The City of White Bear Lake Planning Commission will hold a meeting on Monday, June 29, 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 June 29, 2020 agenda.

3. Approval of the May 18, 2020 Planning Commission meeting minutes.

4. **CASE ITEMS:**
   Unless continued, these cases will go to the City Council meeting on Tuesday, July 14, 2020.

   A. **Case No. 20-2-SHOP:** A request by Paula Frost for a Special Home Occupation Permit, per Code Section 1302.120, in order to operate a massage therapy business in the basement of the home at the property located at 1904 4th Street.

   B. **Case No. 20-10-V:** A request by Husnik Homes on behalf of Dave and Jane Linden for a 5 foot variance from the 25 foot setback required along a side abutting a public right-of-way, per Code Section 1303.060, Subd.5.c.2, in order to construct a new single-family residence at the property located at 4796 Bald Eagle Avenue.

   C. **Case No. 20-5-CUP:** A request by the Independent School District #624 for a Conditional Use Permit, per Code Section 1303.245, for a gymnasium addition to the South Campus of White Bear Lake High School located at 3551 McKnight Road.

   D. **Case No. 20-1-PUD:** A request by the White Bear Center for the Arts for both General Concept Stage and Development Stage approval of a Planned Unit Development, per Code Section 1301.070, in order to expand the existing community center and associated parking lot for the property located at 4971 Long Avenue.

   E. **Case No. 94-6-Sa & 20-9-V:** A request by Birch Lake Animal Hospital for an amendment to a Conditional Use Permit, per Code Section 1303.225, Subd.6.a, for site plan approval in the Diversified Business Development District, and a variance from the 30% impervious surface maximum to allow 38% impervious, per Code Section 1303.230, Subd.5.a.5, in order to expand the parking lot by six stalls for the property located at 4830 White Bear Parkway.

5. **DISCUSSION ITEMS:**

   A. City Council Meeting Summary from June 23, 2020.

6. ADJOURNMENT

Next Regular City Council Meeting ................................................................. July 14, 2020
Next Regular Planning Commission Meeting .............................................. July 27, 2020
The regular monthly meeting of the White Bear Lake Planning Commission was called to order on Monday, May 18, 2020, beginning at 7:00 p.m. via WebEx, pursuant to a statement issued by the Mayor under Minnesota Statutes, section 13D.021 as a result of the COVID-19 pandemic, by Chair Ken Baltzer.

1. **CALL TO ORDER/ROLL CALL:**

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

   MEMBERS EXCUSED: None.

   MEMBERS UNEXCUSED: None.

   STAFF PRESENT: Samantha Crosby, Planning & Zoning Coordinator and Ashton Miller, Planning Technician.

   OTHERS PRESENT: Therese Faison and Clinton Smith.

2. **APPROVAL OF THE MAY 18, 2020 AGENDA:**

   Member Lynch moved for approval of the agenda. Member Reis seconded the motion, and the agenda was approved (6-0).

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

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

4. **CASE ITEMS:**

   A. **Case No. 20-1-SHOP:** A request by Therese Faison for a Special Home Occupation, per Code Section 1202.120, in order to operate a massage therapy business out of the front/main level of a triplex located at 4445 Lincoln Avenue.

   Crosby discussed the case. Staff recommended approval.

   Member Berry asked when the applicant stopped working at the Getty Building and whether in home massage therapy is permitted at this time. He noted that if the applicant must wait to start accepting clients then neighbor’s concern regarding the spread of Covid-19 might be moot. Crosby suggested the applicant respond to the Commissioners questions.

   In response to an inquiry from Member Berry, Crosby confirmed that the landlord did not live in the building and that staff had not asked for approval from the other tenants.
Member Lynch asked if the proposed street widening would allow for better circulation since parking is permitted on both sides of the road. Crosby explained that the road is currently 24 feet wide and widening it to the standard 30 feet would allow for a little more space. Member Lynch commented that there appears to be enough parking and he would not want to penalize the applicant for summer events.

Member Enz asked if on-street parking would be problematic during a snow emergency. Crosby responded that more likely than not the plowing will occur during off hours or massage therapy sessions would be rescheduled.

Member Baltzer opened the public hearing.

Teri Faison, 4445 Lincoln Avenue, Applicant, she informed the Commissioners that the three units do not share ventilation. Each unit has its own air-conditioning and heating appliances, so there is little chance of a virus spreading that way. She reaffirmed that there will only be one client at a time, so only one additional vehicle on the street at a time.

She explained that she left the Getty building in the middle of March at the onset of Covid-19. She described that her business is very part time and will not be at the level she had been operating at in her office. She is not yet able to practice, since her business must follow the guidelines set for places like hair salons, but anticipates being able to operate around June 1.

Ms. Faison noted that one of the other tenants in the triplex gave her approval of the business, while the other tenant lives there part time and is currently out of the country. She stated that her business will be unobtrusive and not have a negative impact on the neighborhood. She has been practicing in White Bear Lake for eight years, so she will not be competing with other businesses in the area.

Member Berry asked for clarification on the number of clients that Ms. Faison sees. She answered that she has roughly 22 clients and they are the same clients month to month. She is not actively looking for new clients and generally works based on medical referrals.

As no other attendees wished to speak, Member Baltzer closed the public hearing.

Member Reis moved to recommend approval of Case No. 20-1-SHOP. Member Berry seconded the motion. The motion passed by a vote of 6-0.

5. **DISCUSSION ITEMS:**

   A. City Council Meeting Minutes of May 12, 2020.

Member Baltzer asked for an update on case number 20-3-CUP concerning the Lake Avenue Marina and whether the conditions of approval had been met. Crosby replied that it was approved by the City Council. She has followed up with the Department of Natural Resources (DNR), which indicated that no permit would be necessary for the work that was done along the shore as long as the guidelines were followed. She added that the City does require a permit and has sent the necessary paperwork to the applicant.
Member Baltzer added that the applicant did not appear to be complying with the number of transient slips that was approved. Crosby offered to follow up with the applicant to ensure compliance.

**B. Park Advisory Commission Meeting Minutes of April 16, 2020.**

No discussion

6. **ADJOURNMENT:**

Member Reinhardt moved to adjourn, seconded by Member Reis. The motion passed unanimously (6-0), and the May 18, 2020 Planning Commission meeting was adjourned at 7:30 p.m.
TO: The Planning Commission
FROM: Ashton Miller, Planning Technician
DATE: June 23, 2020 for the June 29, 2020 Planning Commission Meeting
SUBJECT: Paula Frost, 1904 Fourth Street - Case No. 20-2-SHOP

REQUEST
The applicant, Paula Frost, is requesting approval of a Special Home Occupation Permit (SHOP) to conduct a massage therapy business in the basement of her single-family residence. Section 1302.120 of the Zoning Code states that certain types of home occupations are considered Special Home Occupations and require Conditional Use Permit approval. Like barber and beauty services, massage therapy is one such home occupation that requires this type of approval. See attached narrative.

SITE CHARACTERISTICS
The property is located on the southeast corner of the intersection between 4th Street and Wood Avenue. There is an attached two-car garage and a 30 foot long driveway.

ZONING / BACKGROUND
The property is zoned R-3 – Single Family Residential. The surrounding properties are also zoned R-3.

ANALYSIS
Ms. Frost will be the only employee. She will work primarily from 10 am to 3 pm, and never past 6:30 pm, Tuesday through Friday and two Saturdays a month. She will have one client at a time and no more than three clients in a single day.

No changes will be made to either the inside or the outside of the residence. A sign is not being requested at this time. As Ms. Frost states in her narrative, the business will generate only one additional vehicle at a time, which will be parked in the driveway, minimizing the impact on the surrounding neighborhood.

The City has received a letter from one neighbor expressing concern that the applicant’s dogs will become a nuisance if left outside to bark when clients are over. Ms. Frost has stated that her partner works from home and she will leave the dogs in his office while clients are visiting. The dogs will not be left outside without supervision.
The first issuance of a home occupation permit is a trial period. The applicant must seek a renewal of the permit after one calendar year. If any issues arise from the proposed home occupation during the trial year, they can be addressed prior to renewal.

**SUMMARY/ RECOMMENDATION**

City staff does not believe that the requested home-based business will have a negative impact to the surrounding residential neighborhood. The proposed business would be incidental and secondary to the residential use of the property. For this reason, staff recommends approval of the Special Home Occupation, 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 1302.120, Subd.3, if within one (1) year after granting the Home Occupation Permit, the use as allowed by the permit is not established, 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 permit is issued for a one-year period with the expiration date being **July 14, 2021**, before which the permit may be renewed, in accordance with the procedural requirement of the initial home occupation.

4. The applicant shall not have the vested right to a permit by reason of having obtained a previous permit. In applying for and accepting a permit, the permit holder agrees that her monetary investment in the home occupation will be fully amortized over the life of the permit and that a permit renewal will not be needed to amortize the investment. Each application for the renewal of a permit will be considered *de novo* without taking into consideration that a previous permit has been granted. The previous granting of renewal of a permit shall not constitute a precedent or basis for the renewal of a permit.

5. Permits shall not run with the land and shall not be transferable.

6. The business shall comply with all provisions of the Home Occupation Section of the Zoning Code (Section 1302.125).

7. The applicant shall comply with applicable building, fire and health department codes and regulations.

8. The applicant shall maintain a Massage Therapist License and Massage Therapy Establishment License with the City for the duration of the home occupation.

**Attachments:**

1. Draft Resolution of Approval
2. Location/Zoning Map
3. Applicant’s Narrative
4. Site Plan – 2 pages
5. Floor Plan – 2 pages
6. Massage Therapy License – 2 pages
7. Berg Email dated 6/22/2020
RESOLUTION NO. ________

RESOLUTION APPROVING
A SPECIAL HOME OCCUPATION PERMIT FOR PAULA FROST
AT 1904 4TH STREET
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA

WHEREAS, a proposal (20-2-SHOP) has been submitted by Paula Frost to the City Council requesting a Special Home Occupation Permit of the City of White Bear Lake for the following location:

LOCATION: 1904 4th Street

LEGAL DESCRIPTION: The north 139 feet of Lot 50 except the east 90 feet thereof and except the west 30 feet thereof for Wood Avenue, Oakhurst Acres. (PID # 143022310030)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF: A Special Home Occupation Permit to allow a massage therapy business out of a single-family home, per Code Section 1302.120, Subd.4; and

WHEREAS, the Planning Commission has held a public hearing as required by the city Zoning Code on June 29, 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.
7. That the special conditions attached in the form of a conditional use permit are hereby approved.
FURTHER, 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 1302.120, Subd.3, if within one (1) year after granting the Home Occupation Permit, the use as allowed by the permit is not established, 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 permit is issued for a one-year period with the expiration date being June 9, 2021, before which the permit may be renewed, in accordance with the procedural requirement of the initial home occupation.

4. The applicant shall not have the vested right to a permit by reason of having obtained a previous permit. In applying for and accepting a permit, the permit holder agrees that her monetary investment in the home occupation will be fully amortized over the life of the permit and that a permit renewal will not be needed to amortize the investment. Each application for the renewal of a permit will be considered de novo without taking into consideration that a previous permit has been granted. The previous granting of renewal of a permit shall not constitute a precedent or basis for the renewal of a permit.

5. Permits shall not run with the land and shall not be transferable.

6. The business shall comply with all provisions of the Home Occupation Section of the Zoning Code (Section 1302.125).

7. The applicant shall comply with applicable building, fire and health department codes and regulations.

8. The applicant shall maintain a Massage Therapist License and Massage Therapy Establishment License with the City for the duration of the home occupation.

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 Country, 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.

______________________________  ________________________
Paula Frost                  Date
Dear members of the Planning Commission,

I am Paula Frost and I have been a massage therapist for 29 years. I currently have a therapy office at North Suburban Healthcare and 365 Fitness Center in Coon Rapids. I absolutely love what I do, and I am blessed to have many wonderful clients that have followed me through the years. I have had some physical challenges, due to an accident many years ago, that have required some surgeries over the last few years. This has made me evaluate my business and how I can keep serving my clients while caring for my own health and wellbeing. I have recently taken on an apprentice and am enjoying mentoring her and she has been able to help me with my clients at my office. Since this is going well, I have made a 5-year plan to slowly cut back my office hours and start teaching and mentoring more therapists. I am planning to slowly transition some of my regular clients to a home office and focus my attention in Coon Rapids on teaching and mentoring. It is my hope that the Planning Commission will feel that my business will be a good fit for White Bear Lake and that my neighbors will feel comfortable with my clients coming to my house.

If this permit is approved I will be mindful to only have one car at a time at my home with plenty of room in my driveway for them to park. I will never display a business sign and will not have clients before 9am or after 6:30pm with the bulk of my appointments being between 10am and 3pm. My business does not require deliveries or other professionals and I do not have more than 3 clients in one day. I will instruct my clients to park in the driveway and they will enter through the front door. I have a bench, boot tray and coat closet available. I will escort my client through the kitchen to the stairs to the basement, once in the basement we will turn left and go 8 feet to a room on the south west corner of the house. My treatment room is 12’ x 15’ with a walk-in closet in the corner and an egress window on the west wall.

If the stairs ever become an issue, I am able to move my treatment room upstairs to the room closest to the front door it is just not as big or quiet of a space. I have just recently taken on the business name of Rehab Massage Specialists but am also still using my original business name of Paula Frost CMT. If you would like to learn more about my business you can check out my website at www.paulafrostcmt.com.

I hope this letter answers all of your questions and I look forward to meeting all of you at your monthly meeting.

Thank you for your time and consideration.

Paula Frost CMT
763-300-8247
The location of the improvements shown on this drawing are approximate and are based on visual inspection of the premises. The lot dimensions are taken from the record plat or county records. This drawing is for informational purposes and should not be used as a survey. It does not constitute a liability of the company and is intended for mortgage purposes only.
Client will park in driveway and come into the house via the front door. I have a bench and boot tray for wet or snowy shoes. I will then escort my client through the kitchen to the stairs to access the basement.
Once down the stairs we will turn left to the bedroom on the south west corner of the basement. My massage room is 12’ x 15’ with a 3’ x 4’ walk in closet in the corner. There is an egress window on the west wall and a fire detector in the room.
This certifies that

Paula Frost

is a Professional member in good standing of Associated Bodywork & Massage Professionals.

Professional level members meet specific eligibility requirements based on training. All members are required to maintain the highest standards of professional conduct and strictly adhere to the ABMP Code of Ethics.

