhood. Maximum allowed curb cut is 24', we request two 12' curb cuts. The other u shape driveways in the neighborhood are in close proximity to this lot. (see drawing 5.0 and 5.1)

We appreciate the organized thorough process that the city of White Bear Lake has in place and the guidance from staff in navigating this submittal. Thank you for your time and consideration of these items.

Kind Regards,

Celine Carlson and Rehkamp Larson Architects Inc.

*refined 4/7/20



CARLSON RESIDENCE

4312 COTTAGE PARK ROAD
WHITE BEAR LAKE

SHEETS

- 0.0 COVER
- S1 EXISTING SURVEY
- 0.1 SITE DIAGRAM SHOWING ALL REQUESTS & SITE INFORMATION
- 1.0 GARAGE SETBACK DIAGRAM
- 1.1 GARAGE - AERIAL IMAGE AND NEIGHBOR IMAGES
- 2.0 HOUSE SETBACK DIAGRAM
- 3.0 MAIN LEVEL OPEN PORCH REQUEST DIAGRAM
- 4.0 UPPER LEVEL DECK REQUEST DIAGRAM
- 5.0 DRIVEWAY DIAGRAM
- 5.1 DRIVEWAY - AERIAL IMAGE AND NEIGHBOR IMAGES
- A1 MAIN LEVEL PLAN
- A2 UPPER LEVEL PLAN
- A3 LOWER LEVEL PLAN
- A4 ELEVATIONS
- A5 ELEVATIONS

REHKAMP LARSON ARCHITECTS INC.
2732 West 43rd Street, Mpls, MN 55410
Tel. 612-285-7275 Fax. 612-285-7274

CARLSON RESIDENCE
4312 Cottage Park Rd.
White Bear Lake, MN 55110

PROJECT PHASE:

**VARIANCE
DRAWINGS**

PROJECT NUMBER:

19-039

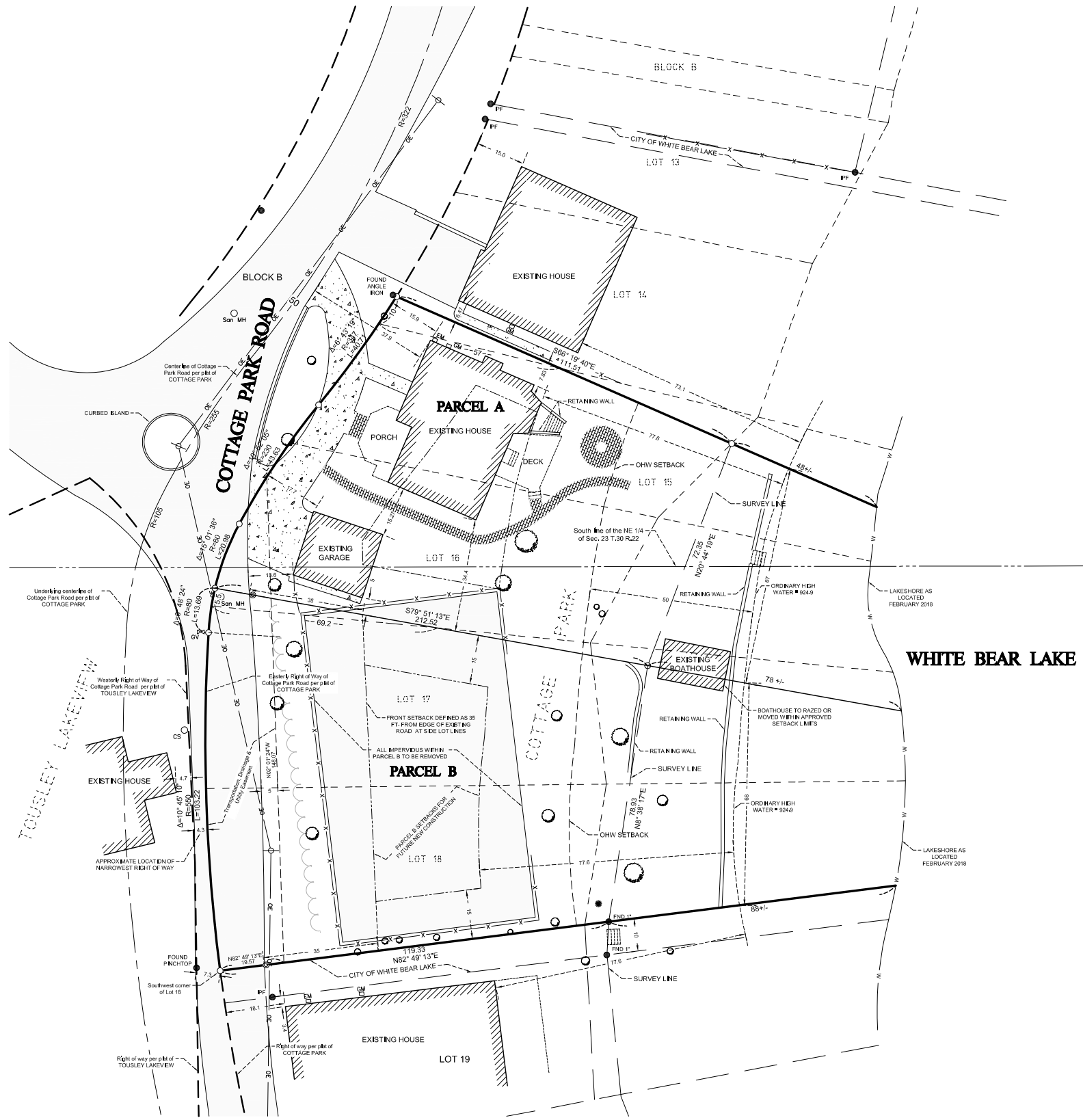
ISSUE DATE:

MARCH 16, 2020

DRAWN BY:

0.0

COVER



ZONING:
 District: R-2/Shoreland Overlay
 Minimum Lot Area: 15,000 s.f.
 Minimum Width at Ordinary High Water Level: 80 ft.

Setbacks
 Principle Structure
 Lakeshore (Front): Average of adjacent dwellings w/in 100 ft.
 Streetside: 35 ft.
 Side: 15 ft.

Accessory Structure
 Streetside: 20 ft.
 Side: 5 ft.

Coverages
 Impervious surface maximum: 30%
 Rear yard coverage maximum: 25%

AREA CALCULATIONS:

PARCEL A
 Lot Area: 12,375 s.f. +/- (ROW to OHW)
 Lot Width at OHWL: 67 ft.

Setbacks
 Principle Structure
 Lakeshore: 77.6 ft. (Adjacent dwelling w/in 100 ft.:73.1 ft.)
 Streetside: 15.9 ft. (Adjacent dwelling w/in 100 ft.: 15.0 ft.)
 Side: North = 7.8 ft., South = 34.4 ft.

Garage
 Front: 17.7 ft.
 Side: 5.0 ft.

Coverage
 Impervious surface: 32%

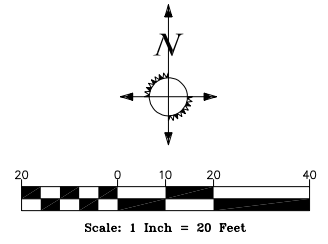
PARCEL B
 Lot Area: 14,915 s.f. +/- (ROW to OHW)
 Lot Width at OHWL: 68 ft.

Setbacks
 Principle Structure (For Future New Construction)
 Lakeshore: 77.6 ft. Adj. dwellings both at 77.6 ft.
 Streetside: 35 ft.
 Side: 15 ft.

Garage (For Future New Construction)
 Front: 20 ft.
 Side: 5 ft.

Coverages (As a vacant lot)
 Impervious surface: 12% (from Cottage Park Rd.)

- LEGEND:**
- Iron monument found
 - Iron monument set #21292
 - Point on Line set #21292
 - Powerpole
 - Gas Meter
 - Electric Meter
 - San MH
 - Storm MH
 - Overhead Electric
 - Fence



**THIS DOCUMENT WAS
 ORIGINALLY FORMATTED FOR
 LARGE SHEETS, IT IS HALF
 SCALE WHEN PRINTED TO 11x17**

EXISTING PARCEL

Lots 16, 17, and 18, Block 2, and those parts of Lots 14 and 15, lying Southwesterly of a line running from a point on the Northwesterly line of and 10 feet from the Southwesterly corner of Lot 14, through a point on the Southwesterly line of and 57 feet from the Southwesterly corner of Lot 14, extended to the lakeshore of White Bear Lake, all in Block 2, COTTAGE PARK, Ramsey County, Minnesota.

PROPOSED PROPERTY DESCRIPTIONS:

PARCEL A

Those parts of Lots 14 and 15, lying Southwesterly of a line running from a point on the Northwesterly line of and 10 feet from the Southwesterly corner of Lot 14, through a point on the Southwesterly line of and 57 feet from the Southwesterly corner of Lot 14 extended to the lakeshore of White Bear Lake, AND those parts of Lots 16 and 17, lying Northeasterly of a line running from a point on the Westerly line of and 5.5 feet Northerly from the Southwesterly corner of Lot 16, through a point on the Southerly line of and 69.2 feet from the Southwesterly corner of Lot 16, extended to the lakeshore of White Bear Lake, all in Block 2, COTTAGE PARK, Ramsey County, Minnesota.

