

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

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The City of White Bear Lake Planning Commission will hold a meeting on Monday, October 26, 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.

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1. Call to order and roll call.
2. Approval of the October 26, 2020 agenda.
3. Approval of the September 28, 2020 Planning Commission meeting minutes.
4. **CASE ITEMS:**  
**Unless continued, these cases will go to the City Council meeting on Tuesday, November 10, 2020.**
  - A. **Case No. 20-1-P:** A request by **321 Group LLC** for a preliminary plat, per Code Section 1402.020, to subdivide one parcel into 9 single-family residential lots on the property located at 1800 County Road E (**CONTINUED AT APPLICANT'S REQUEST**)
  - B. **Case No. 20-17-V:** A request by **Steve Bucher** for a 13' 4.5" variance from the 30 foot setback required along the rear property line, per Code Section 1303.060, Subd.5.c, and a 14.5' variance from the 25 foot setback required along the side abutting a public right-of-way, per the same, in order to construct a screen porch 10.5' from the north property line and 16' 7.5" from the east property line at the property located at 4820 Stewart Avenue.
  - C. **Case No. 12-5-Sa:** A request by **Independent School District #624** for a Conditional Use Permit Amendment, per Code Section 1303.245, for a 3,000 square feet, one story, 2 classroom addition on the north side of Matoska Elementary located at 2530 Spruce Place.
  - D. **Case No. 20-16-V:** A request by **Melissa & Brent Peacock** for a 420 square foot variance from the 1,250 square foot maximum for all accessory structures combined, per Code Section 1302.030, Subd.4.i.2.b, in order to construct a third garage stall on the existing attached two car garage at the property located at 2532 Manitou Island.
  - E. **Case No. 20-8-CUP:** A request by **Tousley Ford** for a Conditional Use Permit, per Zoning Code Section 1303.200, Subd.5.a in order to use an existing trash enclosure for outdoor storage at the property located at 1755 Buerkle Road.
  - F. **Case No. 20-9-CUP:** A request by **Independent School District #624** for a Conditional Use permit, per Section 1303.245, for a 12,000 square foot addition on the west side of the building to include a gymnasium and associated support space including storage,

toilets, new outdoor storage, loading dock, electrical service room, conference room, extended day office, and freezer at Lincoln Elementary located at 1961 6th Street.

**G. Case No. 20-18-V:** A request by **Grant Raykowski** for a 7 foot variance from the 12 foot setback required for a 6 foot fence in a corner side yard, per Code Section 1302.030, Subd.6.h.4, in order to install a gate that is 6 feet at its highest point across the driveway 5 feet from the western property line at the property located at 2503 Manitou Island.

**5. DISCUSSION ITEMS:**

- A. City Council Meeting Summary from October 13, 2020.
- B. Park Advisory Commission Meeting Minutes from July 16, 2020 & August 20, 2020.

**6. ADJOURNMENT**

Next Regular City Council Meeting .....October 27, 2020  
Next Regular Planning Commission Meeting..... November 30, 2020

**MINUTES  
PLANNING COMMISSION MEETING  
CITY OF WHITE BEAR LAKE  
SEPTEMBER 28, 2020**

The regular monthly meeting of the White Bear Lake Planning Commission was called to order on Monday, September 28, 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 (7:03 pm), and Peter Reis.

MEMBERS EXCUSED: None.

MEMBERS UNEXCUSED: None.

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

OTHERS PRESENT: Bill Weigel, Charlene Baker, and Lisa Stonehouse.

**2. APPROVAL OF THE SEPTEMBER 28, 2020 AGENDA:**

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

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

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

**4. CASE ITEMS:**

A. **Case No. 20-14-V:** A request by **Frazer Automotive Services** for a 6 foot 6 inch variance from the 10 foot height limit for a free-standing sign in the B-5 zoning district, per Sign Code Section 1202.040, Subd.2.B.1 in order to replace the cabinet signs with a new cabinet sign that includes a changeable copy area at the property located at 2140 3rd Street.

Miller discussed the case. Staff recommended approval.

Member Baltzer opened the public hearing. No one spoke to the matter and Member Baltzer closed the public hearing.

Member Reis moved to recommend approval of Case No. 20-15-V. Member Reinhardt seconded the motion. The motion passed by a vote of 6-0.

- B. **Case No. 20-4-SHOP:** A request by **Charlene Baker** for a Special Home Occupation Permit, per Code Section 1302.120, in order to operate a hair salon in her single-family home at the property located at 3296 Glen Oaks Avenue.

Miller discussed the case. Staff recommended approval.

Member Reis asked what type of sign would be allowed in association with the business. Crosby conveyed that the maximum size is four square feet and that only a wall sign would be permitted.

Member Baltzer opened the public hearing.

Charlene Baker, Applicant, 3296 Glen Oaks Avenue, thanked the Commissioners for hearing her proposal. She stated that if she were to put up a sign, it would be something small to signify which door clients should enter through.

Member Baltzer closed the public hearing.

Member Reis moved to recommend approval of Case No. 20-4-SHOP. Member Berry seconded the motion. The motion passed by a vote of 6-0.

- C. **Case No. 20-7-CUP:** A request by **Stonehouse Catering** for a Conditional Use Permit, per Zoning Code Section 1302.050, Subd.11 for off-site parking at the property located at 4466 Centerville Road.

Kane discussed the case. Staff recommended approval subject to the conditions laid out in the staff report.

Member Baltzer opened the public hearing.

Lisa Stonehouse, applicant, commented that she has a great relationship with Doctor Rustad, the property owner to the north. She confirmed that her business would need the parking stalls at opposite times of when patients would visit the office, so there should be no conflict. The White Bear community has been very supportive and she is excited for the opportunity to do something more.

Member Baltzer closed the public hearing.

Member Lynch moved to recommend approval of Case No. 20-7-CUP. Member Enz seconded the motion. The motion passed by a vote of 6-0.

- D. **Case No. 20-1-P:** A request by **321 Group LLC** for a preliminary plat, per Code Section 1402.020, to subdivide one parcel into 9 single-family residential lots on the property located at 1800 County Road E. (**Continued at Applicant's Request.**)

## 5. DISCUSSION ITEMS:

- A. City Council Meeting Minutes of September 8, 2020.

Kane discussed the CARES funding the City has obtained. The City received \$1.9 million to share with those in the community who have been affected by the Covid-19 pandemic. She

encouraged the Commissioners and anyone listening to the meeting to spread the message to others in White Bear Lake that funding is available.

**B.** Park Advisory Commission Meeting Minutes of June 18, 2020.

Member Berry updated the Commissioners on the Japanese Knotweed found in the City. The Ramsey Washington Metro Watershed District and the Department of Natural Resources have started treating the area. It will take three to four years to control the invasive species because it must be chemically treated.

**6. ADJOURNMENT:**

Member Lynch moved to adjourn, seconded by Member Reis. The motion passed unanimously (6-0), and the September 28, 2020 Planning Commission meeting was adjourned at 7:34 p.m.

DRAFT



City of White Bear Lake  
COMMUNITY DEVELOPMENT  
DEPARTMENT

4.B

## MEMORANDUM

**TO:** The Planning Commission  
**FROM:** Ashton Miller, Planning Technician  
**DATE:** October 22 for October 26, 2020 Planning Commission Meeting  
**SUBJECT:** Bucher Variance, 4820 Stewart Avenue – Case No. 20-17-V

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### **REQUEST**

The applicants, Steve Bucher and Kelly Clement, are requesting a 13 foot 4.5 inch variance from the 30 foot setback required along the rear property line and a 14.5 foot variance from the 25 foot setback required along the side abutting a public right-of-way in order to construct a screen porch at the back of the home.

### **SITE CHARACTERISTICS**

The subject site is located on the southeast corner of Stewart Avenue and 6<sup>th</sup> Street. The property is 14,230 square feet in size and contains a 3,872 square foot building and attached garage.

### **ZONING**

The subject site is zoned R-4, Single Family – Two Family Residential, as are all of the surrounding properties. The properties to the east are in the Shoreland Overlay District, but the subject site is not.

### **BACKGROUND**

According to Ramsey County, the first Baptist Church of White Bear Lake was constructed in 1889. The use was converted into a theater in 1970, and operated as such until Lakeshore Players moved into their new facility on Long Avenue in 2018. The applicants bought the property this year and have been converting the structure into a single-family home.

### **APPLICANT'S PRACTICAL DIFFICULTY**

The applicants have expressed the desire to construct a screen porch in an area of the yard that provides substantial shade in order to enjoy the outdoors. The proposed porch would be constructed where the building's mechanical equipment used to be, over an existing slab. See applicant's narrative.

### **ANALYSIS**

Staff does not find a true practical difficulty to exist. As indicated on the floor plans approved for the applicants' remodel, a screen porch will be constructed within a portion of the existing structure on

4.B

the south side of the home, which will provide an area to recreate outdoors. Although this porch may not provide the shade the applicants are looking for, a second screen porch that does not meet the required setbacks does not appear warranted. Additionally, a neighbor to the east (comments attached) has expressed concern that the porch will lead to an issue of noise pollution in the neighborhood. The applicants have indicated they will entertain frequently, so staff is sensitive to the neighbors' worries.

The Zoning Code allows for unenclosed porches, stoops, and landings to encroach into the required setback up to eight feet. Because the existing structure is two and a half feet into the required rear setback, staff would support a covered stoop (or similar feature) that projects approximately five feet into the required rear setback. If the applicants chose to redesign to meet code, staff would be supportive of the 14.5 foot variance from the side yard abutting a right-of-way for the stoop.

The existing structure has a bump out that, at its closest, is 4.9 feet from the 6<sup>th</sup> Street property line. With a setback of 10.5 feet from the northern property line, a new stoop would not intensify the nonconformity along 6<sup>th</sup> Street. Tucked behind this bump out and roughly 130 feet east of the Stewart Avenue and 6<sup>th</sup> Street intersection, the reduced setback is not anticipated to adversely affect vehicle and pedestrian sight lines.

The property's impervious area is limited to 30%. The proposed development increases the impervious amount to 46.7%. Regardless of what is constructed, the overage has been accounted for and will be mitigated with an infiltration trench that was approved when the building permit for the garage was submitted.

### **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.

Staff recommends denial of the variance as requested, but approval of a lesser variance. Staff recommends approval of the 14.5 foot variance from the side abutting a public right-of-way, to allow the applicants to construct an unenclosed stoop in the rear yard.

### **RECOMMENDATION**

Staff recommends denial of the applicant's request based on the following findings:

1. The variances are not necessary for the reasonable use of the land or building; alternative design options exist.
2. The variances are not the minimum variance necessary to alleviate a practical difficulty.
3. Granting the variances would not be in harmony with the general purpose and intent of the code - deviation from the code without reasonable justification will slowly alter the City's essential character.

Staff recommends approval of the one variance, subject to the following conditions:

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

**Attachments:**

1. Draft Resolution of Denial
2. Draft Resolution of Approval
3. Zoning/Location Map
4. Applicant's Narrative (1 page) & Plans (2 pages)
5. Floor Plan
6. Allowable Encroachment Graphic
7. Wentink Comments, Dated 10/21/2020
8. WB Press Article, Dated 10/21/2020



**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION DENYING ONE SETBACK VARIANCE FOR  
4820 STEWART AVENUE  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (20-17-V) has been submitted by Steve Bucher 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:** 4820 Stewart Avenue

**LEGAL DESCRIPTION:** Lots 11 and 12, Block 44, Auerbachs Rearrangement of Part of White Bear, Ramsey County, MN (PID # 133022230091)

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF:** A 13' 4.5" variance from the 30 foot setback required along the rear property line, per Code Section 1303.060, Subd.5.c, and a 14.5' variance from the 25 foot setback required along the side abutting a public right-of-way, per the same, in order to construct a screen porch 10.5' from the north property line and 16' 7.5" from the east property line; and

**WHEREAS**, the Planning Commission has held a public hearing as required by the city Zoning Code on October 26, 2020; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of White Bear Lake, after reviewing the proposal, that the City Council denies the request based on the following findings of the Planning Commission:

1. The variances are not necessary for the reasonable use of the land or building; alternative design options exist.
2. The variances are not the minimum variance necessary to alleviate a practical difficulty.
3. Granting the variances would not be in harmony with the general purpose and intent of the code - deviation from the code without reasonable justification will slowly alter the City's essential character.

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

Ayes:  
Nays:  
Passed:

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Jo Emerson, Mayor

**ATTEST:**

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Kara Coustry, City Clerk

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING A SETBACK VARIANCES FOR  
4820 STEWART AVENUE  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (20-17-V) has been submitted by Steve Bucher 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:** 4820 Stewart Avenue

**LEGAL DESCRIPTION:** Lots 11 and 12, Block 44, Auerbachs Rearrangement of Part of White Bear, Ramsey County, MN (PID # 133022230091)

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF:** A 14.5' variance from the 25 foot setback required along the side abutting a public right-of-way, per Code Section 1303.060, in order to construct a porch 10.5' from the north property line; and

**WHEREAS**, the Planning Commission has held a public hearing as required by the city Zoning Code on October 26, 2020; and

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

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

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

- 4. The special conditions and circumstances are not the result of actions of the owner or a predecessor in title.
- 5. The non-conforming uses of neighboring lands, structures, or buildings in the same district are not the sole grounds for issuance of the variances.

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

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

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

Ayes:  
Nays:  
Passed:

\_\_\_\_\_  
Jo Emerson, Mayor

**ATTEST:**

\_\_\_\_\_  
Kara Coustry, City Clerk

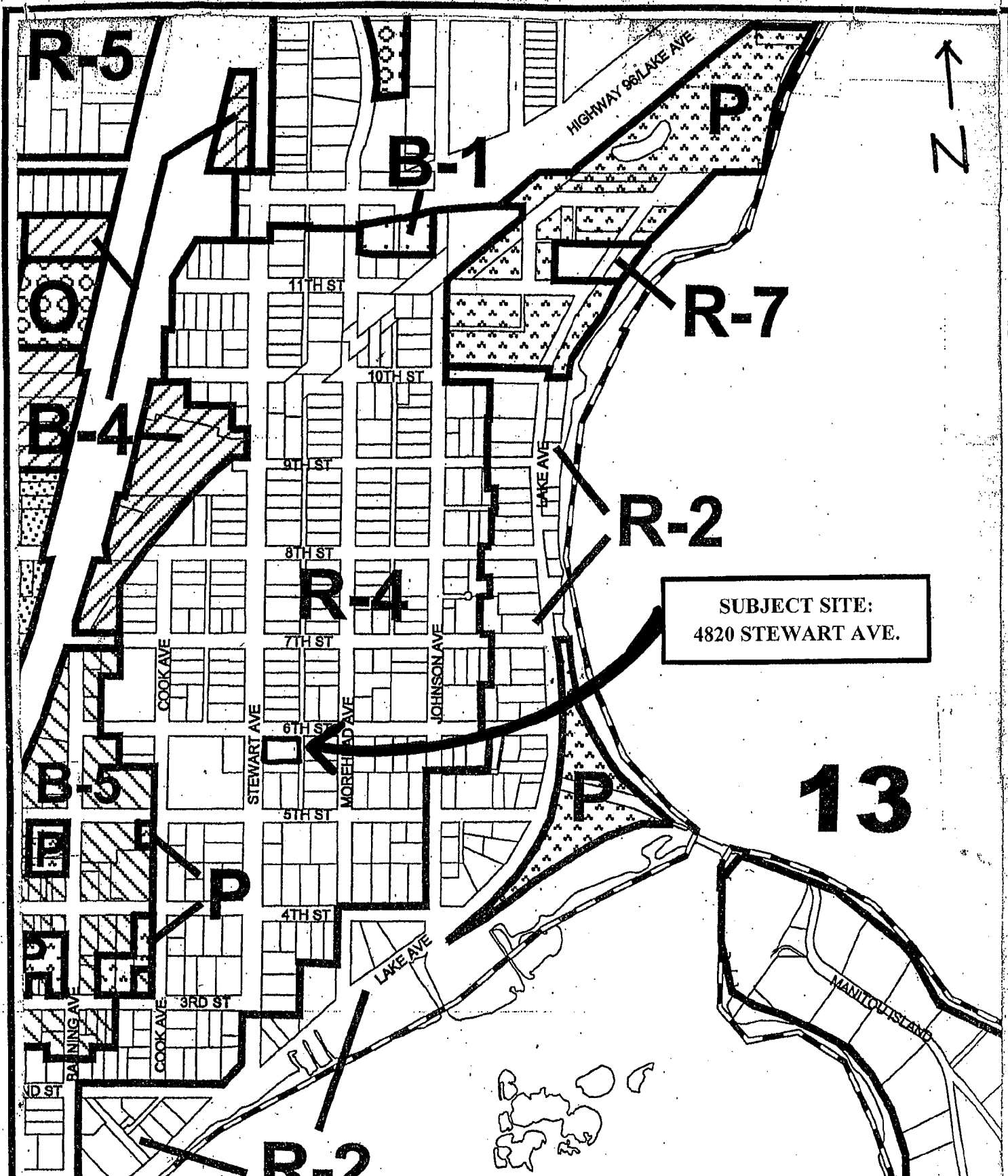
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Approval is contingent upon execution and return of this document to the City Planning Office.

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

Steve Bucher

Date



SUBJECT SITE:  
4820 STEWART AVE.

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

CASE NO. : 20-17-V  
CASE NAME : Bucher  
DATE : Oct. 26, 2020

## NARRATIVE

Our plans for the alley area of the property involve turning the former, untended eyesore into an attractive neighborhood social gathering area. Part of our motivation is that it is the only shady area on the property and would allow us to enjoy summertime outdoor activities without being in the sun. The old back entrance steps were weather-exposed and had deteriorated to the point of being dangerous. We designed a covered screen porch to cover both the back entrance and its new steps, as well as a modest, screened sitting area. A depth of ten feet was considered to be a minimal requirement in order to accommodate entering the porch through the screen door without interfering with access to the existing building door, and to allow dining table seating. The porch would run 19 feet along the back wall of the building.

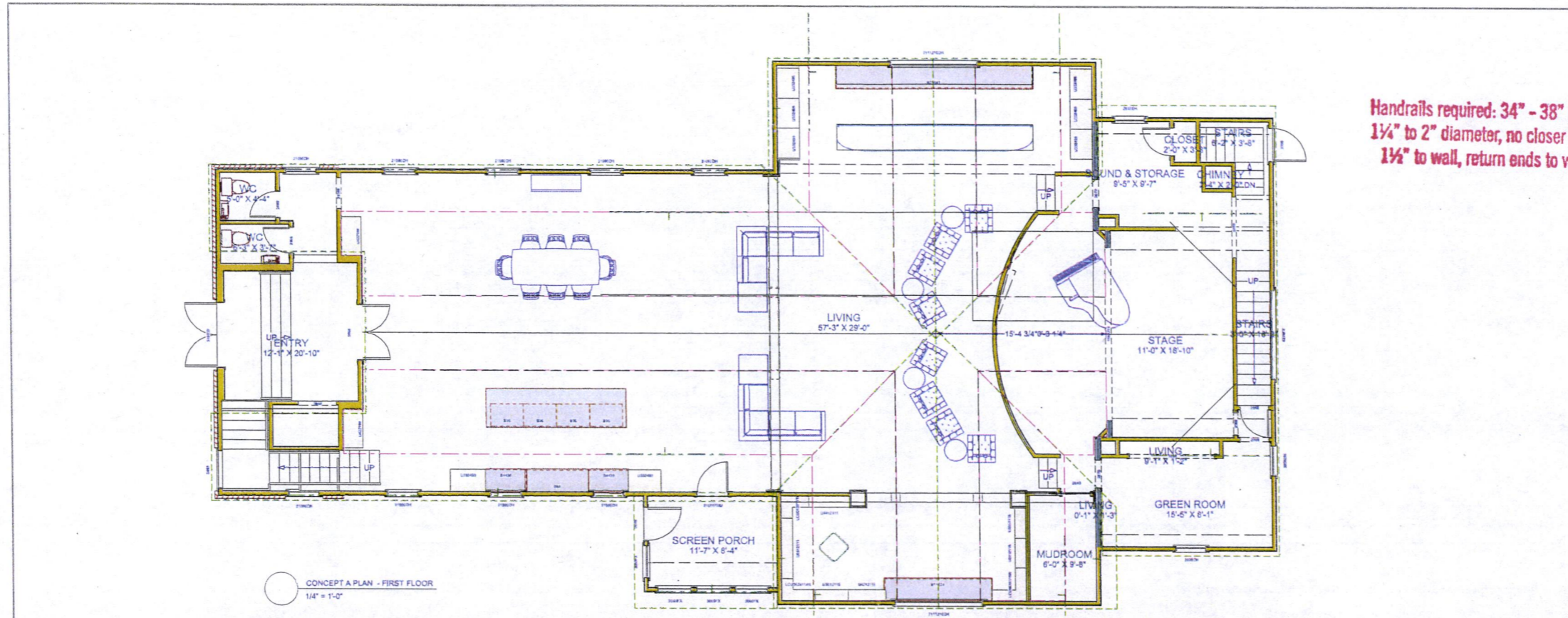
The size of variance being sought is actually smaller than it might appear. The proposed structure size is 19x10 or 190 sq ft. There is an existing concrete slab below the proposed porch measuring 11x7 or 77 sq ft. This slab is actually part of the existing building as it covers an excavated room in the basement, and presumably does not require a variance. So the remaining portion of the porch would cover only approximately 113 sq ft and presumably some of that would also not require a variance.

Note also that the additional ground coverage of the proposed porch has already been calculated into our ground permeability plan and is accounted for in our water mitigation plans.





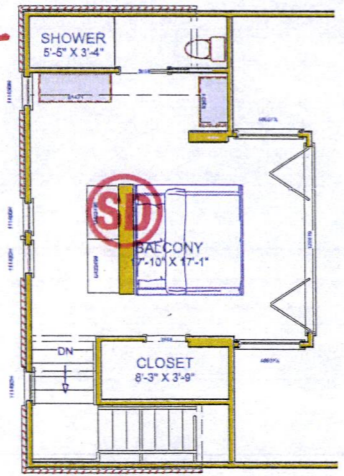




CONCEPT A PLAN - FIRST FLOOR  
1/4" = 1'-0"

Handrails required: 34" - 38" high,  
1 1/4" to 2" diameter, no closer than  
1 1/2" to wall, return ends to wall.

TILE SHOWER REQUIRES  
A SHOWER PAN INSPECTION



Smoke detectors shall be provided in all  
bedrooms, hallways leading to bedrooms  
and one on every level of the home.