Member ID No.: 120322
Loyal Member Since: January 16, 1991
Expiration Date: July 1, 2020

Les Sweeney, BCTMB, President
# Certificate of Insurance

## OCCURRENCE COVERAGE

**ABMP In-Dues Liability Program**

**ABMP MAILING ADDRESS:**
Associated Bodywork & Massage Professionals  
25188 Genesee Trail Road  
Suite 200  
Golden, CO 80401

**POLICY #:** API-ABMP-19

**MASTER POLICY HOLDER**
Allied Professionals Insurance RPG

**AGENT/BROKER**
Allied Professionals Insurance Services

**ISSUED BY:**
Allied Professionals Insurance Company, A Risk Retention Group, Inc.

## LIABILITY LIMITS (per member)

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<tr>
<td>FIRE LIABILITY LIMIT</td>
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**To verify information, contact ABMP.**  
Tel: 303-674-8478  Fax: 303-674-0859

This Policy is issued by your risk retention group. Your risk retention group may not be subject to all of the insurance laws and regulations of your State. State insurance insolvency guaranty funds are not available for your risk retention group. Coverage is afforded to person(s) named herein as Named Insureds according to the terms and conditions of the Policy to which this Certificate refers, subject to limitation by any applicable state licensing laws. No other rights or conditions, except as specifically stated herein, are granted or inferred.

## COVERAGES

This is to certify that the Policy of Insurance listed above has been issued to the Insured named below. The Insured Active Date Listed Below Applies Only to Elements of Coverage Continuously in Place Since the Inception of the Named Insured’s Policy. Changes to Coverage are Effective Retroactively Only to the Date the Change was Made. Report in Writing Within 48 Hours Any & All Claims or Incidents that You Believe May Result in a Claim, Even if Groundless.

This Certificate, along with the Policy to which it refers, is valid evidence of coverage extended to the Certificate Holder listed below.

---

## CERTIFICATE HOLDER

(Active Registered Members are on file with the ABMP Membership Director.)

| Member/Named Insured: | Paula Frost    |
| Membership I.D. #:    | 120322         |
| Member/Policy Term Active: | Jul-02-2019 |
| Member/Policy Term Expires: | Jul-01-2020 |
| Total Member Cost:     | $ 199          |

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## ADDITIONAL INSURED:

(with inception date)

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<td>Jul 02, 2019</td>
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<tr>
<td>Steve Mark &amp; Dan Powell</td>
<td>May 09, 2020</td>
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<tr>
<td>Harrison Properties, LLC</td>
<td>Jul 02, 2019</td>
</tr>
<tr>
<td>G365 Fitness</td>
<td>Jul 02, 2019</td>
</tr>
</tbody>
</table>

Coverage is extended subject to all terms and conditions of the Policy.

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**Authorized Representative**

**CANCELLATION:** Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 10 days written notice for non-payment or 90 days written notice for any other reason to the Certificate holder named above, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.
A. Miller,

In regards to the proposed massage business at 1904 4th. St. I have only one serious issue. At this residence reside two large dogs. One I would describe as a Hound Dog, the other as a Coon Hound. To say the least they are very vocal whenever in their backyard which abuts the side of my house. Eight or more times a day as they are outside whenever another dog passes by or a squirrel is in sight they start howling and barking so loud you can hear them for blocks, ask any neighbor. After this goes on for a minute or so someone will appear from the house and drag them back inside. It’s kind of like living next to the tornado siren but you don’t know when it’s going to happen. I haven’t been able to open the windows on that side of my house in years as it’s so loud. Granted it only lasts a few minutes but it is very disruptive and happens often. The anti-bark collars they wear do not stop their howling. Even when in their house with the windows closed the dogs bark and howl at every passing dog which is easily heard even with my windows closed.

If/when this business is operating and a client is being seen, where will the dogs be kept? I’m worried that it may be outside for extended periods of time with no one to stop their howling as the houses tenant will be preoccupied with a client. What is their plan, do I have any recourse if it’s a bad as I expect? I strongly urge someone from your office to witness one of these howling episodes by walking a dog within eyesight of these two resident dogs. My description does not do the commotion justice.

In closing this is the only issue I have with them. I would welcome this business into my community however I can’t sit by and watch my quality of life be so adversely affected even more than it already is.

Sincerely,
Terrance Berg
4754 Wood Avenue
White Bear Lake
TO: The Planning Commission

FROM: Ashton Miller, Planning Technician

DATE: June 19, for June 29, 2020 Planning Commission Meeting

SUBJECT: Husnik/Linden Setback Variance, 4796 Bald Eagle Avenue – Case No. 20-10-V

REQUEST
The applicant, Husnik Homes, on behalf of the property owners Dave and Jane Linden, is requesting a 5-foot variance from the 25-foot setback for the side yard abutting a public right-of-way (ROW) in order to construct a single-family residence.

SITE CHARACTERISTICS
The subject site is located at the southeast corner of Bald Eagle Avenue and 5th Street. Murray Avenue abuts the east, or rear, side of the property. At 15,322 square feet in size and 83.5 feet in width, the lot conforms to the size and width requirements. The lot has been vacant since a single family home was demolished in 2014. Sewer and water connection is available to the property.

ZONING
The subject site is zoned R-4, Single Family – Two Family Residential, as are the properties to the north, south and east. The properties to the west are R-3, Single Family Residential.

APPLICANT’S PRACTICAL DIFFICULTY
See attached narrative.

ANALYSIS
The applicants are proposing a single level home with an attached garage with access to Murray Avenue. Although a large lot, the rule of averaging the front yard setback requires the home to be at least 50.75 feet from Bald Eagle Avenue. The applicants have decided to set the house back even further to be in line with the neighbors and preserve the character of the neighborhood. Because the home will be further back than is required, the sight lines for vehicles and pedestrians at the Bald Eagle Avenue and 5th street intersection will be clear.

As stated in the narrative, the five foot variance will allow the home to be more centered on the lot, which is beneficial in multiple ways. It enables the new home to utilize the existing curb cut along Murray Avenue without having to construct a curvy or overly wide driveway. It also provides a large buffer between the new single-family home and the duplex to the south, providing for a
feeling of large, open space in the neighborhood.

The proposed layout complies with all other aspects of the code. The height of the home will be 21 feet 10 inches to the peak, well below the 35 foot height maximum in the R-4 zoning district. The combined square footage of the garage and shop is 1,008 square feet, under the combined accessory structure total of 1,250 square feet allowed by right.

A number of trees will be removed in association with the new home build. A tree preservation plan will need to be submitted and approved prior to issuance of any building permits.

**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.

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

5. Submit tree preservation calculations and a replacement plan, subject to staff approval.

**Attachments:**
1. Draft Resolution of Approval
2. Zoning/Location Map
3. Applicant’s Narrative (1 page) & Plans (5 pages)
RESOLUTION NO. _________

RESOLUTION GRANTING A SETBACK VARIANCE
FOR 4796 BALD EAGLE AVENUE
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA

WHEREAS, a proposal (20-10-V) has been submitted by Dave and Jane Linden 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: 4796 Bald Eagle Avenue

LEGAL DESCRIPTION: Lot 1, Block 4, Murray’s Addition, Ramsey County, Minnesota (PID: 143022420012)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A 5-foot variance from the 25-foot setback required along a side abutting a public right-of-way, per Code Section 1303.060, Subd.5.c.2, in order to construct a new single-family residence; and

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on June 29, 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.

____________________________
Dave Linden    /    Jane Linden    Date
MAY 11, 2020

To White Bear Lake Planning Commission,

We are petitioning you today to ask for a side yard variance to the right of way along 5th St. to construct a new residence at 4796 Bald Eagle Ave. in White Bear Lake with Husnik Homes of White Bear. We have been lifetime residents of White Bear Lake and currently reside at 4902 Bald Eagle Avenue.

The existing corner lot has a setback of 25’ along 5th Street, minimum of 47’ along Bald Eagle Ave and 30’ along Murray, with a side interior setback of 10’.

We are asking the city for a variance for the 25’ setback requirement along 5th Street and build the house with a proposed 20’ side setback along 5th. {1303.060, Subd. 5.c.2 -Side yards: Not less than ten (10) feet from the adjacent lot, nor less than twenty-five (25) feet on the side yard abutting a public right-of-way.}

We plan on setting the front of the house back to be more in line with the existing duplex to the south. We are proposing an 80’-6” front setback, 30’ set back along Murray and 17’ to the duplex to the south with the 20’ setback to 5th. This allows for the house to look more consistent along the block with the neighbors and provide for clear views for approaching cars along 5th and Bald Eagle. Setting the house closer to 5th by 5’ allows the new house to look more centered on the lot and provides more buffer with the neighbor to the south. Locating the house in this position also affords the reuse of the existing curb cut on Murray for the new driveway. By pushing the house back on the lot we also will not be required to have an excessively long driveway and add more impervious surface to the lot.

Please review our attached proposal for our new home and site plan that outline the above conditions. We will be following all other WBL codes and ordinances to construct this home as designed and submitted for your review.

Sincerely,

Dave and Jane Linden
REQUEST
The White Bear Area Public School District 624 is requesting a conditional use permit to allow an approximately 19,200 square foot addition to the South Campus of White Bear Lake High School located at 3551 McKnight Road. The building expansion will provide an additional gymnasium and restroom facilities that will serve both the new gymnasium as well as the outdoor sports stadium. District representatives have indicated that the student population projections for the middle school grades that will eventually occupy this campus anticipate 6 concurrent physical education classes will be held throughout each school day and the additional gymnasium is needed to accommodate the increased capacity. See applicant’s narrative, attached.

SITE CHARACTERISTICS
The high school campus is approximately 54 acres in size. The building fronts on McKnight Road to the east with visitor parking in front and student and faculty parking located south of the school building along Elm Drive. Athletic fields and the stadium are situated on the western portion of the campus, with the indoor athletics such as the current gymnasium, wrestling and gymnastic areas located at the northwest corner of the existing building. The current building is approximately 271,000 square feet. The ground gently slopes down from north to south, with the homes along County Road E to the north slightly higher in elevation than the campus.

ZONING
The subject site is zoned P – Public. As are many of the surround properties, including Fire Station No. 2 to the northeast; the Sheet Metal Workers training facility to the west, and Varney Lake Park to the south of the campus. All other surrounding properties are zoned R-3 – Single Family Residential and are improved with existing single family homes. In the Public zoning district, all lot requirements, setbacks and other requirements such as parking and landscaping are to be comparable to other similar uses that are allowed in other districts. This provision provides some flexibility when reviewing development proposals.

BACKGROUND
The school was originally constructed in 1974 as Mariner High School. The school has constructed a number of expansions and building additions over the years to accommodate a growing student population.
ANALYSIS
The school is proposing to construct a 19,200 square foot building addition angled off the northwest corner of the existing building, which will require minor modifications to the existing ring road that encircles the building. The addition will provide for a second gymnasium as well as restroom facilities that will serve both the gym as well as exterior athletic events, which will allow the removal of nearly all of the porta-potties which currently serve the track/football stadium.

Setbacks
The existing school building east of the proposed gymnasium location currently maintains approximately 115 feet from the northern property line. While the proposed addition will be approximately 62 feet from the northern property line, this is consistent with setbacks at other school campuses throughout the City and sufficient buffering from the adjacent residential properties.

Elevations
The existing building is constructed of square (8x8) clay bricks in a variety of neutral tones. The gymnasium addition proposes to carry on a similar architectural design, but some of the actual clay material is no longer commercially available. Therefore, the project architect has relied on selecting similar brick tones from the same family. The west elevation is features a focal wall with an illuminated bear claw logo and mimics a similar random array of the bricks evident in the original building design. The western wall will also be highlighted by a stretch of clearstory windows at the top of the wall for the full length and capped with a prominent and projecting metal eave. However, the northeast elevation, which projects towards the adjoining residential properties along County Road E to the north of the campus, does not feature window or any relief from the long expanse of face brick. Staff recommends that landscape screening be provided along this elevation to soften the view for the neighboring residents.

Parking
High schools are required to provide one parking space for each 3 students based on design capacity plus one for every 3 classrooms. While the gymnasium addition essentially creates two new teaching areas, and the City could require additional parking in the short term; the District plans to convert this campus to a junior high for the 2024-25 school year and the parking needs on this campus will be significantly reduced. Staff does not recommend additional parking be required for this proposed gymnasium addition.

Exterior Lighting
Lighting specifications and details, as well as a photometric plan, is required prior to the issuance of a building permit. Staff recommends shields be installed to so that the light is cast downward and the light source is not visible from surrounding residences.

Interior Restroom Design
The floor plans depicts private toilet rooms with lavatories in a common area. The State Plumbing Code requires separate bathroom facilities for men and women and defines a bathroom facility inclusive of a toilet and lavatory. Staff reached out for guidance and the Department of Labor has indicated that the City may approve the proposed design through an alternative method of design review process. Staff recommends the toilet room be reviewed through this alternate process.
SUMMARY
The City’s discretion in reviewing a conditional use permit is limited to whether or not the changes meet the standards outlined in the Zoning Ordinance. Staff has reviewed the development proposal for the gymnasium addition at South Campus and finds that the standards will be satisfied.

RECOMMENDATION
Staff recommends approval of the conditional use permit, subject to the following conditions:

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

2. Per Section 1301.050, Subd.4, if within one (1) year after granting the conditional use permit, the use as allowed by the permit shall not have been completed or utilized, the permit shall become null and void unless a petition for an extension of time in which to complete or utilize the use has been granted by the City Council.

3. This conditional use permit shall become effective upon the applicant tendering proof (i.e. a receipt) to the City of having filed a certified copy of this permit with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.

4. The applicant shall obtain any necessary building permits prior to beginning any work.

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

5. Provide additional information and calculations as required by the Engineering Department, detailed in the attached memo dated June 15, 2020.

6. Provide additional information and details as required by the Fire Marshal, detailed in the attached memo dated May 20, 2020.


8. Provide evidence of project approval from the Ramsey-Washington Metro Watershed District.

9. Provide a SAC determination from the Metropolitan Council.

10. Submit a landscaping plan, including details on the plantings proposed for the infiltration basin, for staff review and approval.

11. A separate sign permit for exterior signage will be required.

12. Submit lighting details and a photometric plan for staff review and approval. All new or relocated lights shall be shielded so that the light source is not visible from surrounding residences.
ATTACHMENTS
1. Draft Resolution of Approval
2. Location/Zoning Map
3. Applicant’s Narrative
4. Colored Elevation Graphic, Schematic Plan, Paving Plan, Floor Plan & Elevations
5. Engineering Department Comments, dated June 15, 2020
7. Neighbor Comments via e-mail
RESOLUTION NO. __________

RESOLUTION APPROVING A CONDITIONAL USE PERMIT
FOR WHITE BEAR LAKE SOUTH CAMPUS HIGH SCHOOL
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA

WHEREAS, a proposal (20-5-CUP) has been submitted by The White Bear Lake Area Public School District #624 to the City Council requesting approval of a conditional use permit for the following location:

LOCATION: 3551 McKnight Road

LEGAL DESCRIPTION: [to be inserted]

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING PERMIT: A conditional use permit, per Code Section 1303.245, Subd.2.c.4, to allow a 19,400 square foot gymnasium addition on the northwest corner of the existing building; and

WHEREAS, the Planning Commission has held a public hearing as required by the city Zoning Code on June 29, 2020; and

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

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

1. The proposal is consistent with the city's Comprehensive Plan.
2. The proposal is consistent with existing and future land uses in the area.
3. The proposal conforms to the Zoning Code requirements.
4. The proposal will not depreciate values in the area.
5. The proposal will not overburden the existing public services nor the capacity of the City to service the area.
6. The traffic generation will be within the capabilities of the streets serving the site.
7. The special conditions attached in the form of conditional use permits are hereby approved.
FURTHER, BE IT RESOLVED, that the City Council of the City of White Bear Lake hereby approves the conditional use permit, subject to the following conditions:

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

2. Per Section 1301.050, Subd.4, if within 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.

3. This conditional use permit shall become effective upon the applicant tendering proof (i.e. a receipt) to the City of having filed a certified copy of this permit with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.