PARCEL B

Lot 18 and those parts of Lots 16 and 17, lying Southwesterly of a line running from a point on the Westerly line of and 5.5 feet Northerly from the Southwesterly corner of Lot 16, through a point on the Southerly line of and 69.2 feet from the Southwesterly corner of Lot 16, extended to the lakeshore of White Bear Lake, all in Block 2, COTTAGE PARK, Ramsey County, Minnesota.

TRANSPORTATION, DRAINAGE & UTILITY EASEMENT

The following described transportation, drainage, and utility easement shall be dedicated to the City of White Bear Lake, Ramsey County, Minnesota, over, under and across the westerly parts of Lots 16, 17, and 18, Block 2, COTTAGE PARK, Ramsey County, Minnesota.

Beginning at the southwest corner of Lot 18, Block 2, COTTAGE PARK; thence easterly along the south line of Lot 18, N82°49'13"E a distance of 19.57 feet; thence N02°01'24"W a distance of 148.07 feet more or less to the east right of way of Cottage Park Road; thence southeasterly then southerly along the east right of way to the point of beginning.

SURVEYOR'S NARRATIVE

The survey of the parcel Lots 14-18, Block 2, COTTAGE PARK, Ramsey Co., MN require extensive document research and field work to verify the location of the underlying lot lines, which were required to define existing parcel boundaries north and south of the surveyed parcel at 4320 Cottage Park Road, White Bear Lake, MN.

1. RIGHT-OF-WAY

The plat was fit into Sec.23, T.30, R.22 then recreated using the given information. Centerline, as dedicated, was recreated using the published radii and adjacent right-of-way (ROW) was offset 25 feet right and left of centerline. The easterly ROW was then slightly moved along with the centerline to fit the 6 found irons while holding to the radius of 477.5 feet. With the ROW established north of the parcel, the centerline needed to be extended further south to define the ROW in front of the surveyed parcel. Using original plat graphically overlaid onto the ROW, radius points were located and remainder of the curves were fit together by slightly adjusting the point of curvatures along the alignment. With a complete centerline alignment best fit using found field evidence in combination with the original plat, a ROW in front of the surveyed parcel could be defined.

2. SOUTHERLY PROPERTY LINE

The southerly line was defined using found two found irons along the rear 'survey line' with additional information from a survey of Lot 19, Block 2 of COTTAGE PARK (6/6/15) by Peter Hawkison L.S. #42299 of Pioneer Engineering, P.A. Using the field data from the Pioneer survey and matching it to the same monuments found by M&P, a bearing of the north line of Lot 19 was defined. With that, the south line of Lot 18 was set 10 feet northerly and parallel to the north line of Lot 18 then extended westerly to the ROW to define the southwest corner of the survey parcel.

3. NORTHERLY PROPERTY LINE

The northerly line of the parcel references the original lot lines from the plat, but does not lie on one, or is parallel to one. North of Lot 15, 12 iron monuments were found. Using a combination of property descriptions and field evidence, the original lot lines were re-established for 5 existing parcels north of Lot 15. Any lot frontage distances used from current property descriptions, or the plat, were measured on a chord to locate the original front lot corners as closely as possible. Using occupation, the bearing of the north line was assumed to be parallel to both adjacent dwellings, which are parallel to each other and over 100 years old. A final search for any evidence at the computed northwest corner was performed and an angle iron was found about a foot from the computed location as described above. The angle iron was accepted as evidence of occupation, and used to define the north-south position of the north line which was extended easterly towards the lakeshore. The previously defined ROW was measured to be 1.2 feet easterly of the found angle iron, a new iron will be set at the computed location.

4. THE PLAT OF TOUSLEY LAKEVIEW

Two irons west of Lot 19, Block 2 were found along the ROW and used to show the proximity of those parcels across the street from Lots 17 & 18, Block 2. According to the original plat of TOUSLEY LAKEVIEW (4-22-1969), the existing westerly edge of road as traveled was used to define the easterly boundary of said plat. At one point there is less than 5 feet of ROW between the TOUSLEY plat and Lot 18, Block 2 of COTTAGE PARK. As of the date of this document, no record of ROW vacated with respect to COTTAGE PARK, or road easement documents adjacent to Lots 16-19, Block 2 have been found.

5. VARIABLE RIGHT-OF-WAY

As shown on the drawing, the ROW narrows down to less than 5 feet west of Lot 18, Block 2 COTTAGE PARK. As shown on the drawing, the original centerline alignment as defined on the plat goes through an existing dwelling. The dwelling pre-dates the plat of COTTAGE PARK by 30 years. Historical documents show that re-arrangements were performed more than once on Block 4 of COTTAGE PARK, and the westerly ROW of Cottage Park Road was redefined from said re-arrangements. It also appears that no consideration was made on behalf of the lots on Block 2 of COTTAGE PARK to show proximity of the westerly ROW of Cottage Park Road. Documents show the lakeshore lots relative to Block 4 with no updated survey information given.

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 Fax: 651-776-0206
 Email: info@mpasso.com



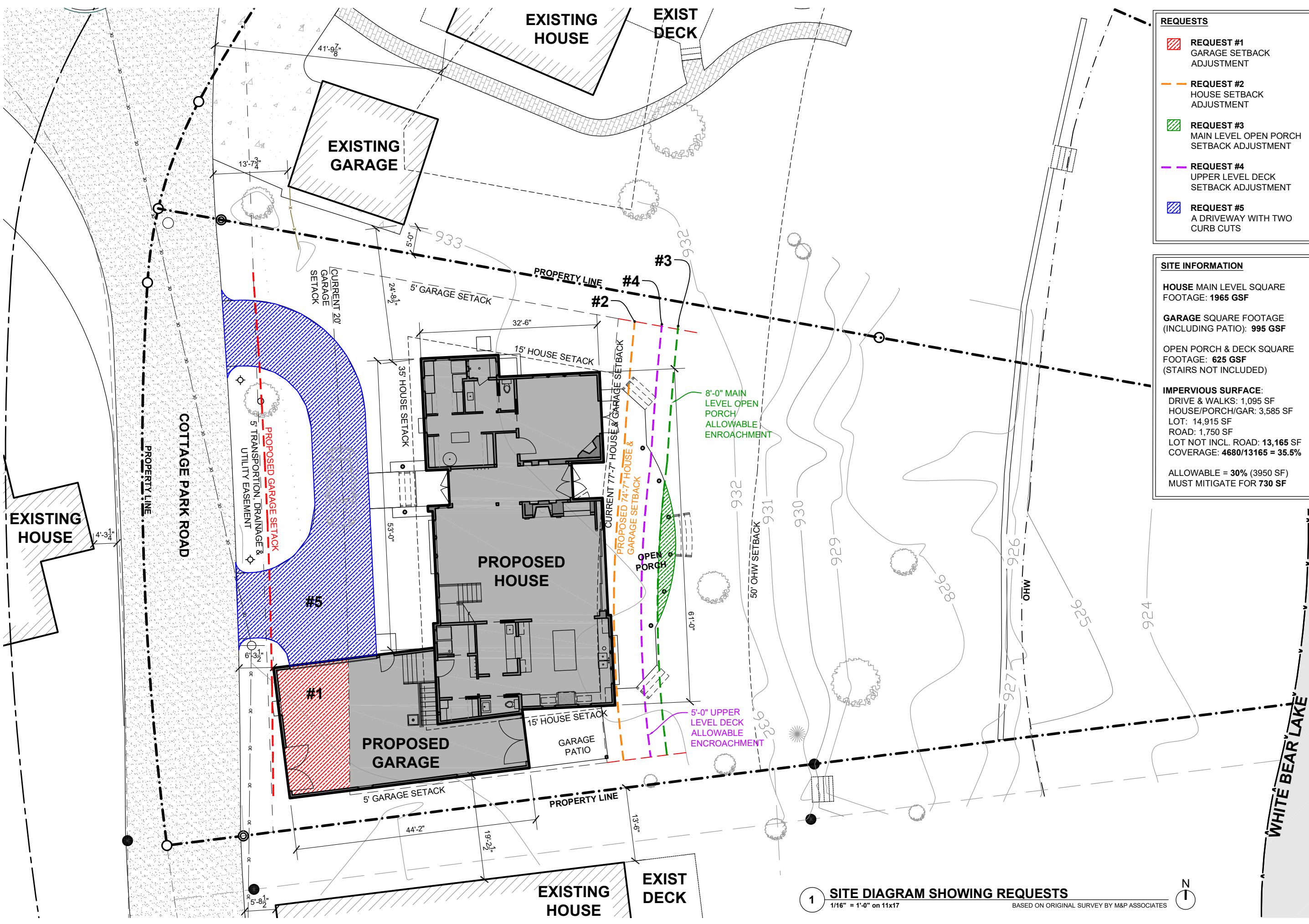
I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
 Allen C. Schlupp
 DATE: 7/2/2018 L.C. NO. 21292