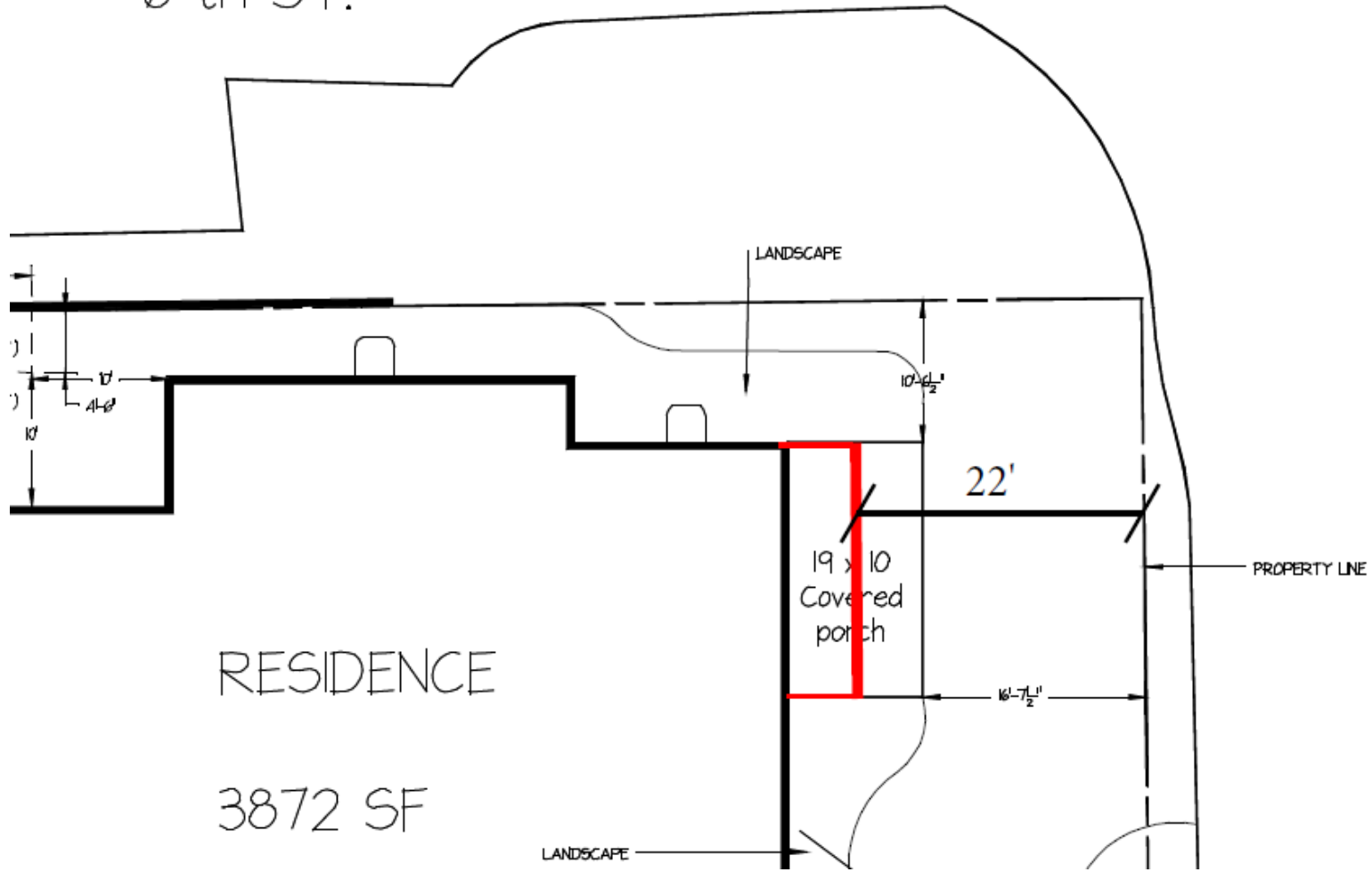
CARBON MONOXIDE DETECTORS ARE  
REQUIRED WITHIN 10' OF BEDROOMS

Bathroom ventilation required.

CONCEPT A PLAN - SECOND FLOOR  
1/4" = 1'-0"

<b>Bluestem CONSTRUCTION</b>	
STEWART CHURCH	
Steve Bucher & Kelly Clement	
4820 Stewart Ave White Bear Lake, MN 55110	
Bluestem Construction 5542 Lake Street W St. Louis Park, MN 55416	
S. Struthman/M. Lotz   T. Miller	

6 th ST.



RESIDENCE

3872 SF

Allowable Encroachment

October 21, 2020

To:

The City of White Bear Lake Planning Commission

From:

Robert Wentink and Jacqueline Ganser, Homeowners and Residents at 4821 Morehead Avenue

Written comments for:

Steve Bucher request for setback variances at address 4820 Stewart Avenue for proposed construction of a screenporch per Case No. 20-17-V, including:

13' 4.5" variance from the 30 foot setback required along the rear property line

14.5' variance from the 25 foot setback required along the public right-of-way

As homeowners and residents neighboring the subject property, we are opposed to the proposed variances from these required setbacks for reasons explained as follows:

As residents since 2011 we value our peaceful, family-friendly neighborhood and appreciate that our neighbors similarly value and respect our neighborhood. As this is an older neighborhood, we have a relatively high density of housing with minimal spacing in between houses. We are concerned these proposed setback variances would be invasive to personal space and privacy of adjoining properties, including ours. The previous occupant of 4820 Stewart Avenue, the Lakeshore Players Theater, set a precedent as a source of noise pollution. Theater staff often used the back door as a break area during intermissions and between performances; their conversations readily carried into earshot of our backyard. The new occupants' proposed screen porch will significantly violate existing setbacks and further extend this gathering space closer to the adjoining neighbors.

We are particularly concerned as the new occupants have shared with us in conversation their intent to use the property for large-scale entertaining and fundraising events, with an emphasis on musical performance. In combination with the proposed setback variances, this is concerning as a source of noise pollution that is at odds with property use consistent with residential zoning code and the values of this neighborhood.

In closing, we are supportive of Steve Bucher and his family's re-investment in the property at 4820 Stewart Avenue, and welcome them to the neighborhood. We expect the project and the City to respect

the existing setback codes, and we oppose these setback variance requests. We ask the City to be sensitive to and considerate of our already small and congested lots, and the need to protect the minimum space that exists between residences. Our home and the other existing surrounding homes are primary homestead residences. The existing neighbors all live permanently at these homes, and have maintained mutual respect for physical space and consideration for noise.



City of White Bear Lake  
COMMUNITY DEVELOPMENT  
DEPARTMENT

## MEMORANDUM

**TO:** The Planning Commission

**FROM:** Ashton Miller, Planning Technician

**DATE:** October 22, 2020 for the October 26, 2020 Planning Commission Meeting

**SUBJECT:** Matoska Elementary School Addition, 2530 Spruce Place - Case No. 12-5-Sa

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### **REQUEST**

The White Bear Area Public School District 624 is requesting a conditional use permit amendment to allow a 3,000 square foot one-story addition to the north side of Matoska Elementary School building. The expansion will provide two classrooms, a restroom, flex space and a mechanical room.

### **SITE CHARACTERISTICS**

The subject property is roughly 10 acres in size and surrounded by streets on three sides: Bellaire Avenue on the west, Spruce Place on the south, and Grand Avenue on the east. Single-family homes abut the property to the north.

### **ZONING**

The subject site is zoned P – Public. The properties to the north, west and east are all zoned R-3 – Single Family Residential. The properties to the south are zoned B-2 – Limited Business. In the Public zoning district, all lot requirements, setbacks and other building requirements (including parking and landscaping) shall be comparable to other similar uses that are allowed in other districts. This provision allows a little room for flexibility when reviewing development plans.

### **BACKGROUND**

The school was originally constructed in 1962. In 1968, the City granted a special use permit to allow a two classroom addition to the school. Another building addition was constructed in 1994, although it appears that a conditional use permit was not required at the time. Most recently, a conditional use permit granted in 2012 allowed for an expansion and remodel that included a new gymnasium and five additional classrooms.

### **ANALYSIS**

The 3,000 square foot addition will create two new classrooms, but is not anticipated to increase the number of students at the school (see applicant's narrative). The classrooms will be replacing two other rooms to be remodeled for Special Education and World Language use. Because the use is not intensifying, staff originally intended to approve the addition administratively as long as

each of the seven homes north of the school on Mayfair Avenue approved of the project. The school district was able to obtain all but one of the required approvals.

### *Setbacks*

The proposed addition is tucked along the north side of the building and will not be highly visible from the east, west, and south sides. The addition will be no closer to any of the property lines than the existing building, so a sufficient buffer will be retained between the school and any surrounding homes.

### *Elevations*

The existing structure is constructed of bricks in a reddish hue, which the new structure will match. The addition will be architecturally similar to the one story portion of the school on the east side, with a number of windows breaking up the brick walls and a continuation of the newly replaced red metal wall panels along the roofline. Three trees are also proposed to be planted along the north side of the building, which will help soften the addition's appearance. Overall, staff finds the proposal to be an attractive extension of the school.

### *Parking*

The Zoning Code requires elementary schools to provide one parking space for each classroom plus one additional space for every fifty student capacity. The addition will bring the number of classrooms to 32, which coupled with a 578 student capacity, requires 44 stalls. There are currently 95 parking stalls at the school, which far exceeds the requirement, so no additional parking is needed to accommodate the two new classrooms.

### **DISCRETION**

The City's discretion in approving or denying a Conditional Use Permit Amendment is limited to whether or not the changes meet the standards outlined in the Zoning Ordinance. The City may impose reasonable conditions if the City deems it necessary to promote the general health, safety and welfare of the community and surrounding area. Staff has reviewed the proposal and finds the conditions have been met. Staff does not believe the proposed addition will adversely affect the neighboring properties.

### **RECOMMENDATION**

Staff recommends approval of the Conditional Use Permit amendment, 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 signed resolution of approval with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the

compliance of the herein-stated conditions.

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

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

5. Provide additional information and details as required by the Fire Marshal, detailed in the attached memo dated September 24, 2020.
6. Ensure plans comply with the 2020 Minnesota State Building Code.

**Attachments:**

1. Draft Resolution of Approval
2. Location/Zoning Map
3. Applicant's Narrative
4. Site Plan
5. Elevations (2 pages)
6. Fire Department Review Letter to Project Architect, dated Sept. 24, 2020



**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT  
FOR WHITE BEAR LAKE MATOSKA ELEMENTARY SCHOOL  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (12-5-Sa) 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:** 2530 Spruce Place

**LEGAL DESCRIPTION:** Lot 8, Block 7, Bacchus White Bear Hills (PID #253022430073)

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING PERMIT:** A conditional use permit amendment, per Code Section 1303.245, for a 3,000 square foot two classroom addition on the north side of the existing building; and

**WHEREAS**, the Planning Commission has held a public hearing as required by the city Zoning Code on October 26, 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 details as required by the Fire Marshal, detailed in the attached memo dated September 24, 2020.
6. Ensure plans comply with the 2020 Minnesota State Building Code.

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.

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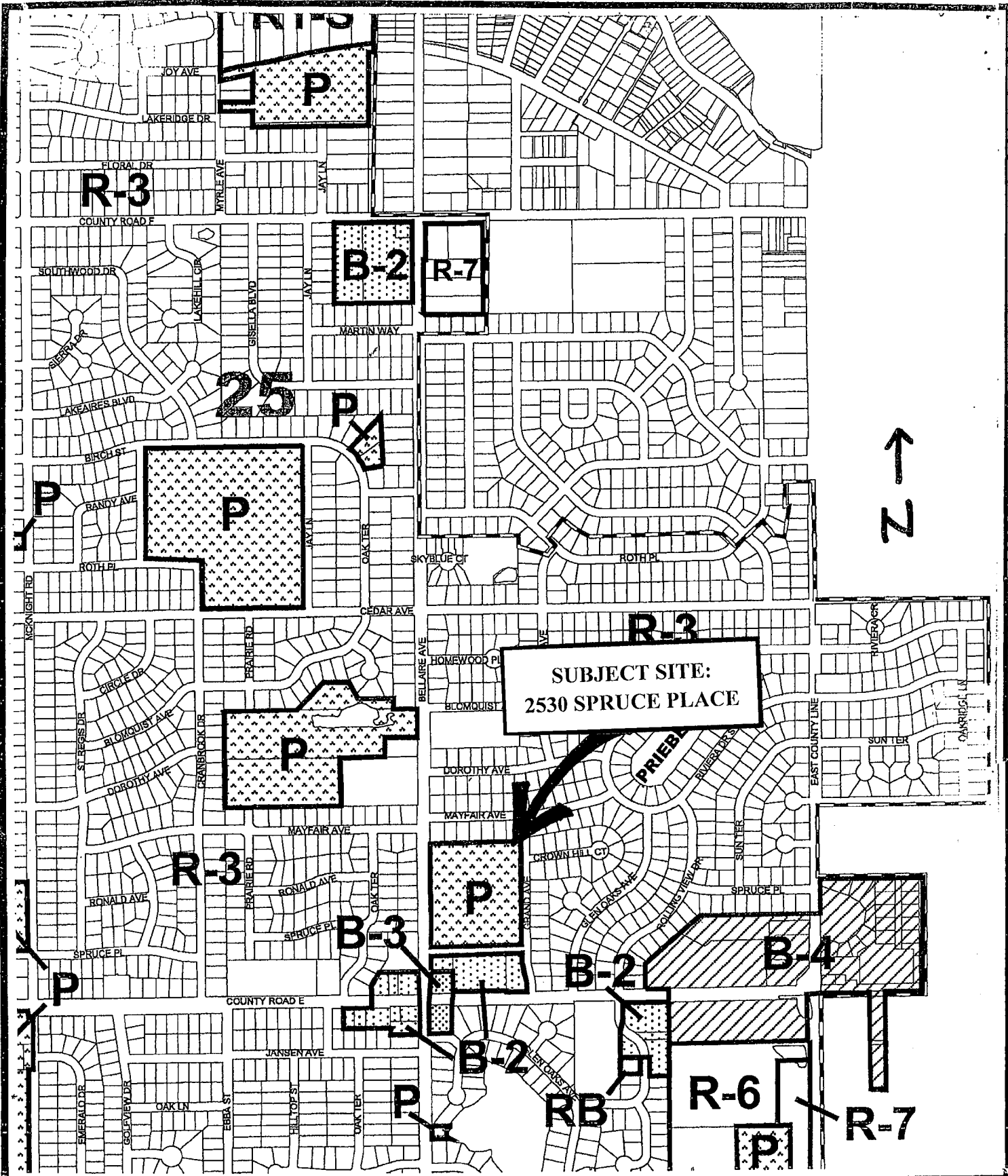
Applicant's Signature

Date

---

Print Name

Title



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

CASE NO. : 12-5-5a  
CASE NAME : Matoska International  
DATE : Oct. 26, 2020



**ISD #624 – MATOSKA ELEMENTARY ADDITION AND REMODEL**

**Condition Use Permit Amendment**

In November 2019, the White Bear Lake Area School District passed a referendum to improve and expand facilities districtwide.

Matoska Elementary is one of the projects that was included in that referendum. The 3,000 square foot proposed addition in the referendum includes the following spaces: Two classrooms with a flexible learning space between the classrooms and the existing building, a toilet room, locker space and a mechanical room.

The exterior materials of the addition include brick to match the existing building, aluminum windows, entrance systems, metal wall panels and metal roof coping are proposed to match the colors of the one story building it is being connected to.

This application is being submitted to amend the current Condition Use Permit to allow the addition to be constructed.

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

Item 2. The proposed addition continues the present use of the site.

Item 3. It is our intent that the proposed expansion meets all the City's standards.

Item 4. Typically schools appreciate land values and we believe this expansion would enhance that.

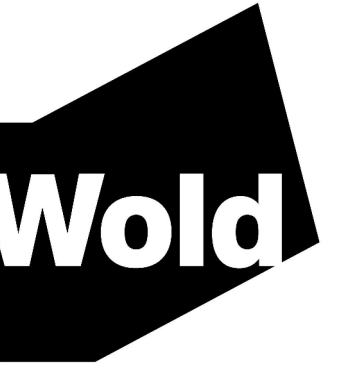
Item 5. The proposed addition is maintaining the existing utility connections.

Item 6. Although the addition is adding two classrooms, they are replacing two existing classrooms that are being used for Special Education thus not increasing the student enrollment of the school. For this reason we don't see the proposed project changing the traffic circulation around the site.

**Matoska  
Elementary  
Addition and  
Renovation**

2350 Spruce Place  
White Bear Lake, MN

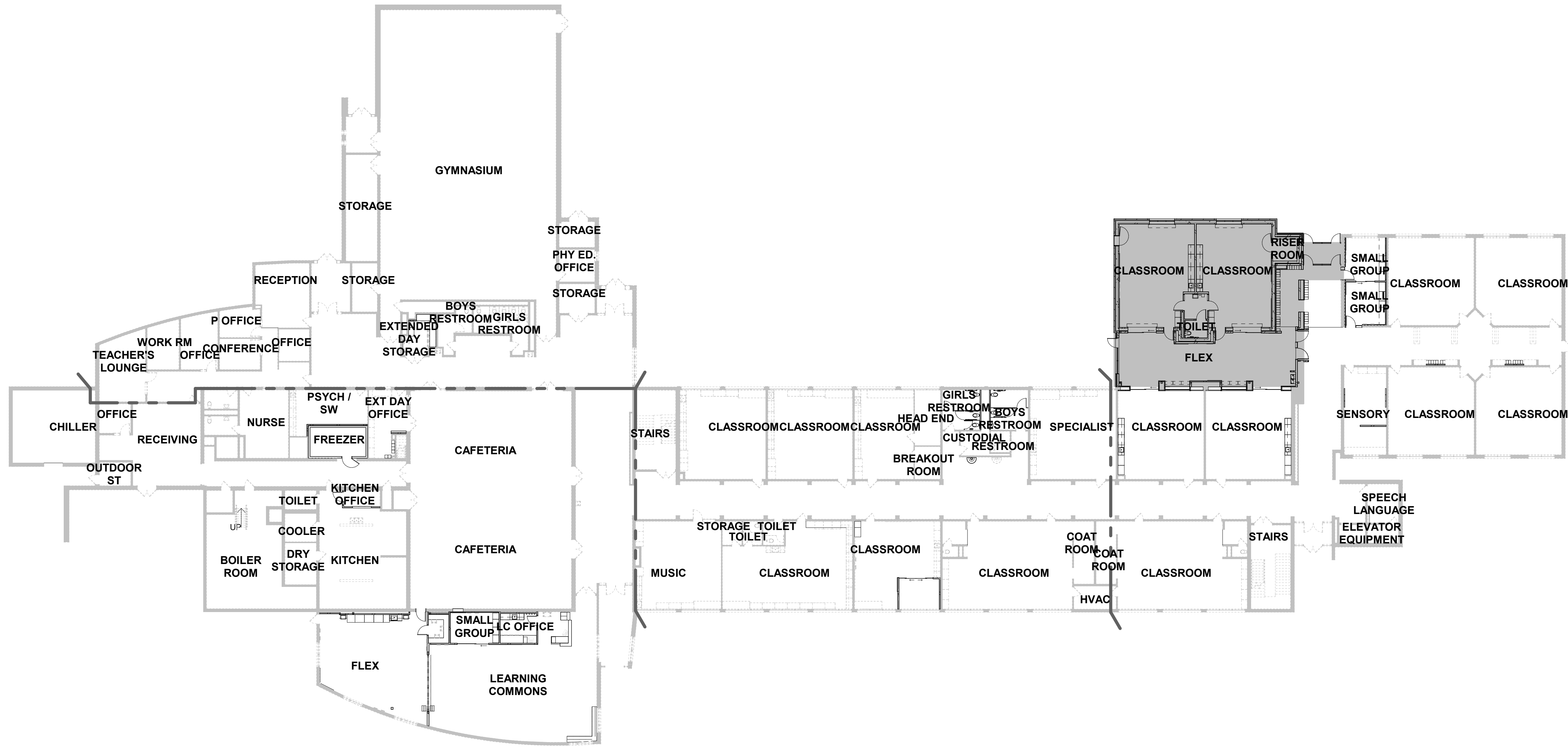
**INDEPENDENT SCHOOL  
DISTRICT #624**  
4855 Bloom Avenue,  
White Bear Lake, MN



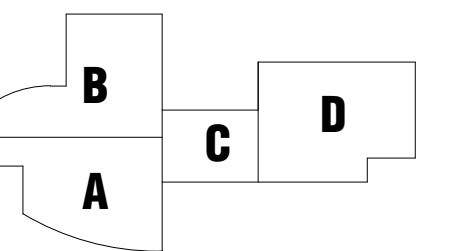
**WOLD ARCHITECTS  
AND ENGINEERS**  
332 Minnesota Street, Suite W2000  
Saint Paul, MN 55101

woldac.com | 651 227 7773

MN



**D1 MAIN LEVEL FLOOR PLAN - OVERALL**  
1" = 20'-0"



**KEY PLAN**

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed ARCHITECT

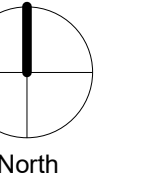
under the laws of the State of MINNESOTA

*Paul Aplikowski*

License Number: PAUL APLIKOWSKI 42737 Date: 09/03/2020

Description	Revisions	
	Date	Num

Comm: 192234  
Date: 09/03/2020  
Drawn: Author  
Check: Checker

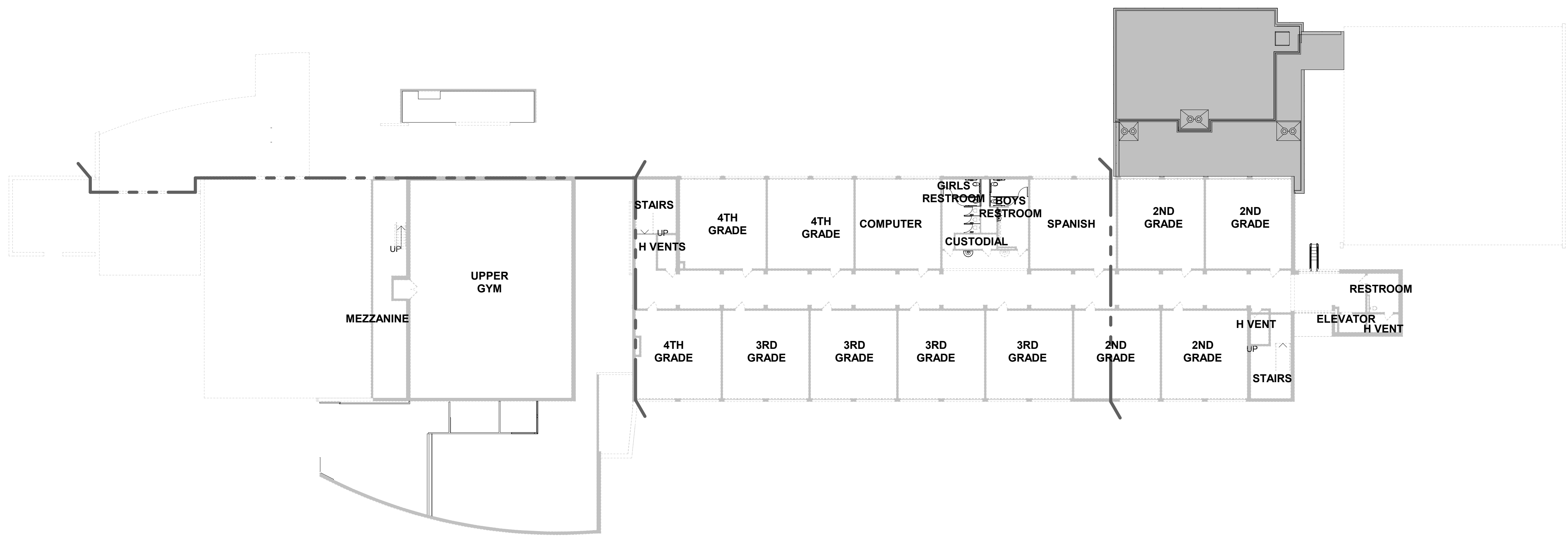


**MAIN LEVEL &  
UPPER LEVEL  
FLOOR PLAN**

Scale: 1" = 20'-0"

**A2.01**

**F1 UPPER LEVEL FLOOR PLAN OVERALL**  
1" = 20'-0"



A









White Bear Lake Fire Department  
4701 Hwy 61  
White Bear Lake, MN 55110  
Tel. (651) 429-8568 Fax. (651) 429-8501

September 24, 2020

Wold Architects  
332 Minnesota St. STE W2000  
St. Paul, MN 55101

RE: General Building Plan Review

Project: Matoska Elementary  
2530 Spruce Place  
White Bear Lake, MN 55110

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.



White Bear Lake Fire Department  
4701 Hwy 61  
White Bear Lake, MN 55110  
Tel. (651) 429-8568 Fax. (651) 429-8501

### General Comments

1. 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.
2. The sprinkler system shall be current on annual inspection and testing. Any deficiencies noted during those reports shall be corrected.
3. 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.
4. Install emergency egress illumination in the means of egress including exit discharge compliant with 2020 MSFC.
5. Install compliant exit signage as required by the 2020 MSFC.
6. 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.
7. 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.
8. 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.



White Bear Lake Fire Department  
4701 Hwy 61  
White Bear Lake, MN 55110  
Tel. (651) 429-8568 Fax. (651) 429-8501

**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,

A handwritten signature in black ink that reads "Kurt Frison". The signature is written in a cursive style.

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



**City of White Bear Lake**  
COMMUNITY DEVELOPMENT  
DEPARTMENT

## *MEMORANDUM*

**TO:** The Planning Commission

**FROM:** Samantha Crosby, Planning & Zoning Coordinator

**DATE:** October 21, 2020 for the October 26, 2020 Planning Commission Meeting

**SUBJECT** Peacock Garage, 2532 Manitou Island - Case No. 20-16-V

---

### **REQUEST**

The applicant, Troy Kampa, on behalf of the homeowners, Brent and Melissa Peacock, is requesting a 420 square foot variance from the 1,250 square foot maximum for all accessory structures combined, in order add a third garage stall to the existing attached two car garage, resulting in 5 enclosed stalls total for the site.