4. The applicant shall obtain any necessary building permits prior to beginning any work.

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

5. Provide additional information and calculations as required by the Engineering Department, detailed in the attached memo dated June 15, 2020.

6. Provide additional information and details as required by the Fire Marshal, detailed in the attached memo dated May 20, 2020.


8. Provide evidence of project approval from the Ramsey-Washington Metro Watershed District.

9. Provide a SAC determination from the Metropolitan Council.

10. Submit a landscaping plan, including details on the plantings proposed for the infiltration basin, for staff review and approval.

11. A separate sign permit for exterior signage will be required.

12. Submit lighting details and a photometric plan for staff review and approval. All new or relocated lights shall be shielded so that the light source is not visible from surrounding residences.
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.

________________________________
Applicant's Signature Date

________________________________
Print Name Title
Case No. 20-5-CUP: A Conditional Use Permit for a gymnasium addition to the South Campus of White Bear Lake High School
5-8-2020

Dear City of White Bear Lake,

We are hoping to add an additional gymnasium to our White Bear Lake Area High School- South Campus. This project is one of several projects we have planned as part of our bond referendum that the voters passed in the fall of 2019. The added gym space will help accommodate our growing physical education classes, athletic programs and will help with the increasing community demand for more indoor recreation space. It will operate under the same schedule as the school currently does.

Another benefit of the project is it will allow fans attending events at our stadium to have access to indoor restroom facilities, which will enable us to remove most, if not all of the portable restrooms at the stadium.

We fell MLA Architects has designed an aesthetically pleasing addition that ties in well with the existing building and fits naturally on the site.

Thank you for considering our request.

Sincerely,

Dan Roeser
Director of Building Operations
White Bear Lake Area Schools
White Bear Lake, MN

Proposed South Campus Gym Addition
South Gym Addition

White Bear Lake Area Schools

Schematic Plan

Stadium
Gate/Plaza

Rec.
TO: Anne Kane, Community Development Director
FROM: Connie Taillon, P.E., Environmental Specialist/Water Resources Engineer
DATE: June 15, 2020
SUBJECT: WBLAS South Campus Gym Addition Engineering Review Comments

The Engineering Department reviewed the Stormwater Calculations dated May 11, 2020, Site Survey dated April 1, 2020, Civil Plans (C100, C200, C300, C400, C500) dated May 11, 2020, and RCP, Roof Plans, Notes and Details (A4.0) dated January 31, 2020, and received May 14, 2020, and have the following comments:

General

1) Provide at least one soil boring at the location of the proposed infiltration basin to determine if the soils are conducive to infiltration. The soil boring(s) shall include the elevation of the seasonally high water table. The infiltration basin shall be designed to provide a minimum of three feet of separation from the seasonal high water table. Please submit the soil boring report for review when available.

2) It is highly recommended that an individual familiar with the stormwater design be on site while the infiltration basin is being constructed to ensure that the basin is constructed per plan.

3) We encourage the school district to consider contracting with a native plant restoration company to install and maintain the native seeding in the infiltration basin for the three-year establishment period. After the three-year establishment period, we also encourage the school to continue to contract with the company for yearly maintenance of the infiltration basin planting to control invasive plants and other weeds. The existing raingardens along the south parking lot could also be considered in this contract.

4) Permits may be required from Ramsey-Washington Metro Watershed District and MPCA.

5) A Stormwater Operations and Maintenance Agreement (SOMA) is required for this project.

6) An as-built is required prior to the release of the letter of credit.
Stormwater Calculations

7) Summary of Stormwater Runoff
   a) Revise the proposed peak runoff rates table to be consistent with the model.
   b) The model shows a volume for pond 2P of 4,840cf; from the bottom of the pond to the outlet elevation of 947.8, the volume should be slightly less than 4,480 cf. Revise the ‘infiltration provided’ of 5,615 to be consistent with the model.
   c) In the first sentence of the Stormwater Runoff Rate write-up, add that the City also requires the proposed peak runoff rates not to exceed existing rates: “Per Ramsey Washington Mero Watershed District (RWMWD) and the City of White Bear Lake ...”.
   d) In the first sentence of the volume control write-up, add that the 1.1” requirement is also a City requirement: “Per RWMWD and City requirements...”.
   e) Include the rate and volume control summary on a civil plan sheet.

8) Proposed drainage area map, routing diagram, and model
   a) Proposed HydroCAD Areas map:
      - It appears that the areas west and south of the infiltration basin in drainage area A should be included in drainage area C.
      - The secondary outflow for Pond 2P should be routed to reach 1R (to west).
      - The section of road in drainage area A that is downstream of the curb cut should be added to area B, and the road and ground areas that slope to the gutter on the building side of the road should also be included in drainage area B.
   b) Pond 2P: only 23,092sf of the 32,378sf total new/reconstructed impervious surfaces are routed to the infiltration basin. Route an additional 9,286 sf of impervious surfaces to the infiltration basin. Pretreatment is required prior to discharge into the basin. See also comment 20.
   c) Pond 2P: Revise the Device 1 invert to be consistent with the Utility Plan.

9) The roof plan on sheet A4.0 shows roof drains on the northeast, southeast, and southwest sides of the building. How will these roof drains be routed to the infiltration basin? See also comment 16.

Sheet C300 Grading and Erosion Control Plan

10) Add a note stating that if compaction in the infiltration basin occurs, the soil must be uncompacted to the depth necessary to alleviate compacted soils. Also include a callout or note that topsoil is not allowed in the infiltration basins.

11) To help keep topsoil from being inadvertently added to the infiltration basin, remove grading note 4.

12) Show the location of all temporary erosion control measures and concrete washout stations on the plan.

13) Specify the type of temporary erosion control in the infiltration basin during plant establishment.
14) Show riprap from the inlet flared end section and rainguardian to the bottom of the infiltration basin.

15) Show the pond outlet flared end at the elevation called out in the Utility Plan.

**Sheet C400 Utility Plan**

16) What is the purpose of the storm sewer pipe in the northwest corner of the proposed building? Will the roof drains connect to this pipe? If so, show how this will be accomplished.

17) There may be a storm sewer crossing conflict in the road near the northwest corner of the building.

18) The inlet and outlet of the infiltration basin are in close proximity. Minimize the potential for short circuiting.

19) With the pond outlet being directly downstream of the curb cut and rainguardian, erosion may occur around the flared end section. Show how this will be prevented.

20) Can CB 1 be routed to the infiltration basin?

**Sheet C500 Details**

21) For the infiltration basin cross section, consider specifying leaf compost instead of peat. Leaf compost is a more environmentally friendly, recycled product that is available locally at many yard waste sites.
May 20, 2020

mla Architects
12 Long Lake Rd. STE 17
St. Paul, MN 55115

RE: General Building Plan Review

Project: White Bear Lake South Campus Gym Addition
3551 McKnight Rd.

The plans for the above project have been reviewed. Please review the comments listed below and let me know if you have any questions.

Specific Comments

• For all Fire related questions or inspections, please call (651) 762-4842.
General Comments

1. All roads and drive lanes shall meet the 2020 MSFC and White Bear Lake Fire Department requirements for widths and turning radiiuses. Provide layout showing White Bear Lake Fire Apparatus turning radius overlay on drive lanes. All roads shall be constructed of asphalt or concrete.
2. Address number shall be plainly visible from the street fronting the property and shall contrasting color from the background.
3. The fire sprinkler system shall be installed compliant with provisions of 2016 NFPA Standard 13, Installation of Sprinkler Systems. City permit required prior to initiation of work.
4. The sprinkler system shall be current on annual inspection and testing. Any deficiencies noted during those reports shall be corrected.
5. The fire alarm system, shall be installed compliant with provisions of 2016 NFPA Standard 72, National Fire Alarm Code. City permit required prior to initiation of work.
6. The sprinkler system shall be properly monitored by a qualified monitoring company.
7. Install emergency egress illumination in the means of egress including exit discharge compliant with 2020 MSFC.
8. Install compliant exit signage as required by the 2020 MSFC.
9. Provide and install dry chemical fire extinguishers certified for service and tagged as required. Service classification rating shall be a minimum 2A classification rating and maximum travel distance of 75 feet to extinguishers. The minimum classification rating may be upgraded for special or extra hazard areas within the occupancy.
10. Provide information concerning combustible interior finish materials used for this project. Interior finish materials shall be classified as required by 2020 MSFC as to flame spread and smoke development characteristics. Interior wall and ceiling finish shall have a flame spread index not greater than that specified in 2020 MSFC for the group of proposed occupancy and location of interior finish. Please furnish product specification sheets listing this information.
11. The required fire-resistance rating of rated construction shall be maintained. Openings through rated construction for the passage of wiring, sleeves, conduit, piping, etc. shall be protected by repair with approved materials which maintains the rating of the construction damaged, altered, breeched or penetrated.

12. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.

Codes and Standards Used for this Review

- This review is based on the following codes and standards as adopted and in effect in the State of Minnesota at the time of plan submittal.
  - 2020 Minnesota State Fire Code
  - NFPA 72, 2016 edition
  - NFPA 13, 2016 edition

Thank You,

[Signature]

Kurt Frison
Assistant Fire Chief / Fire Marshal
(651) 762-4842
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Hi Kathy:

Thanks for your comments and concerns regarding the School District’s proposal for the addition to the South Campus building.

It is my understanding from the District that the student population projections for the middle school are actually higher than the high school. The District has indicated that they anticipate the middle school will have 6 gym classes running concurrently throughout each school day, so the additional gymnasium is needed to accommodate the needed teaching stations.

Attached please find the letter of request from the School District with a description of the request. I’ve also attached a map of the proposed addition, which will also include public restrooms. The gymnasium addition is proposed to extend north from western portion of the building where the other gym/wrestling/gymnastics areas are located.

Please let me know if you have any additional questions or concerns. Thank you.

Anne Kane
Community Development Director
City of White Bear Lake
(651) 429-8562 | akane@whitebearlake.org
www.whitebearlake.org

From: KATHY BERG <ktberg@comcast.net>
Sent: Wednesday, June 24, 2020 3:27 PM
To: Ashton Miller <amiller@whitebearlake.org>
Subject: 6-29-20 PC Meeting

I have a few comments regarding the 20-5-CUP.

I question the need for an addition since the South Campus will be converted to Sunrise Middle School. I’m questioning whether a middle school needs such a big gymnasium.

My next comment is where is the description of the proposed addition. I would like to know what will be added, renovated, etc.

Thank you for your attention.
Case No. 20-5-CUP: A request by the Independent School District #624 for a Conditional Use Permit, per Code Section 1303.245, for a gymnasium addition to the South Campus of White Bear Lake High School located at 3551 McKnight Road.

ABSOLUTELY NOT.

The school has a 386 MILLION dollar school bond. The largest school bond in Minnesota history.

And in two years or less, this building will house middle school students.

I absolutely oppose spending any non-bond money on this facility.

Unfortunately for me, I will not be able to attend the meeting on June 29th.

Thank you for allowing me to comment.

Julie Sampson
2214 Elm Dr
REQUEST
The White Bear Center for the Arts (WBCA, or the Center), an independent non-profit organization located at 4971 Long Avenue, purchased four residential properties that front on Division Avenue – 4953, 4962, 4970 & 4980 Division Avenue – for the purpose of expanding both the building and the parking lot. See applicants’ narrative.

SITE CHARACTERISTICS
The subject site is located between Division Avenue and Long Avenue, roughly half way between 8th Street and 11th Street. In totality, the site will comprise 4.57 acres. The Division Avenue properties each contained a single-family residence, two of which have been recently demolished. The site is relatively flat and contains many mature trees.

ZONING
The Division Avenue parcels are zoned R-3 – Single Family Residential, as are the properties to the north, west and south. The parcel the White Bear Center for the Arts currently occupies (4971 Long Avenue) is zoned B-4 – General Business – as is Lakeshore Players, to the south. A wetland abuts the property to the north.

The Center has chosen to apply for a Planned Unit Development due to the split-zoning of the site. The alternative was to apply for two conditional use permits – one for each zoning district. PUDs are traditionally a give and take type of approval, granting flexibility from the code without true hardship in exchange for exceeding the code elsewhere. In this case, the Center is not asking for deviation from the code, the PUD was only to simplify the request.

BACKGROUND
The WBCA was established in 1968 and moved to this location in July of 2013. Since then, membership and enrollment has grown faster than anticipated. In 2018, the center was granted a conditional use permit to expand their parking. While the Center meets the zoning code requirements for parking (so additional parking was not being required by the City) the Center desired the expansion to alleviate overflow onto Long Avenue, to better accommodate special
events, and to accommodate future enrollment growth. The parking lot expansion was not constructed and the approval has since expired.

**ANALYSIS**

The proposed expansion more than doubles the size of the building. There's a decorative stormwater feature running east-west through the middle of the property, a pedestrian connection to Division Avenue, and the walking labyrinth will be relocated. There is also a clay yard and an accessory storage structure proposed for a “future” phase. The clay yard is an outdoor classroom area that will feature a kiln used for outdoor wood firing of pottery. This kiln is currently located on the northeast side of the existing building and its use will be similar to existing. The kiln will be stored in the new accessory structure to protect it from the elements.

**Setbacks**

The code requires that “side yards shall be double that which is required for the district, but no greater than 40 feet”. The code requires a 5 foot hard surface setback from the side and rear, so double that would be 10 feet, but a 30 foot setback has been provided. A 15 foot hardsurface setback is required along the west side (Division Avenue); double that would be 30 feet and 60 feet has been provided. The additional setback both honors the prevailing setback of the demolished residences and provides a significant buffer for the remaining neighbors.