DATE	REVISIONS
7/2/2018	Adjusted lot line
9/19/2018	Added easement description

OWNER:
 BOB BONNE
 1600 NILES AVE.
 ST. PAUL, MN 55116

LOT SPLIT
 BONNE
 4320 COTTAGE PARK RD.
 WHITE BEAR LAKE, MN

DRAWN MPK	CHECKED ACS
PROJECT # 3993.001	
DATE 6/5/18	
SHEET # S1	



- REQUESTS**
- ▨ **REQUEST #1**
GARAGE SETBACK ADJUSTMENT
 - - - **REQUEST #2**
HOUSE SETBACK ADJUSTMENT
 - ▨ **REQUEST #3**
MAIN LEVEL OPEN PORCH SETBACK ADJUSTMENT
 - - - **REQUEST #4**
UPPER LEVEL DECK SETBACK ADJUSTMENT
 - ▨ **REQUEST #5**
A DRIVEWAY WITH TWO CURB CUTS

SITE INFORMATION

HOUSE MAIN LEVEL SQUARE FOOTAGE: 1965 GSF

GARAGE SQUARE FOOTAGE (INCLUDING PATIO): 995 GSF

OPEN PORCH & DECK SQUARE FOOTAGE: 625 GSF (STAIRS NOT INCLUDED)

IMPERVIOUS SURFACE:
 DRIVE & WALKS: 1,095 SF
 HOUSE/PORCH/GAR: 3,585 SF
 LOT: 14,915 SF
 ROAD: 1,750 SF
 LOT NOT INCL. ROAD: 13,165 SF
 COVERAGE: 4680/13165 = 35.5%

ALLOWABLE = 30% (3950 SF)
 MUST MITIGATE FOR 730 SF

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 2732 West 43rd Street, Mpls, MN 55410
 Tel. 612-285-7275 Fax. 612-285-7274

CARLSON RESIDENCE
 4312 Cottage Park Rd.
 White Bear Lake, MN 55110

PROJECT PHASE:
VARIANCE DRAWINGS

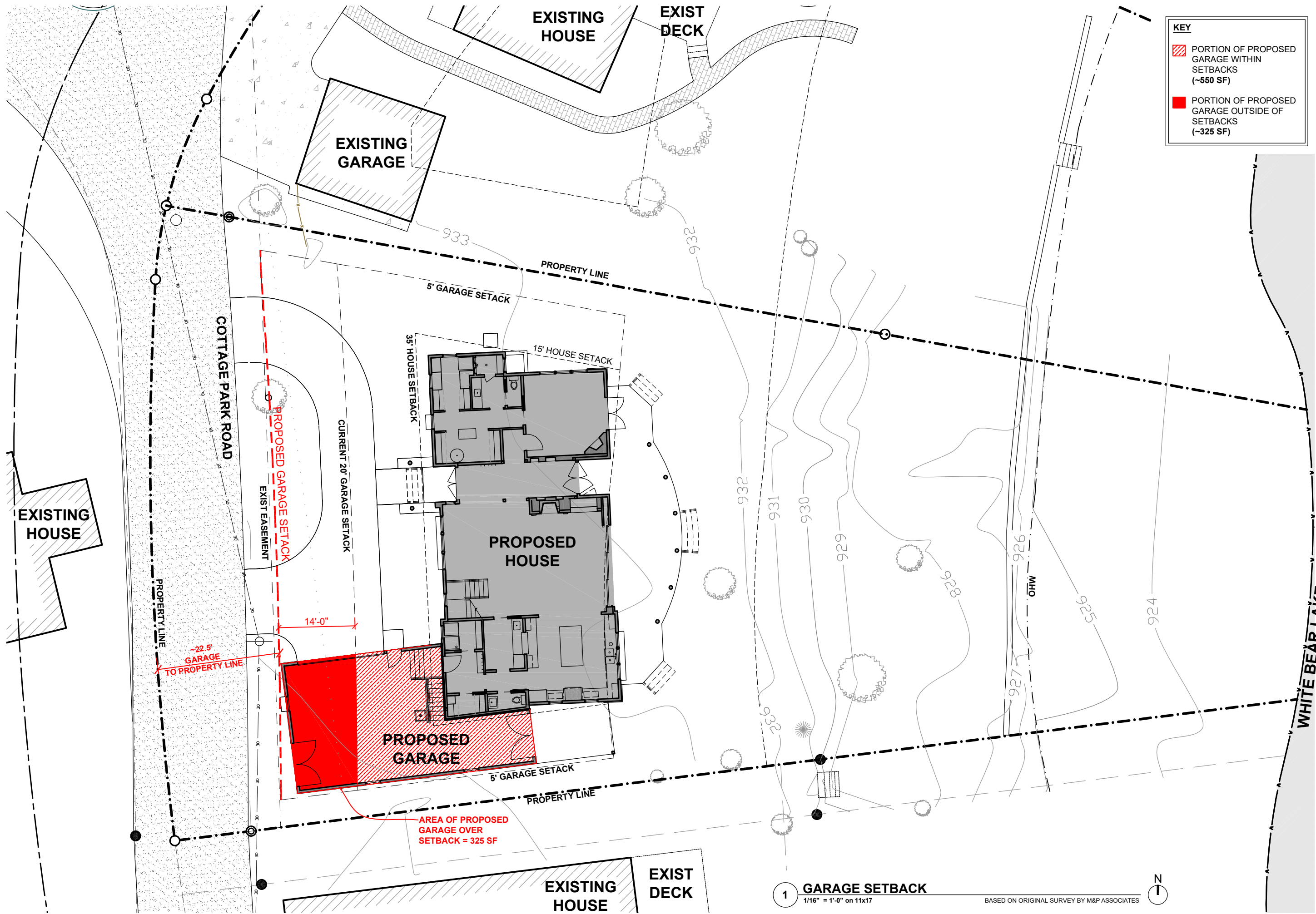
PROJECT NUMBER:
 19-039

ISSUE DATE:
 MARCH 16, 2020

DRAWN BY:

1 SITE DIAGRAM SHOWING REQUESTS
 1/16" = 1'-0" on 11x17
 BASED ON ORIGINAL SURVEY BY M&P ASSOCIATES

0.1
 SITE DIAGRAM





#4330
~5 FEET



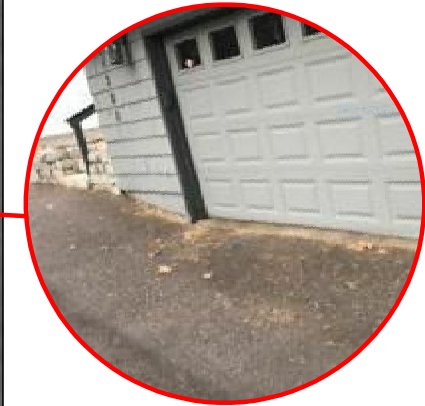
#4311
~4 FEET



#4320
~13 FEET
(ADJACENT NEIGHBOR TO
THE NORTH)