### **SITE CHARACTERISTICS**

The subject site is located on the west side of the island just south of the park. The lot complies with both the size and width requirements of the code. The property currently has a two-car attached garage, a two car detached garage and a shed by the lake.

### **ZONING**

The subject property is zoned R1-I – Single Family Island and S – Shoreland Overlay, as are all surrounding properties.

### **BACKGROUND**

According to Ramsey County, the house was built in 1951. In 1972 a variance was granted to allow the two car detached garage to be constructed 15 feet from the front property line versus the 46 feet required by code at the time. Recently, an administrative variance was granted to allow the full reconstruction of the main level of the home on the same foundation.

### **APPLICANT'S PRACTICAL DIFFICULTY**

The applicant's difficulty is the lack of on-street parking. See applicant's narrative.

### **ANALYSIS**

The site already has three accessory structures when only two are allowed by code. The total square footage for all accessory structures combined is limited by code based on the size of the lot and the size of the first floor area of the home. In this instance, the maximum size allowed is 1,250 square feet. The proposed total of the expanded garage and existing other accessory combined would be 1,670 square feet. This is the largest variance to date for total accessory structure on the island:

Moline, 2017: 1,264 sq. ft. variance from 1,000 sq. ft. max for a single accessory structure, for a total of 2,264 sq. ft., BUT 1,200 sq. ft. was hidden underground, so the garage appears to be only 1,064 sq. ft. in size.

Fisk, 2016: A 232 sq. ft. variance from the 1,250 sq. ft. max for two accessory structures together, for a total of 1,482 sq. ft.

Ommen, 2008: A 604 sq. ft. variance from the 1,000 sq. ft. max for a single accessory structure, for a total of 1,604 sq. ft.

Raykowski 2019: A 320 sq. ft. variance from the 1,250 sq. ft. maximum for both accessory structures, for a total of 1,570 sq. ft.

Proposed: a 420 sq. ft. variance from the 1,250 sq. ft. maximum for all accessory structure, for a total of 1,670 sq. ft.

The proposed variance is at least 66 square feet more than any other. While staff would typically be opposed to increasing the average, this particular site does have a minor practical difficulty with the configuration of the garages and driveway, as stated in the narrative. Staff finds that - while blocking 3 stalls is a bit of a stretch (a "normal" car really only blocks two) - the actual presence of a practical difficulty (whatever the size) does provide rationale for the increase.

#### Other

The granting of this variance in no way brings the existing shed into conformance. Most of the shed is located within the shore impact zone, which would not be allowed under current code. The shed is grandfathered-in and may remain for the life of the structure, but may not be replaced or rebuilt.

#### **SUMMARY**

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

#### **RECOMMENDATION**

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

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

4. The applicant shall verify their property lines and have the property pins exposed at the time of inspection.
5. The granting of this variance does not bring the shed into conformance.

**Attachments:**

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

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION GRANTING A VARIANCE FOR  
2532 MANITOU ISLAND  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (20-16-V) has been submitted by Troy Kampa on behalf of Brent and Melissa Peacock, 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:** 2532 Manitou Island

**LEGAL DESCRIPTION:** Attached hereto as Exhibit A (PID # 133022430023)

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF:** A 420 square foot variance from the 1,250 square foot maximum for all accessory structures combined, per Code Section 1302.030, Subd.4.i.2.b, in order to add a third garage stall to the existing two car attached garage; and

**WHEREAS**, the Planning Commission has held a public hearing as required by the city Zoning Code on October 26, 2020; and

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

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

1. The requested variance will not:
  - a. Impair an adequate supply of light and air to adjacent property.
  - b. Unreasonably increase the congestion in the public street.
  - c. Increase the danger of fire or endanger the public safety.
  - d. Unreasonably diminish or impair established property values within the neighborhood.
2. Because the existing layout provides limited options, the variance is a reasonable use of the land or building.
3. The variance will not be injurious to the neighborhood.
4. The non-conforming uses of neighboring lands, structures, or buildings in the same district are not the sole grounds for issuance of the variance.





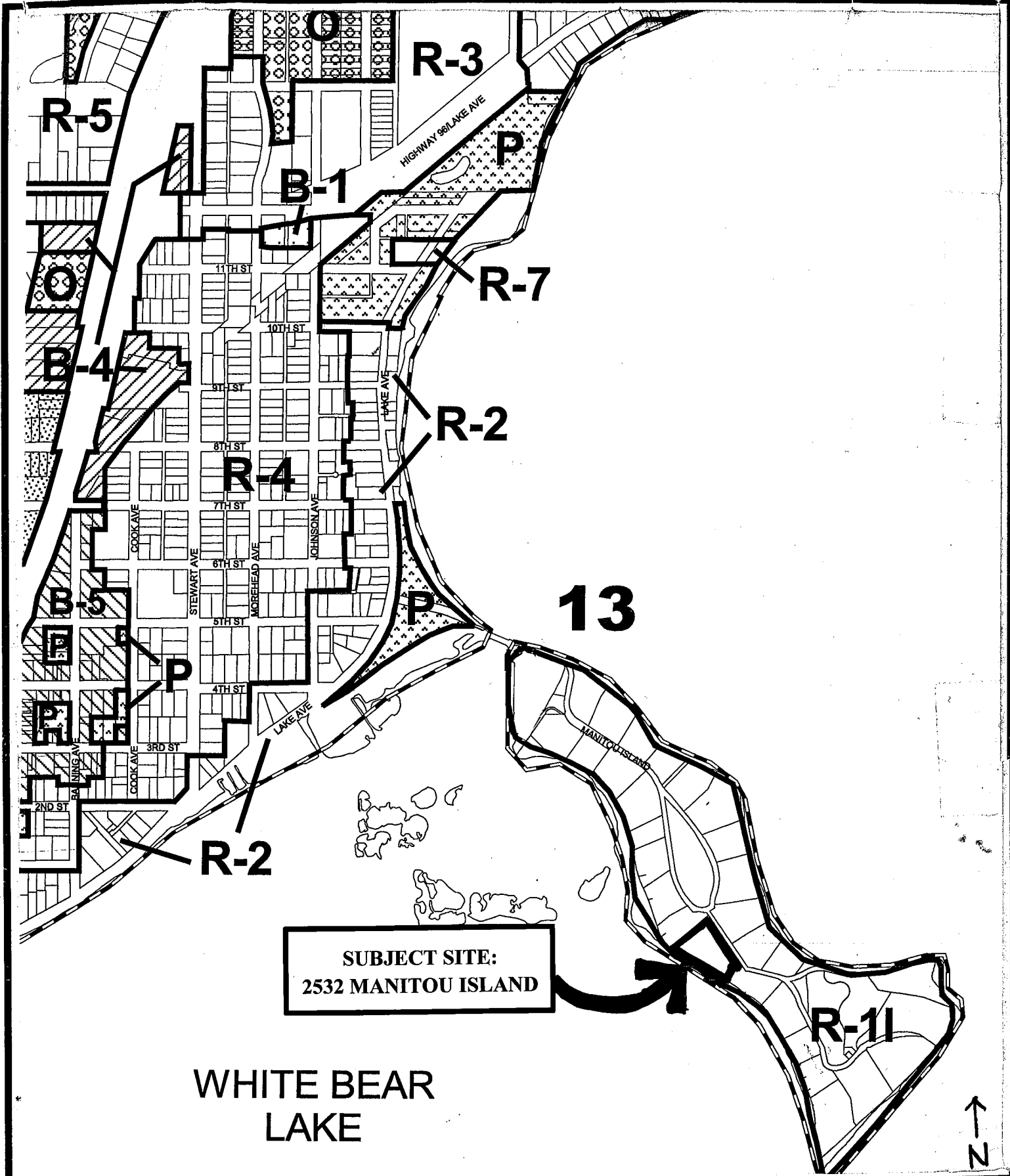
**EXHIBIT A**  
Legal Description

That part of Lots 24 and 25, Map of Manitou Island, White Bear Lake, Minnesota lying Southeasterly of a line drawn parallel with and 193 feet Northwesterly from the longest straight line common to Lots 25 and 26 when measured at right angles thereto, including those portions of Park Avenue vacated lying between the two lines aforesaid together with that portion of Lot 25 sometimes referred to as Boat Lot 25, also Lot 26 (including that portion sometimes referred to as Boat Lot 26) and that portion of vacated Park Avenue South adjacent to Lot 26, which lies Westerly of premises conveyed to Harriet E. McMillan by the Manitou Island Land & Improvement Company by deed dated September 1, 1905, and recorded in the office of the Register of Deeds for Ramsey County, Minnesota, on the 19th day of October 1905, in Book 503 of Deeds on page 94 AND

Lots 58 and 59, Map of Manitou Island, White Bear Lake, Minnesota, except those parts lying Easterly of Shady Lane and Easterly of the present Park Drive established by the changing and widening at said Shady Lane (Sometimes referred to as Boat Lots 58 & 59).

EXCEPT

That part of Lots 24 and 25 Map of Manitou Island, White Bear Lake, Minnesota, lying northwesterly of a line parallel with and 118 feet northwesterly from the longest straight line common to Lots 25 and 26 when measured at right angles thereto and lying southeasterly of a line parallel with and 193 feet northwesterly from the longest straight line common to Lots 25 and 26 when measured at right angles thereto. Together with vacated road, according to the recorded plat thereof, and situated in Ramsey County, Minnesota.



**WHITE BEAR  
LAKE**

**SUBJECT SITE:  
2532 MANITOU ISLAND**

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

CASE NO. : 20-16-V  
CASE NAME : Peacock  
DATE : Oct. 26, 2020

Land Use and Variance Application Description of Request:

**Owner/Applicant:** Brent and Melissa Peacock

**Site Address:** 2532 Manitou Island Avenue, White Bear Lake, MN 55110

**Legal Description:** See Survey

**Background:**

The owners purchased the property in May, 2020 and are currently in the process of renovating the house by re-building the main level and upgrading finishes, electrical, plumbing and mechanical. The exterior will also be completely redone giving the home a more traditional style as well.

**Description of Request:**

The owners/applicants request a variance in order to build an additional third garage stall to the current/existing 2-car attached garage. A variance is required according to the following:

There are currently three (3) accessory use structures on the property (including the existing 2-car attached garage). According Zoning Code §1302.030:

*i) Up to two (2) accessory structures are permitted for each single or two family dwelling unit, the first being a primary accessory structure (an attached or detached residential garage) and the second being a secondary accessory structure subject to the following conditions: (Ref. Ord. 915, 12/13/94, 10-1-1062, 1/12/10)*

Adding a third stall to the existing 2-car attached garage does not increase the existing number of accessory use structures. It does however increase the overall allowed square footage of accessory use structures according to Zoning Code §1302.030:

*b. Lots containing attached garages: ... For lots greater than 10,500 square feet, the combined square footage of a second accessory structure and an attached garage shall not exceed one thousand two hundred fifty (1,250) square feet or 100 percent of the first floor area of the principal structure, whichever is more restrictive.*

The lot square footage exceeds 10,500 square feet (61,779 s.f., see survey) allowing for an overall allowed square footage of accessory use structures of 1,250 square feet.

The following is a breakdown of the existing and proposed accessory use structures and square footage:

**Existing:**

Existing Attached 2-Car Garage:	613 s.f.
Existing Detached Garage:	527 s.f.
<u>Total Existing Garage:</u>	<u>1140 s.f.</u>
Existing Shed (rear yard):	180 s.f.
<u>Total Existing Accessory Use Square Footage:</u>	<u>1320 s.f.</u> (1250 s.f. allowed)

**Proposed:**

Proposed Third Stall:	350 s.f.
Total Existing Garage:	1140 s.f.
<u>Total Proposed and Existing Garage:</u>	<u>1490 s.f.</u>
Existing Shed:	180 sf.
<u>Total Proposed and Existing Accessory Use Square Footage:</u>	<u>1670 s.f.</u> (1250 sf. allowed)

**Reasons for Variance Request:**

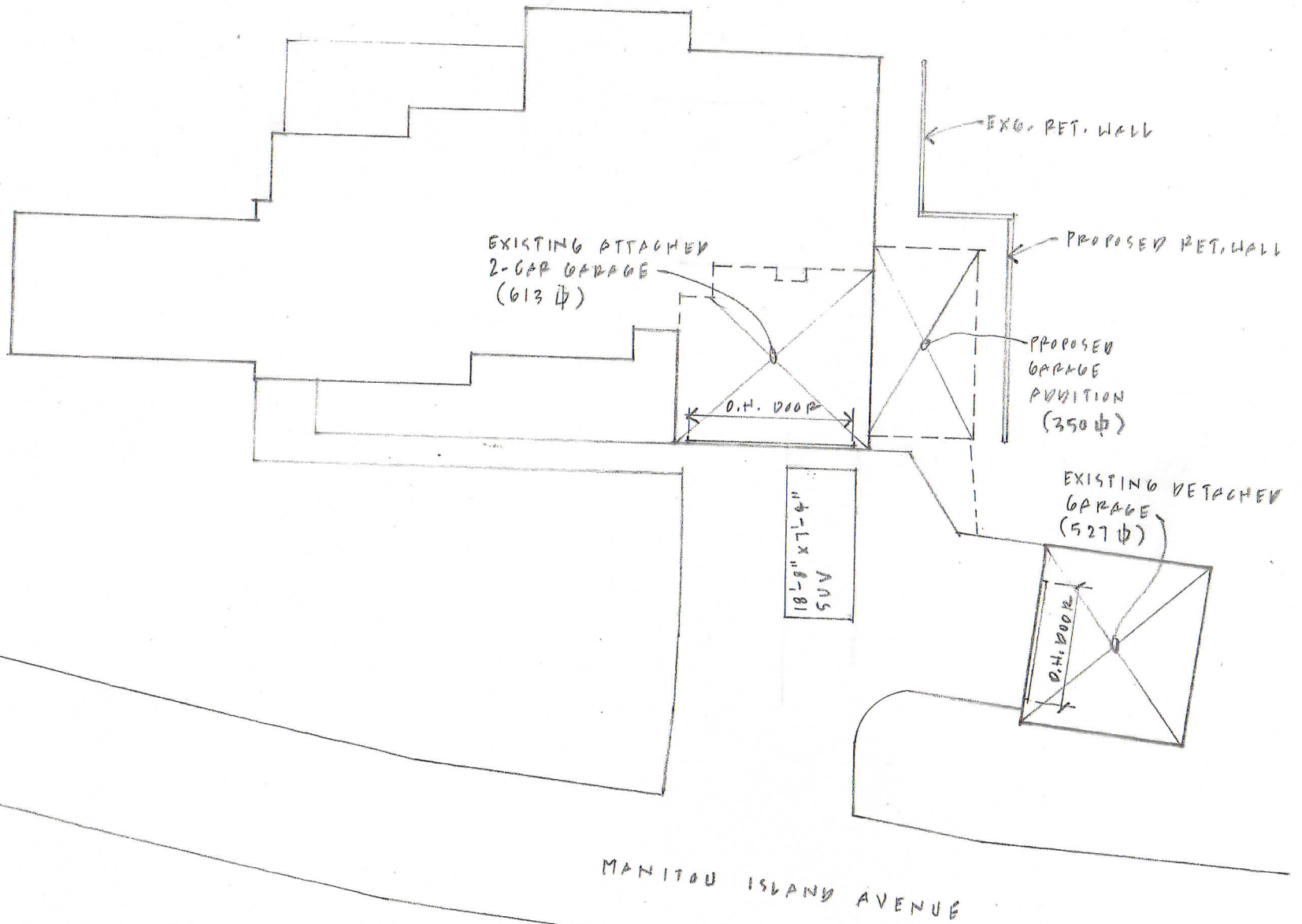
The primary reason for adding a third stall to the existing attached 2-car garage is to allow the use of the existing garages and their current configuration (see survey) without the need for off-street parking. The current configuration does not allow for the use of garage stalls and use of the existing drive for off-street parking simultaneously. The existing attached garage and the existing detached garage are 90<sup>0</sup> to each other. Parking even one car in the drive blocks the access to 3 stalls (see attached diagram). There are currently 5 licensed drivers in the household. Three full time and two college students that will need vehicle parking while home on break and throughout the summer.

Street parking is currently not allowed in this portion of the neighborhood. In order to accommodate off-street parking for the owners and guests, additional garage and driveway parking is needed. Because of the current configuration of the existing garages, the driveway is not practical for off-street parking as it restricts the use of both the existing attached and detached garages. It is also believed that requesting additional paved areas will not meet zoning requirements. According to Zoning Code §1302.050:

*f) In the case of single family, two family, townhouse and quadraminium dwellings, parking shall be prohibited in any portion of the front or side yard except designated driveways leading directly into a garage or one (1) open, hard surfaced space located on the side of a driveway or garage.*

Secondarily, it seems reasonable to increase the garage area as an attached structure in order to provide heated vehicle storage especially in the winter months. The existing detached garage is un-heated and would be difficult to upgrade, especially as it is currently an existing, non-conforming structure based on front-yard setbacks.

Lastly, the proposed third garage stall is in keeping with the new house addition and design. It does not project further towards the street and is relatively discreet given the existing garage configuration and streetscape.



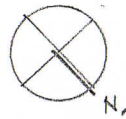
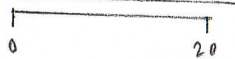
**GARAGE DIAGRAM**

2532 MANITOU ISLAND AVE,

1" = 20'-0"

5 OCT, 20

KS



# IMPERVIOUS SURFACE CALCULATION WORKSHEET

An impervious surface is defined as an artificial or natural surface through which water, air or roots cannot penetrate. Landscape and decorative rock is not considered an impervious surface. Stepping stones are impervious. A deck is not an impervious surface, provided there is no concrete, plastic or other impervious material underneath the deck. All permanent pools are impervious.

\*Any increase in impervious area over 30% must be mitigated by removal elsewhere or by installing a stormwater infiltration feature - see Stormwater Infiltration System Submittal Requirements handout.

Property Owner: BRENT & MELISSA PEACOCK

Site Address: 2532 MANITOW ISLAND AVENUE, WHITE BEAR LAKE, MN 55110

Lot Width (feet):	≈ 303'
Lot Depth (feet):	≈ 205'

Information on lot size can be found in your property records or on the Ramsey County GIS website: [www.ramseycounty.us/residents/property/maps-surveys/interactive-map-gis](http://www.ramseycounty.us/residents/property/maps-surveys/interactive-map-gis)

Please use sq. ft.	Existing	Proposed	Change
Home	3584 s.f.	4114 s.f.	(+) 530 s.f.
Garage	527 s.f.	527 s.f.	0
Accessory Structures <sup>1</sup>	180 s.f.	180 s.f.	0
Driveway	1543 s.f.	1830 s.f.	(+) 287 s.f.
Sidewalks	2825 s.f.	1816 s.f.	(-) 1009 s.f.
Patio Areas	0	0	0
Other: PET. WALL	42 s.f.	77 s.f.	(+) 34 s.f.
Total Impervious	8701 s.f.	8544 s.f.	(-) 157 s.f.
Total Lot Area	61779 s.f.	61779 s.f.	0
Percent Impervious <sup>2</sup>	14.1% <sup>2</sup>	13.8% <sup>2</sup>	(-) 0.3% <sup>2</sup>

<sup>1</sup> Gazebos, sheds, etc.

<sup>2</sup> Total Impervious divided by Total Lot Area

If any porous paving credit have been grated for any of the above listed items, please explain:

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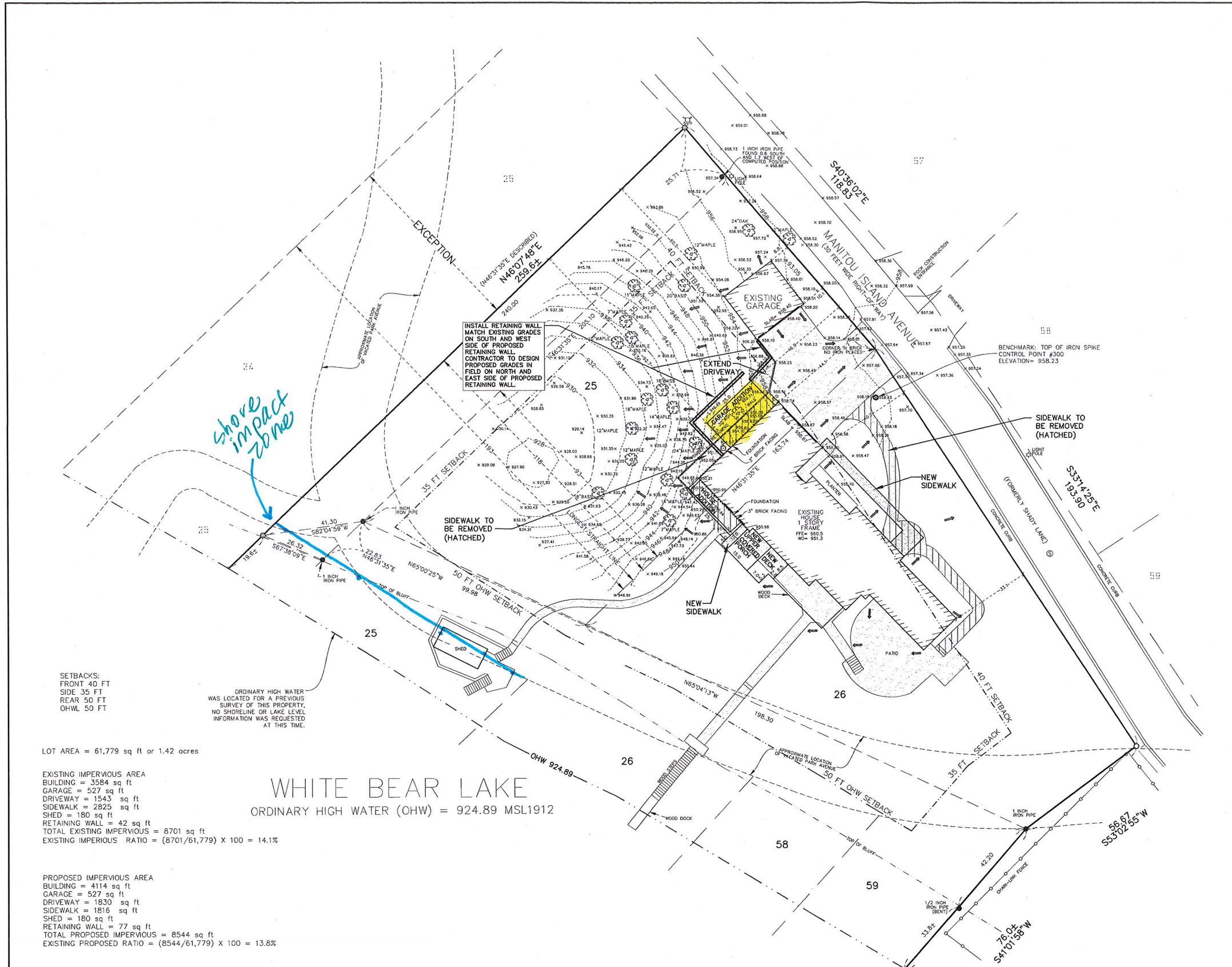
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Calculated by: LAKE & LAND SURVEYING, INC.

Date: 10/05/20

Staff Approval by:

Date:



**Legal Description:**

That part of Lots 24 and 25, Map of Manitou Island, White Bear Lake, Minnesota lying Southeastly of a line drawn parallel with and 193 feet Northwestly from the longest straight line common to Lots 25 and 26 when measured at right angles thereto, including those portions of Park Avenue vacated lying between the two lines aforesaid together with that portion of Lot 25 sometimes referred to as Boat Lot 25, also Lot 26 (including that portion sometimes referred to as Boat Lot 26) and that portion of vacated Park Avenue South adjacent to Lot 26, which lies Westerly of premises conveyed to Harriet E. McMillan by the Manitou Island Land & Improvement Company by deed dated September 1, 1905, and recorded in the office of the Register of Deeds for Ramsey County, Minnesota, on the 19th day of October 1905, in Book 503 of Deeds on page 94 AND

Lots 58 and 59, Map of Manitou Island, White Bear Lake, Minnesota, except those parts lying Easterly of Shady Lane and Easterly of the present Park Drive established by the changing and widening at said Shady Lane (Sometimes referred to as Boat Lots 58 & 59).