**Access / Traffic**

The parking lot has been designed to accommodate a fire truck’s turning radius so avoid vehicular access onto Division Avenue. A traffic study was conducted by SEH to determine the impact to Long Avenue, particularly at the intersection of 8th Street. The study projected that the full build out will generate 455 new trips per day with 100 of those trips occurring during the peak hour, which is between 6:00 pm and 7:00 pm. It should be pointed out that the study analyzed a 14,000 square foot expansion rather than a 16,200 square foot expansion, but the summary would not significantly change: “while the side streets approach an LOS of D for the left-turn and through movements, the side street volumes remain relatively low and operations are considered acceptable with the existing stop sign control. Both the BRT project and the High School Expansion project will likely be working to gain MnDOT approval to install a traffic signal at the intersection of TH 61 and 8th Street, which will reduce the 8th Street delays.” A copy of the full study is available upon request.

**Stormwater**

The proposed stormwater management is complex, featuring numerous above and below ground infiltration practices. In addition, the back two thirds of the parking lot will be constructed of porous pavers. Engineering staff has provided a review memo, compliance with which has been included as a condition of approval.

**Landscaping / Screening**

All parking lots exceeding 20 stalls must provide 144 square feet of landscape island for every 10 parking stalls. At 109 parking stalls 1,569 square feet of landscaped island is required and 7,879 square feet has been provided. The code requires screening from abutting residential uses in the form of either a 6 foot tall fence or a green belt planting strip. The applicant is proposing to install a 6 foot tall wooden privacy fence. Screening of the lot from the roadway is required at the rate of one shrub every 3 feet. These shrubs should be included along the west side of the 12
western most stalls.

Tree Preservation
The proposed plan features a significant native woodland restoration in the northwest corner of the site with roughly 40% of the trees being oaks. The area would be seeded with a prairie restoration mix and would feature two small woodland wetlands, a mulched walking path, future outdoor classroom/gathering spaces, and small concrete pads for future art installations. Staff sees this as a significant pocket-park-like amenity that will create much needed “breathing space” in an otherwise shrinking neighborhood.

Lighting
The plans include 8 light poles that are 25 feet tall. The light poles at Lakeshore players are only 16 feet tall. Consequently, staff is recommending that the poles be shortened to not more than 20 feet tall. The two lights on the south side of the lot feature back-side shields which will help reduce the visibility of the light source by the neighbor to the south. In 2018, the Center had offered to turn off the lighting within an hour after the Center closes. Staff has included that as a condition this time around. In keeping with what was required for Lakeshore Players, staff has included a condition regarding the height of the concrete bases.

Elevations
The building is only one story in height. The building materials are industrial modern and tie nicely into the existing building. There are both skylights and roof monitors (which also allow light into the building) in addition to lots of windows. Staff would prefer stucco over EIFS, but we understand the budget may not be able to accommodate that upgrade.

The building code requires certain fire rating requirements for a building that crosses a lot line. Currently, the building expansion is proposed to cross a lot line. Essentially there are three options: either meet the building code requirements, break the building into two so that it does not cross the lot line, or remove the lot line. Removing the lot line is easier said than done because it is the boundary between two different watershed districts, which are two different taxing districts. In order for this boundary to be relocated, both watersheds will need to approve the jurisdictional change, potentially requiring substantial negotiation.

Other
Plowing and other lot maintenance, such as street sweeping, should be limited to regular construction hours as much as possible. Staff recommends that the applicant lay conduit for electric vehicle charging stations so that the site is “EV ready”, but has not included it as a condition of approval.

The proposed expansion results in the loss of four housing units, but there is sufficient room on the property to accommodate future residential units, such as small artist lofts. The City’s goal is to avoid a net loss in residential units in the City, and the Center has expressed an interest in artist housing. The Center has indicated a willingness to work with the City to identify future opportunities to restore the residential units being lost by this proposed expansion, and a condition regarding this has been included.

DISCRETION
The City’s discretion in approving or denying a PUD is high. It is up to the City to decide whether the flexibility requested from code is a reasonable trade-off for the quality of development proposed. A PUD must be consistent with the Comprehensive Plan, and, similar to a CUP, the City may impose reasonable conditions it deems necessary to promote the general health, safety and welfare of the community and surrounding area.

SUMMARY
Staff is sensitive to the sentiment that a use that is often perceived as commercial in nature is extending into a residential area. Potential issues, such as light and noise, that such a change might generate, are exactly what zoning is intended to control. Staff finds that with the lack of vehicular access to Division, increased setbacks around the perimeter, generous landscaping, and park-like woodland restoration, the proposal is vigilant in relation to context and therefore compatible with the surrounding neighborhood.

RECOMMENDATION
Staff recommends approval of 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 – including items which were not attached to the Planning Commission and City Council packets.

2. Per Section 1301.050, Subd.4, if within one (1) year after granting the Planned Unit Development, 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 submitted in writing at least one month prior to the expiration date.

3. This Planned Unit Development 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 Statue 462.3595 to ensure the compliance of the herein-stated conditions.

4. All parcels are to be considered a part of the site and may not be sold separately from the WBCA without prior approval from the City.

5. The applicant agrees to work with the City to identify opportunities to restore the four lost residential units on the property. If an opportunity to restore residential units on the property is identified that the applicant determines is reasonable and does not interfere with its facility, it agrees to participate in implementing the option.

6. The emergency vehicle access shall be maintained free of snow and other obstacles year round. Plowing should be limited to construction hours as much as possible (7:00 am to 10:00 pm), and street sweeping should be conducted only between 8:00 am to 9:00 pm.

7. The existing wells shall be properly abandoned, and the sewer and water capped.

8. No outdoor storage or supplies or materials is requested or approved.
9. The City and the applicant shall monitor the parking situation. Should problems arise from too much on-street parking generated by the Center, the applicants agree to adjust class times, the number of classes, the number of students per class, work with neighboring properties to share parking, or other mitigating measures as necessary to correct the situation. If the solution involves sharing parking with Lakeshore Players, a portion of the existing fence along the south property line shall be removed and an accessible sidewalk installed to create a pedestrian connection between the two lots.

10. Trees planted in area of Phase II building addition shall be relocated/transplanted within the property limits prior to the issuance of a building permit for phase II.

11. All trash receptacles and mechanical equipment, either roof or ground mount, shall be screened from view.

12. The applicant shall obtain any necessary permits prior to construction. Erosion control and tree protection to be installed and inspected prior to construction.

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

13. Either the Watershed District boundaries will be reconfigured, the building pan revised to meet the requirements of a building that crosses a lot line, or some other solution acceptable to City Staff.

14. Final plans shall comply with Engineering Memo dated June 11, 2020, subject to review and approval by the City Engineer.

15. Provide a final site plan including:
   a. Identify the location of a bike rack which can hold at least 4 bicycles and provide a spec sheet for the type of rack proposed.
   b. The 6 foot privacy fence along the south property line shall end or drop down to 4 feet in height even with the front building wall of the adjacent residence to the south. subject to staff approval.

16. Provide a final landscape plan including:
   a. Trees transplanted from 4791 Long site may not be counted towards replacement inches until it can be verified that excess inches were planted with the original project.
   b. Existing trees impacted by grading may not be counted as preserved.
   c. If tree planting is intended to be a “multi-phased approach” a phasing plan is required.
   d. Provide required parking lot screening shrubs.
   revised plan subject to staff approval.

17. Tree protection fencing shall be installed and inspected prior to issuance of a permit.

18. Provide a final lighting plan with photometric and fixture details, subject to staff review and approval. The concrete base for the light poles shall be minimized to 6 inches in height or otherwise camouflaged. Maximum height for the light fixture on the poles shall
be 20 feet. Kelvin shall not exceed 3,500. Fixtures shall be low glare. The use of up-lighting is discouraged and subject to staff approval. Except for security lighting, lights shall be turned off within an hour after close.

19. Extend a letter of credit consisting of 125% of the outside improvements, which renews automatically every 6 months, as a surety for the installation of the proposed exterior improvements. Amount of letter to be approved by city staff, based on a cost estimate provided by the applicant, prior to the issuance of the letter of credit.

20. Provide proof of project approval from the appropriate Watershed District.

21. Provide a SAC determination letter from the Metropolitan Council

Prior to the release of the letter of credit:

22. Provide an as-built plan consistent with the City's 2019 record drawing requirements.

23. Enter into a Stormwater Operation and Maintenance Agreement with the City.

24. All exterior improvements must be installed.

25. All landscaping must have survived at least one full year.

26. The applicant shall provide proof (ie: a receipt) of having recorded the following documents with the County Recorder’s office:
   a. The Stormwater Operation and Maintenance Agreement
   b. The Certified copy of the Resolution of Approval.

**Attachments:**

1. Draft Resolution of Approval
2. Location/Zoning Map
3. Narrative Request (4 pgs)
4. Site Plan and Graphics (12 pgs)
5. Engineering Memo dated June 11, 2020
RESOLUTION NO. _________

RESOLUTION APPROVING
PLANNED UNIT DEVELOPMENT FOR
4952, 4962, 4970, 4980 DIVISION AVENUE
AND 4971 LONG AVENUE
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA

WHEREAS, a proposal (20-1-PUD) has been submitted by The White Bear Center for the Arts to the City Council requesting approval of a Planned Unit Development for the following location:

LOCATION: 4952, 4962, 4970 & 4980 Division Avenue and 4971 Long Avenue,
and 4971 Long Avenue

LEGAL DESCRIPTION: Attached as Exhibit A

WHEREAS, THE APPLICANTSEEKSTHE FOLLOWING: Both General Concept Stage and Development Stage approval of a Planned Unit Development to allow the expansion of the existing community center and parking lot in a residential zoning district, per Code Section 1301.070; and

WHEREAS, the Planning Commission has held a public hearing as required by the city Zoning Code on June 29, 2020; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake 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.
7. The special conditions attached in the form of a PUD are hereby approved.

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

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the permit – including items which were not attached to the Planning Commission and City Council packets.

2. Per Section 1301.050, Subd.4, if within one (1) year after granting the Planned Unit Development, 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 submitted in writing at least one month prior to the expiration date.

3. This Planned Unit Development 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 Statue 462.3595 to ensure the compliance of the herein-stated conditions.

4. All parcels are to be considered a part of the site and may not be sold separately from the WBCA without prior approval from the City.

5. The applicant agrees to work with the City to identify opportunities to restore the four lost residential units on the property. If an opportunity to restore residential units on the property is identified that the applicant determines is reasonable and does not interfere with its facility, it agrees to participate in implementing the option.

6. The emergency vehicle access shall be maintained free of snow and other obstacles year round. Plowing should be limited to construction hours as much as possible (7:00 am to 10:00 pm), and street sweeping should be conducted only between 8:00 am to 9:00 pm.

7. The existing wells shall be properly abandoned, and the sewer and water capped.

8. No outdoor storage or supplies or materials is requested or approved.

9. The City and the applicant shall monitor the parking situation. Should problems arise from too much on-street parking generated by the Center, the applicants agree to adjust class times, the number of classes, the number of students per class, work with neighboring properties to share parking, or other mitigating measures as necessary to correct the situation. If the solution involves sharing parking with Lakeshore Players, a portion of the existing fence along the south property line shall be removed and an accessible sidewalk installed to create a pedestrian connection between the two lots.
10. Trees planted in area of Phase II building addition shall be relocated/transplanted within the property limits prior to the issuance of a building permit for phase II.

11. All trash receptacles and mechanical equipment, either roof or ground mount, shall be screened from view.

12. The applicant shall obtain any necessary permits prior to construction. Erosion control and tree protection to be installed and inspected prior to construction.

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

13. Either the Watershed District boundaries will be reconfigured, the building pan revised to meet the requirements of a building that crosses a lot line, or some other solution acceptable to City Staff.

14. Final plans shall comply with Engineering Memo dated June 11, 2020, subject to review and approval by the City Engineer.

15. Provide a final site plan including:
   a. Identify the location of a bike rack which can hold at least 4 bicycles and provide a spec sheet for the type of rack proposed.
   b. The 6 foot privacy fence along the south property line shall end or drop down to 4 feet in height even with the front building wall of the adjacent residence to the south.

16. Provide a final landscape plan including:
   a. Trees transplanted from 4791 Long site may not be counted towards replacement inches until it can be verified that excess inches were planted with the original project.
   b. Existing trees impacted by grading may not be counted as preserved.
   c. If tree planting is intended to be a “multi-phased approach” a phasing plan is required.
   d. Provide required parking lot screening shrubs.

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19. Extend a letter of credit consisting of 125% of the outside improvements, which renews automatically every 6 months, as a surety for the installation of the proposed exterior improvements. Amount of letter to be approved by city staff, based on a cost estimate provided by the applicant, prior to the issuance of the letter of credit.

20. Provide proof of project approval from the appropriate Watershed District.

21. Provide a SAC determination letter from the Metropolitan Council

Prior to the release of the letter of credit:

22. Provide an as-built plan consistent with the City’s 2019 record drawing requirements.

23. Enter into a Stormwater Operation and Maintenance Agreement with the City.

24. All exterior improvements must be installed.

25. All landscaping must have survived at least one full year.

26. The applicant shall provide proof (ie: a receipt) of having recorded the following documents with the County Recorder’s office:
   a. The Stormwater Operation and Maintenance Agreement
   b. The Certified copy of the Resolution of Approval.

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.

Suzi Hudson, Executive Director                    Date

EXHIBIT A
LEGAL DESCRIPTION

The South 100 feet of Lot 3, Block 3, except the East 355.05 feet thereof, Auditor's Subdivision No. 48, Ramsey County Minnesota. (PID NO. 143022110052)

Lot 4, Block 3, Auditor's Subdivision No. 48, Ramsey County, Minnesota. (PID NO. 143022110076)

The North 50 feet of Lot 12, as measured along the west line of said Block 3, Auditor's Subdivision No. 48. (PID NO. 143022110049)

Lot 13, Block 3, Auditor's Subdivision No. 48, Ramsey County, Minnesota. (PID NO. 143022110050)

Lot 14, Block 3, Auditor's Subdivision No. 48, Ramsey County, Minnesota. (PID NO. 143022110051)
SUBJECT SITE: 4953, 4962, 4970, 4980 DIVISION AVENUE and 4971 LONG AVENUE

CASE NO.: 20.1.PUD
CASE NAME: White Bear Center for the Arts
DATE: June 29, 2020

City of White Bear Lake Planning and Zoning Office (612)-429-8561
White Bear Center for the Arts Expansion
Land Use & Variance Application – Planned Unit Development
05.11.2020
May 11, 2020

To: City of White Bear Lake Planning Commission
4701 Highway 61
White Bear Lake, MN 55110

From: Sean Wagner, NewStudio Architecture
2303 Wycliff Ave
Saint Paul, MN 55114

Re: 4971 Long Ave, White Bear Lake, MN 55110 – White Bear Lake Center for the Arts PUD Combined General Concept & Development Stage Proposal

To the Planning Commission,

NewStudio Architecture has partnered with Suzi Hudson, Executive Director at the White Bear Center for the Arts (WBCA), to pursue a Planned Unit Development (PUD) and expansion at the site of the existing WBCA. The ever-growing popularity of the center has created the need to expand the existing building to include more educational art studios, specialized clay studios, a larger gallery space, and outdoor space – all of which will be available to the public. WBCA has acquired four adjacent properties to the west of the existing site for such an expansion.