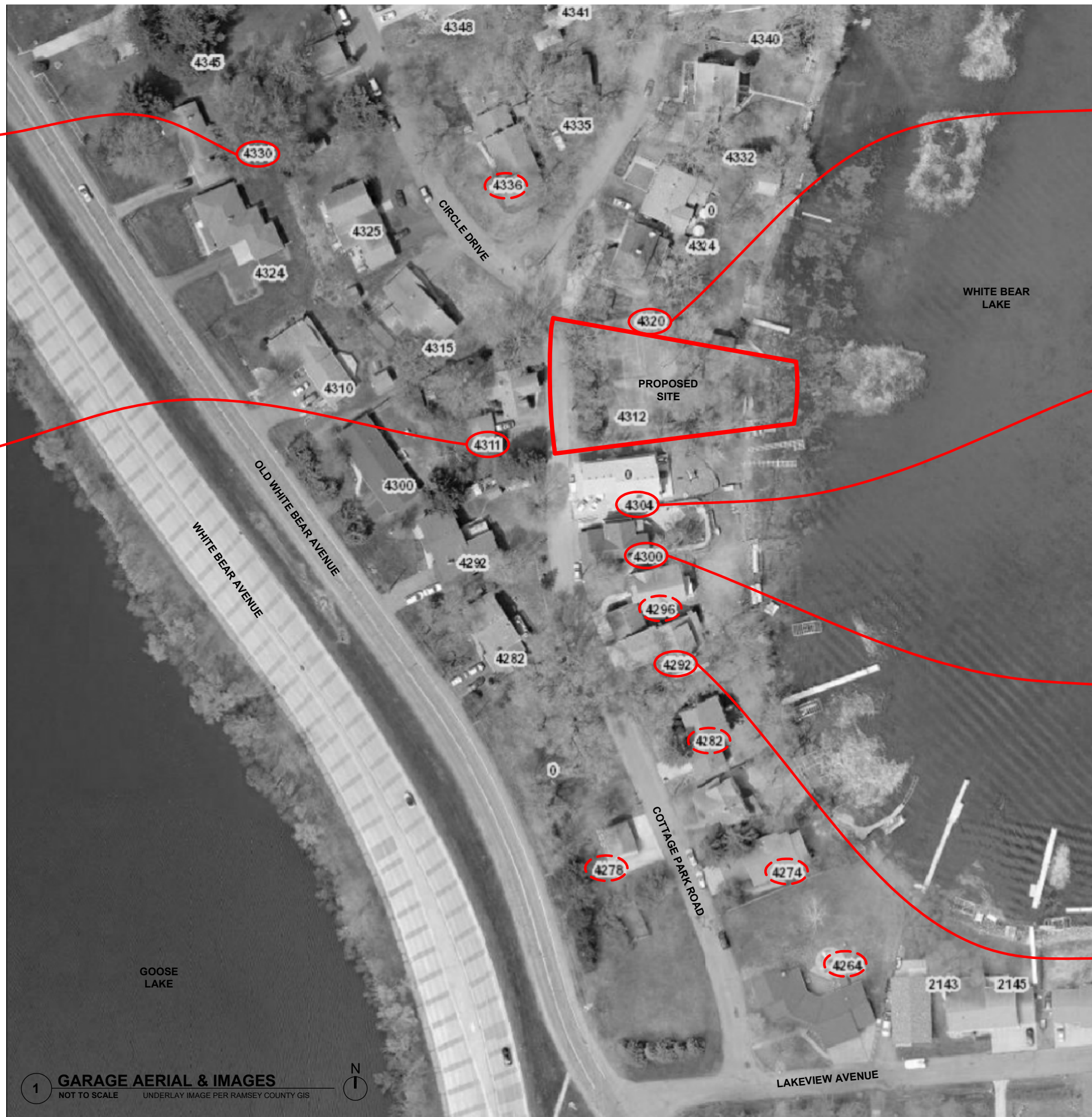
#4304
~2 FEET
(ADJACENT NEIGHBOR TO
THE SOUTH)




#4300
~4 FEET



#4292
~10 FEET



NOTES

- PROPERTIES WITH A  INDICATE A BUILDING (GARAGE OR HOUSE) THAT APPEARS TO BE CLOSER TO THE ROAD THAN THE 20' SETBACK REQUIREMENT

- APPROXIMATE DIMENSIONS LISTED AS MEASURED BY HOMEOWNER

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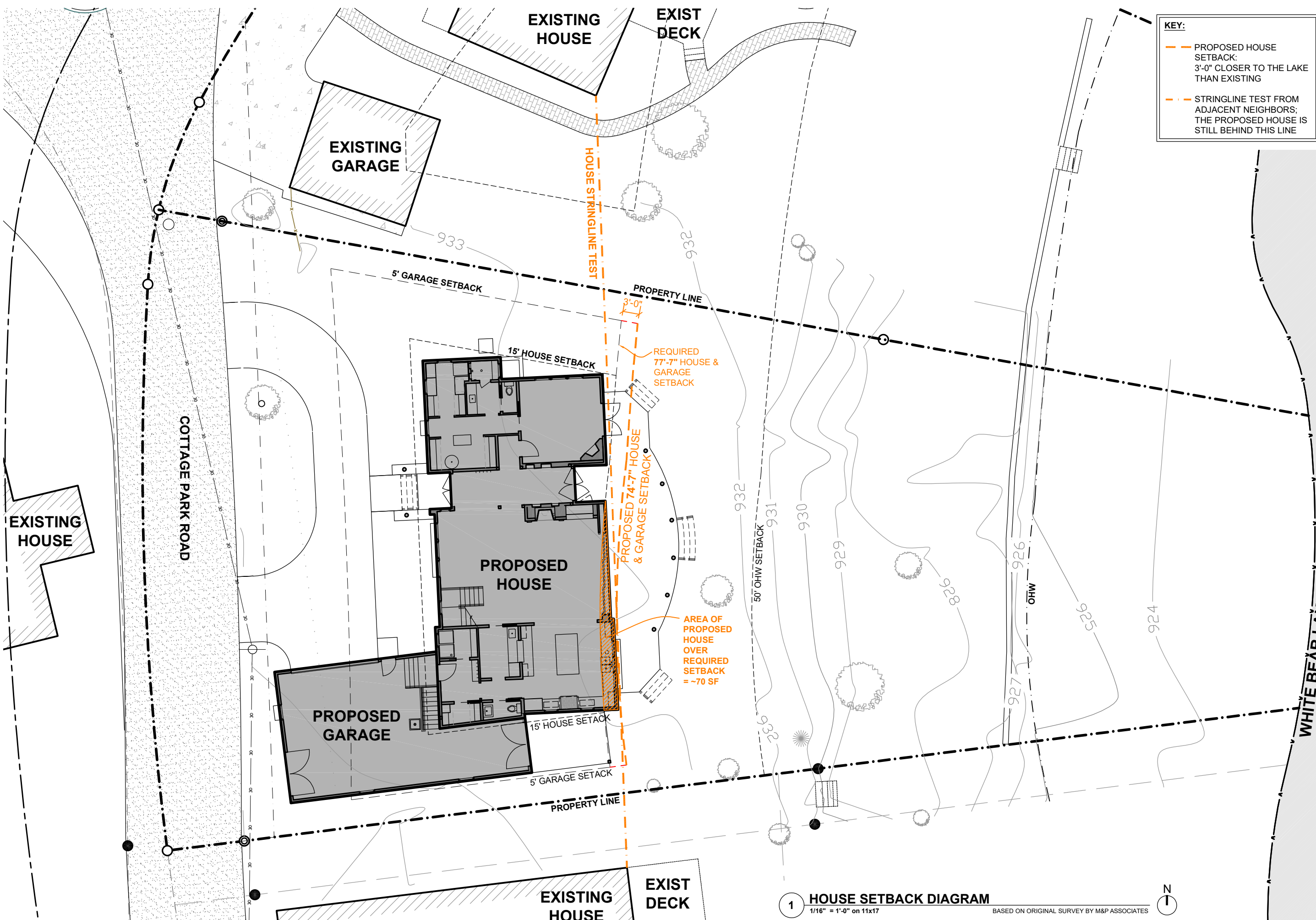
CARLSON RESIDENCE
4312 Cottage Park Rd.
White Bear Lake, MN 55110

PROJECT PHASE:
VARIANCE DRAWINGS
PROJECT NUMBER:
19-039
ISSUE DATE:
MARCH 16, 2020

DRAWN BY:

1.1

GARAGE IMAGES



KEY:

- PROPOSED HOUSE SETBACK: 3'-0" CLOSER TO THE LAKE THAN EXISTING
- - - STRINGLINE TEST FROM ADJACENT NEIGHBORS: THE PROPOSED HOUSE IS STILL BEHIND THIS LINE

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PROJECT NUMBER:
 19-039

ISSUE DATE:
 MARCH 16, 2020

DRAWN BY:

4/21/2020 - VARIANCE REQUEST DRAWINGS REFINE

2.0

HOUSE SETBACK

1 HOUSE SETBACK DIAGRAM
 1/16" = 1'-0" on 11x17

BASED ON ORIGINAL SURVEY BY M&P ASSOCIATES





KEY:

- PORTION OF PROPOSED MAIN LEVEL OPEN PORCH OUTSIDE OF ALLOWABLE ENCROACHMENT (~75 SF)
- STRINGLINE TEST FROM DECKS OF ADJACENT NEIGHBORS

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DRAWN BY:

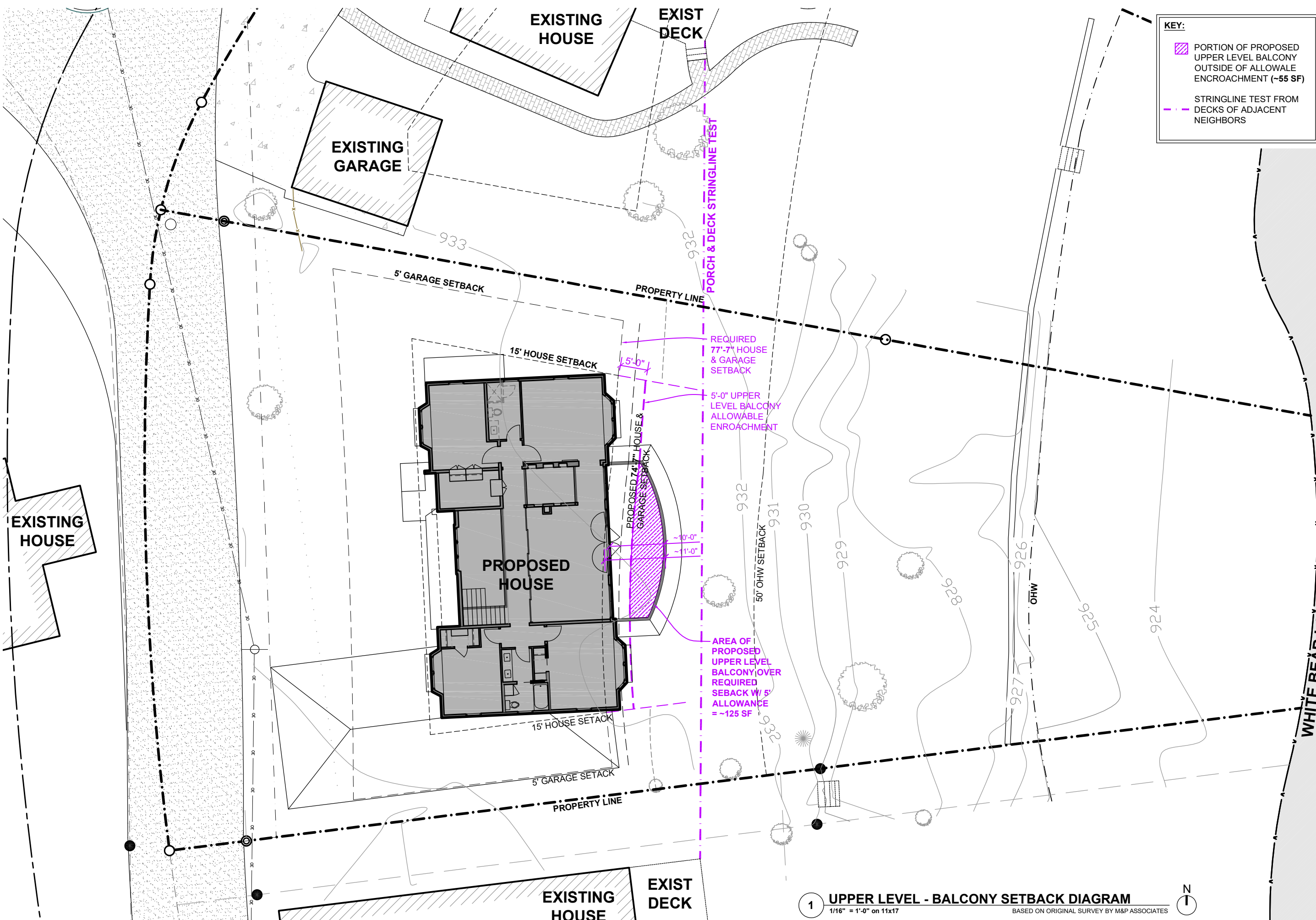
WHITE BEAR VARIANCE REQUEST DRAWINGS REFINE

3.0

OPEN PORCH DIAGRAM

1 MAIN LEVEL - OPEN PORCH SETBACK DIAGRAM
 1/16" = 1'-0" on 11x17
 BASED ON ORIGINAL SURVEY BY M&P ASSOCIATES





KEY:

- PORTION OF PROPOSED UPPER LEVEL BALCONY OUTSIDE OF ALLOWABLE ENCROACHMENT (~55 SF)
- STRINGLINE TEST FROM DECKS OF ADJACENT NEIGHBORS

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CARLSON RESIDENCE
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 White Bear Lake, MN 55110

PROJECT PHASE:
VARIANCE DRAWINGS

PROJECT NUMBER:
 19-039

ISSUE DATE:
 MARCH 16, 2020

DRAWN BY:

WHITE BEAR WOODS REFINE

4/21/2020 - VARIANCE REQUEST DRAWINGS

1 UPPER LEVEL - BALCONY SETBACK DIAGRAM
 1/16" = 1'-0" on 11x17
 BASED ON ORIGINAL SURVEY BY M&P ASSOCIATES

4.0

BALCONY DIAGRAM



#4325




#4336



#4320

NOTES

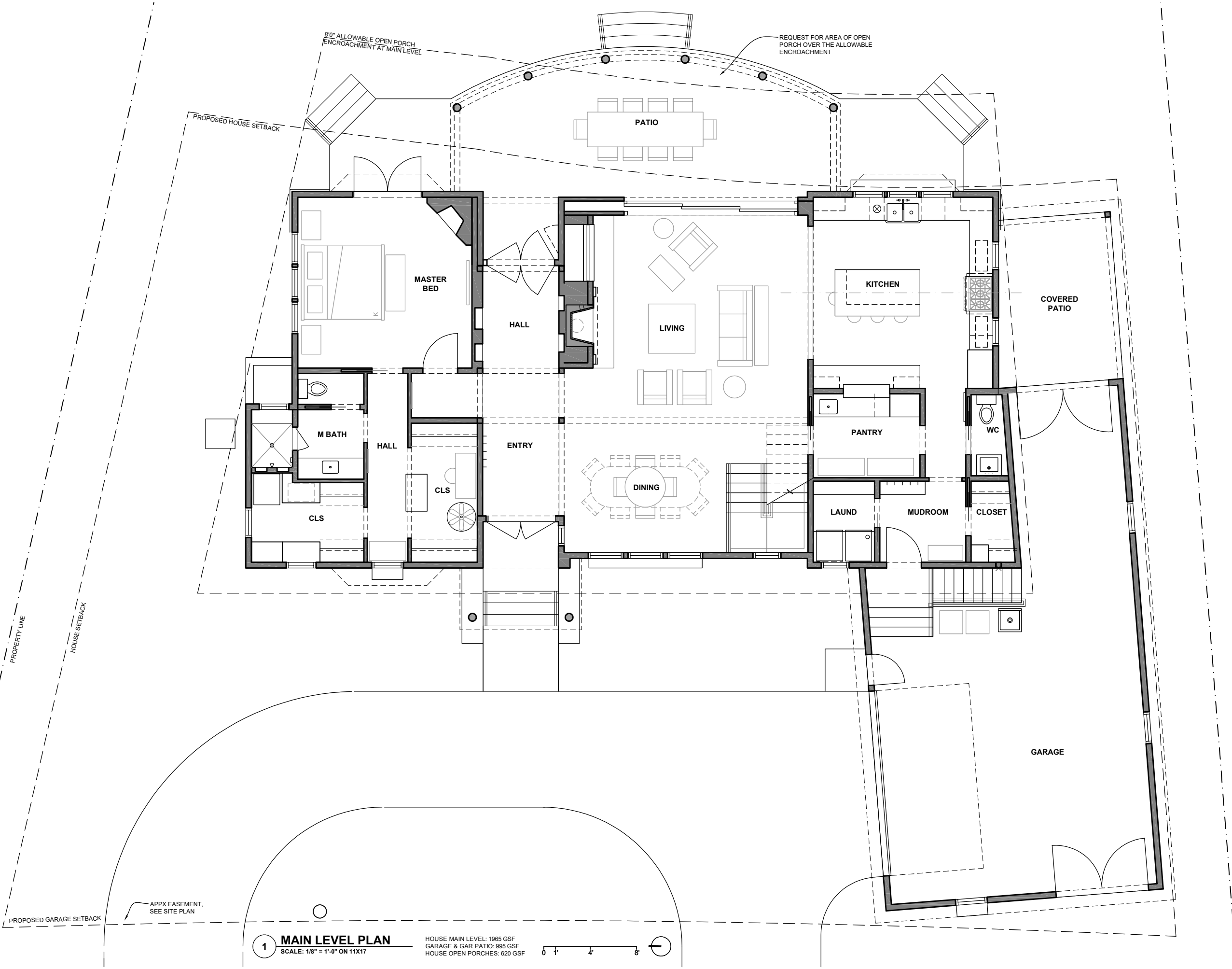
- PROPERTIES WITH A  INDICATE DRIVEWAYS WITH TWO CURB CUTS

REHKAMP LARSON ARCHITECTS INC.
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CARLSON RESIDENCE
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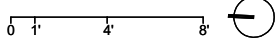
PROJECT PHASE:
VARIANCE DRAWINGS
 PROJECT NUMBER:
 19-039
 ISSUE DATE:
 MARCH 16, 2020

DRAWN BY:



1 MAIN LEVEL PLAN
 SCALE: 1/8" = 1'-0" ON 11X17

HOUSE MAIN LEVEL: 1965 GSF
 GARAGE & GAR PATIO: 995 GSF
 HOUSE OPEN PORCHES: 620 GSF



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CARLSON RESIDENCE
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 White Bear Lake, MN 55110