**EXCEPT**

That part of Lots 24 and 25 Map of Manitou Island, White Bear Lake, Minnesota, lying northwesterly of a line parallel with and 118 feet northwesterly from the longest straight line common to Lots 25 and 26 when measured at right angles thereto and lying southeasterly of a line parallel with and 193 feet northwesterly from the longest straight line common to Lots 25 and 26 when measured at right angles thereto. Together with vacated road, according to the recorded plat thereof, and situated in Ramsey County, Minnesota.

Records of Ramsey County, Minnesota.  
Abstract Property.



**SCALE**  
1 inch = 20 ft.

SETBACKS:  
FRONT 40 FT  
SIDE 35 FT  
REAR 50 FT  
OHWL 50 FT

ORDINARY HIGH WATER WAS LOCATED FOR A PREVIOUS SURVEY OF THIS PROPERTY, NO SHORELINE OR LAKE LEVEL INFORMATION WAS REQUESTED AT THIS TIME.

LOT AREA = 61,779 sq ft or 1.42 acres

EXISTING IMPERVIOUS AREA  
BUILDING = 3584 sq ft  
GARAGE = 527 sq ft  
DRIVEWAY = 1543 sq ft  
SIDEWALK = 2825 sq ft  
SHED = 180 sq ft  
RETAINING WALL = 42 sq ft  
TOTAL EXISTING IMPERVIOUS = 8701 sq ft  
EXISTING IMPERVIOUS RATIO = (8701/61,779) X 100 = 14.1%

**WHITE BEAR LAKE**  
ORDINARY HIGH WATER (OHW) = 924.89 MSL1912

PROPOSED IMPERVIOUS AREA  
BUILDING = 4114 sq ft  
GARAGE = 527 sq ft  
DRIVEWAY = 1830 sq ft  
SIDEWALK = 1816 sq ft  
SHED = 180 sq ft  
RETAINING WALL = 77 sq ft  
TOTAL PROPOSED IMPERVIOUS = 8544 sq ft  
EXISTING PROPOSED RATIO = (8544/61,779) X 100 = 13.8%

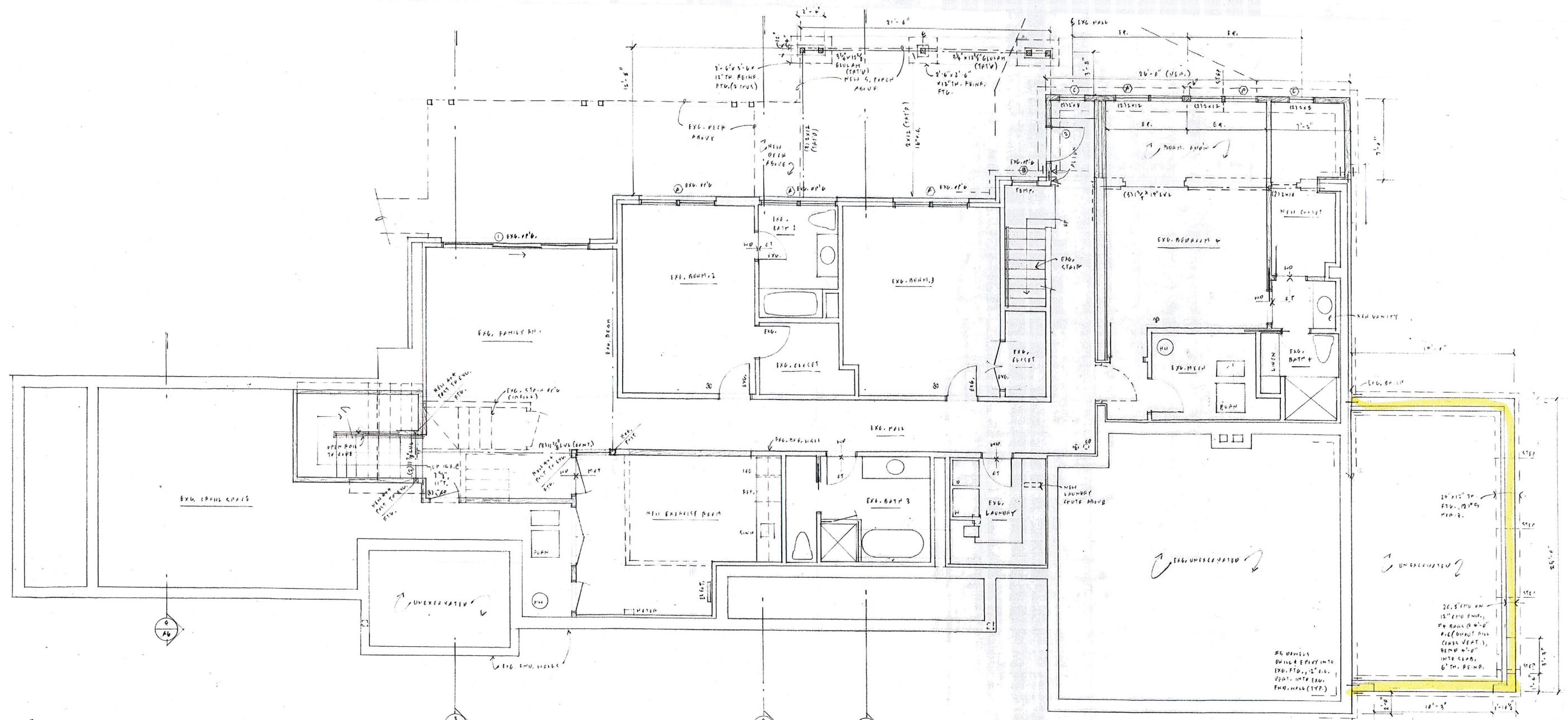
**NOTES:**

- Denotes 12 Inch Common Spike set with washer stamped RLS 16464 or as noted.
- Judicial Landmark
- Denotes Iron Monument found size, type, & R.L.S. as noted.
- x94.36 Denotes Existing Spot Elevation
- 942- Denotes Existing Contour
- Denotes Brick Paver Surface

SITE ADDRESS: 2532 Manitou Island Avenue  
White Bear Lake, MN  
AREA: 61,779± sq. ft. or 1.42 acres to OHW  
BASIS OF BEARINGS: Ramsey Co. Coord. System  
LAKE & LAND SURVEYING, JOB NO. 2020.108 JK

SITE ADDRESS: 2532 Manitou Island Avenue, WBL, MN 55110

Client MR. SHANNON DULLUM 23 EVERGREEN ROAD NORTH OAKS, MN 55127	Design by JF	Original date 5-13-20	I hereby certify that this plan, specification or report was prepared by me or under my direct supervision, and that I am a duly Registered Surveyor under the laws of the State of Minnesota.  Jonathan L. Forcst Date 5-13-20 Minnesota Reg. No. 16464
	Drawn by JK	Revisions 8-5-20 8-14-20 8-27-20 8-31-20 10-5-20	
LAKE AND LAND SURVEYING, INC. LAND SURVEYING/CIVIL ENGINEERING 1200 CENTRE POINTE CURVE, STE 375 MENDOTA HEIGHTS, MN 55120 PHONE (651) 776-6211 E-MAIL: DEVENCP@QWEST.NET	Survey book No.		Page title CERTIFICATE OF SURVEY
	S.A.P.number 2020.108		Sheet number of



1 LOWER LEVEL PLAN  
 1/4" = 1'-0"

KEY:  
 ——— EXG. CONST. TO REMAIN  
 - - - EXG. CONST. TO BE REMOVED  
 ▨ NEW CONST.

NOTE:  
 REFER TO SHEET 1 FOR EXISTING LOWER LEVEL FPA  
 PAVEN BAS. INSTALL MITIGATION SYSTEM  
 AS MAY BE REQUIRED.

**Peacock Residence**  
 2532 Manitou Island Ave.  
 White Bear Lake, MN 55110

**Owners:**  
 Brent and Melissa Peacock  
 13 Red Pine Rd.  
 North Oaks, MN 55127

**Drawings:**  
 Kampa Studio  
 1323 Tyler St. NE, Suite #2  
 Mpls, MN 55413

**Contractor:**  
 Dulium Construction  
 23 Evergreen Rd.  
 North Oaks, MN 55127

**Issued:**

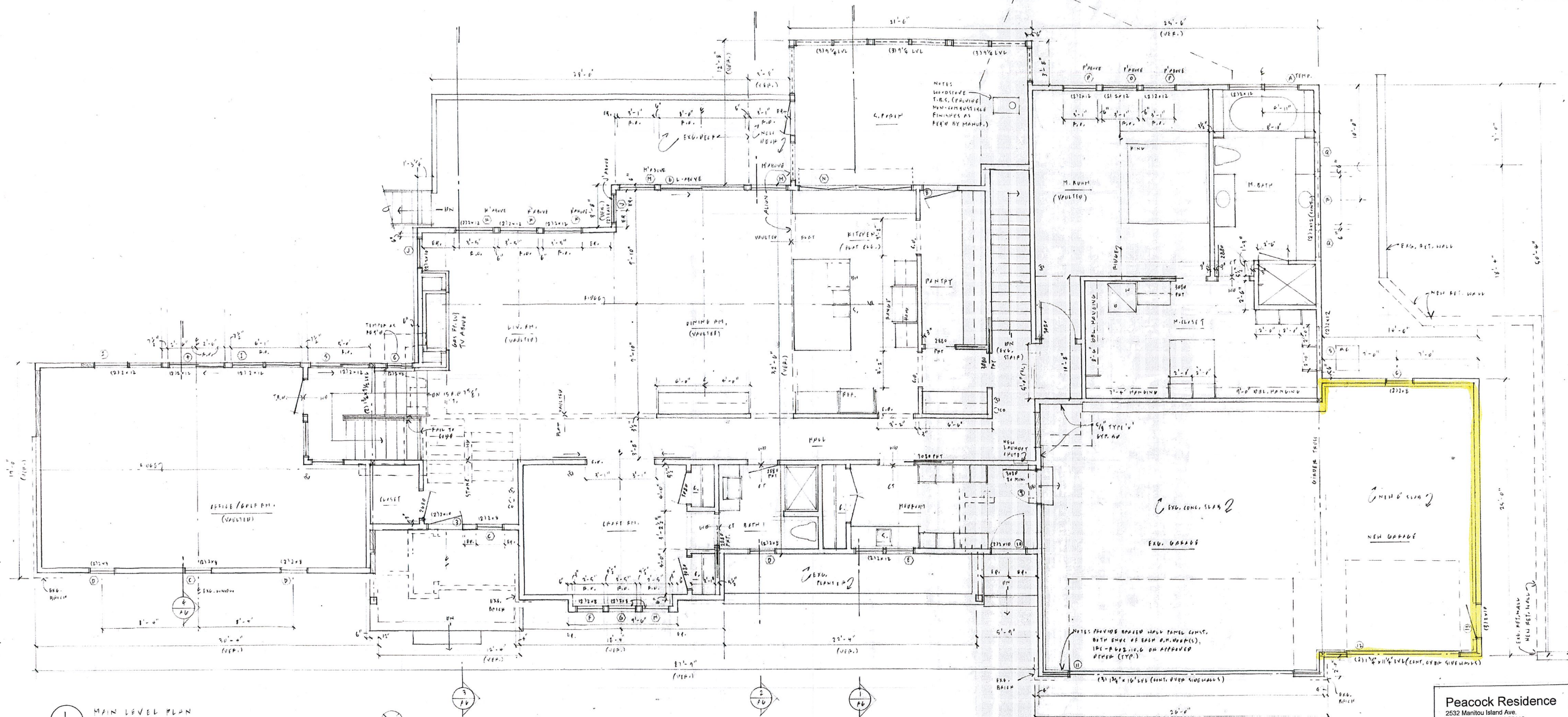
Date	Package
11/10/20	REVISED
02/16/21	PERMIT

**Revised:**

Date	Revision

**Sheet No.**  
 A2 | LOWER LEVEL PLAN





1 MAIN LEVEL PLAN  
1/8" = 1'-0"

**Peacock Residence**  
 2532 Manitou Island Ave.  
 White Bear Lake, MN 55110

Owners:  
 Brent and Melissa Peacock  
 13 Red Pine Rd.  
 North Oaks, MN 55127

Drawings:  
 Kampa Studio  
 1323 Tyler St. NE, Suite #2  
 Mpls., MN 55413

Contractor:  
 Dullum Construction  
 23 Evergreen Rd.  
 North Oaks, MN 55127

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Issued:  
 Date: 1/22/20 Package: REVIEW  
 08/14/20 PERMIT

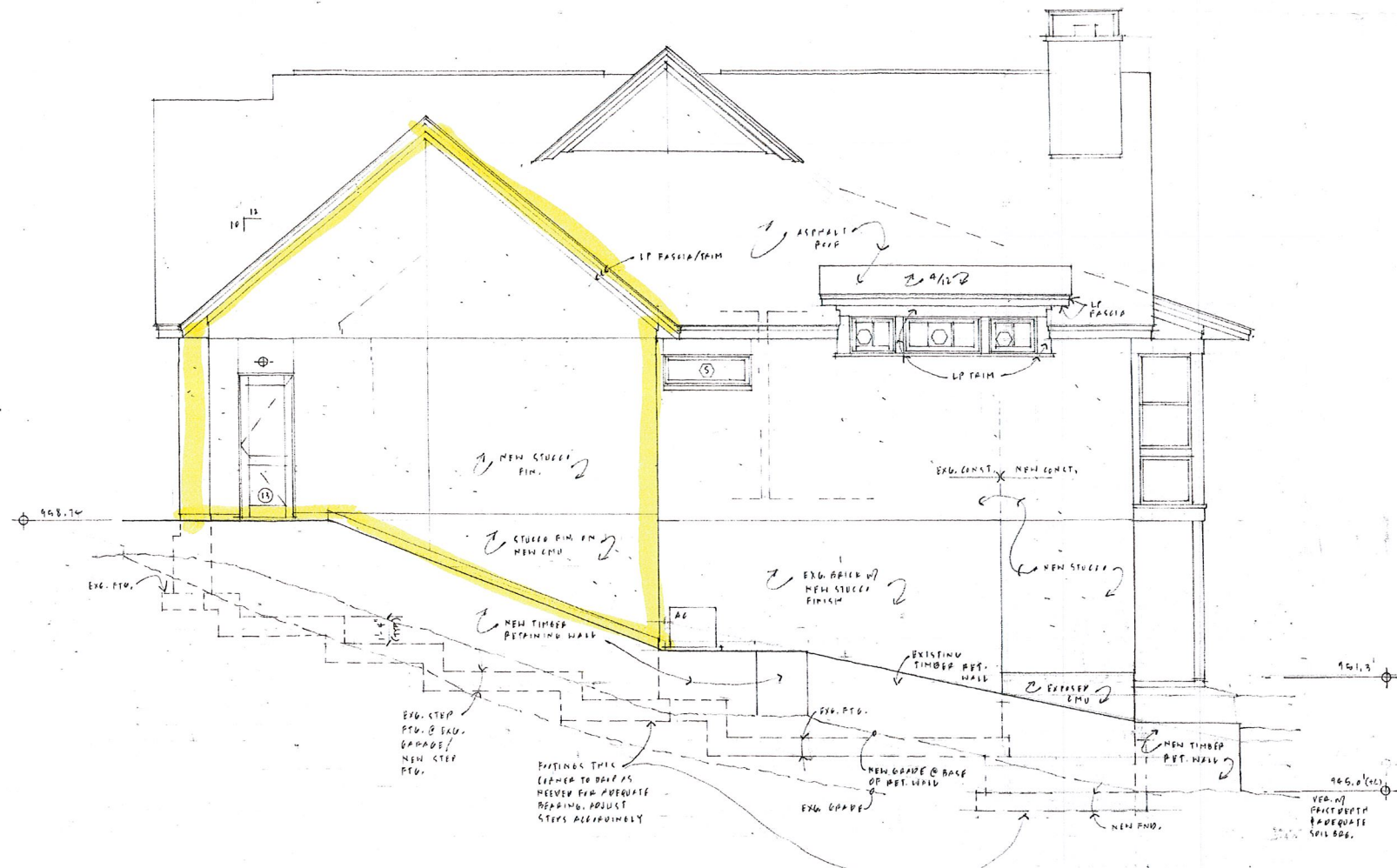
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Revised:  
 Date: Revision:

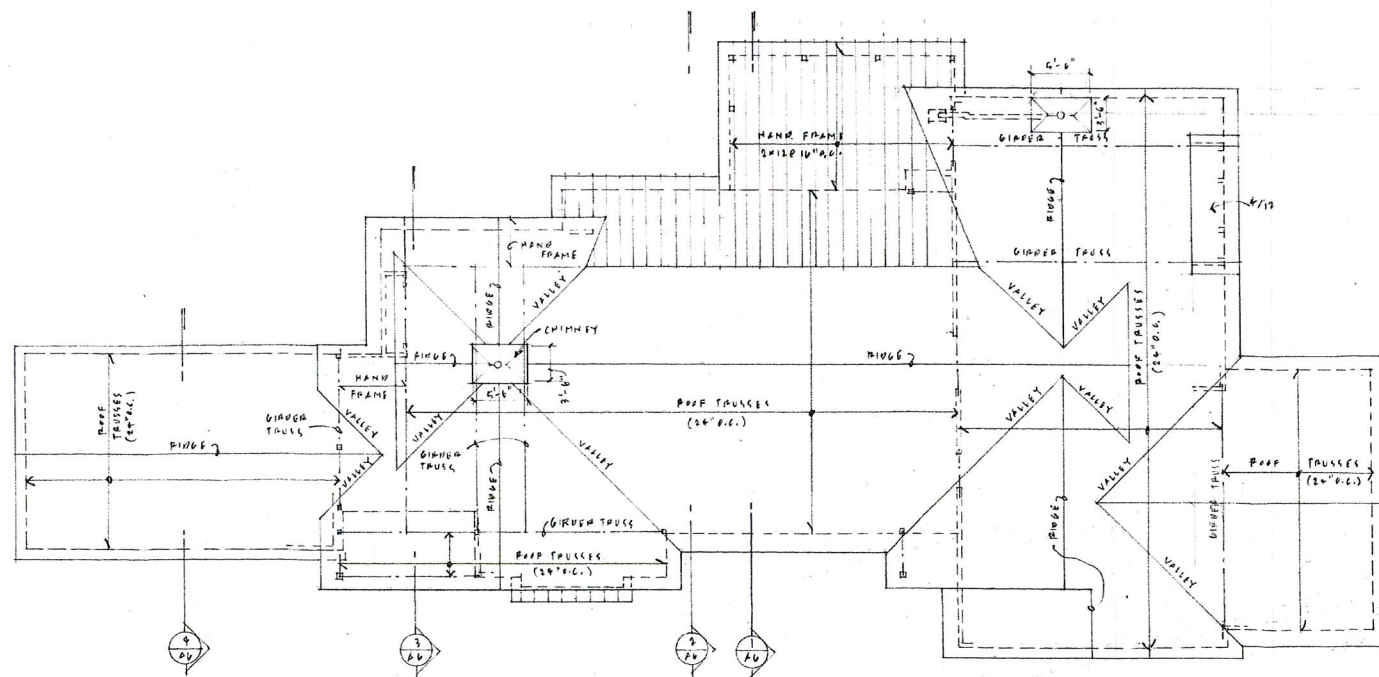
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Sheet No. **A3** | MAIN LEVEL PLAN





1 RIGHT SIDE ELEVATION  
AS 1/4" = 1'-0"



2 ROOF PLAN  
AS 1/4" = 1'-0"

**Peacock Residence**  
2532 Manitou Island Ave.  
White Bear Lake, MN 55110

**Owners:**  
Brent and Melissa Peacock  
13 Red Pine Rd.  
North Oaks, MN 55127

**Drawings:**  
Kampa Studio  
1323 Tyler St. NE, Suite #2  
Mpls., MN 55413

**Contractor:**  
Dullum Construction  
23 Evergreen Rd.  
North Oaks, MN 55127

**Issued:**

Date	Package
08/16/20	REVIEW
08/15/20	PERMIT

**Revised:**

Date	Revision

**Sheet No.**  
AS | ELEV./ROOF PLAN



City of White Bear Lake  
COMMUNITY DEVELOPMENT  
DEPARTMENT

## MEMORANDUM

**TO:** The Planning Commission

**FROM:** Samantha Crosby, Planning & Zoning Coordinator

**DATE:** October 21, 2020 for the October 26, 2020 Planning Commission Meeting

**SUBJECT:** Tousley Ford, 1755 Buerkle Road - Case No. 20-8-CUP

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### **REQUEST**

The applicant, Castles Design Group, on behalf of the tenant Tousley Ford, (with the consent of the property owner BBC II, LLC) is requesting a conditional use permit for exterior storage in order to stock pile wooden pallets in the enclosure recently constructed on the southeast corner of the property. See attached narrative.

### **SITE CHARACTERISTICS**

The property is located on the north side of Buerkle Road at Buerkle Circle. The 2.7 acre parcel contains a 46,000 square foot one-story building served by a 56 stall parking lot. There is a second, smaller enclosure on the south side of the building where the trash has been and will be stored.

### **BACKGROUND**

The warehouse building was constructed in 1989 and housed Barclay Marine for many years before it became Land and Sea in 2015. The current facility is a warehouse for car parts and accessories for the Tousley Ford Dealership.

### **ZONING**

The subject site is zoned I-2, General Industrial. The properties to the south and east are zoned I-2 as well. The property to the north is a wetland zoned P – Public. The property across the railroad tracks to the west is in Vadnais heights and is zoned C-3, “Commercial 3”.

### **ANALYSIS**

The enclosure is 560 square feet in size (20x28) and 10 feet tall, which is about 2 to 4 feet taller than most enclosures. It is somewhat of a misnomer to call the enclosure a trash enclosure. It was recently constructed and has not yet served any trash. The need for a CUP was discovered during the building permit review for a significant building remodel and site maintenance project. Staff allowed the enclosure to be constructed at the applicant’s own risk, with a certain level of confidence that the CUP would be approved. Also, while the trash generated by the subject use would be mostly packaging material, staff imagines storing pallets would be less impactful to the neighbor than garbage.

The Fire Department noted that, the fire code prohibits pallet storage within 10 feet of a lot line. The subject enclosure is only 5 feet from the lot line. The Fire Marshall has determined the applicant may stack the pallets in such a way that complies with code. (Depending upon pallet size, they will need to be staked 3 or 4 deep instead of 5 deep.) The provision has been included as a condition of approval.

Staff was surprised that enclosed, outdoor storage is a conditional use in the I-2 zoning district. The CUP first originates in BW (Business Warehouse) district where outdoor storage may be appropriate as a CUP. But then the BW use is referenced by I-1 (Limited Industry) and then I-1 is referenced by I-2. So the result is that all of the industrial districts require a CUP for outdoor storage, even when it is fully screened by an enclosure. The following conditions are listed by the code:

- a) Open and outdoor storage as a principal or accessory use, provided that:
- 1) The area is fenced and screened from view of neighboring residential uses or if abutting a Residential District, in compliance with Section 1302.030, Subd. 7.a) of this Code.
  - 2) Storage is screened from view from the public right-of-way in compliance with Section 1302.030, Subd.7.a) of this Code.
  - 3) Storage area is grassed or surfaced to control dust.
  - 4) All lighting shall be hooded and so directed that the light source shall not be visible from the public right-of-way or from neighboring residences and shall be in compliance with Section 1302.030, Subd.9 of this Code.
  - 5) The use does not take up parking space as required for conformity to this Code.

With the forthcoming update to the zoning code, staff would like to amend the I-2 zoning district to allow enclosed outdoor storage by right, up to a certain percentage of the site, when the same parameters are applied.

#### *Landscaping*

While on paper it appears that the enclosure in question is located on the back side of the building, it is actually a side yard that is very visible to the neighboring property to the northeast. For this reason, staff finds that it would be appropriate to soften the appearance of the enclosure with some landscaping on the back (east) side. Staff recommends some climbing vines, but the applicant is welcome to plant whatever they would like.

#### *Other*

The enclosure has yet to be painted to match the building per the approved plans. This will also help to mitigate the view of the enclosure from the neighboring property.