With the neighboring theatre and newly approved school referendum, WBCA hopes to continue enriching the area with more public access to the arts. The new PUD will encompass the area between Highway 61 and Division Ave and create a new link to the school on the west that did not previously exist.

The PUD will be a phased process. The first phase will include a 14,500 S.F. expansion of the existing building to the west, the creation of additional parking, as well as new landscaping elements including a new Labyrinth. As the center’s population grows, additional expansions will occur to include additional landscaping and (2) future studios at the Southwest corner of the building totaling 1,750 S.F. The future phased landscape will include areas for outdoor classrooms, reflection, flexible event spaces, as well as a clay yard. The clay yard, and adjacent storage shed, will support the clay program and house outdoor Raku kilns for outdoor firings. The exact dates of future phases are not known at this time; but are noted in this application in anticipation of funding becoming available. The project is in keeping with the City’s Comprehensive Plan.

The PUD will address White Bear Lake’s Nine Design Principles in the following ways:

1. Regionalism: The WBCA will draw upon vernacular traditions of the community by keeping the structure modest in height and massing, as well as keeping a subdued natural material palette intended to blend both with the existing architecture as well as the site. With respect to climate, the buildings and site will be arranged and utilized to maximize the benefits of every season. Large overhangs along the South façade will allow for expansive views to the wooded site while minimizing solar heat gain in the summer and solar glare in the winter. Roof monitors oriented towards the North will allow for natural Northern light, which is best suited for galleries and artist studios. Locally sourced materials will be used wherever possible. Additionally, the surrounding landscape will be restored, creating a park-like setting in a walkable community.

2. Context: The various site elements and proposed expansion will be designed to fit within the existing context of the neighborhood. The existing landscaping, after being inspected and evaluated by a certified arborist,
will be salvaged as much as possible, and views of the site will be incorporated into the design of the building. A multi-year phased approach for the tree plantings in the future expansion area including the woodland at the North, West and Northwest areas of the site is in keeping with the principles of resilience and succession found in natural forest ecologies. A diversified multi-aged infrastructure of plant species will protect the overall health of the ecosystem from tree canopy to ground plane though enhanced habitat and wildlife, disease resistance, opportunities for diverse understory species to establish and thrive. Restoring the existing woodlands on the site will allow the natural landscape to support human use and enjoyment while sustaining the course of time. South of the property is the Lakeshore Players Theatre. The design of the WBCA will support the concept of the area as a community “Arts District” with visual and pedestrian connections between the two programs and the surrounding neighborhood. WBCA will also create walking paths with outdoor art and site activities to connect the schools on the West to downtown on the East. Building program will be arranged to maximize solar benefits during all seasons. For instance, art studios will be located facing north – both to maximize indirect lighting and views of the existing woods and wetlands. The building will utilize clerestory windows and roof monitors to create light, open, spaces while minimizing the use of light fixtures.

3. Scale and Massing: The scale of the proposed building expansion will be in keeping with the existing building as well as the surrounding context and residential neighborhood. The proposed design does not exceed a single story and is restrained in its footprint. The language of the existing building will be carried into the expansion, which is comprised of two massings. The central and slightly larger massing includes the entrance lobby, administrative offices and gallery spaces. This central portion will be visually bookended by the studio spaces to the West. This bookend massing will visually mimic the existing building in order to create a sense of cohesion and unity. The site will be landscaped to create buffers between neighboring residences and roads. Landscaping will also be used to create interesting small gathering spaces, such as the labyrinth.

4. Composition: The proportions of the building will be similar to those of neighboring residential buildings – not exceeding 20 feet in height. It is the intent to develop the property to fit within the existing context while creating a visually interesting site and destination for the community. The WBCA wishes to maximize the efficiency of the buildings on site by creating spaces that can overlap and be used for several purposes. For instance, a possibility might include a large gallery space that can double as an assembly space for lectures or classes.

5. Hierarchy: The visual emphasis will be on the main entry of the building as a center point and gathering spot for the site. Adjacent to the entry will be a gallery and retail shop which the WBCA encourages the public to visit. The entry will include a covered entry, an abundance of glass, and larger massing to indicate entry.

6. Color: The proposed color palette includes, dark gray metal panels punctuated by warm horizontal wood cladding, as well as gray painted stucco to match the existing building in order to create a sense of cohesiveness that does not overpower the beauty of the surrounding wooded landscape.

7. Detail and Craftsmanship: At this early phase, a contractor has not been chosen for the project. WBCA hopes to employ a local contractor familiar with the area and existing project.

8. Transformation: As stated previously, it is the intent of the WBCA to create an efficient building with overlapping spaces. The gallery might be used as studio space. The corridors will double as gathering and gallery spaces. Studios might have movable partitions to make space for larger events. Since the clay studios are very popular, the center will dedicate an entire portion of the building to clay students including several new studio spaces, a glazing area, and an expanded kiln area. To enhance student’s learning experience, the center will install outdoor kilns that will effectively bring the interior classrooms to the outdoors that will be integrated with nature.

9. Simplicity: The concept behind the development is based on the message of the Arts Center. The center asks artists, students, teachers, managers, and visitors to become citizens of the center. They want their
citizens to become active participants in the care of the site. They want citizens to become aware of how this place support, changes, and moves them. They ask the citizens to make creative connections with the site, buildings, and fellow humans. And once made a ‘citizen of the arts,’ they take their artists role into the greater world where art can change everything. With this said, it is the intent that all elements of the site are interconnected, whether physically or metaphorically through beautiful simplicity. The design will be guided by what is needed, not superficial ornamentation.

The project team consists of the following:
- Suzi Hudson, White Bear Lake Center for the Arts (Executive Director, Owner)
- Sean Wagner, AIA, NewStudio Architecture (Architect)
- Peter Kramer, Roark Kramer Kosowski Design (Design Consultant)
- Matt Woodruff, Larsen Engineers (Civil Engineer)
- Bob Close, Bob Close Studio, LLC (Landscape Architect)
- Julie Aldrich, Landschaft (Landscape Design)
- Stephanie Young, Mattson MacDonald Young (Structural Engineer)
- Paul Fettinger, Hallberg Engineering (Mechanical, Plumbing, Electrical, Fire Protection)
- Alan Kantrud, Attorney and WBCA board chair
- Kelly Jordan, Widseth Smith Nolting (Land Surveyor)

Below is a list of the adjacent purchased properties. Refer to consolidated Survey for more information:
1. 4952 Division Ave - WBCA, the north 50’ of Lot 12 as measured along the west line of said lot, Block 3 Auditor’s subdivision No. 48 (Zone = Low Density Residential)
2. 4962 Division Ave - WBCA, Lot 13 Block 3, Auditor’s subdivision No. 48 (Zone = Low Density Residential)
3. 4970 Division Ave - WBCA, Lot 14 Block 3, Auditor’s subdivision No. 48 (Zone = Low Density Residential)
4. 4980 Division Ave - Keith and Judy Johnstone (651-426-1723) WBCA has signed purchase agreement with Johnstones, Lot 3 Block 3, Auditor’s subdivision No. 48 EX easterly 335 05/100 ft of the S 100 ft of Lot 3 Block 3 (Zone = Low Density Residential)
5. 4971 Long Ave – WBCA, Lot 4 Block 3, Auditor’s subdivision No. 48 (Zone = Downtown)

Projected Schedule:
- Fall 2020: Phase I Groundbreaking – Expansion of existing center, site work, and parking lot
- Late Summer 2021: Phase I complete
- To be Determined: Future phases – Site work expansion + future studios as funds are made available

We thank you for your consideration and look forward to working with you.

Sincerely,

Sean Wagner, Architect  
AIA AIBC ASID OAA LEED AP  
President/CEO
May 11, 2020

To: City of White Bear Lake Planning Commission
4701 Highway 61
White Bear Lake, MN 55110

From: Sean Wagner, NewStudio Architecture
2303 Wycliff Ave
Saint Paul, MN 55114

Re: 4971 Long Ave, White Bear Lake, MN 55110 – White Bear Lake Center for the Arts Civil Engineering & Landscape Site Narrative

Civil Engineering Narrative:

Existing Site Conditions:
The property on which the existing arts center currently lies generally drains from the west to the northeast. The arts center has parking lots and drive lanes with concrete curbs and gutters to control the site runoff. As part of the arts center's initial construction, a stormwater management design and permit were approved with the Rice Creek Watershed District (RCWD) in 2011. The approved stormwater design included an infiltration basin that is currently located just to the west of the existing building on the site. When inundated with runoff, the infiltration basin overflows through a ditch (or small stream) that is directed to the east and north of the existing property. At that point, the site's stormwater discharges into an existing wetland system that is located on property owned by the City of White Bear Lake.

The properties along Division Avenue that were recently purchased by the arts center generally drain from the west to the east. These properties are located within the Vadnais Lake Area Watershed Management Organization (VLAWMO).

The existing arts center is currently being served by municipal sanitary sewer and water. Utility services are extended from Long Avenue.

Geotechnical investigations for the site have depicted that a majority of the underlying soils are sandy in nature, in depths up to fifteen feet below the surface. Typically, granular soil materials are very accommodating for vertical building construction as well as site improvements such as parking lots and sidewalks. Additionally, granular soils are very conducive for stormwater infiltration and assist with the overall site drainage.

Proposed Site Conditions:
Stormwater management for the new development will be rather challenging in that the existing and new properties owned by the arts center are located in two separate watershed districts – the RCWD and the VLAWMO as described above. The new stormwater system will predominately drain from the west to the east, which means that stormwater from VLAWMO will drain into the RCWD.

We have conducted joint meetings where representatives from both watersheds were present so we could discuss stormwater management design challenges and jurisdictional watershed boundaries. Both watershed entities have agreed that the RCWD will be the permitting agency for the arts center’s proposed project. The project must meet or exceed the RCWD’s performance standards for stormwater management design and erosion control. Discussions with both watershed entities are still ongoing and both have agreed in principal that the watershed boundaries should be changed to reflect the site drainage. At the request of representatives of both districts, the WBCA has reached out...
to the Ramsey County Assessor’s office and the County Engineer to formalize an interim agreement to unify the jurisdictional management for the property.

The new building construction will result in the existing infiltration basin (previously permitted by the RCWD in 2011) to be displaced and re-established elsewhere within the project area. For the proposed new conditions for the site, a stormwater management system will be composed of new porous asphalt for the parking lots and drive lanes, as well as installing an underground stormwater pipe retention / infiltration system.

Utility services for the new addition will be accomplished by direct connections through the existing building.

Sincerely,

Sean Wagner, Architect
AIA AIBC ASID OAA LEED AP
President/CEO
May 11, 2020

To: City of White Bear Lake Planning Commission
   4701 Highway 61
   White Bear Lake, MN 55110

From: Sean Wagner, NewStudio Architecture
       2303 Wycliff Ave
       Saint Paul, MN 55114

Re: 4971 Long Ave, White Bear Lake, MN 55110 – White Bear Lake Center for the Arts Phasing Narrative

Phasing Narrative

The WBCA proposes to expand its facility in multiple phases based on programming needs, funding and space available on the current site. The Development Stage site plan indicates a 16,200 S.F. footprint based on current and future programming, Exhibit A. The building meets all the required setbacks based on current zoning standards and a previous Conditional Use permit condition. All parking requirements, screening, etc. are met with each of the proposed phases.

The phasing is shown on Exhibit B as follows:

- Phase I is a 14,500 S.F. addition and remodeling of the existing facility. The parking is expanded to the west providing the required stalls based on zoning standards for art galleries. Modifications to the existing parking on the east side to provide bus access will be part of phase I.
- All required parking will be provided in Phase I due to efficiency of the parking layout. The parking required for Art Galleries is 10 plus 1 for each additional 250 S.F. over 2,000 S.F.
  \[
  10 + \left( \frac{26,088 \text{ S.F.} - 2,000 \text{ S.F.}}{250} \right) = 107 \text{ stalls required}
  \]
  107 stalls provided
- Future phases will include a 1,750 S.F. addition to provide (2) additional studio spaces. Future phases will also include additional site and landscaping amenities including outdoor classroom spaces and a shed structure for the clay and sculpture programs.
- Tree replacement will also follow a phased approach. The Phase I planting installation will include trees at the perimeters of the property, along the building facades, dry creek bed, labyrinth space and at other key locations in relation to prominent architectural and site infrastructure. A multi-year phased approach for the tree plantings in the future expansion area will include the woodlands at the North, West and Northwest areas of the site.

Sincerely,

Sean Wagner, Architect
AIA AIBC ASID OAA LEED AP
President/CEO
DEMOLITION NOTES

1. It is the responsibility of the Contractor to perform or coordinate all necessary utility demolitions and relocations from existing utility locations to all new amenity and building constructs. These connections include, but are not limited to: water, sanitary sewer, cable, underground gas, electric, site lighting, etc.

2. Prior to beginning work, contact Gopher State OneCall (651-454-0002) to locate all existing underground utility locations. The Contractor shall notify the services of a private utility locator to locate the private utilities.

3. Sawcut along edges of pavements, sidewalks, and curbs to remain.

4. All construction shall be performed in accordance with state and local standard specifications for construction.

KEY NOTES

1. Verify all existing utility locations.
2. It is the responsibility of the Contractor to perform or coordinate all necessary utility demolitions and relocations from existing utility locations to all new amenity and building constructs. These connections include, but are not limited to: water, sanitary sewer, cable, underground gas, electric, site lighting, etc.
3. Prior to beginning work, contact Gopher State OneCall (651-454-0002) to locate all existing underground utility locations. The Contractor shall notify the services of a private utility locator to locate the private utilities.
4. Sawcut along edges of pavements, sidewalks, and curbs to remain.
5. All construction shall be performed in accordance with state and local standard specifications for construction.
GRADING NOTES

1. Field preparation consisting of topsoil, or any other material at the

2. All elevations with an asterisk (*) shall be field verified. If elevations

3. Grades shown in green areas represent flood elevation.

4. Remove all disturbed areas with 4" of good quality topsoil and seed.

5. All construction shall be performed in accordance with state and local

standard specifications for construction.

LEGEND

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CONSTRUCTION NOTES

PRELIMINARY DRAWING

NOT FOR CONSTRUCTION

DATE: 05/11/20

REVISION: 1

ISSUE DATE: 05/11/20

SHEET NO.: C300

drawing by: MJW

I certify that this plan, specifications or report was prepared by me or under my direct supervision.

Larson Engineering, Inc.