PROJECT PHASE:
VARIANCE DRAWINGS

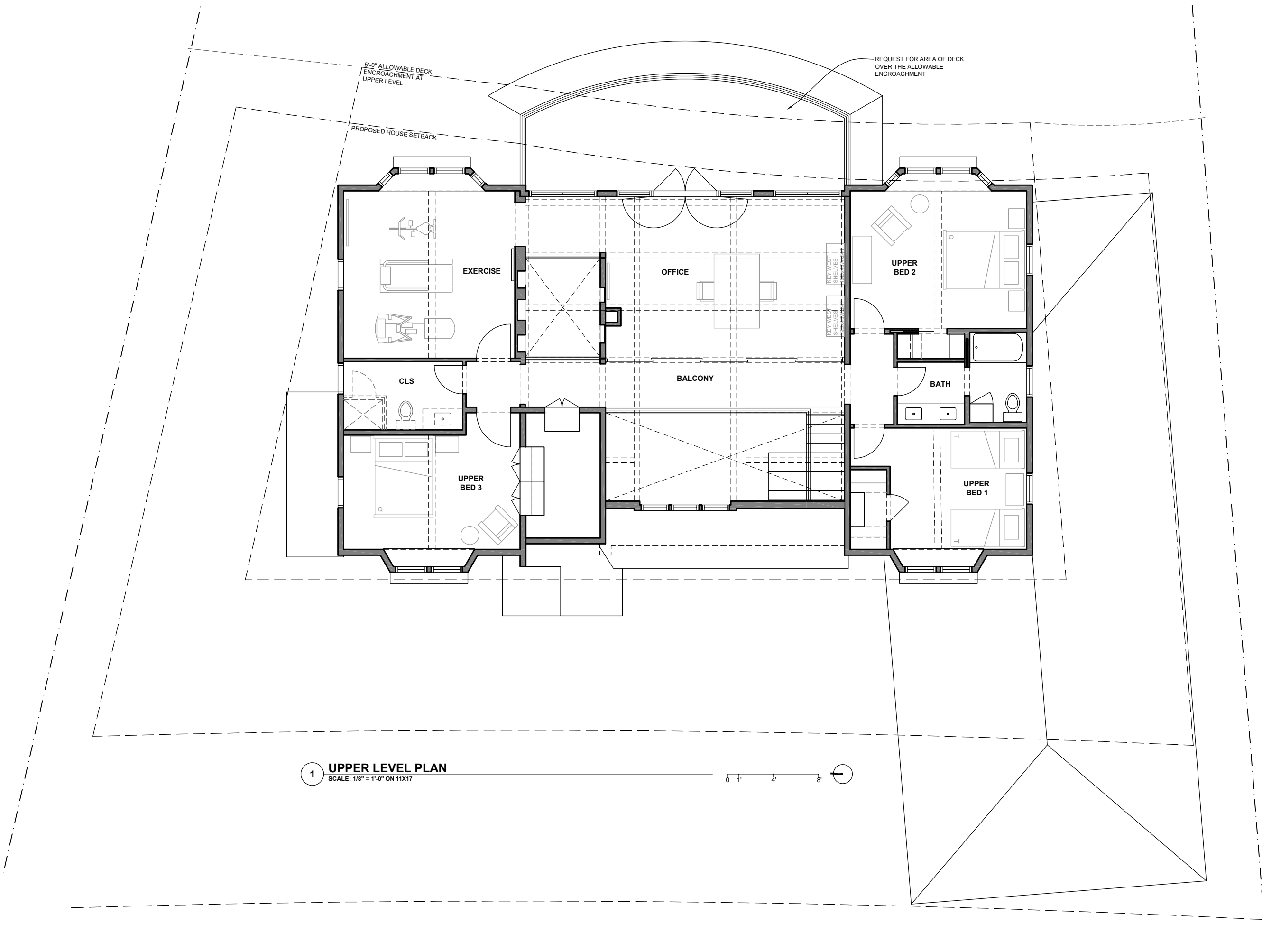
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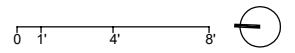
DRAWN BY:
 JRL, RL