#### **DISCRETION**

The City's discretion in approving or denying a Conditional Use Permit Amendment is limited to whether or not the changes meet the standards outlined in the Zoning Ordinance. The City may impose reasonable conditions if the City deems it necessary to promote the general health, safety and welfare of the community and surrounding area. Staff has reviewed the proposal and finds

the standards have been met. Staff does not believe the proposed addition will adversely affect the neighboring properties.

### **RECOMMENDATIONS**

Staff recommends approval of the CUP, subject to the following conditions:

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the building 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 signed resolution of approval with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. Pallet storage shall not be within 10 feet of a lot line and shall not exceed the height of the enclosure.
5. Landscaping shall be installed along the backside of the enclosure to soften the appearance from the neighboring property.
6. Either the enclosures shall be painted or an escrow deposit shall be provided prior to the release of this approval. Amount of escrow to be approved by city staff, based on a cost estimate provided by the applicant.

### **ATTACHMENTS**

1. Draft Resolution of Approval
2. Location/Zoning Map
4. Applicant's Narrative
5. Site Plan

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT  
FOR OUTSIDE STORAGE FOR 1755 BUERKLE ROAD  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (20-8-CUP) has been submitted by Tousley Ford to the City Council requesting approval of a conditional use permit for the following location:

**LOCATION:** 1755 BUERKLE ROAD

**LEGAL DESCRIPTION:** Part of Lot 2, Block 2, lying southwesterly of a line 165.01 feet northeasterly of a line parallel to the southeasterly line of said Lot 2 and all of Lot 1 Block 2 ASI Subdivision. (PID # 343022420013)

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING PERMIT:** A conditional use permit, per Code Section 1303.200 Subd.5.a, to allow enclosed outdoor storage; and

**WHEREAS**, the Planning Commission has held a public hearing as required by the city Zoning Code on October 26, 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 building 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 signed resolution of approval with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. Pallet storage shall not be within 10 feet of a lot line and shall not exceed the height of the enclosure.
5. Landscaping shall be installed along the backside of the enclosure to soften the appearance from the neighboring property.
6. Either the enclosures shall be painted or an escrow deposit shall be provided prior to the release of this approval. Amount of escrow to be approved by city staff, based on a cost estimate provided by the applicant.

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.

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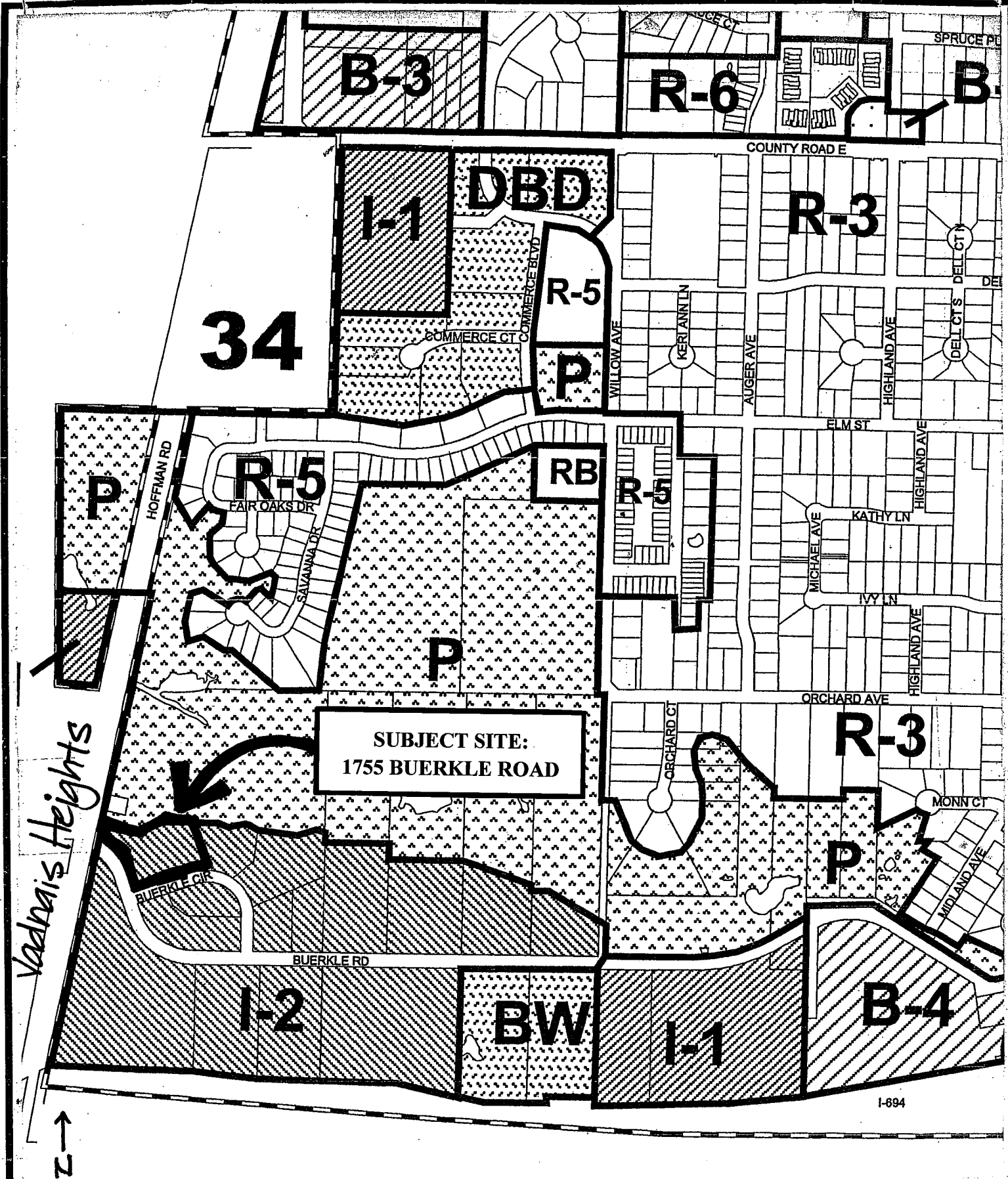
Applicant's Signature

Date

---

Print Name

Title



*Vadnais Heights*

**SUBJECT SITE:  
1755 BUERKLE ROAD**

I-694

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

CASE NO. : 20.8.CUP  
CASE NAME : Tousley Ford  
DATE : Oct. 20, 2020

# LAND USE AND VARIANCE APPLICATION

City of White Bear Lake  
4701 Highway 61, White Bear Lake, MN 55110  
(651) 429-8561 / Fax: (651)429-8503

## SUPPLEMENT TO OFFICIAL APPLICATION FORM:

### Applicant:

#### Castles Design Group

Contact & Title: John Siemer, Principal & Project Manager  
Blake Segafredo, Project Manager  
Larry Christian, Architect of Record

Phone: (713) 664-7974

Email: John Siemer: [jsiemer@castlesdesigngroup.com](mailto:jsiemer@castlesdesigngroup.com)

Blake Segafredo: [bsegafredo@castlesdesigngroup.com](mailto:bsegafredo@castlesdesigngroup.com)

Address: 3801 Kirby Drive, Ste 600, Houston, TX 77098

### Applicant Representative:

#### Langer Construction

Contact & Title: Nick Gamache, Project Manager

Phone: (651) 457-5993

Email: [nick@langerconstruction.com](mailto:nick@langerconstruction.com)

Address: 54 Moreland Ave E, St. Paul MN 55118

### Building Owner:

#### BBC II, LLC

Contact & Title: Steven Arenberg, Manager

Phone: (312) 543-4487

Email: [Stevenarenberg@gmail.com](mailto:Stevenarenberg@gmail.com)

Address: 2 W Delaware Place, Unit 2205, Chicago IL 60610

### Tenant:

#### Tousley Ford, Inc.

Contact & Title: Fred Moss, Construction Manager

Phone: (702) 510-5772

Email: [mossf@autonation.com](mailto:mossf@autonation.com)

Address: 200 SW 1<sup>st</sup> Avenue, 14<sup>th</sup> Floor, Fort Lauderdale, FL 33301

## Written Narrative:

Property Address: 1755 Buerkle Road

Property Zoning: I-2 General Industry

Property Use: Automotive Parts Warehouse

## Request:

We are asking for a Conditional Use Permit to allow for the storage of wood pallets within the existing Dumpster Enclosure on the East Side of the Building. Allowing this use will give the Building Operator a place to store used woods pallets outside of the building until they are picked up for disposal.

We feel that this use is in line with the property and the surrounding properties. The storage of pallets within this enclosure will not impair neighboring properties as there will be no change to the existing appearance of the site. We do feel that removal of the pallets from the building to an exterior location will decrease the danger to occupants if there were to be a fire within the building.

Storage of the pallets would be limited to not exceed the height of the enclosure (9'-6 ½"). Pallets would be stored in a neat and orderly manner; this is in the Operators advantage in order to maximize the number of pallets that can be stored within the enclosure.

Overall, we feel that allowing the existing dumpster enclosure to serve as storage for pallets is a reasonable use that meets the intent of the Code and will not be detrimental to the public welfare.





City of White Bear Lake  
COMMUNITY DEVELOPMENT  
DEPARTMENT

## M E M O R A N D U M

**TO:** The Planning Commission

**FROM:** Samantha Crosby, Planning & Zoning Coordinator

**DATE:** October 21, for the October 26, 2020 Planning Commission Meeting

**SUBJECT:** Lincoln Elementary Gymnasium Addition - Case No. 20-9-CUP

---

### **REQUEST**

The White Bear Area Public School District 624 is requesting a conditional use permit to allow a 12,150 square foot addition to Lincoln Elementary located at 1961 6<sup>th</sup> Street. The building expansion will provide a new, larger gymnasium and associated facilities that will serve the new gymnasium. See applicant's narrative, attached.

### **SITE CHARACTERISTICS**

The subject site is approximately 11 acres in size. It is a "through" lot, fronting on both 6<sup>th</sup> Street and 9<sup>th</sup> Street. The building is situated on the west side of the lot and fronts on 6<sup>th</sup> Street to the south with most of the parking and drop-off area in front of the building. Ball fields, basketball court and a playground are located to the east of the building. Buses utilize the 9<sup>th</sup> Street access to the north of the building and will continue to do so.

### **ZONING**

The subject site is zoned P – Public. All the 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 without the need for variances.

### **BACKGROUND**

The school was originally constructed in 1961. It appears an addition was constructed in 1994, otherwise is not much else was found in the address file in regards to the history of this property.

### **ANALYSIS**

#### *Setbacks/Screening*

The northwest corner of the gymnasium is proposed to be 28.5 feet from a residential property line. This is a significant change. Currently the closest point between the building and the residential properties is 85 feet. The gymnasium is 33 feet tall. While staff would rather see a 50

foot setback for a structure of this height, the proposed proximity could be mitigated with sufficient vegetative buffering. Towards that end, staff recommends enhanced landscaping in this area and have included as a condition of approval a double row of conifers at least 10 feet tall at the time of planting.

The hard-surface is also getting closer to the residential properties. In the area of the loading dock, the pavement is currently 55 feet away and the new setback is 20.5 feet. While staff would prefer a greater setback in order to preserve the existing mature evergreens in this area, the proposal meets the 20-foot wide vegetative buffer required by code and the proposed screening will be superior to what is there now after a few years of growth.

### *Elevations*

The existing building is constructed of orange brick in a variety of tones. The single-story portions of the proposed addition will also be brick. The majority of the gymnasium is orange precast concrete wall panels with architectural accent columns inspired by the original building elements. The accent columns use three different textures (sand blasted, acid etched and exposed aggregate) to create the pattern in the column. When asked to incorporate a thin brick façade in the precast, as done with the South Campus gymnasium, they said they were unable to find a brick that both matched the existing brick on the building and had the required tolerances to be used in the precast concrete. Instead, they incorporated face brick into the building at the corners, framing the windows and doors. Staff finds that the architect has done a fabulous job using the various elements to both break up the mass of the building and honor the original structure.

The trash enclosure will be made of galvanized metal painted black to match the black metal trim work on the building. This is a little unusual. Enclosures typically use either masonry to match the building or wood painted to match the building. The metal is a bit of an exception, but the color will be factory finished, not applied after-market. The product provides just as much screening and it may hold up longer than wood (but not as long as masonry). Especially as a one-time trial scenario, staff sees no reason not to allow the deviation.

### *Parking & Traffic*

Elementary schools are required to provide one parking space for each classroom plus one space for each 50 student capacity. The proposed site layout complies – 36 stalls are required and 65 will be provided. While not a code requirement it is interesting to note that, if the total building code capacity for all spaces in the building, (including storage, boiler rooms, cafeteria, etc) were added, the parking requirement would increase to 62 stalls. It is also worth noting that the site currently contains 68 stalls, so the total amount of on-site parking is proposed to decrease by 3. The hope is that the longer length of drop-off area will help to alleviate some of the on-street stacking.

Because the proposed expansion does not increase the programmatic capacity of the building, traffic generation will not increase. The school provided enrollment data for the past 7 years which averaged to 435 students annually. Enrollment increased to a high 472 students in 2017 and has decreased slightly to 441 in 2020.

### *Landscaping*

The designer has tried to kill two birds with one stone by locating the stormwater in the parking lot island. This reduces the number of trees that can be planted in the island. The code requires seven and only two have been provided. Because of the flexibility inherent in the Public zoning district, some deviation is permissible, however, staff finds a 70% deviation to be excessive. There are other parking lot islands that could accommodate additional trees instead of being concrete. The reason for the trees requirement is to off-set the heat island effect of large areas of blacktop. The reason for the deviation is to facilitate plowing of the lot. Other elementary schools have concrete islands, mainly because their lots are typically smaller than other larger schools and most commercial parking lots.

Irrigation is not being required, however, there should be an exterior spigot readily available so that vegetation can be watered during dry periods.

### *Stormwater*

Three different ponding areas are proposed to handle stormwater. There is very little area on site for snow storage and therefore, it is a concern that snow will be plowed into the infiltration basins. This should only be done as a last resort in very large snow emergencies, as the debris from plowing may clog the basin and the weight of the snow pile may compact the soils (when soft in the spring) both of which shorten the life (functionality) of the basin. This will result in a need for dredging and other significant maintenance sooner than otherwise. However, plowing snow into the stormwater areas is not currently prohibited, therefore it may be done at their own risk. It is a requirement of the Engineering Design Standards that the applicant enter into a Stormwater Operation and Maintenance Agreement, so this issue is covered.

Staff would prefer the plans be revised to use plants in the basins instead of seed. Fluctuating water levels cause seed to float away resulting in bare areas prone to erosion and weed invasion. In lieu of changing to plants, the applicant could hire a service for the first three years until the seed is established. Staff recommends the applicant do one or the other and has included such as a condition of approval.

### *Exterior Lighting*

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

### *Other*

The new bathrooms are also proposed to be gender neutral, similar to the south campus addition. The toilet rooms will need to be reviewed through same the alternative design review 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 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.
5. A separate sign permit for is required for the freestanding sign.

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

6. Final grading, drainage and erosion control plans subject to review and approval of the Engineering Department.
7. Provide a SAC determination from the Metropolitan Council.
8. Submit a final landscaping plan, including a tree survey list, with existing trees to remain and existing trees to be removed and totals for each column, for staff review and approval.
9. Provide a double row of staggered conifers at least 10 feet in height at in the area where the building setback is 28.5 feet from the property line.
10. Either plant the infiltration basin or hire a company specializing in native seed establishment to maintain the infiltration basins until established (3 years).
11. Submit lighting details and a photometric plan for staff review and approval. All new or relocated lights shall be shielded from the back and sides so that the light source is not visible from surrounding residences.
12. Provide a tree preservation plan showing tree protection fencing around the dripline of the trees to be preserved. Tree protection fencing shall be installed and inspected prior to issuance of a permit.
13. 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.

Prior to the release of the letter of credit:

14. Provide an as-built plan consistent with the City's 2019 record drawing requirements.
15. Enter into a Stormwater Operation and Maintenance Agreement with the City.
16. All exterior improvements must be installed.
17. All landscaping must have survived at least one full year.
18. 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. Applicant's Narrative
4. Colored Site Plan
5. Elevation Renderings (3 pgs)
6. Civil Plans (4 pgs)

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT  
FOR 1961 6<sup>TH</sup> STREET (LINCOLN ELEMENTARY)  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (20-9-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:** 1961 6<sup>th</sup> Street

**LEGAL DESCRIPTION:** The west 340 feet of the East 656 feet of the South ½ of Lot A, Oakhurst Acres; and  
The Easterly 524 feet of the north ½ of Lot A, Oakhurst Acres, except the Easterly 275 feet of the Northerly 174.30 feet thereof, according to the plat thereof; and  
The East 316 feet of the South ½ of Lot A, Oakhurst Acres;  
All according to the recorded plat thereof in Ramsey County, MN

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING PERMIT:** A conditional use permit, per Code Section 1303.245, Subd.2.c.4, to allow a 12,150 square foot gymnasium addition and parking lot reconfiguration; and

**WHEREAS**, the Planning Commission has held a public hearing as required by the city Zoning Code on October 26, 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.
5. A separate sign permit for is required for the freestanding sign.

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

6. Final grading, drainage and erosion control plans subject to review and approval of the Engineering Department.
7. Provide a SAC determination from the Metropolitan Council.
8. Submit a final landscaping plan, including a tree survey list, with existing trees to remain and existing trees to be removed and totals for each column, for staff review and approval.
9. Provide a double row of staggered conifers at least 10 feet in height at in the area where the building setback is 28.5 feet from the property line.
10. Either plant the infiltration basin with plants or hire a company specializing in native seed establishment to maintain the infiltration basins until established (3 years).
11. Submit lighting details and a photometric plan for staff review and approval. All new or relocated lights shall be shielded from the back and sides so that the light source is not visible from surrounding residences.

- 12. Provide a tree preservation plan showing tree protection fencing around the dripline of the trees to be preserved. Tree protection fencing shall be installed and inspected prior to issuance of a permit.
- 13. 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.

Prior to the release of the letter of credit:

- 14. Provide an as-built plan consistent with the City’s 2019 record drawing requirements.
- 15. Enter into a Stormwater Operation and Maintenance Agreement with the City.
- 16. All exterior improvements must be installed.
- 17. All landscaping must have survived at least one full year.
- 18. 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.

---

Applicant's Signature

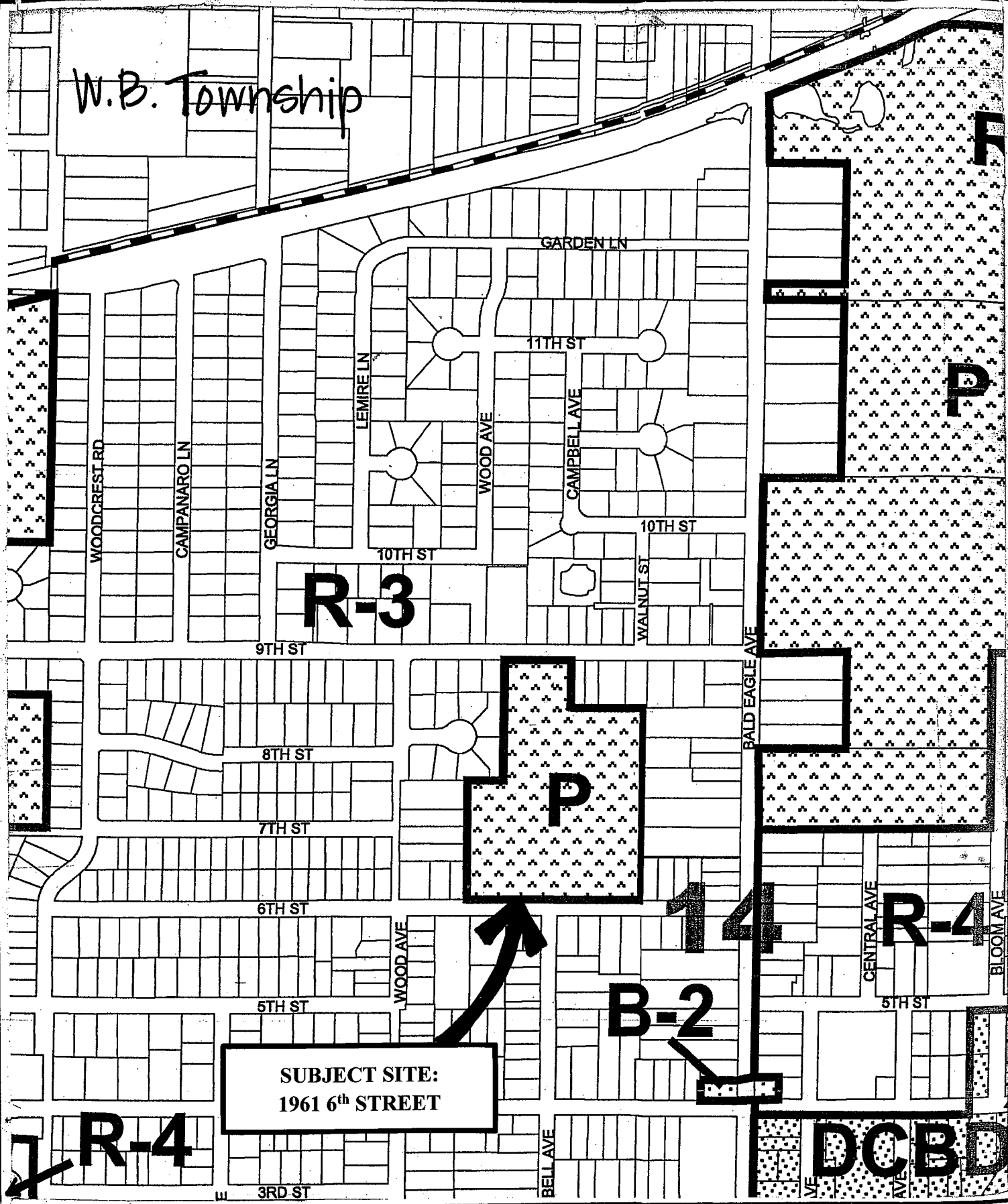
Date

---

Print Name

Title

W.B. Township



SUBJECT SITE:  
1961 6<sup>th</sup> STREET



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

CASE NO. : 20-9-CUP

CASE NAME : Lincoln Gymnasium

DATE : Oct. 26, 2020



## ISD #624 – LINCOLN ELEMENTARY ADDITION AND REMODEL

### Condition Use Permit Amendment

In November 2019, the White Bear Lake Area School District passed a referendum to improve and expand facilities districtwide.

Lincoln Elementary is one of the projects that was included in that referendum. The referendum items at Lincoln were to solve the following issues:

- The building does not have a gymnasium with a regulation basketball court, so an addition of the gymnasium solves this. The gym will also provide a storm shelter for the facility.
- The building does not have dedicated music spaces, so conversion of the small gym creates two music spaces.
- The building lacks a built in freezer, which is solved through an addition.
- There is no loading dock on the existing facility. The addition adds this feature.
- The building lacks a space for the after school program and the addition provides those spaces.
- The administration area lacks a conference room, which is solved with the addition.

The existing site circulation has been a problem, with delivery trucks not being able to turn around at the receiving area, which requires them to back in, which is always a safety problem on an elementary site. The parent drop off is an issue at the current site with a small parking lot. The site plan is being redesigned to allow semi-trucks to turn around at the loading dock area. The parking lot is expanding to the east which, will replace parking stalls in the back that are going away for the receiving truck turn around, also increases the stacking distance for parents queuing to pick up their children after school. The bus loading is currently off of 7<sup>th</sup> street and will not change do the improvements of occurring on the site. Staff will continue to park in the lots on site in front of the building.

The 12,150 square foot proposed addition in the referendum includes the following spaces: A regulation gymnasium station, toilets to support the gymnasium use, extended day after school program office and storage, a conference room, physical education storage associated with the new gymnasium, a physical education office, exterior storage for grounds equipment, an electrical service room, an elevated loading dock/dumpster area and receiving room, freezer/cooler expansion for the kitchen. This will bring the total square footage of the building up to 72,088. The current design capacity of the school is 468 students. Since the expansion is not adding any classrooms, the design capacity of the facility will remain the same.

The exterior materials of the addition include brick to match the existing building, aluminum windows and entrance systems and metal roof coping to match the colors of the two story building being connected to. Since the referendum was passed a new building code has been adopted requiring the addition to house a storm shelter housed in the gymnasium. Structural design would dictate the storm shelter to be constructed of precast concrete to withstand design wind load of 250 MPH. The precast is proposed to be integral color and use textures of acid etch, and sandblasting to create the patterns on the





panels. Patterns in the brick on the east side of the original building are being incorporated into the precast design.