2054 Larson Road

Office: 651.481.9201

FAX: 651.481.9201

www.larsoneng.com

GRADING AND

EROSION

CONTROL

PLAN

SCALE: 1" = 20' - 0"
1. It is the responsibility of the contractor to perform or coordinate all necessary utility connections and relocations from existing utility locations to the proposed building, as well as to all onsite amenities. These connections include but are not limited to water, sanitary sewer, cable TV, telephone, gas, electric, site lighting, etc.

2. All service connections shall be performed in accordance with state and local standard specifications for construction. Utility connections (sanitary sewer, watermain, and storm sewer) may require a permit from the City.

3. The contractor shall notify all appropriate engineering departments and utility companies 72 hours prior to construction. All necessary precautions shall be made to avoid damage to existing utilities.

4. The contractor shall notify all appropriate engineering departments and utility companies 72 hours prior to demolition or excavation.

5. Storm sewer relocations from existing utility locations to the proposed building, as well as to all onsite amenities.

6. All service connections shall be performed in accordance with state and local standard specifications for construction. Utility connections (sanitary sewer, watermain, and storm sewer) may require a permit from the City. Utility connections (sanitary sewer, watermain, and storm sewer) may require a permit from the City.

7. Storm sewer requires testing in accordance with Minnesota plumbing code 4714.1109 where located crossing.

8. Maintain a minimum of 7 ½’ of cover over all water lines and sanitary sewer lines. Where 7 ½’ of cover is not provided, install 2” rigid polystyrene insulation (MN/DOT 3760) with a thermal resistance of at least 5 and a compressive strength of at least 25 psi. Insulation shall be 8’ wide, centered over pipe crossings. Where depth is less than 5’, use 4” of insulation.

9. Install water lines 12” above sewers. Where the sewer is less than 12” below the water line (or above), install water piping at materials approved for in-duct building use for 10 feet on each side of the opening.

10. All water main piping shall be class 52 ductile iron pipe unless noted otherwise. See Project Specifications for bedding requirements.

11. All RCP pipe shown on the plans shall be MN/DOT class 3.

12. All service connections shall be performed in accordance with state and local standard specifications for construction. Utility connections (sanitary sewer, watermain, and storm sewer) may require a permit from the City.

13. Sanitary sewer piping shall be PVC, SDR-35 for depths less than 12’, PVC SDR-26 for depths between 12’ and 26’, and class 52 D.I.P. for depths of 26’ or more.

14. A structure adjustment shall include removing and salvaging the existing casting assembly, removing existing manhole edges from the precast section, installing new rings and gaskets meeting precast grades, cleaning existing flange to receive a new surface and install an external chimney seal from casting to precast section. Chimney seals shall be Infi-Shield Uni-Band or an approved equal.

15. Maintain a minimum of 7 ½’ of cover over all water lines and sanitary sewer lines. Where 7 ½’ of cover is not provided, install 2” rigid polystyrene insulation (MN/DOT 3760) with a thermal resistance of at least 5 and a compressive strength of at least 25 psi. Insulation shall be 8’ wide, centered over pipe crossings. Where depth is less than 5’, use 4” of insulation.

16. Install water lines 12” above sewers. Where the sewer is less than 12” below the water line (or above), install water piping at materials approved for in-duct building use for 10 feet on each side of the opening.

17. All water main piping shall be class 52 ductile iron pipe unless noted otherwise. See Project Specifications for bedding requirements.

18. The contractor shall notify all appropriate engineering departments and utility companies 72 hours prior to construction. All necessary precautions shall be made to avoid damage to existing utilities.

19. The contractor shall notify all appropriate engineering departments and utility companies 72 hours prior to demolition or excavation.

20. Storm sewer relocations from existing utility locations to the proposed building, as well as to all onsite amenities.

21. All service connections shall be performed in accordance with state and local standard specifications for construction. Utility connections (sanitary sewer, watermain, and storm sewer) may require a permit from the City. Utility connections (sanitary sewer, watermain, and storm sewer) may require a permit from the City.
# TREE SPECIES SHEET

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**TREE SPECIES LIST**

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**TREE DEPARTMENT CAUTION**

1. TOTAL手機 "TYPICAL" 不能大於 0.5”。(0.5" DIA X 0.1")
2. 0.5" DIAMETER RINGS FOR HARDWOOD FOR EQUIVALENT NEAR GUM THICKNESS RINGS OF EXISTING TREES AS DETERMINED BY CITY STAFF.
3. "HELICOPTER" TREE
4. "SHADOW" TREE

**LEGEND**

- **TREE TO BE REMOVED**
- **SHADOW" TREE**
- **"HELICOPTER" TREE**

**REVISIONS**

**SHEET TITLE:** TREE SPECIES LIST

**SHEET NO.:** L101

**ISSUE/DATE:**

**PROJECT APPLICATION:** 06.07.2020

**PRELIMINARY NOT FOR CONSTRUCTION**

NewStudio | Aris

3220 North Ave, San Diego, CA 92109

415-409-5004

www.new-studio.com | aris@new-studio.com
HANIFL PERFORMING ARTS CENTER
WHITE BEAR CENTER FOR THE ARTS
WOODED AREA
2140 - 11TH STREET

PROPOSED LANDSCAPE WITH RESTORED WOODLANDS, PEDESTRIAN PLAZA, LABYRINTH & OUTDOOR CLASSROOMS
PEDESTRIAN CONNECTION TO DIVISION AVENUE

EXISTING 9,888 SF WHITE BEAR CENTER FOR THE ARTS

PROPOSED 16,200 SF EXPANSION: SINGLE STORY MAX HEIGHT 20 FT ABOVE GRADE

WHITE BEAR LAKE AREA HIGH SCHOOL

PROPOSED LANDSCAPE WITH RESTORED WOODLANDS, PEDESTRIAN PLAZA, LABYRINTH & OUTDOOR CLASSROOMS

PEDESTRIAN CONNECTION TO DIVISION AVENUE

HANIFL PERFORMING ARTS CENTER
1 FALL EQUINOX - MORNING

2 FALL EQUINOX - NOON

3 FALL EQUINOX - AFTERNOON

4 WINTER SOLSTICE - MORNING

5 WINTER SOLSTICE - NOON

6 WINTER SOLSTICE - AFTERNOON

SCALE: 1" = 100'-0"
The image is a floor plan of the White Bear Center for the Arts. It shows the expansion and existing building areas, with various rooms and spaces labeled. The plan includes sections for gallery/lobby, retail, studio/classroom, administrative/faculty, utility/storage, toilet, and more. The building expansion is 16,200 SF, and the existing building is 9,888 SF. The scale of the plan is 1/16" = 1'-0".
WOOD RAIN SCREEN - ARBOR
MODIFIED TIMBER, DOMESTICALLY SOURCED AND SUSTAINABLY HARVESTED WHITE ASH
ALUCOBOND PLUS METAL CLADDING - DUSTY CHARCOAL
PAINTED GRAY STUCCO / EIFS / DRYVIT TO MATCH EXISTING WHITE STUCCO / EIFS / DRYVIT

PHASE 1 - PRIOR TO FUTURE STUDIOS

2 BUILDING EXPANSION EXTERIOR ELEVATION - SOUTH, PHASE 1

GRAY PAINTED STUCCO TO MATCH EXISTING

RECESSED CURTAIN WALL

WHITE BEAM CENTER FOR THE ARTS

STUDIOS (FUTURE PHASE)

GRAY PAINTED STUCCO TO MATCH EXISTING

RECESSED CURTAIN WALL

WHITE BEAM CENTER FOR THE ARTS

BUILDING EXPANSION EXTERIOR ELEVATION - SOUTH, FUTURE PHASE

PHASE 1 - PRIOR TO FUTURE STUDIOS

GRAY PAINTED STUCCO TO MATCH EXISTING

RECESSED CURTAIN WALL

WHITE BEAM CENTER FOR THE ARTS

BUILDING EXPANSION EXTERIOR ELEVATION - SOUTH, FUTURE PHASE

PHASE 1 - PRIOR TO FUTURE STUDIOS

GRAY PAINTED STUCCO TO MATCH EXISTING

RECESSED CURTAIN WALL

WHITE BEAM CENTER FOR THE ARTS

BUILDING EXPANSION EXTERIOR ELEVATION - SOUTH, FUTURE PHASE
WOOD RAIN SCREEN - ARBOR WOOD THER
MALLY MODIFIED TIMBER, DOMESTICALLY SOURCED AND SUSTAINABLY HARVESTED WHITE ASH
ALUCOBOND PLUS METAL CLADDING - DUSTY CHARCOAL
PAINTED GRAY STUCCO / EIFS / DRYVIT TO MATCH EXISTING WHITE STUCCO / EIFS / DRYVIT
TO: Samantha Crosby, Planning and Zoning Coordinator  
FROM: Connie Taillon, P.E., Environmental Specialist/Water Resources Engineer  
DATE: June 11, 2020  
SUBJECT: White Bear Center for the Arts Expansion Engineering Review Comments

The Engineering Department reviewed the Stormwater Calculations dated May 8, 2020, Civil Plans (C100, C200, C300, C400, C500, C501) and Landscape Plans (L100, LL102, L200, L500, L502) dated May 11, 2020, and received May 13, 2020, and have the following comments:

General

1) Provide at least one soil boring at the location of each proposed infiltration practice to determine if the soils are conducive to infiltration. The soil borings shall include the elevation of the seasonally high water table at each location. Infiltration practices shall be designed to provide a minimum of three feet of separation from the seasonal high water table. Please submit the soil boring report for review when available.

2) For low floor and low entry freeboard requirements, refer to the RCWD rules. Additional City freeboard requirements with respect to groundwater, the existing wetland, and all stormwater features include:
   - The low floor elevations of the new buildings shall be at least 2 feet above the historic high groundwater elevation for the area.
   - Low opening elevations shall be at least 2 feet above the 100-year high water elevations. Adequate emergency overflow routes must be provided.
   - Low openings shall be 1 foot above emergency overflow elevations.

3) Because of the complex nature of the stormwater management features, including numerous above and below ground infiltration practices planned for the site, it is highly recommended that an individual familiar with the stormwater design be on site while the stormwater features are being constructed to ensure that they are constructed per plan, and to test the soils for compaction. In our experience, some infiltration basins are not built per plan or failed to function properly after construction due in large part to improper construction such as soil compaction and/or the installation of clay-based topsoil in the basins (even if the correct raingarden mix is specified on the plan). The upfront cost to have a stormwater inspector on the site is likely more cost-effective than the time and expense required to fix problems after the fact.
4) Clearly state on the plans that the infiltration areas shall be protected from compaction. Also state on the plans that if compaction does occur, the soil must be uncompacted, to the depth necessary to alleviate compacted soils, prior to final stabilization of the above ground infiltration basins. Also include notes on both the Civil and Landscape plans that topsoil is not allowed in the infiltration basins, including any topsoil that is normally specified for tree planting (for those trees adjacent to the infiltration basins). If a soil amendment is required in the infiltration basins, specify a leaf compost/sand mixture and include this information on the Civil and Landscape plans.

5) To ensure the success of the native seeding, we highly recommend contracting with a native plant restoration company to install and maintain the native seed areas for the three-year establishment period. After the three-year establishment period, we encourage the Center for the Arts to continue to contract with the company for yearly maintenance of the prairie to control invasive plants and other weeds. This maintenance arrangement has been very successful for City prairie restoration projects, and we would be happy to talk with the Center for the Arts if they have any questions.

6) Permits may be required from Rice Creek Watershed District, Ramsey County, and MPCA.

7) A Stormwater Operations and Maintenance Agreement (SOMA) is required for this project. A SOMA template is attached.

8) An as-built plan is required prior to the release of the letter of credit. As-built requirements are attached. Include an as-built survey of the underground storage system and associated inlet and outlet pipes prior to backfill.

**Stormwater Calculations**

9) Summary of Stormwater Runoff

a) Update the ‘total site infiltration required’ from 6,695CF to 6,965CF

b) Include a volume control calculation for the pervious pavement showing required vs. actual storage volume below the invert of the drain tile.

c) In the first sentence of the Stormwater Runoff Rate write-up, add that the City also requires the proposed peak runoff rates not to exceed existing rates: “Per Rice Creek Watershed District and the City of White Bear Lake …”.

d) In the first sentence of the volume control write-up, add that the 1.1” requirement is also a City requirement: “Per Rice Creek Watershed District rules and City standards…”.

e) Include a rate and volume control summary on a civil plan sheet.

10) Proposed drainage area map, routing diagram, and model

a) Subcatchment H: the northeast corner of subcatchment H drains directly to reach 4R (existing wetland), not to pond 6P (north infiltration basin). Update the map and proposed conditions model.

b) Subcatchment H: How will the future building be routed to pond 6P?

c) Route the primary outlet of Pond 5P to Pond 6P instead of directly to the wetland
d) Pond 1P: Revise the Device 1 invert and all Outlet Devices elevations.

e) Pond 1P: Is the secondary weir (elevation of 936) an emergency overflow for the pervious parking lot? Please clarify.

f) The Grading Plan shows roof runoff from the proposed building in subcatchment H routed overland in a shallow swale to the eastern infiltration in subcatchment E. How will this roof runoff be spread evenly between all three of the infiltration basins in subcatchment E (pond 2P) to keep the eastern most basin from being inundated and overflowing overland to the south and east?

g) Pond 2P: How are the 3 above ground basins connected to the underground pipe network? If the connection is via infiltration through a soil media, consider modeling the three basins separately from the underground pipe system, using infiltration as the outflow from the basins to the pipe network.

h) Pond 2P: As per the Grading Plan, the east basin in pond 2P appears to overflow overland at an elevation of 935.12 (top of curb elevation), which is lower than the 100-year peak elevation of 935.82 in the model (the model assumes ponding up to 936). Provide a secondary overflow in the model to account for this overland flow.

i) Pond 2P: Revise the culvert length to be consistent with the Utility Plan.

j) Pond 3P: Revise the 12” culvert length and material to be consistent with the Utility Plan

k) Pond 3P: Add an overland overflow to the model. It appears from the Grading Plan that in a 100-year event the raingarden ponding will expand into the parking lot and overflow to the east raingarden.

l) Pond 4P: What is the size of the outlet pipe?

m) Please clarify why pond 3P and 4P is routed to pond 7P instead of to the existing outlet structure (CB2).

n) Pond 7P: Why is the primary outlet modeled as a 4’ weir instead of a horizontal grate?

o) Does the existing outlet structure (CB2) have an outlet pipe at the invert of the structure? If so, include this in the model as an outlet for ponds 3P, 4P, and 7P. Also, revise the existing conditions model to be consistent with the proposed conditions model at this outlet (i.e model the raingardens separately and use the same outlet configuration for CB’s 1, 2, and 3 as the proposed model).

11) Submit a roof plan showing the rain leader for review. How will this tie into the future building?