A1

MAIN LEVEL PLAN



1 UPPER LEVEL PLAN
SCALE: 1/8" = 1'-0" ON 11X17



5'-0" ALLOWABLE DECK ENCRoACHMENT AT UPPER LEVEL

PROPOSED HOUSE SETBACK

REQUEST FOR AREA OF DECK OVER THE ALLOWABLE ENCRoACHMENT

KEY WESK SHELVES

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White Bear Lake, MN 55110

PROJECT PHASE:
VARIANCE DRAWINGS

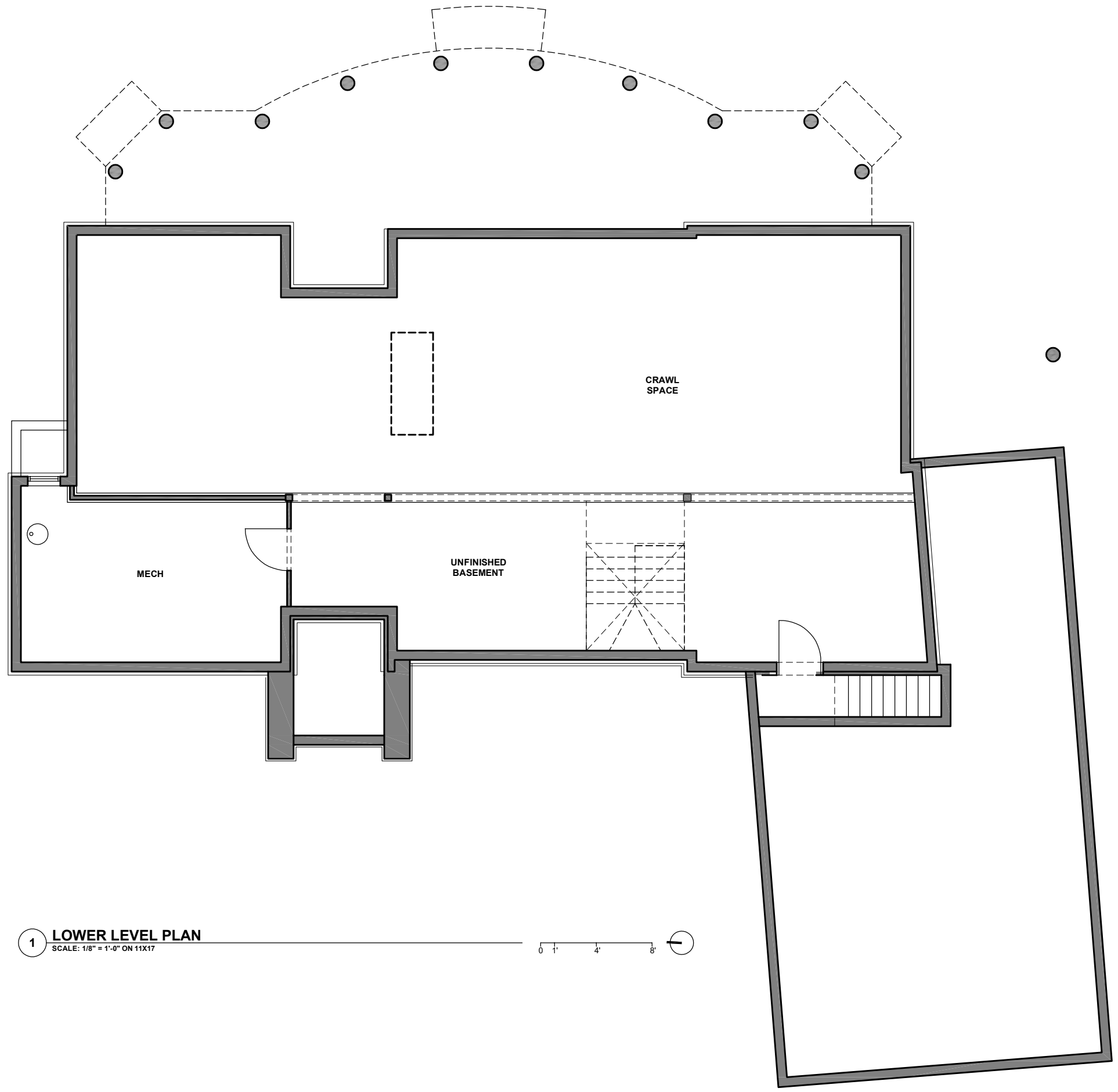
PROJECT NUMBER:
19-039

ISSUE DATE:
MARCH 16, 2020

DRAWN BY:
JRL, RL

A2

UPPER LEVEL PLAN



1 LOWER LEVEL PLAN
SCALE: 1/8" = 1'-0" ON 11X17



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White Bear Lake, MN 55110

PROJECT PHASE:
VARIANCE DRAWINGS
PROJECT NUMBER:
19-039
ISSUE DATE:
MARCH 16, 2020

DRAWN BY:
JRL, RL

A3
LOWER LEVEL PLAN



1 STREET (WEST) ELEVATION
SCALE: 1/8" = 1'-0" ON 11X17



2 SIDE (NORTH) ELEVATION
SCALE: 1/8" = 1'-0" ON 11X17

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PROJECT PHASE:
**VARIANCE
DRAWINGS**
PROJECT NUMBER:
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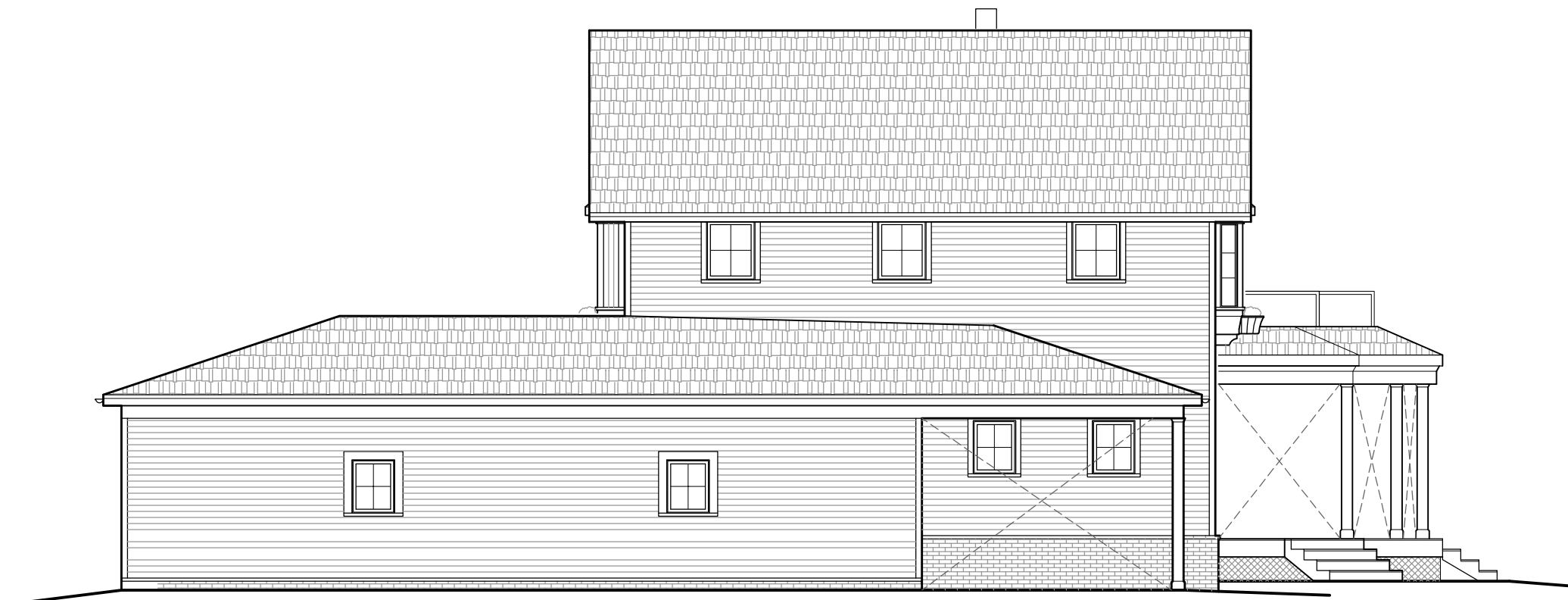
DRAWN BY:
JRL, RL

A4

ELEVATIONS



1 LAKE (EAST) ELEVATION
SCALE: 1/8" = 1'-0" ON 11X17



2 SIDE (SOUTH) ELEVATION
SCALE: 1/8" = 1'-0" ON 11X17

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PROJECT PHASE:
**VARIANCE
DRAWINGS**
PROJECT NUMBER:
19-039
ISSUE DATE:
MARCH 16, 2020

DRAWN BY:
JRL, RL

A5

ELEVATIONS

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 Members
White Bear City Council Members
FROM: Trudi and Franklyn Taylor
4292 Old White Bear Avenue North
White Bear Lake, Minnesota
DATE: April 18, 2020
RE: Proposed Variances for Celine Carlson Home
Case Numbers 20-4-CUP and 20-8-V

White Bear Lake Planning Commission and City Council Members:


First a huge THANK YOU for taking care of our beautiful city even during these difficult times! As WBL citizens we are deeply grateful for your dedication and your tenacity.

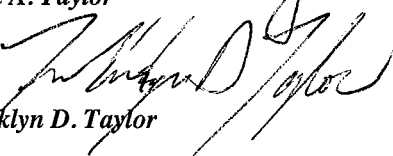
Second, thank you for the notification regarding Celine Carlson's proposed variances for her soon- to-be Cottage Park home. As across-the-street-neighbors from the property, and as 35 year residents of Cottage Park, FRANK AND I SUPPORT ALL OF MS. CARLSON'S REQUESTS.

Request	Rationale for Our Support
Second curb	Because your Commission has done a remarkable job over the years of helping Cottage Park maintain its historical, vibrant character while accommodating necessary modernization, many of you are well aware of our biggest concern: traffic and parking on the narrow Cottage Park Road. Ms. Carlson's proposed horseshoe driveway, necessitating two curb cuts, will help keep their cars off of the street!
Variance for garage setback	Nearly every home in the area has benefitted from some variances, particularly involving road setbacks. This variance, allowing less than a 20 foot setback from the road, makes good sense to accommodate a garage large enough to keep two cars off of the street.
3 ft. variance for home	Because of the shape of the lot and the angle of the lakeshore, these three variances appear to be important to the design of the home while not infringing on neighbors' properties, lake access, or even lake views.
6.5 ft. variance for unenclosed porch	
6.5 ft. variance for 2 nd floor balcony	

Ms. Carlson has already become a valued and respected neighbor through her many visits to the lot on which this home is to be built. She has been transparent with the house plans, sharing the architects' designs for this beautiful residence with us and other neighbors. We believe the residence will add to our neighborhood and can see no way that the requests would be problematic. We support your granting 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

From: Melissa Gacek <RunningDesigns@hotmail.com>

Sent: Wednesday, April 22, 2020 10:47 AM

To: Melissa Gacek <runningdesigns@hotmail.com>; Ashton Miller <amiller@whitebearlake.org>; Jon Gacek <jgacek@imagineps.com>

Subject: 4312 Cottage Park Road Public Hearing

As the co-owner of residence 4311 Cottage Park Road, I would like to give our feedback that we feel we will not be negatively impacted by the variance plans proposed by Celine Carlson for 4312 Cottage Park Road. Thanks for putting this together.

Please confirm receipt of this note. Thanks!

Melissa Gacek

612-306-5405



City of White Bear Lake
COMMUNITY DEVELOPMENT
DEPARTMENT

MEMORANDUM

TO: The Planning Commission

FROM: Samantha Crosby, Planning & Zoning Coordinator

DATE: March 24, 2020 for the April 27, 2020 Planning Commission Meeting

SUBJECT: Case No. 20-1-Z –Text Amendment, Accessory Buildings

REQUEST

Planning Staff is initiating a text amendment to the B-1 – Neighborhood Business zoning district to clarify the intent of the language that relates to accessory structures. See proposed draft ordinance.

BACKGROUND

It was recently brought to our attention that, because of the reference to the word “use” in this section that this section allows for ANY use without restriction, so long as the use is accessory to the principal use and does not exceed the prescribed 30% gross floor space. Staff does not believe this was the intent of the code; the intent of the code was simply to allow accessory buildings by right and to limit their size.

ANALYSIS

There are three main reasons for staff’s stance. First is that, for better or for worse, the Zoning Code is extremely prescriptive in nature: it doesn’t just list retail as a permitted use, it lists specific types of retail, such as “florist shop”. It is therefore logical to reason that the accessory uses section was not intended to negate that specificity by opening the district to any use.

There is also a very general clause (in the administrative section) that states:

“where the conditions imposed by any provision of this Code are either more or less restrictive than comparable conditions imposed by other code, ordinance, rule or regulation of the City, the code, ordinance rule or regulation which imposes the more restrictive condition, standard or requirement shall prevail”.

This clause supports the more precise interpretation of only allowing for the structure, and not for any “use” other than those otherwise listed as permitted in other sections of the code.

Finally, the interpretation that this section is only providing for the structure, not for a particular use, is the way that staff has been applying the code for years. To make a change at this point without a comprehensive analysis of the impact of that change would be capricious.

For these reasons staff is proposing to clean up the language to clarify that the structure is what is being permitted.

It is worth noting that the Permitted Accessory Uses language “cascades” to most all other zoning districts, except B6 – Commercial Recreational. There are no longer any properties within the City that are zoned B-6 (most of them are now zoned LVMU – Lake Village Mixed Use). It is anticipated that the B-6 district may be deleted entirely with the forthcoming Zoning Code update. Therefore we are not proposing to amend the B-6 district language at this time. If the B-6 district is retained, we can adjust the accessory uses language to be consistent with the overall update.

DISCRETION

The City has a relatively high level of discretion in approving or denying a zoning ordinance text amendment because the zoning ordinance is one of the enforcement tools used to implement the goals and standards set forth in the Comprehensive Plan. Any changes to the text of the zoning ordinance should be consistent with both the intent of the zoning district and the intent of the Comprehensive Plan’s policies and objectives.

The Comprehensive Plan is a guiding document that does not get into details as specific as this, but the proposed amendment is not inconsistent with the plan. The amendment is entirely consistent with the intent of the each zoning district as it eliminates potential conflict in determining what is allowed.

RECOMMENDATION

Staff recommends approval of the text amendment as proposed in the attached draft ordinance.