This application is being submitted to amend the current Condition Use Permit to allow the addition and parking to be constructed.

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

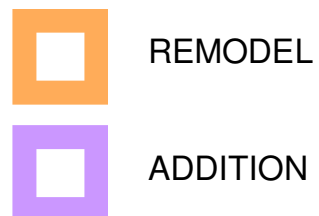
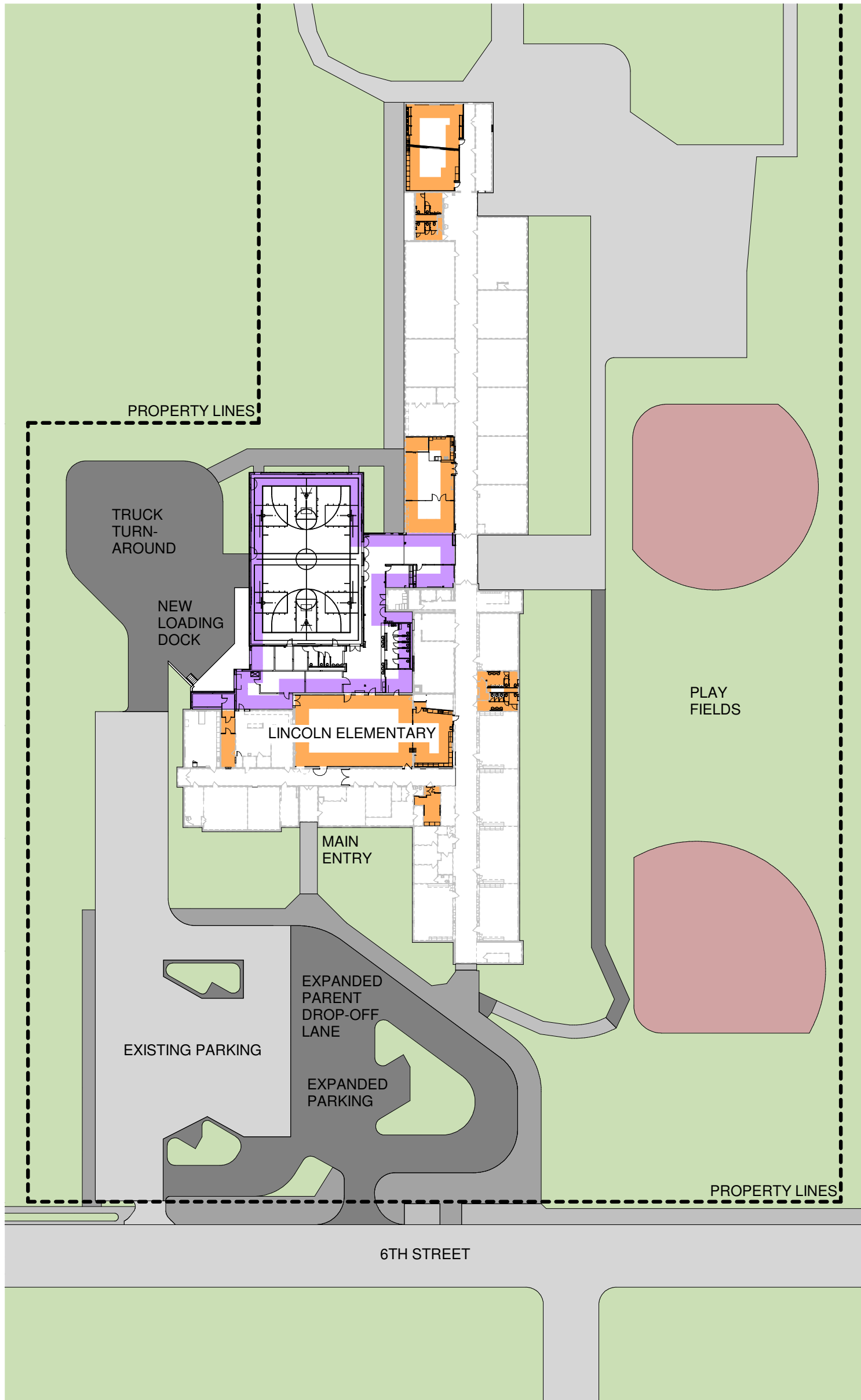
Item 2. The proposed addition continues the present use of the site.

Item 3. It is our intent that the proposed expansion meets all the City's standards.

Item 4. Typically schools appreciate land values and we believe this expansion would enhance that.

Item 5. The proposed addition is maintaining the existing utility connections.

Item 6. The addition is not increasing classrooms, thus not increasing the student enrollment of the school. The new loading dock area will allow large trucks to turn around without having to back in from the street. The new drop off area at the front of the building will allow more cars to wait onsite, instead of on the street.

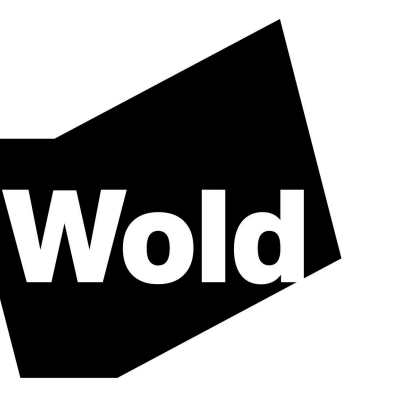




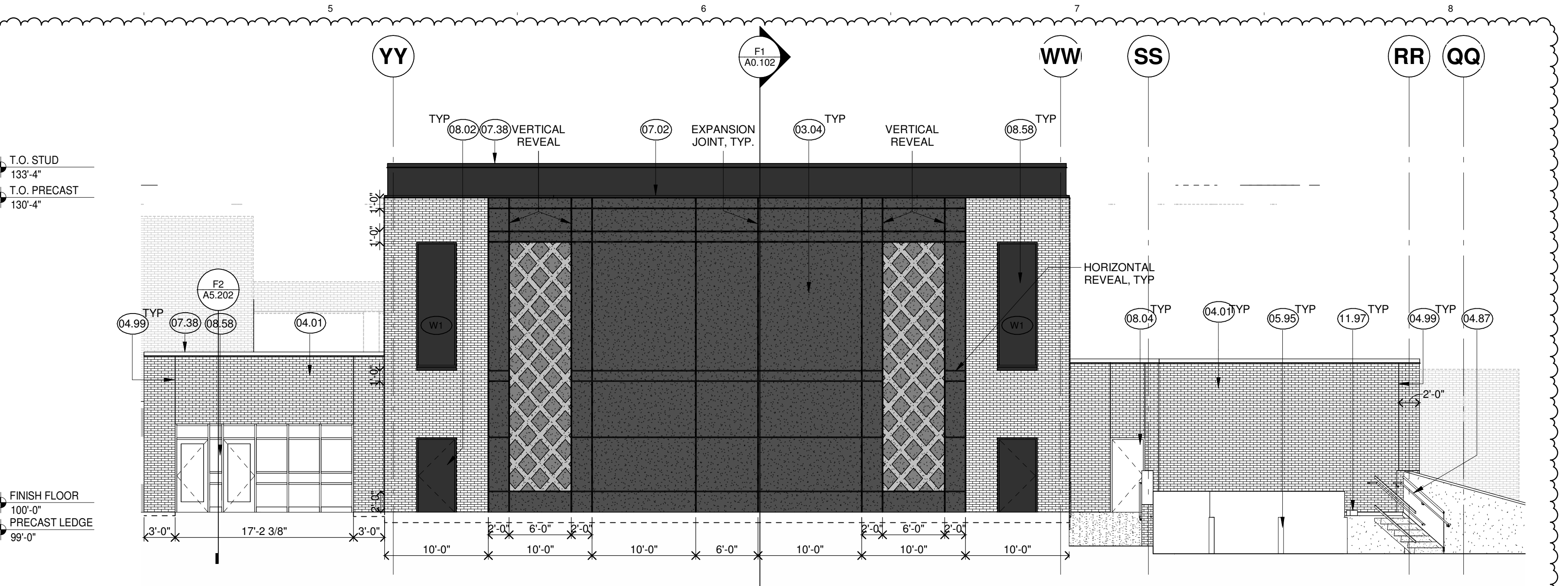
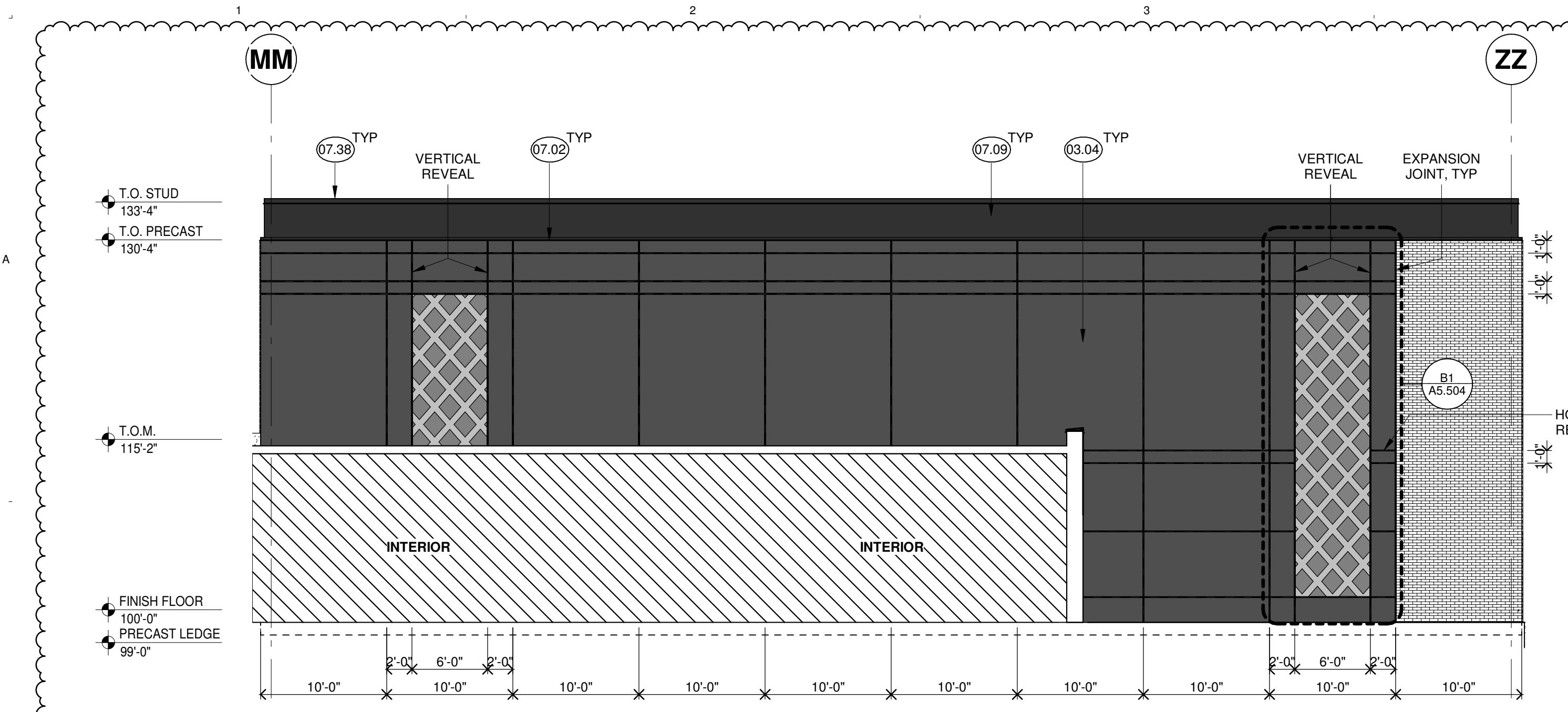
South Elevation



Northwest Elevation

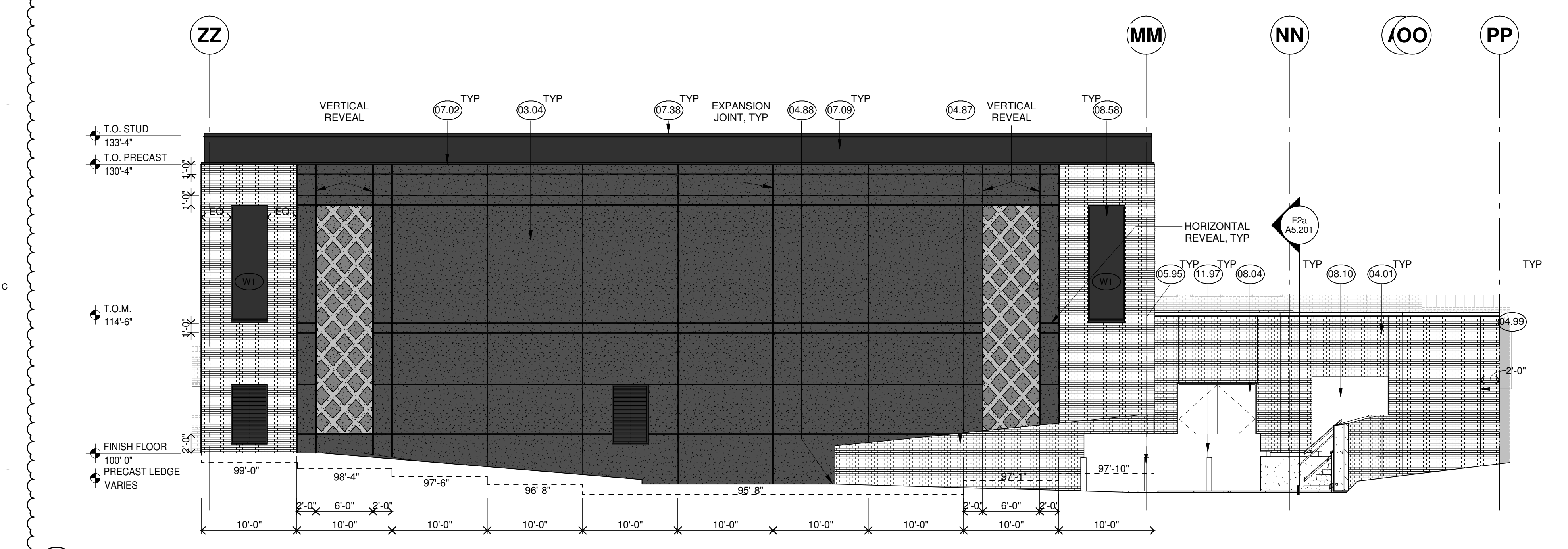


MN

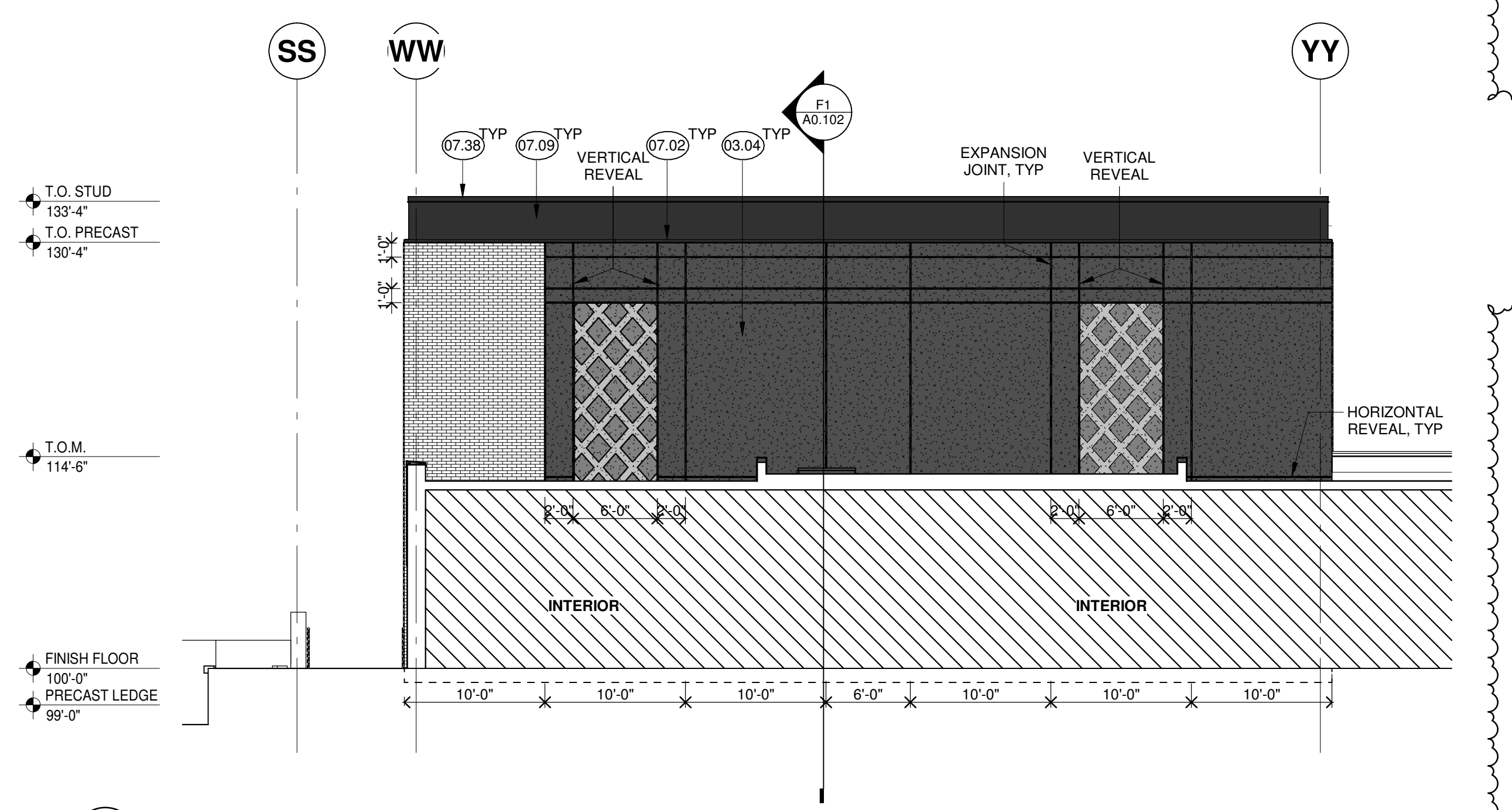


**B1 GYM ADDITION - EAST ELEVATION**  
1/8" = 1'-0"

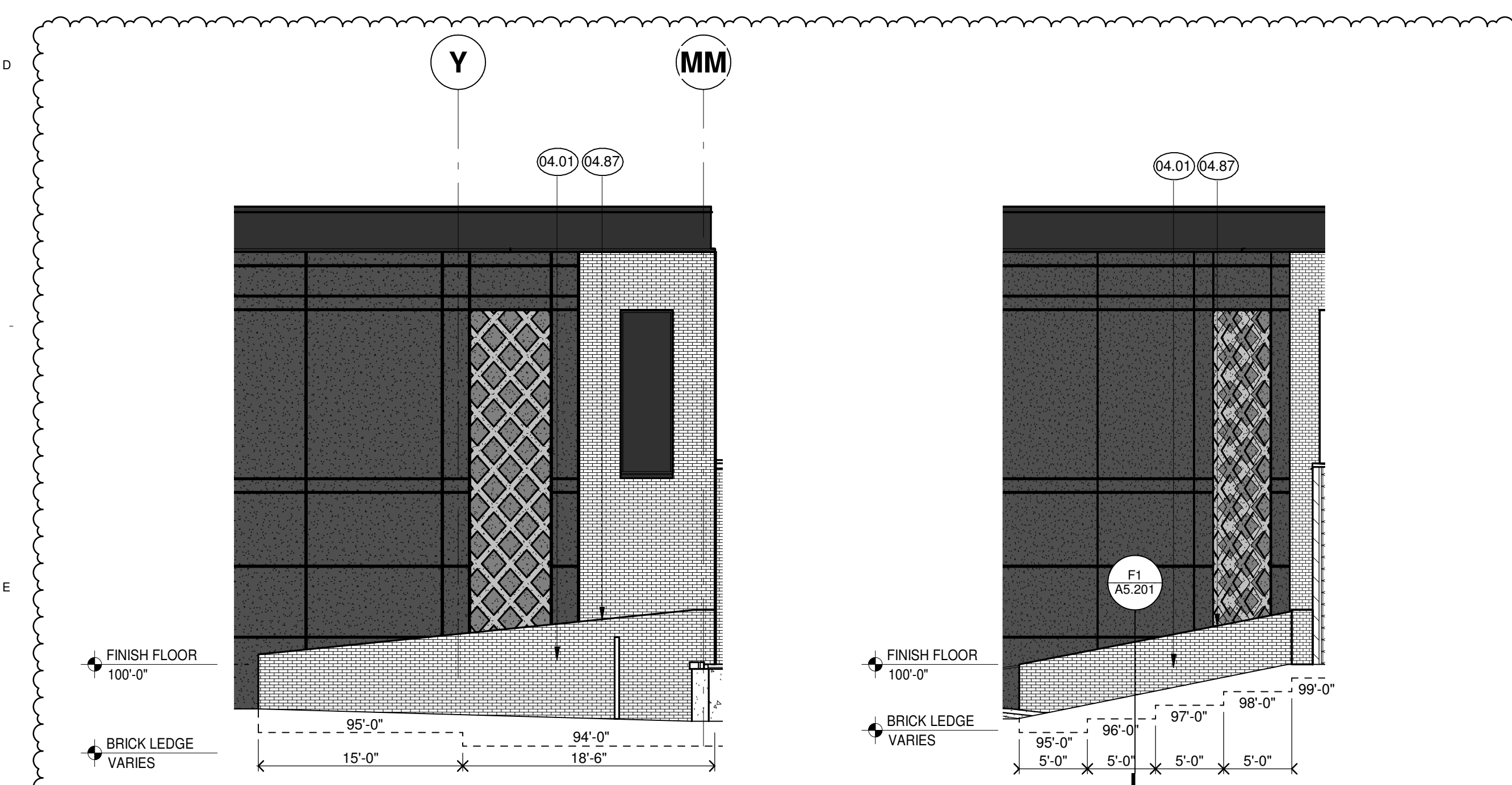
**B4 GYM ADDITION - NORTH ELEVATION**  
1/8" = 1'-0"