**Sheet C300 Grading and Erosion Control Plan**

12) Show the location and elevation of all ponding area overland outlets and emergency overflows on the plan, including the EOF of the pervious pavement.

13) Label the low floor elevation of the existing building.

14) Label the 100 year elevation and EOF of the existing wetland

15) Show the location of all temporary erosion control measures and concrete washout stations on the plan.
16) To avoid ponding in the gutter line, install a reverse slope “gutter out” curb and gutter at areas such as the south and west sides of the west parking lot. Call out the areas on the plan and include a detail (see also comment #26).

17) East raingarden (pond 4P):
   • Label the contours
   • How will runoff from the parking lot flow into the raingarden? Show this on the plan.
   • If curb cuts are proposed, provide pretreatment such as a rainguardian http://www.rainguardian.biz/ or other similar structure to keep sediment out of the raingarden and to make sediment removal easier for the property owner.

18) There is only 0.2 feet (2.4”) of distance between the top of the 30” pipe and the bottom of the raingarden, making it difficult to partially bury rocks for the dry stream bed and plant vegetation (see also comment #28).

19) To help keep topsoil from being inadvertently added to the infiltration basins, remove grading note 4 or revise the note to reference the infiltration basin cross section detail and landscape plans.

20) Provide more detail for the swale that directs roof runoff from the roof leader to the infiltration basin (add a callout label, spot elevations, etc.)

21) What is the feature in the center of the west parking lot? Shows details on the plan.

Sheet C400 Utility Plan
22) The top of the perforated pipe storage system outlet pipe is above grade.

23) Show the location of the 6” perforated pipe that is under the porous pavement.

Sheet C500 Details
24) Dimension all cross-section details

25) Infiltration basin cross section
   • Change the depth from ‘typ depth 1 foot’ to ‘per plan’

26) Add a ‘gutter out’ curb and gutter detail

Sheet C501 Details
27) Underground Pipe Storage Section
   • Specify the type of clean backfill called out on this section. Based on the stormwater model and plans, infiltration basins are proposed above the storage pipes; therefore, the backfill material must allow for infiltration from the basins.
   • Show connection details of the four rows of 30” pipes, the inlet pipe from the parking lot, and outlet pipe from the pipe system.
Sheet L102 Tree Replacement Plan

28) Trees are not recommended above the proposed underground pipe system because there is only 0.2 feet (2.4”) of soil depth between the bottom of the infiltration basins and the top of the underground pipe storage, and there is the potential for tree roots to plug the perforations in the pipes.

Sheet L200 Landscape Planting and Amenities Plan

29) Show the native seed hatching for phase 1 on the plan.

30) Show all proposed infiltration basins (north of the existing building, east parking lot, and NW corner of the site) on this plan.

31) Show the planting plan for all proposed infiltration basins. Sod is not recommended in the infiltration basins if the sod is growing in a clay-based soil.

Sheet L200 Landscape Planting and Amenities Plan

32) The dry stream bed cross section needs to be consistent with the infiltration basin/dry creek bed cross section on sheet C500.
City of White Bear Lake
COMMUNITY DEVELOPMENT
DEPARTMENT

MEMORANDUM

TO: The Planning Commission
FROM: Samantha Crosby, Planning & Zoning Coordinator
DATE: June 24, 2020 for the June 29, 2020 Planning Commission Meeting
SUBJECT: Birch Lake Animal Hospital, 4830 White Bear Parkway - Case No. 94-6-Sa & 20-9-V

REQUEST
Dr. Tim Kuhnmuench, the owner of Birch Lake Animal Hospital, would like to expand the parking lot by 6 stalls. The additional hard-surface created by the expansion requires a variance from the 30% impervious area limit, and the change to the site plan is an amendment to the original conditional use permit. See applicant’s narrative.

SITE CHARACTERISTICS
The subject site is located on the southeast corner of White Bear Parkway and Birch Lake Boulevard North. The parcel is exactly one acre in size and contains a 3,857 square foot building and a 26 stall parking lot. The site is mostly flat with no stormwater management. The site sheet drains to the east towards the system of wetlands further east.

ZONING
The property is currently zoned DBD – Diversified Business Development and it is located in the Shoreland Overlay district. The property is bounded by DBD to the west and south – the Counseling Center (zoned P, Public Facilities) to the east, and townhomes in White Bear Township across Birch Lake Blvd to the north.

BACKGROUND
In 1994, the city approved a Conditional Use Permit (CUP) for site plan approval to build a 3,500 square foot veterinary clinic, per the DBD district requirements. At the time, the proposed site plan did not exceed 30% impervious. The building was built in 1995 and not much has happened since then.

ANALYSIS
The proposed plan is to expand the lot eastward and relocate the dumpster to the east end of the lot. The new hard surface will sheet drain to a curb cut in the southeast corner that outlets into a rain garden that will overflow to the east.
**Variance**
The requested variance to exceed the impervious area limit is somewhat unique. The Engineering Design Standards (EDS) apply to all projects which add or reconstruct 10,000 square feet or greater of impervious surface. This project is only adding 2,467 square feet, therefore the EDS do not apply. However staff does not support allowing impervious area over 30% in the Shoreland Overlay District without off-setting the impacts in some way.

Single and two family residential properties are allowed to mitigate impervious area above 30% by installing stormwater infiltration systems. The homeowners are not required to enter into a Stormwater Operation and Maintenance Agreement (SOMA), but they are expected to maintain the system and the system must infiltrate at least twice as much run-off as the additional hard-surface generates, meaning the feature would be designed to handle a 2.2-inch rain event.

In this instance, Engineering staff provided the applicant with two options: either follow the Engineering Design Standards, which would require a SOMA and rate control, but designs to the 1.1-inch rain event, or follow the residential property standards which have a higher design threshold but do not require rate control or a SOMA. The property owner chose the residential standards.

Most commercial projects either trigger the EDS or already have some sort of on-site stormwater system. The fact that this site does neither is somewhat, but not completely, unique. One comparable project is the McNamara Insurance building expansion at 1330 Highway 96, which came before the Commission in 2017. That site was a riparian parcel out-letting directly to Birch Lake with no on-site stormwater. For that project staff did not provide an option but required compliance with the EDS because of its location on the lake.

The plans originally submitted required many revisions including a significant up-sizing of the rain garden. Engineering staff provided the applicant with the review memo attached hereto and the plans were subsequently revised, but staff has not had time to review these revised plans in detail prior to the issuance of this report. A quick glance reveals that further adjustments are needed, nevertheless we are confident that the plan is well on its way and a condition regarding the ultimate review and approval by the Water Resources Engineer has been included.

**Conditional Use Permit**
Technically two CUPs are required – one for approval of a site plan in the DBD district and one for site plan approval in the Shoreland Overlay district. Staff has reviewed for both.

There is a low spot in the southeast corner of the property. VLAWMO was unable to confirm the presence (or lack thereof) of a wetland in this area. Consequently, staff has asked the applicant to hire an environmental firm to provide a statement of no wetland.

There is also a group of trees in the southeast corner of the property. Most of the trees are so young tree preservation would not apply. However there are a few trees that may be significant in size. A tree survey for the larger trees should identify how much, if any, tree replacement is required.
The parking requirement for an animal hospital is the same as for office or retail: 1 stall per 200 square feet of floor area. So for this 3,857 square foot building 17 stalls are required and 32 will be provided. Although there has been talk of a building addition in the past, the applicant claims that the proposed expansion is only to accommodate current demand, not to accommodate future expansion. One place to lock a bicycle is required for every 30 car parking stalls.

The standard requirement is that dumpster enclosures be constructed of masonry to match the building. However, in recent cases where the business is a small, locally-owned business and the building doesn't feature brick, staff has allowed an enhanced wood fence design. Examples of this include both White Bear Animal Hospital and Hisdahl's Trophies. The subject building does feature a nice orange brick, but for cost and consistency, the wood fence style is preferred. In both previous instances the enclosure color-coordinated with the building. In this instance the enclosure will color-coordinate with the existing fence. See photo on sheet C2.

There are no changes to the building, site lighting or signage proposed at this time.

**DISCRETION**
The City's discretion in approving or denying a CUP 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 CUP. Additional conditions may be imposed as the Council deems fit.

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

**SUMMARY**
Because the applicant will be providing measures to mitigate any adverse impacts of exceeding the 30% impervious area limit, staff supports the variance. It appears that all the standards of the respective zoning district have been met and therefore staff supports the CUP amendment as well.

**RECOMMENDATION**
Staff recommends approval of the requests subject to the following conditions:

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

2. Per Section 1301.050, Subd.4, if within one (1) year after approving the Conditional Use Permit, the use as allowed by the permit shall not have been completed or utilized, the CUP shall become null and void unless a petition for an extension of time in which to complete or utilize the use has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.

3. This Conditional Use Permit shall become effective upon the applicant tendering proof (ie:
a receipt) to the City of having filed a certified copy of the sign resolution of approval with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.

4. All conditions imposed by the original approval shall continue to apply.

5. The applicant shall obtain a building permit prior to beginning any work.

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

6. Hire an environmental firm to conduct a wetland delineation to confirm or negate the presence of wetland on the property.


8. The property owner shall be responsible for maintaining the rain garden to the design specifications.

9. Conduct a tree survey, calculate the tree replacement requirements and add replacement inches to the proposed plan as required.

10. The applicant shall indicate where bicycle parking can be accommodated. Bike parking must allow the bike to be locked at the frame, not just at the tires.

11. No change to building, signage or lighting requested or approved.

12. Extend a letter of credit consisting of 125% of the exterior improvements, which renews automatically every six months. The amount of the letter shall be based on a cost estimate of the outside improvements, to be approved by the City prior to the issuance of the letter of credit.

Prior to the release of the letter of credit, the applicant shall:

13. Provide an as-built plan that complies with the City's Record Drawing Requirements.

14. All exterior improvements must be installed.

15. All landscaping must have survived at least one full growing season.

16. The applicant shall provide proof of having recorded the Resolution of Approval with the County Recorder's Office.

ATTACHMENTS
1. Draft Resolution of Approval
2. Location/Zoning Map
3. Engineering Memo dated June 4, 2020
4. Project Narrative (1 pgs) & Plans (4 pgs)
RESOLUTION NO. ______

RESOLUTION APPROVING
A CONDITIONAL USE PERMIT AMENDMENT
AND IMPERVIOUS AREA VARIANCE
FOR 4830 WHITE BEAR PARKWAY
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA

WHEREAS, a proposal (94-6-Sa & 20-9-V) has been submitted by Birch Lake Animal Hospital requesting approval of a Conditional Use Permit Amendment and Variance from the City of White Bear Lake at the following site:

ADDRESS: 4830 White Bear Parkway

LEGAL DESCRIPTION That part of Tract A, Registered Land Survey No. 453, lying North of the South 371.53 feet and West of the East 26.47 feet thereof, Ramsey County, MN (PID # 163022410023)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING PERMIT: An amendment to an existing Conditional Use Permit, per Code Section 1303.225, Subd.6.a, for site plan approval in the DBD zoning district,

Reso #7254, Adopted June 14, 1994: A Conditional Use Permit for site plan approval to build a 3,500 square foot veterinary clinic per Code Section 1303.225

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF: A Variance from the 30% impervious surface maximum to allow 38% impervious, per Code Section 1303.230, Subd.5.a.5, in order to expand the parking lot by 6 stalls; and

WHEREAS, the Planning Commission has held a public hearing as required by the City Zoning Code on June 29, 2020; and

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed conditional use permit amendment 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 in relation to the Conditional Use Permit Amendment:

1. The proposal is consistent with the City's Comprehensive Plan.

2. The proposal is consistent with existing and future land uses in the area.
3. The proposal conforms to the Zoning Code requirements.

4. The proposal will not depreciate values in the area.

5. The proposal will not overburden the existing public services nor the capacity of the City to service the area.

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

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 in relation to the variances:

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 the minimum required to accomplish this purpose.

3. Because the impact of the additional impervious area will be lessened by the proposed stormwater infiltration feature, the variance is 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. The special conditions or circumstances are not the result of actions of the applicant.

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 requests, subject to the following conditions:

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

2. Per Section 1301.050, Subd.4, if within one (1) year after approving the Conditional Use Permit, the use as allowed by the permit shall not have been completed or utilized, the CUP shall become null and void unless a petition for an extension of time in which to complete or utilize the use has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.

3. This Conditional Use Permit shall become effective upon the applicant tendering proof (ie: a receipt) to the City of having filed a certified copy of the sign resolution of approval with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. All conditions imposed by the original approval shall continue to apply.

5. The applicant shall obtain a building permit prior to beginning any work.

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

6. Hire an environmental firm to conduct a wetland delineation to confirm or negate the presence of wetland on the property.


8. The property owner shall be responsible for maintaining the rain garden to the design specifications.

9. Conduct a tree survey, calculate the tree replacement requirements and add replacement inches to the proposed plan as required.

10. The applicant shall indicate where bicycle parking can be accommodated. Bike parking must allow the bike to be locked at the frame, not just at the tires.

11. No change to building, signage or lighting requested or approved.

12. Extend a letter of credit consisting of 125% of the exterior improvements, which renews automatically every six months. The amount of the letter shall be based on a cost estimate of the outside improvements, to be approved by the City prior to the issuance of the letter of credit.

Prior to the release of the letter of credit, the applicant shall:

13. Provide an as-built plan that complies with the City’s Record Drawing Requirements.

14. All exterior improvements must be installed.

15. All landscaping must have survived at least one full growing season.

16. The applicant shall provide proof of having recorded the Resolution of Approval with the County Recorder’s Office.

The foregoing resolution, offered by Council member __________________________ and supported by Council member __________________________, was declared carried on the following vote:

Ayes:
Nays:
Passed:

________________________________________
Jo Emerson, Mayor
ATTEST:

Kara Coutry, 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.

Tim Kuhnmuench                                   Date
TO: Jim Kalkes, RLA, Dream Scapes Landscaping & Design
FROM: Connie Taillon, P.E., Environmental Specialist/Water Resources Engineer
DATE: June 4, 2020
SUBJECT: Birch Lake Animal Hospital Engineering Review Comments

The Engineering Department reviewed the raingarden calculation worksheet dated May 11, 2020, Certificate of Survey dated November 19, 2019, existing/proposed impervious plan and grading plan (C1 and C3) dated April 8, 2020, and Demolition/layout plan (C2) dated May 12, 2020, all received May 12, 2020, and have the following stormwater management related comments in blue text. Comments in black text are from the review memo dated April 14, 2020.

Raingarden Calculation Worksheet
1) The maximum depth of the raingarden in item (d) shall be 8”. Therefore item (e), the total surface area of the bottom of the raingarden, is 958 sf. Please revise the calculation worksheet and resubmit for review.
   06/04/20: As we discussed over the phone this morning, the grading plan will be revised to provide an 8” depth (measured from the bottom of the raingarden to the overflow) and a bottom area of 958sf.