Attachments:

1. Draft Ordinance

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE CITY OF WHITE BEAR LAKE ZONING CODE
AT SECTION 1303.120, "B-1, NEIGHBORHOOD BUSINESS DISTRICT"
AS IT RELATES TO PERMITTED ACCESSORY USES (CASE NO. 20-1-Z)**

THE CITY COUNCIL OF THE CITY OF WHITE BEAR LAKE, MINNESOTA DOES
ORDAIN THE FOLLOWING:

SECTION 1. The Municipal Code of the City of White Bear Lake is hereby amended at
Section 1303.120 as follows:

Subd. 3. Permitted Accessory Uses. The following are permitted accessory uses
in an "B-1" District:

- a) Commercial or business buildings and structures ~~for a use~~ accessory to the principal ~~use~~
building, but ~~such use shall not to~~ exceed thirty (30) percent of the gross floor space of
the principal ~~use~~ **building**.
- b) Off-street parking as regulated by Section 1302.050 of this Code, but not including
semi-trailer trucks.
- c) Off-street loading as regulated by Section 1302.060 of this Code.
- d) Solar energy systems, either roof-mounted or ground-mounted per Code Section
1302.030, Subd. 22. (Ref. Ord. 16-03-2010, 3/8/16)

SECTION 2: This ordinance becomes effective after approval shall take effect and be in
force following its passage and publication (or, on "date").

Passed by the City Council of the City of White Bear Lake, Minnesota.

First Reading: _____

Initial Publication: _____

Second Reading: _____

Final Publication: _____

Codified: _____

Posted on web: _____

City Clerk Initials

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

CITY COUNCIL MEETING SUMMARY

April 14, 2020

APPROVAL OF MINUTES – Approved

APPROVAL OF THE AGENDA – Approved

VISITORS AND PRESENTATIONS – Nothing scheduled

PUBLIC HEARINGS – Nothing scheduled

LAND USE – Nothing scheduled

UNFINISHED BUSINESS – Nothing scheduled

ORDINANCES – Nothing scheduled

NEW BUSINESS – Approved

- A. Resolutions approving partial refund of annual liquor license payments to on-sale bars and restaurants closed due to COVID-19 pandemic, and authorizing City staff to negotiate temporary monthly payment deferrals for businesses impacted by the pandemic who lease property from the City, or who have municipal economic development loans. **Resolution No. 12562 and Resolution No. 12563**
- B. Resolution approving 15% engineering plans for Rush Line Bus Rapid Transit corridor. **Resolution No. 12564**
- C. Resolution Accepting Bids and Awarding Contract for the 2020 Street Reconstruction Project, City Project Nos. 20-01 & 20-06. **Resolution No. 12565**
- D. Resolution Accepting Bids and Awarding Contract for the 2020 Mill & Overlay Project, City Project No. 20-13. **Resolution No. 12566**
- E. Resolution to approve the sale of General Obligation Bonds for 2020 Street Improvement Projects. **Resolution No. 12567**
- F. Resolution order expenditure from the Stormwater Pollution Prevention Program (SWPP) Fund for Engineering design and construction of the 4th and Otter Birch Lake iron enhanced sand filter project. **Resolution No. 12568**
- G. Resolution denying a massage therapist business license and therapist license. **Resolution No. 12569**

1. CONSENT

- A. Resolution Ordering Project, Approving Specifications and Authorizing Advertisement for Bids for the 2020 Sanitary Sewer Lining Project, City Project No. 20-07. **Resolution No. 12570**

- B. Resolution Ordering Project, Approving Specifications and Authorizing Advertisement for Bids for the 2020 Crack Seal Project, City Project No. 20-03. **Resolution No. 12571**
- C. Resolution Ordering Project, Approving Specifications and Authorizing Advertisement for Bids for the 2020 Miscellaneous Concrete Project, City Project No. 20-05. **Resolution No. 12572**
- D. Resolution Ordering Project, Approving Specifications and Authorizing Advertisement for Bids for the 2020 Bituminous Seal Coating Project, City Project No. 20-02. **Resolution No. 12573**

DISCUSSION

- A. Wireless infrastructure permits
Determined to be an FCC issue
- B. Conducting Public Hearings using through WebEx platform
- C. Downtown Parking Lot – Banning & 3rd
City Manager Hiniker to initiate conversation with the downtown group about the possibility of reconstructing this parking lot.

COMMUNICATIONS FROM THE CITY MANAGER

- Finance has been tracking all COVID-19 related expenses, including personnel for the ability to report back to Council and for future potential reimbursement under the state of emergency. Ms. Hiniker noted enterprise funds for the License Bureau and the Sports Center are down significantly while noting savings in gas, overtime and vacant positions. Each department has been reviewing their budgets for opportunities to save or postpone expenses.
- Missy Joyce from the Sports Center is getting ready to launch Volgistics, a volunteer management software to house a database of community volunteers and opportunities. Each community entity would be set up as a department and manage their own volunteer projects.
- Tracy Shimek, the Housing and Economic Development Coordinator has been looking into platforms to better engage the business community. Staff remain engaged with the White Bear Area Chamber of Commerce and the Economic Development Committee. A survey is also being generated for downtown businesses.
- Continued weekly meetings with the service organizations in the community including, the Community Foundation, Food Shelf, Solid Ground, YMCA and Newtrax. Newtrax has been on the forefront, offering driver services for various efforts.
 - Community Foundation launched a community development fund of \$10,000 in grant money for local nonprofits addressing food, shelter and mental health.
 - Food Shelf is offering drive thru pickup, which has gone from 350 up to 500 pickups weekly. They ask for cash donations to purchase food. Staff continues to pack kids packs for the elementary schools.

- YMCA continues to provide hot meals to families and daycare services for essential workers. They are also assisting people who cannot speak English and need help navigating assistance programs.
- The Police Department has seen an increase in domestic and mental health calls for service. The Fire Department has seen a slight increase in accidental home fires. The City has the PPE supplies that it needs right now.
- The License Bureau is open with limited services as allowed by the DMV. Staff have been fielding calls, processing dealer title work and dropbox transactions, which is located in front of City Hall. Offices are being retro-fitted with glass barriers to protect employees in confined quarters and in preparation for reopening to the public, scheduling software is being contemplated.
- Work Session next Tuesday, April 21, 2020 at 6:00 p.m. to discuss the Capital Improvement Program and long range financial planning
- Updates from Public Works Director/City Engineer, Kauppi
 - Landscaping activities have resumed
 - Monday is the annual Water Treatment Plant shut-down, followed by hydrant flushing
 - Dock damage was not as bad as first thought and longer spud poles will be placed further out to mitigate future damage.
- Updates from Community Development Director Kane
 - Staff hosted a trial run Webex in preparation for the April 27, Planning Commission meeting with applicants and commission members.
 - Building permit activity continues to be high.
 - Building department has a full route every day. The new building inspector, Derek has been shadowing Ben.
 - Marco has been busy responding to an increase in code enforcement complaints.
 - Pioneer Manor window replacement project is going well, likely completed before the May 1st deadline.
 - Staff continues to outreach to the business community in an effort to remain a vital commercial node in the Twin Cities

ADJOURNMENT – 9:15 p.m.

Park Advisory Commission Meeting Minutes

JANUARY 16, 2020

6:30 P.M.

CITY HALL

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

AGENDA TOPICS

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 November 21, 2019 was moved by Mark Cermak and seconded by Ginny Davis.

3. APPROVAL OF AGENDA

Approval of the January 16, 2020 agenda was moved by Mike Shepard and seconded by Victoria Biehn. Motion carried.

4. UNFINISHED BUSINESS

a. Park Advisory Commission Shirts

The Park Advisory Commission picked sizes for their shirts at the November meeting. At the January meeting, they picked the style of the shirt (the lighter of the gray shirts).

b. Skateboard Equipment for Podvin Park

Cody Olinger made another request for additional skateboard equipment at Podvin Park. The Park Commission will do additional research to determine what equipment would fit at the skate park as well as see if any used equipment might be available.

5. NEW BUSINESS

a) Summer Park Tour Locations

May – Ebba Park

June – Memorial Park

July – Hidden Hollow Park

August – McCarty Park
September – Rotary Park

b) Budgeted Items/Direction of the Parks Discussion

The budgeted items for 2020 were discussed with the Parks Advisory Commission. The Parks Advisory Commission was updated on all the projects for this calendar year. There will be more discussion to come on the large projects - the West Park Pavilion and an All Ability Park at Lakewood Hills funded by the White Bear Lake Lions Club.

6. OTHER STAFF REPORTS

Andy briefly spoke about treating the ash trees in the park system again for EAB to help reduce the amount of dying trees and preserve the landscape of the City's parks.

7. COMMISSION REPORTS

Anastacia Davis talked about how successful the hockey tournament was at Podvin Park over the weekend. She reported that everyone had a great time and it was well attended.

8. OTHER BUSINESS

None.

9. ADJOURNMENT

The next meeting will be held on February 20, 2020 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 Mike Shepard and seconded by Anastacia Davis.