**D1 GYM ADDITION - WEST ELEVATION**  
1/8" = 1'-0"

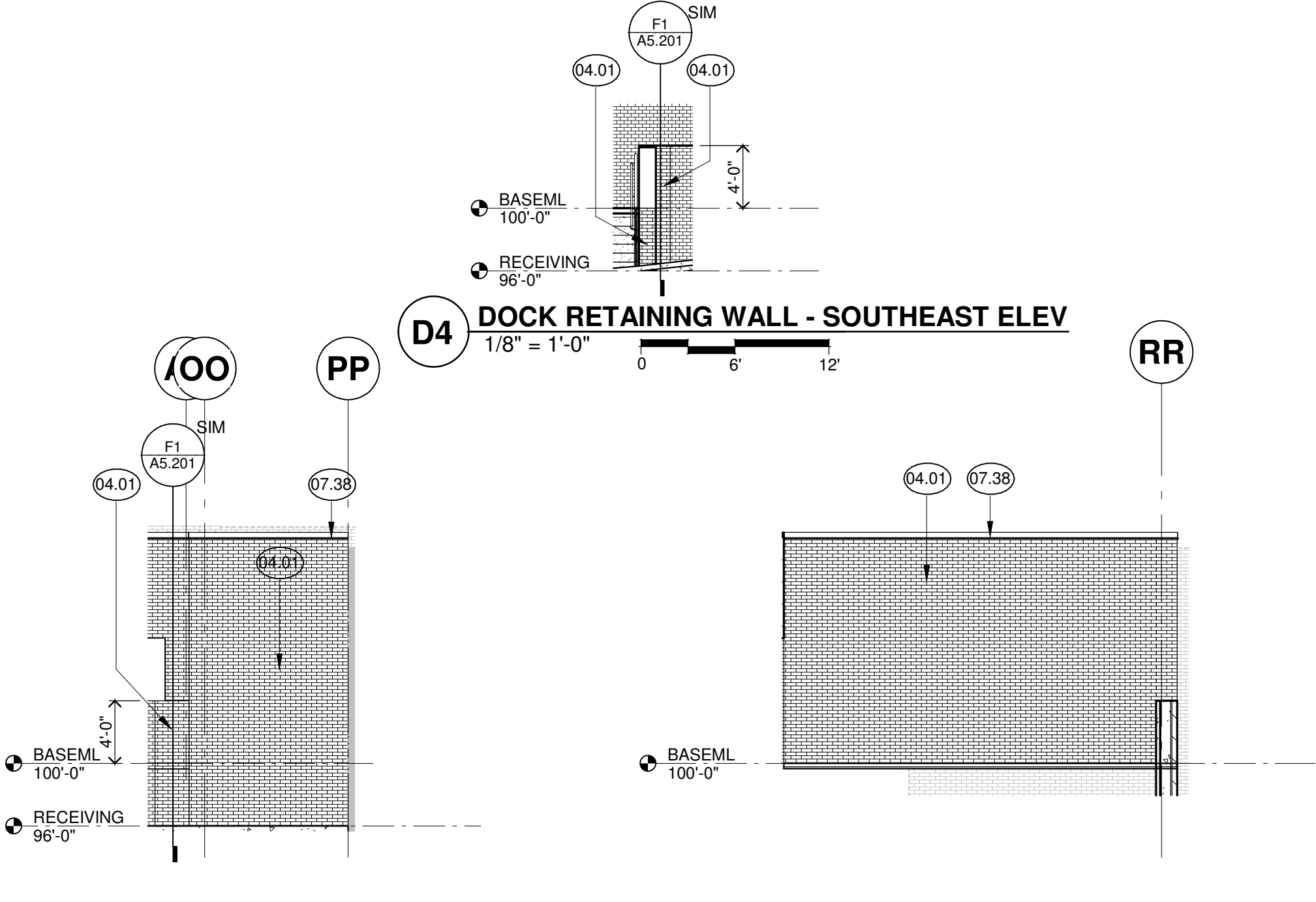


**D6 GYM ADDITION - SOUTH ELEVATION**  
1/8" = 1'-0"



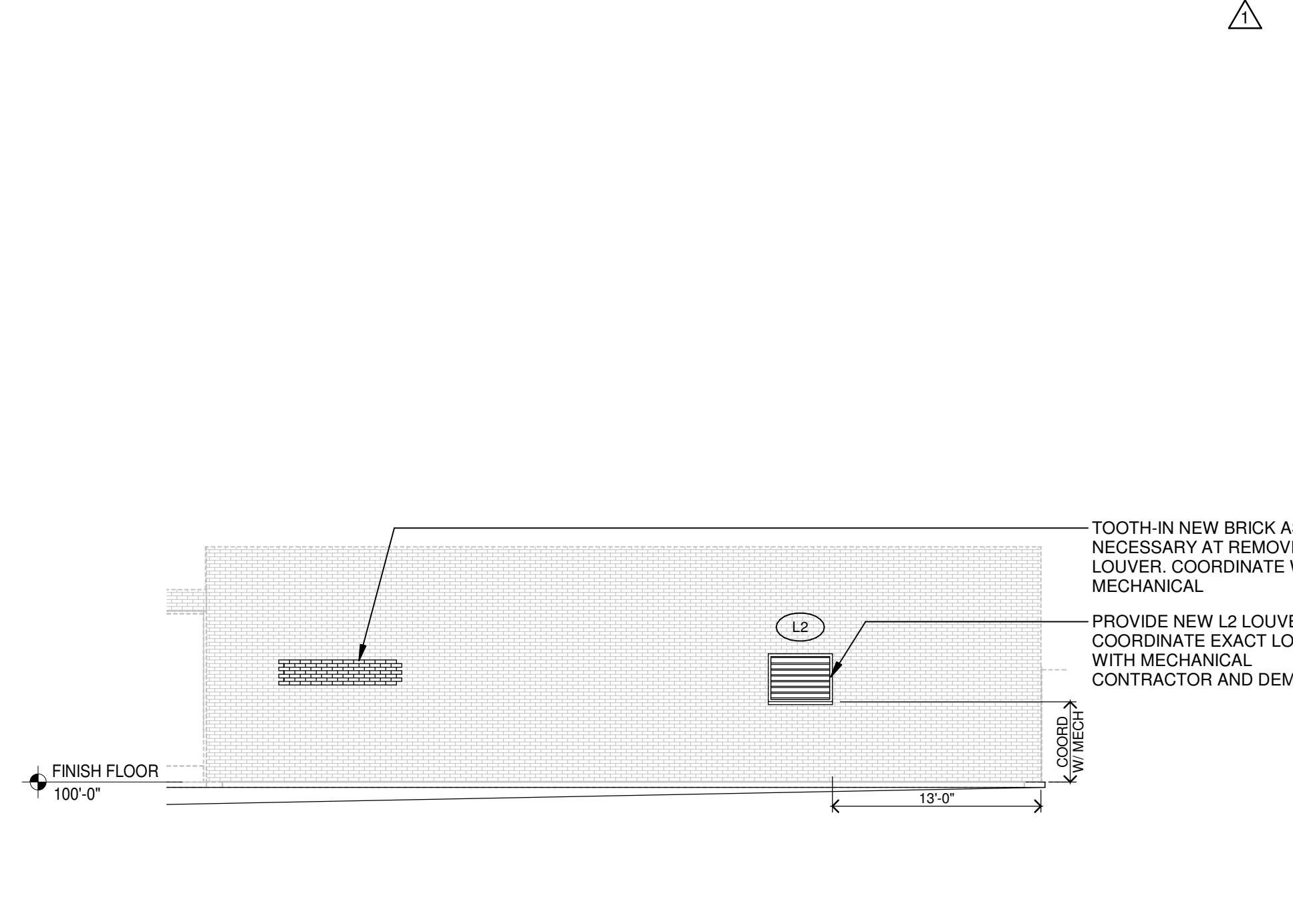
**F1 RAMP RETAINING WALL - WEST ELEVATION**  
1/8" = 1'-0"

**F2 DOCK RETAINING WALL - NORTHEAST ELEVATION**  
1/8" = 1'-0"



**F4 KITCHEN ADDITION - WEST ELEVATION**  
1/8" = 1'-0"

**F5 KITCHEN ADDITION - NORTH ELEVATION**  
1/8" = 1'-0"



**F6 EXISTING SMALL GYM - EAST ELEVATION**  
1/8" = 1'-0"

- ACID ETCHED
- SANDBLASTED
- EXPOSED AGGREGATE

MATERIALS KEY	
KEY	MATERIAL
03.04	PRECAST CONCRETE WALL PANEL
04.01	FACE BRICK
04.87	RETAINING WALL
04.88	CONCRETE RAMP
04.99	BRICK EXPANSION JOINT
05.95	PAINTED BOLLARD
07.02	PREFINISHED SHEET METAL FLASHING
07.09	ACM RAINSCREEN PANEL
07.38	PREFINISHED METAL COPING
08.02	HOLLOW METAL DOOR
08.04	ANODIZED ALUMINUM DOOR
08.10	COLLING DOOR
08.58	EXTERIOR GLAZING
11.97	DOCK BUMPER

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed ARCHITECT MINNESOTA

*Paul Apalikowski*  
Paul Apalikowski  
License Number: 42377 Date: 09/08/2020

Description	Revisions	
	Date	Num
Addendum No. 3	10/06/20	1

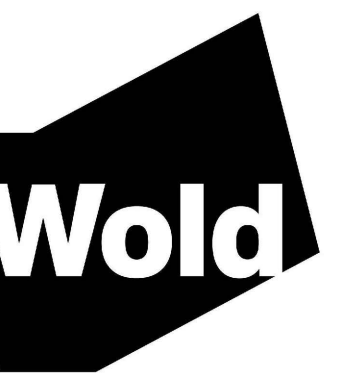
Comm: 192256  
Date: 09/08/2020  
Drawn: DCS  
Check: EBL

**EXTERIOR ELEVATIONS**

**Lincoln Elementary School Addition and Renovation**

1961 6TH STREET  
WHITE BEAR LAKE, MN 55110

**INDEPENDENT SCHOOL DISTRICT #624**  
4855 BLOOM AVENUE  
WHITE BEAR LAKE, MN 55110



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

woldae.com | 651.227.7773

**Larson Engineering, Inc.**  
3524 Labore Road  
White Bear Lake, MN 55110  
651.481.9120 (f) 651.481.9201  
www.larsonengr.com

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**SYMBOL LEGEND**

- REMOVE AND DISPOSE OF EXISTING BITUMINOUS PAVEMENT SECTION
- REMOVE AND DISPOSE OF EXISTING CONCRETE PAVEMENT SECTION
- 1.5" BITUMINOUS MILL, SEE PAVING PLAN.
- 5" BITUMINOUS MILL, SEE PAVING PLAN.
- CLEAR AND GRUB.

**KEY NOTES**

- 1 REMOVE AND DISPOSE OF EXISTING CONCRETE
- 2 REMOVE AND DISPOSE OF EXISTING BOLLARD AND FOOTING.
- 3 REMOVE AND DISPOSE OF EXISTING TREE, STUMP, AND ROOTS.
- 4 REMOVE AND DISPOSE OF EXISTING BITUMINOUS PAVEMENT.
- 5 RELOCATION OF EXISTING ELECTRIC TRANSFORMER AND SERVICE, SEE ELECTRICAL.
- 6 RELOCATION OF EXISTING GAS SERVICE & METER, SEE MECHANICAL.
- 7 REMOVE AND DISPOSE OF EXISTING STORM SEWER UTILITY.
- 8 REMOVE AND DISPOSE OF SIGN POST, RETURN SIGN TO OWNER.
- 9 REMOVE AND DISPOSE EXISTING SCHOOL SIGN.
- 10 REMOVE AND SALVAGE EXISTING FLAG POLE. DISPOSE OF FOOTING
- 11 REMOVE AND DISPOSE OF EXISTING ENCLOSURE, INCLUDING WALLS, GATE, FOUNDATIONS, FOOTINGS, ETC. SEE MECHANICAL FOR EQUIPMENT.
- 12 COORDINATE POWER POLE REMOVAL, SEE ELECTRICAL.
- 13 CLEAR AND GRUB EXISTING TREES, SHRUBS, STUMPS, ETC.
- 14 VERIFY UTILITY ROUTING, COORDINATE RELOCATION AS NEEDED.
- 15 REMOVE AND DISPOSE OF EXISTING WATERMAIN UTILITY, VERIFY LOCATION, NOTIFY ENGINEER OF CHANGES.
- 16 DISCONNECT WATER SERVICE AT MAIN, VERIFY LOCATION.

**DEMOLITION NOTES**

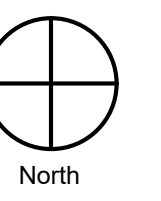
1. Verify all existing utility locations.
2. It is the responsibility of the Contractors to perform or coordinate all necessary utility demotions and/or relocations from existing utility locations to all onsite amenities and buildings. These connections include, but are not limited to, water, sanitary sewer, cable tv, telephone, gas, electric, site lighting, etc.
3. Prior to beginning work, contact Gopher State OneCall (651-454-0002) to locate utilities throughout the area under construction. The Contractor shall retain the services of a private utility locator to locate the private utilities.
4. Sawcut along edges of pavements, sidewalks, and curbs to remain.
5. Milling of bituminous pavements to be coordinated with overlay placement. Bituminous overlay to be placed on milled surface as soon as possible. Protect milled bituminous surface from unnecessary construction traffic; additional base course repairs due to construction traffic damage shall be no cost to the Owner.
6. See project manual for phasing and scheduling requirements.
7. All construction shall be performed in accordance with state and local standard specifications for construction.

I hereby certify that this plan, specifications or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the state of Minnesota.

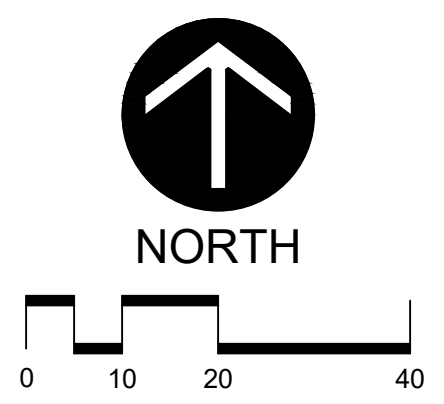
*Greg A. Buchal*  
Greg A. Buchal, P.E.  
Date: 09.08.2020 Lic. No.: 23793

Description	Revisions	
	Date	Num
Addendum #3	October 6, 2020	1

Comm: 12206046  
Date: 09.08.2020  
Drawn: KBK  
Check: GAB



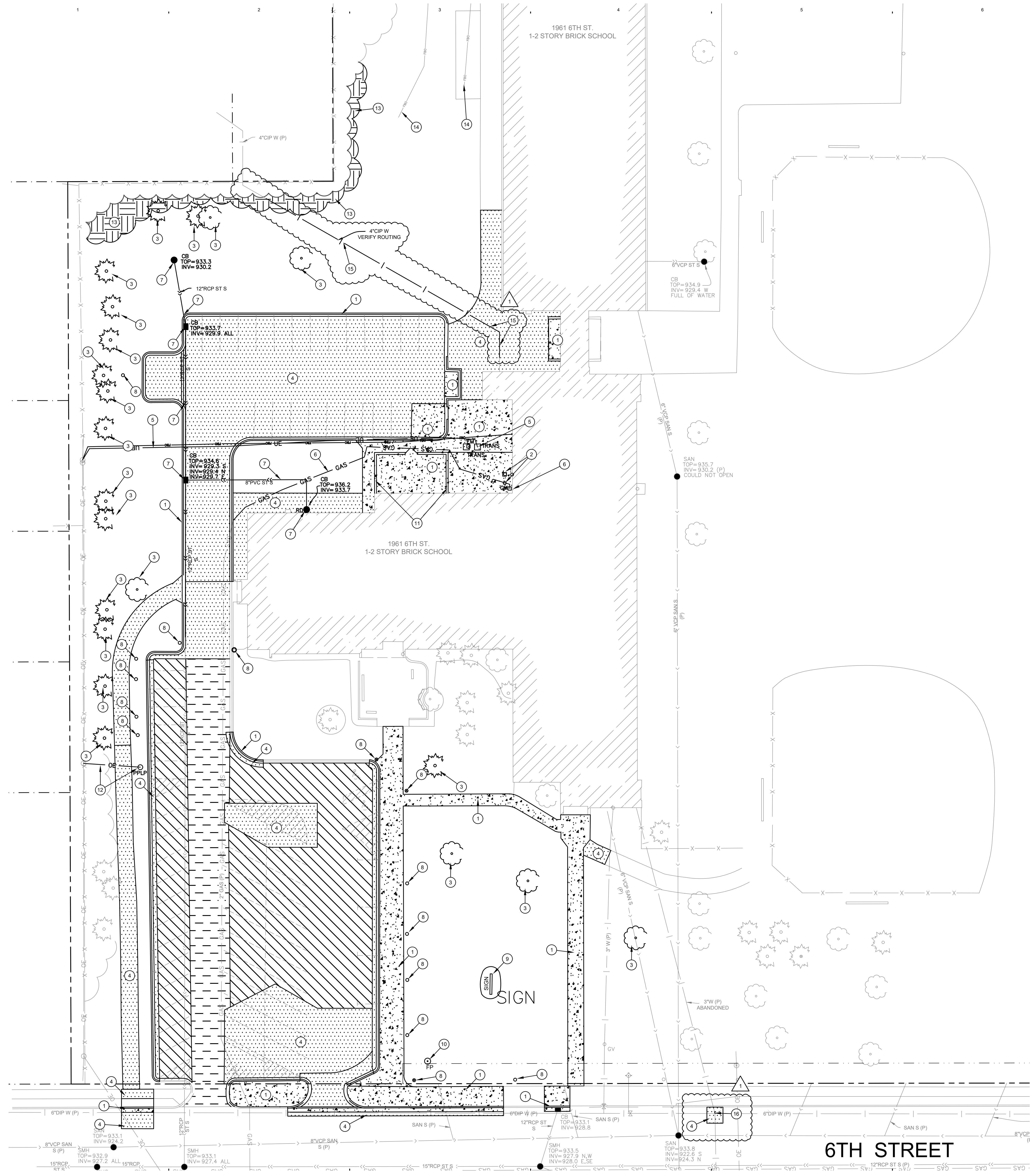
**DEMOLITION PLAN**



Scale:

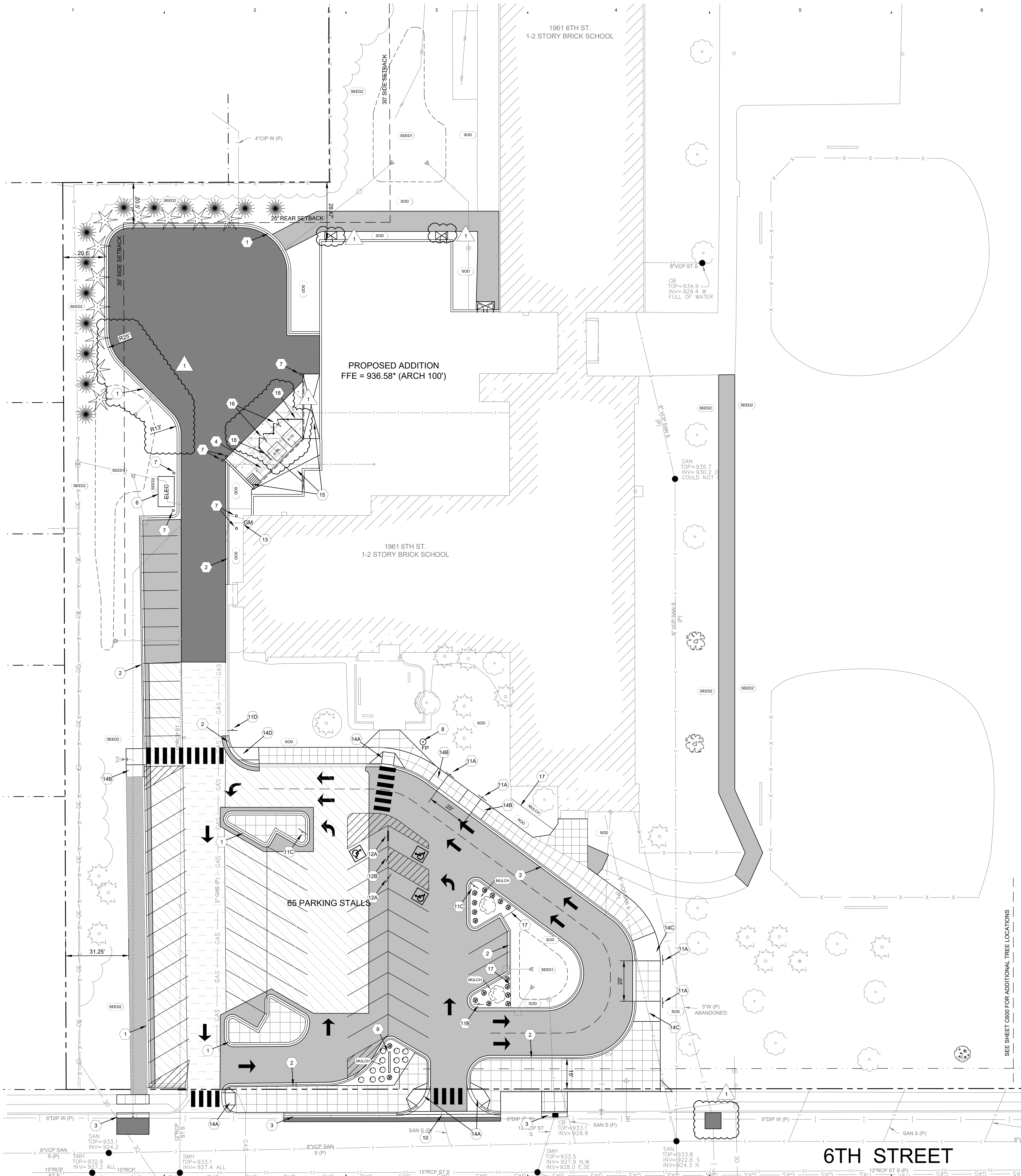
**C100**

MN



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 10/6/2020 11:15 AM

MN



### PARKING SUMMARY

TOTAL PARKING = 65 STALLS  
 ADA REQUIRED = 3 STALLS  
 ADA PROVIDED = 3 STALLS

INTERIOR LANDSCAPING REQUIRED:  
 65 STALLS / 15' LAND PER 10 STALLS = 6.5 => 7 ISLANDS\*  
 MINIMUM AREA = 7 ISLANDS \* 144 SF => 1,008 SQUARE FEET  
 PROVIDED INTERIOR ISLAND = 1,771 SQUARE FEET.

REQUIRED ISLAND TREES = 7 SHADE TREES  
 PROVIDED ISLAND SHADE TREES = 2  
 PROVIDED SITE SHADE TREES = 5  
 TOTAL PROVIDED = 7 SHADE TREES

**PARKING CALCULATION**

BUILDING CODE CAPACITY:  
 3 CLASSROOMS @ 58 = 174  
 17 CLASSROOMS @ 37 = 629  
 TOTAL = 803

REQUIRED PARKING:  
 1 PER CLASSROOM = 20  
 1 PER 50 STUDENTS = 15  
 TOTAL = 36 REQUIRED STALLS

### SYMBOL LEGEND

- NEW LIGHT-DUTY BITUMINOUS PAVEMENT SEE DETAIL 1/C500
- NEW HEAVY-DUTY BITUMINOUS PAVEMENT SEE DETAIL 2/C500
- NEW 5' BITUMINOUS PAVEMENT SEE DETAIL 3/C500
- NEW 1.5' BITUMINOUS OVERLAY SEE DETAIL 3/C500
- NEW LIGHT-DUTY CONCRETE PAVEMENT SEE DETAIL 4/C500
- NEW HEAVY-DUTY CONCRETE PAVEMENT SEE DETAIL 5/C500
- NEW STOOP/APRON SEE ARCH/STRL.
- PAVEMENT MARKINGS
- NEW FLAME GRASS, 1 GAL.
- NEW STELLA D'ORO DAYLILY, 1 GAL.
- 4" SHREDDED MULCH OVER WEED BARRIER, MATCH EXISTING.
- NATIVE SEED WITH BLANKET
- HYDROSEED

### KEY NOTES

- 1 NEW SURMOUNTABLE CURB, SEE DETAIL 8/C500
- 2 NEW B612 CONCRETE CURB, SEE DETAIL 6/C500
- 3 NEW B618 CONCRETE CURB, SEE DETAIL 6/C500
- 4 NEW TRENCH DRAIN, SEE DETAIL 11/C501
- 5 NEW RETAINING WALL, SEE STRUCTURAL.
- 6 SEE ELECTRICAL.
- 7 NEW BOLLARD, SEE DETAIL 3/C502
- 8 SALVAGED FLAGPOLE, SEE DETAIL 4/C502
- 9 NEW SIGN BY OWNER.
- 10 NEW DRIVEWAY, SEE DETAIL 9/C500
- 11 NEW PARKING SIGN AND POST, SEE DETAIL 6/C502
  - A ADA LOADING ZONE
  - B DROP OFF KEEP RIGHT
  - C DO NOT ENTER
  - D SERVICE VEHICLES ONLY
- 12 NEW PARKING SIGN, POST, AND BOLLARD, SEE DETAIL 5/C502
  - A ADA PARKING
  - B NO PARKING ACCESS AISLE
- 13 NEW GAS METER, SEE MECH.
- 14 NEW ACCESSIBLE CURB RAMP
  - A TYPE 1, SEE DETAIL 10A/C500
  - B TYPE 2, SEE DETAIL 10B/C500
  - C TYPE 3, SEE DETAIL 10C/C500
  - D TYPE 4, SEE DETAIL 10D/C500
- 15 SEE ARCHITECTURAL/STRUCTURAL FOR UPPER LOADING DOCK SLAB INCLUDING WALLS, STAIRS, & RAMP.
- 16 NEW SCREEN GATE, SEE DETAIL 2/C502.
- 17 NEW LANDSCAPE EDGING.
- 18 NEW 6' SCREEN FENCE, SEE DETAIL 7/C502.