Sheet C1 – Existing/proposed impervious
1a) Add the required raingarden volume calculation on this sheet: 3,484 x (1.1/12) x 2 = 638.7 cf

Sheet C2 – Demolition/Layout
2) For detail 7 (now detail 6):
   a) Show the entire cross section of the raingarden, including side slopes and inlet/overflow information. See example cross section in the raingarden calculation worksheet.
      06/04/20: add a callout that labels the type of native soil found at the location of the raingarden (clay, sand, loam, etc.). Add that it must be uncompacted.

   b) The infiltration media should consist of a sand and leaf compost mixture.
      06/04/20: label the peat as leaf compost, which is available as a recycled material at yard waste sites.

2a) Show the location of the raingarden 2-foot curb cuts on the plan. Include a callout and reference the detail number.

2b) Show the silt fence on the plan and move the callout to point at the silt fence line.
2c) Delete the turf seed callout.

2d) Move the infiltration callout to the appropriate location and either remove the depth callout or revise to the actual depth.

2e) Include a detail of the outflow gutter.

2f) Label all detail numbers next to the plan view callouts.

2g) What is the 15’ callout near the south raingarden basin?

Sheet C3 – Grading Plan
3) Please show the existing contours on the plan.
   06/04/20: this comment is still outstanding

4) The proposed erosion control is drawn in areas that are not shown to be disturbed. Move the silt fence/perimeter erosion control to the construction/grading limit.
   06/04/20: move the silt fence callout to the silt fence line and include the detail number next to the callout.

5) Include the dimensions of the bottom of the raingarden.
   06/04/20: This comment is still outstanding

5a) Label all detail numbers next to the plan view callouts.

5b) Show the location of the raingarden 2’ curb cuts and corresponding pretreatment devices on the plan. Include a callout and reference the detail numbers.

5c) Permanent erosion control is required downstream of the raingarden pretreatment devices and drain tile to the bottom of the raingarden. Show the permanent erosion control on the plan and include a detail.

5d) Label the raingarden overflow location and elevation.

5e) Add the following raingarden notes to the plan:
   - The bottom the raingarden shall be graded flat at an elevation of [fill in number]
   - Protect the raingarden from compaction. If compaction occurs, the infiltration area shall be uncompacted to a depth necessary to alleviate the compaction.

5f) Is the shrub planting detail specifically for the shrubs in the raingarden? If so, either remove the detail or revise the detail to illustrate the raingarden cross section and soils.

General Raingarden design comments

6) Please provide more information about the location of the proposed raingarden:
   06/04/20: Please provide a response for to the following questions:
   a) Will the raingarden be located in an area of proposed fill? If so, the fill is likely to be compacted from grading activity and the fill material may contain clay and therefore may not be conducive to infiltration.
b) Is the raingarden proposed in a wetland/low area that is being filled? A separation distance of 3 feet is required between the bottom of the raingarden and the elevation of the seasonally high water table.

7) Explain how a minimum of 3,484 sf of impervious surfaces (i.e. impervious surfaces requiring mitigation) will be routed to the raingarden.
   06/04/20: How many square feet of impervious surfaces are being routed to the raingarden? Describe this on sheet C1.

8) Pretreatment will be required at the raingarden curb cut, such as a Rain Guardian or equivalent product.
   06/04/20: Pretreatment is required at the curb cut locations. Use a Rain Guardian or equivalent product: http://www.rainguardian.biz/. Show the location of the pretreatment device on the Layout Plan and Grading Plan. Also include a detail of the pretreatment device on the plan.

9) Please see the attached Stormwater Infiltration System Submittal Requirements document for a complete list of required exhibits and design considerations.
   06/04/20: No response needed.
City of White Bear Lake
Planning and Zoning
4701 Hwy 61
White Bear Lake, MN 55110

Description of Land Use / Variance Request

To whom it may concern:

I am requesting a variance in the impervious surface requirement from current 32.4% to 38.0% in order to facilitate a parking lot expansion. The reason for this request is that our existing parking lot has exceed maximum capacity. This has created unsafe conditions for our clients and staff, as well as the general public utilizing the public walking trail bordering our West property line. We have contracted with Dreamscapes Landscaping and Design in order to formally create an infiltration rain garden in order to mitigate any potential effect of runoff with the additional impervious surface. This project will fully comply with the standards listed in Zoning Code Section 1301.060, Subd. 1.b and not create any untoward effects on: the neighboring properties and businesses, congestion of the public street, traffic flow or danger to public safety or fire. This variance and parking lot expansion is intended to improve current parking lot congestion and subsequent safety of our clients and team members. Furthermore, it will allow more efficient access for our refuse collectors to access our trash and recycling dumpsters, thereby further reducing current public safety concerns.

Thank you for your consideration. Please do not hesitate to reach out to me directly with any questions.

Sincerely,

Dr Tim Kuhnmuench
Veterinarian, Owner
Birch Lake Animal Hospital
birchlakedrk@gmail.com
651-426-2246
EXISTING CONDITIONS

EXISTING IMPERVIOUS SURFACE CALCULATIONS

EXISTING BUILDING ........................ 4,626 S.F.
EXISTING PARKING/WALK .................9,465 S.F.
EXISTING SIGN .....................................9 S.F.
EXISTING ELECTRIC PAD........................31 S.F.

TOTAL IMPERVIOUS SURFACE ......... 14,131 S.F.
PERCENT IMPERVIOUS ..................... 32.4%

EXISTING CONDITIONS

PROPOSED SITE PLAN

PROPOSED IMPERVIOUS SURFACE CALCULATIONS

PROPOSED PARKING/WALK ..............11,900 S.F.
EXISTING SIGN .....................................9 S.F.
EXISTING ELECTRIC PAD........................31 S.F.

TOTAL IMPERVIOUS SURFACE ......... 16,566 S.F.
PERCENT IMPERVIOUS ..................... 38.0%

NORTH

Date:                            License No. 45071
James A. Kalkes, RLA ASLA

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

04/08/2020

DRAWN BY:

JOB NO:

DATE:

CHECK BY:

1 2 3

NO.

DATE

DESCRIPTION

BY

JAK

20-0011

04/03/20

JAK

FIELD CREW:

Rude & Sons

04/08/20

PARKING LOT EXPANSION

JAK

4

5

6

7


SF OF IMPERVIOUS OVER 30%...... 3484sf

BUILDING/SIGN IMPERVIOUS SURFACE

PARKING IMPERVIOUS SURFACE

PARKING CALCULATIONS

Parking Proposed Capacity: 3.3
Parking Proposed Density: 4.0
Parking Proposed Effects: 20.0

A Symbolic Plan with all details
CITY COUNCIL MEETING SUMMARY  
June 23, 2020

APPROVAL OF MINUTES – Approved

APPROVAL OF THE AGENDA – Approved

Added 9G and both Discussion Items

VISITORS AND PRESENTATIONS – Nothing scheduled

PUBLIC HEARINGS – Nothing scheduled

LAND USE – Nothing scheduled

UNFINISHED BUSINESS – Nothing scheduled

ORDINANCES – Nothing scheduled

NEW BUSINESS

A. Resolution accepting White Bear Lions Club donation for an All Abilities Park.  
   Resolution No. 12600

B. Resolution accepting bids and awarding contract for the 2020 Miscellaneous Concrete
   Project, City Project No. 20-05.  Resolution No. 12601

C. Resolution approving a General Obligation Bond Sale. Resolution No. 12602

D. Resolution suspending door-to-door solicitor’s permits. Item not moved by Council.

CONSENT - Approved

A. Acceptance of April Minutes of the White Bear Lake Conservation District

B. Resolution accepting the 2019 Comprehensive Annual Finance Report (CAFR).  
   Resolution No. 12603

C. Resolution accepting work and authorizing final payment to Forest Lake Contracting, Inc.
   for the completion of the 2018 Street Reconstruction Project, City Project No; 17-04, 18-01 & 18-06. Resolution No. 12604

DISCUSSION

A. Manitou Days Events

   Assistant City Manager Juba explained that summer events are starting to be cancelled
   despite the work of many dedicated people putting forth great effort organizing them. He
   said Marketfest announced it was cancelling and the Manitou Days Parade has also been
   cancelled after first attempting to restructure it as a stationary drive-by parade. The
Fireworks Committee announced postponement of the fireworks to August 21st.

Mr. Juba attributed these decisions to several factors including concern over COVID-19, the need for social distancing and permitted crowd sizes at any given point in time, civil unrest and the availability of City resources. He explained there will still be some virtual Manitou Days events, as well as the medallion hunt and kids fishing contest.

Councilmember Walsh questioned why reliance on City resources was a factor in decisions by these volunteer committees to cancel events. Mr. Juba explained that throughout the pandemic, there continues to be an emphasis for Police and Fire operations to maintain, when possible, separation from people in an effort to avoid a rapid spread. He added, if someone were to become sick in these small departments, it would quickly disable limited staff resources in public safety. He noted the importance of keeping public safety staff healthy so they can continue to perform their core functions.

Councilmember Jones said he would cancel the fireworks too, noting that public safety staff are out in the community exposing themselves already and there is no need to create more reasons for increasing their exposure. He appreciated all the efforts that volunteers have given toward planning these events to date, but these are burning staff time at this point.

Mayor Emerson appreciated the work done by these committees, but noted that public safety and public works are stretched thin already and should not be going out into the community unnecessarily. She mentioned other cities have cancelled their festivals and we can look forward to these events next year.

COMMUNICATIONS FROM THE CITY MANAGER

- License Bureau Services

Regarding ongoing challenges with the economics of continuing to provide driver’s license services, appointments have been limited to reduce the losses incurred for providing these services. There continues to be a large demand for these services because all DMV’s are excepting limited in-person services for driver’s license transactions in order to mitigate losses.

Staff does not recommend going to a limited driver’s license service model at this time. Once more profitable dealer work returns, more driver’s license services can be provided as the costs would be offset. The breakeven for driver’s license services amounts to $19.00/transaction compared to state reimbursement of $8.00/transaction. Initially the City was processing 100 driver’s license transactions per day, but now has limited the number of these appointments to 10-20/day.

There was discussion about notifying the legislators of this issue.

ADJOURNMENT – 7:56 p.m.
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 February 20, 2020 was moved by Mark Cermak and seconded by Bryan Belisle.

3. APPROVAL OF AGENDA

Approval of the April 16, 2020 agenda was moved by Ginny Davis and seconded by Bryan Belisle with addition of Adopt-a-Park and park and restroom closures. Motion carried.

4. UNFINISHED BUSINESS

a. Finalize Design Options for West Park Pavilion

Andy Wietecki updated the Park Advisory Commission regarding the final design of the shelter that will be built at West Park this summer. Additional options were shared with the Commission to add to the project to really enhance the aesthetics of the shelter. Park Advisory Commission member Victoria Davis stated that since West Park is our busiest park in the City that we should consider all the options. The entire Commission was unanimous in their decision to add the additional options to the shelter since the project is under budget.

Victoria Biehn requested an update on the timeline of when the project might get started. The materials will be ordered early next week but due to the pandemic conditions there is no definite delivery date. The project will not start until after the 4th of July so the park is not under construction for the 4th of July festivities.

5. NEW BUSINESS

a) Arbor Day Discussion
The Park Advisory Commission discussed that the typical Arbor Day festivities have technically been cancelled due to the Covid-19 Pandemic. This year the Parks Department will be using Park Commission instead of community volunteers will be planting a row of evergreens to make a visual screen between Ebba Park and the Water Plant. Andy Wietecki also advised the Commission that the pollinator garden will still be planted at Lakewood Hills but the Parks Department will be planting it instead of volunteers. Mark Cermak asked if the Boy Scouts will still be cleaning up trash along the lake. The Boy Scouts event has been cancelled as well.

Andy discussed with the Park Commission that the City of White Bear Lake has been awarded Tree City recognition for over 30 years due mostly to the Arbor Day events and want to keep that tradition going. Paul Kauppi also mentioned that the Arbor Day Foundation is doing a virtual Arbor Day where residents can plant a tree or do a mini-project and post it on the Arbor Day Foundation’s website.

b) Emerald Ash Borer Treatment Plan for 2020

Andy Wietecki updated the Parks Advisory Commission on the plan to treat all of the City's park and municipal building Ash trees again this year. It occurs every other year. He also reported that 2020 will be the last year to treat your Ash trees in White Bear Lake. The Emerald Ash Borer Beetle has been in the City long enough now to infect all non-treated Ash trees. Additional treatments will not be able to save infected trees after this year. The infected trees will need to be cut down over the next few years.

c) 2020 Updates for Railroad Park Fountain

Andy Wietecki updated the Parks Advisory Commission on the fountain at Railroad Park. He found a company to replace the worn out steel manifold and valves with a new updated plastic manifold. This will be a huge improvement for this system and will help the fountain stay running for generations to come. The work will cost an estimated $5,000 - $6,000 and that includes washing the rust deposits off the exterior of the bricks behind the waterfalls.

d) Discussion Regarding May Summer Park Tour with Covid-19 Concerns

The Park tours that usually being in May as the weather begins to improve are probably not feasible at this time. Bryan Belisle suggested that each Park Advisory Commission member adopt a park or two. The goal would be to visit the park and report at the May Park Advisory Commission Meeting any items that may need attention.

The following are park assignments for the May meeting:

Ginny Davis - Rotary Park & Podvin Park
Bryan Belisle - Lakewood Hills Park
Mike Shepard - Matoska Park & West Park
Victoria Biehn - Stellmacher Park & McCarty Park
Anastacia Davis - Lions Park & Spruce Park
e) Park and Restroom Closures

Bryan Belisle wanted to discuss whether the City parks and playgrounds are currently closed and what the City's plan for restrooms this summer. Paul Kauppi spoke about our park closures and what has been outlined in the Governors stay at home order. With lots of deliberation with the City Council and City staff, we are keeping our open spaces and trails open to the public to use. The City has closed the playgrounds and posted ‘playground closed’ signage at all City parks and playgrounds. Paul Kauppi informed the Park Advisory Commission that the City of White Bear Lake has not yet decided if they are closing the beach at this time. The decision will be made at a later date. The City is making signs to post in City parks, along the trails and around municipal buildings that have a couple of white bears that states "NO BEAR HUGS and SOCIAL DISTANCE AT 6’ APART" just to give resident a friendly reminder to continue to be mindful of spacing when enjoying the outdoors. The park restrooms will remain closed this summer because of the difficulty obtaining the proper PPE to clean the restrooms and keep City employees safe. The City has a portable toilet at the Boatworks Commons area and will get additional ones – if deemed necessary.

6. OTHER STAFF REPORTS

None.

7. COMMISSION REPORTS

None.

8. OTHER BUSINESS

None.

9. ADJOURNMENT

The next meeting will be held on May 21, 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.