### LANDSCAPING NOTES

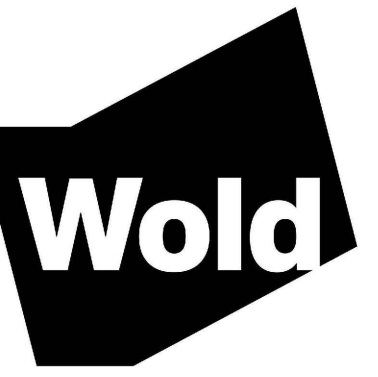
1. Landscape Contractor is responsible for coordination with other contractors to protect the new improvements during landscape work activities. Report any damage to the Construction Manager immediately.
2. Plant size and species substitutions must be approved in writing prior to acceptance in the field.
3. Landscape Contractor is responsible for ongoing maintenance of all newly installed material until time of owner acceptance. Any acts of vandalism or damage which may occur prior to owner acceptance shall be the responsibility of the contractor. Contractor shall provide the owner with a maintenance program including, but not limited to, pruning, fertilization and disease/pest control.
4. Landscape Contractor shall provide the owner with a watering schedule appropriate to the project site conditions and to plant material growth requirements.
5. Landscape Contractor shall guarantee newly planted material through one calendar year from the date of written owner acceptance. Plants that exhibit more than 10% die-back damage shall be replaced at no additional cost to the owner. The contractor shall also provide adequate tree wrap and deer/rodent protection measures for the plantings during the warranty period.
6. Planting areas shall be edged with 6" black vinyl edging and have 4" colored hardwood wood mulch over a weed barrier fabric.
7. All trees not planted in landscaped areas shall have shredded hardwood mulch placed around the tree at 4' diameter and 6" deep.
8. Restore all disturbed turf areas with 6" of good quality topsoil and seed or sod as indicated. For infiltration basin areas refer to detail 1/C502 for construction and restoration guidelines.
9. See Sheet C600 for tree preservation and planting plan.

## Lincoln Elementary School Addition and Renovation

1961 6TH STREET  
WHITE BEAR LAKE, MN 55110

## INDEPENDENT SCHOOL DISTRICT #624

4855 BLOOM AVENUE  
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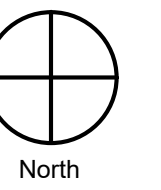
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I hereby certify that this plan, specifications or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the state of Minnesota.

*Greg A. Buchal, P.E.*  
Date: 09.08.2020 Lic. No.: 23793

Description	Revisions	
	Date	Num
Addendum #3	October 6, 2020	1

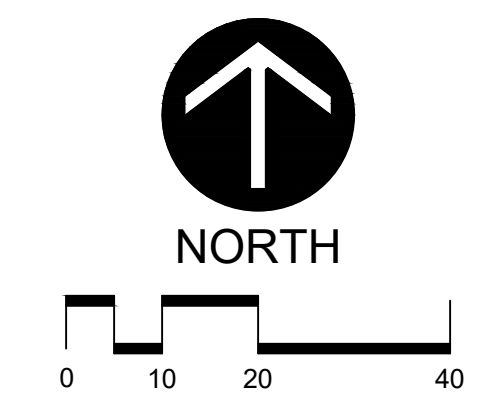
Comm: 12206046  
Date: 09.08.2020  
Drawn: KBK  
Check: GAB



## PAVING AND LANDSCAPING PLAN

Scale:

# C200



SEE SHEET C600 FOR ADDITIONAL TREE LOCATIONS







**City of White Bear Lake**  
COMMUNITY DEVELOPMENT  
DEPARTMENT

## *MEMORANDUM*

**TO:** The Planning Commission

**FROM:** Anne Kane, Community Development Director

**DATE:** October 21, 2020 for the October 26, 2020 Planning Commission Meeting

**SUBJECT** Raykowski Gate, 2503 Manitou Island - Case No. 20-18-V

---

### **REQUEST**

The applicant, Grant Raykowski, is requesting a seven (7) foot variance from the 12 foot setback required for fences located in a corner side yard, in order install a gate at the entrance to the secondary driveway five (5) feet from the curb.

### **SITE CHARACTERISTICS**

The subject property is the first residential lot on the east side of the island just south of the bridge. The lot complies with both the size and width requirements of the code.

### **ZONING**

The subject property is zoned R1-I – Single Family Island and S – Shoreland Overlay, as are all surrounding properties.

### **BACKGROUND**

According to Ramsey County, the house was built in 1941. The owners were granted a variance last year to reconstruct and expand the existing detached garage. The proposed location of the gate is designed to secure this detached garage.

### **APPLICANT'S PRACTICAL DIFFICULTY**

The applicant's practical difficulty is the configuration of the driveway. See applicant's narrative.

### **ANALYSIS**

Last month, the applicant's fence contractor applied for a Fence Permit to install a wrought iron gate at the proposed location. Staff's review of the Permit Application noted that the maximum height for a fence in the proposed location (corner sideyard) is 4'-0". The homeowners would like to install a gate which is 5'-6" on its outside edges tapering down to 4'-6" in the center and questioned if the fence height applied since it is a private road. Staff clarified that fence regulations apply whether a roadway is public or private and if the preferred gate design exceed four feet in height, then it would need to be setback 12 feet. As depicted on the Survey, the wrought iron gate is proposed to be installed where the cobblestone pavers end and the asphalt driveway begins, approximately 5 feet back of curb.

The applicant cites a number of vehicles routinely enter onto the island and rely on the driveway as a turn-around. Given the distance of the detached garage from the residence and screening by extensive landscaping, staff understands the desire to prevent unauthorized entry onto the driveway. Typically, height variances are granted for taller fences along corner side yards where the right-of-way is a higher-volume, higher-speed roadway such as White Bear Avenue or County Road E. In this particular case, the variance is primarily for aesthetic purposes for the increased gate height. Staff finds the ornamental design of the gate provides an attractive solution to secure the driveway and detached garage. Given the size of the parcel, distance to any neighboring residence, extensive landscape screening, and somewhat unique situation of being adjacent to a private road, staff is not opposed to granting of the variance to allow the gate to be installed five feet, rather than 12 feet, back of curb.

### **SUMMARY**

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

### **RECOMMENDATION**

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

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

### **Attachments:**

1. Draft Resolution of Approval
2. Zoning/Location Map
3. Applicant's Request Narrative
4. Survey
5. Gate Detail
6. Letter of Support from Bruce and Marie Lang – 2504 Manitou Island

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION GRANTING A VARIANCE FOR  
2503 MANITOU ISLAND  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (20-18-V) has been submitted by Grant Raykowski 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:** 2503 Manitou Island

**LEGAL DESCRIPTION:** : That part of Lot 72 lying Westerly of a line measured 39 feet on southwest line of said Lot to a point 238.72 feet northeasterly of the west COR, and all of Lots 73 and 74, Manitou Island, White Bear Lake, Ramsey County, MN; (PID # 13.30.22.42.0003)

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF:** A 7 foot variance to reduce the setback for a fence in a corner side yard from 12 feet to 5 feet to allow the installation of a gate which exceeds 4 feet in height at the entrance to the secondary driveway five feet from the curb; and

**WHEREAS**, the Planning Commission has held a public hearing as required by the city Zoning Code on October 26, 2020; and

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

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

1. The requested variance will not:
  - a. Impair an adequate supply of light and air to adjacent property.
  - b. Unreasonably increase the congestion in the public street.
  - c. Increase the danger of fire or endanger the public safety.
  - d. Unreasonably diminish or impair established property values within the neighborhood.
2. Because the existing layout provides limited options, the variance is a reasonable use of the land or building.
3. The variance will not be injurious to the neighborhood.

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

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

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

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

Ayes:  
Nays:  
Passed:

\_\_\_\_\_  
Jo Emerson, Mayor

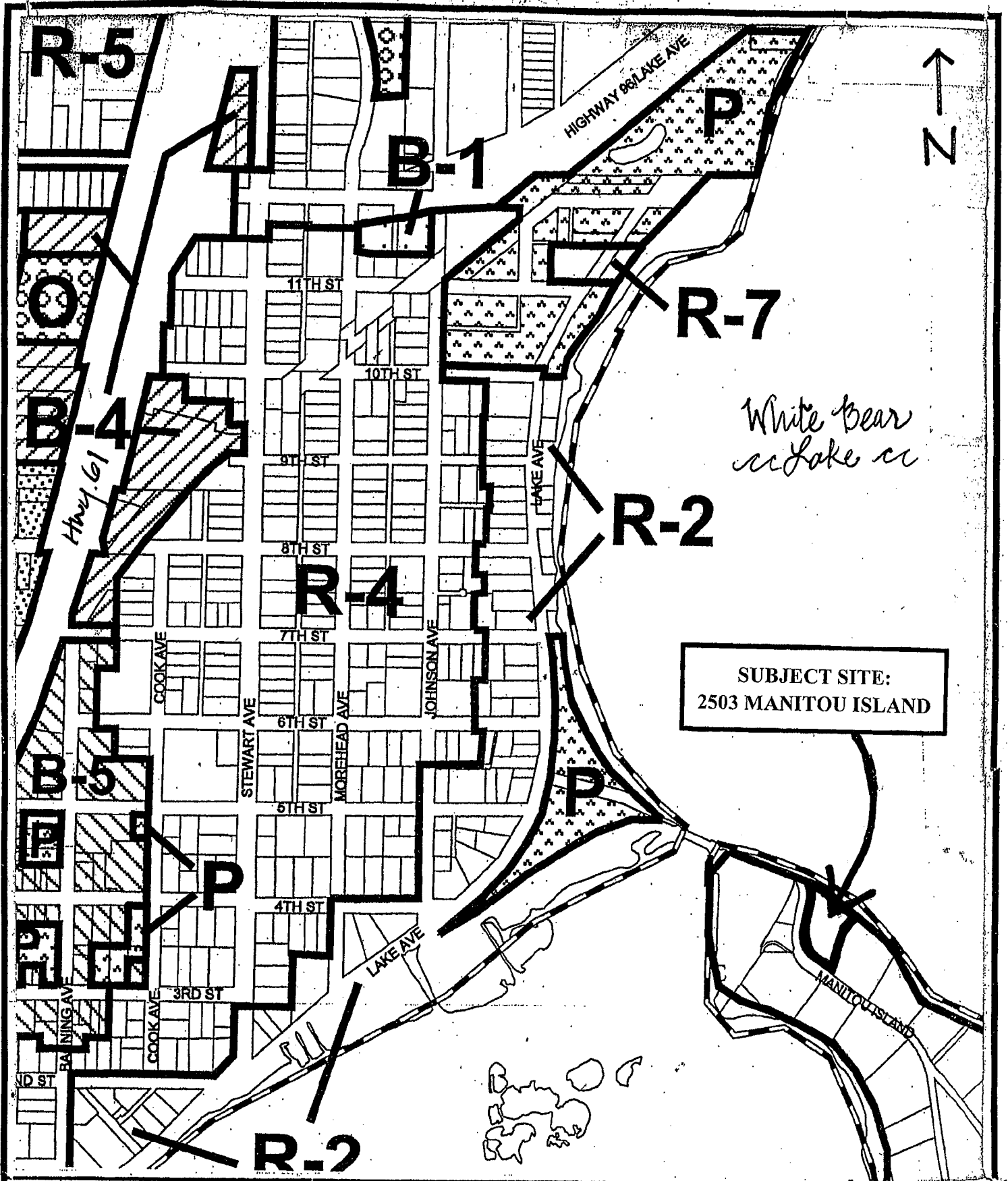
**ATTEST:**

\_\_\_\_\_  
Kara Coustry, City Clerk

\*\*\*\*\*

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

\_\_\_\_\_  
Grant Raykowski Date



*White Bear  
cc Lake cc*

**SUBJECT SITE:  
2503 MANITOU ISLAND**

<p>City of White Bear Lake Planning and Zoning Office (612)-429-8561</p>	<p>CASE NO. : <u>20-18-V</u>          CASE NAME : <u>RAYKOWSKI</u>          DATE : <u>October 26, 2020</u></p>
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# 2503 Manitou Island Driveway Gate

This variance request is to reduce the setback from the stated 12 feet to 5 feet. Placement in this location does not impede safety or obstruct vision for pedestrians or motor vehicles. The gate would not be visible from our private road until you are right in front of it due to the dense tree and landscaping cover.

The gate location would not be visible from any of our neighbor's properties. The requested position would allow the gate to be placed in a location that would require the shortest span while still permitting ideal access to the driveway. To comply with the stated 12-foot setback would require an impractical position for vehicle access and increase the span to the extent it would complicate construction and location. This request would not set a precedent as this roadway is private.



**Gate would be set back from tree/landscape line so not directly visible**



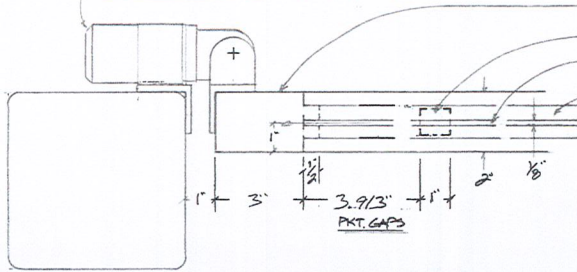
**Gate placement at asphalt/stone junction to allow ideal access and shortest span.**



D&D SURECLOSE HINGES  
 ENL. 74001313 (FREE SWINGING)

ALUM.

- 2x 3" x 1/8" w. RECT. TUBE - GATE FRAME & RAILS
- 1" x 1" x 1/8" w. SQ. TUBE - PKT.<sup>s</sup>
- 1/8" SHEET - PANELS
- w/ 1/2" x 1/2" SQ. BAR - TRIM (BOTH SIDES)

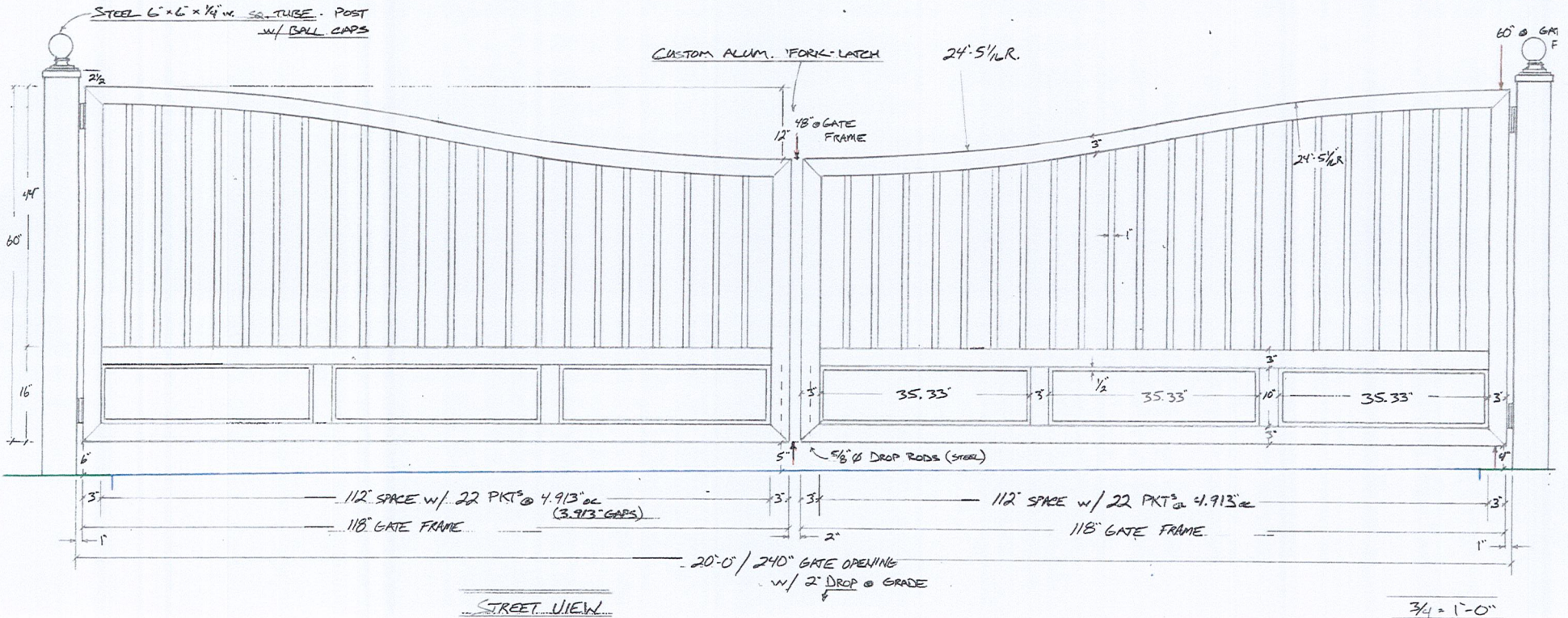


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STREET SIDE

AERIAL VIEW

GRANT RAYKOUSKI RESIDENCE / 293 MANITOW ISLAND  
 WHITE BEAR, MN.  
 CUSTOM ALUM. ESTATE GATE @ 20'-0" OPENING  
 SHOP DRAWING / TO BE APPROVED  
 09-17-20 PAGE - 1 OF 1





## **Ashton Miller**

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**From:** Bruce Lang <BruLan@rigidhitch.com>  
**Sent:** Monday, October 19, 2020 2:47 PM  
**To:** Ashton Miller  
**Cc:** Meredith Kurysh  
**Subject:** Gate at 2503 (Case No. 20-18-v)

Planning Commission of WBL,

Our names are Bruce and Muriel Marie Lang and we live at 2504 Manitou Is, directly across the street from where the purposed gate is to be installed. We have absolutely no problem with the location or style of the new gate and ask you to recommend approval to the City Council.

**Sincerely,**  
**Bruce M and M Marie Lang**

## **CITY COUNCIL MEETING SUMMARY**

October 13, 2020

**APPROVAL OF MINUTES** – Approved

**APPROVAL OF THE AGENDA** – Approved

**VISITORS AND PRESENTATIONS** – Approved

A. East Goose Lake Adaptive Management – Phil Belfiori, VLAWMO

**PUBLIC HEARINGS** – Nothing scheduled

**LAND USE** – Approved

A. Consent

1. Consideration of a Planning Commission recommendation for approval of a request by Frazer Automotive for a variance at 2140 3rd Street. (Case No. 20-15-V).  
**Resolution No. 12636**
2. Consideration of a Planning Commission recommendation for approval of a request by Charlene Baker for a Special Home Occupation Permit at 3296 Glen Oaks Avenue. (Case No. 20-4-SHOP). **Resolution No. 12637**
3. Consideration of a Planning Commission recommendation for approval of a request by Stonehouse Catering for a Conditional Use Permit at 4466 Centerville Road. (20-7-CUP). **Resolution No. 12638**

**UNFINISHED BUSINESS** – Nothing scheduled

**ORDINANCES** – Nothing scheduled

**NEW BUSINESS** – Approved

- A. Resolution authorizing 2020-21 Housing Policy Community Engagement Process.  
**Resolution No. 12639**
- B. Resolution support for the Bruce Vento Master Plan. **Resolution No. 12640**
- C. Resolution establishing 2021 Group Life, Health and Dental Insurance for Employees.  
**Resolution No. 12641**
- D. Resolution authorizing additional allocation for Business Relief Grants using Coronavirus Relief Funds. **Resolution No. 12642**

**CONSENT** – Approved

- A. Acceptance of Minutes: August Environmental Advisory Commission, August Park Advisory Commission, September Planning Commission

- B. Resolution authorizing a Grant Agreement with MN Department of Public Safety for the 2021 Enforcement Grant (2020-2021 RCTSI grant). **Resolution No. 12643**
- C. Resolution authorizing Carbone's to hold outdoor music for Halloween. **Resolution No. 12644**
- D. Resolution approving a Joint Powers Agreement with Ramsey County Geographical Information Systems (GIS) Users Group. **Resolution No. 12645**
- E. Resolution approving lease amendments with Verizon Wireless for placement of communications equipment on the City's monopoles at 4636 Centerville Road. **Resolution No. 12646**

## **DISCUSSION**

- A. Marina Management Contract Extension – Council okay not seeking RFP

## **COMMUNICATIONS FROM THE CITY MANAGER**

- Matoska Park Gazebo – vandalism has made the gazebo unsafe and staff intends to remove the steps to the second floor until it can be repaired, or possibly rebuilt. Budgeting and fundraising was discussed.
- U.S./Canada Tank of the Year nominations – White Bear Lake water tower at Centerville Road is in 2<sup>nd</sup> place in Tnemec, Inc's Tank of the Year contest. Nominations accepted through Oct. 16 and the winners announced Oct. 23 for a spot in the annual tank calendar.
- Environmental Updates
  - Goose Lake boat launch for use by VLAWMO has been constructed.
  - Great Plains Institute published a blog about City's partnership with Cummins Inc, which can be found at the following link:  
<https://www.betterenergy.org/blog/community-partnerships-accelerate-electric-vehicle-charging-in-minnesota/>
- Work Session reminder: October, 20, 2020 at 6:00 p.m. to discuss the Non-General Fund Budget focusing on water, sewer, storm water and refuse rates.
- Ordinance second readings from earlier this year will be scheduled now that people are more comfortable with an electronic format.
- Engineering update - Paul Kauppi, City Engineer/Public Works Director
  - Public Works crews have been winterizing park facilities, vehicles and buildings.
  - Street sweepers will continue to make the rounds to clear leaves from 85 miles of street.
- Mayor Emerson reported White Bear Lake took 2<sup>nd</sup> place again in the Mayor's Water Challenge, with Laguna Beach taking 1<sup>st</sup> place.

**ADJOURNMENT** – 9:02 p.m.

# Park Advisory Commission Meeting Minutes

JULY 16, 2020

6:30 P.M.

LAKEWOOD HILLS PARK

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

## AGENDA TOPICS

### 1. CALL TO ORDER

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

### 2. APPROVAL OF MINUTES

Approval of the minutes from June 18, 2020 was moved by Ginny Davis and seconded by Mike Shepard.

### 3. APPROVAL OF AGENDA

Approval of the July 16, 2020 agenda was moved by Ginny Davis and seconded by Mike Shepard.

### 4. UNFINISHED BUSINESS

Bill Ganzlin finally received his Park Advisory Commission shirt.

### 5. NEW BUSINESS

#### a) Lakewood Hills Tour continued

The Lakewood Hills Park tour and clean-up were delayed due to the rain. Paul and Mark identified the proposed location of the all abilities park within Lakewood Hills. The proposed location is between the parking lot and adjacent to the existing playground. The proposed location in close proximity to the parking lot allows for additional handicap parking stalls adjacent to the area and also direct access from the parking lot.

#### b) Lakewood Hills Tour continued

The Commission walked through the woods as a group to see the dangers of the fallen and dead tress that are in need of removal. Andy Weitecki pointed out the wooded area is very unhealthy with little under growth in certain areas. Andy emphasized the need to start revitalizing this area to a viable forest for the

future. The Commission discussed opportunities with the watershed district in terms of a possible funding source to help with the re-forestation at Lakewood Hills. The Commission members were shocked at the amount of dead trees and dirt forest bed.

## **6. OTHER STAFF REPORTS**

Andy Wieteki reported on a couple of projects that the City is trying to complete this year at Lakewood Hills. The two projects including paving under the bleachers at the soccer fields and the paving a new trail into the wood from the playground. The trail project would be replacing the current trail that is in poor condition.

## **7. COMMISSION REPORTS**

Bryan Belisle suggested that some type of play structure for kids be added to Lions Park. The Commission members agreed that we don't need a big apparatus like other parks just something to give the kids some entertainment. Anastacia and Ginny both highly recommended that nature place like boulders or non-traditional play structures would really fit the park nicely and be cost effective to install. They both stated that the Tamarack Nature Center offers these types of areas for kids to play on and suggested that Andy Wieteki go to Tamarack Nature Center to get ideas for Lions Park.

Ginny Davis reported that she received an e-mail from a resident again this year regarding the lake weeds at the fishing piers at both Lions Park and Veterans Memorial Park. The gentleman stated that while his kids are fishing they get tangled up in the weeds making it hard to catch fish. Andy, Paul and Mark took a trip to both fishing piers to look at the fishing/weed conditions. Some weeds were discovered at Lions Park pier but there was no evidence of weeds from the Veterans Park pier except along the shoreline. They spoke to two fishermen and the fishermen did not have many issues with weeds and usually catch bass and sunnies at Lions Park. Andy informed the Commission that he is getting bids on weed removal. He is meeting a member from the DNR at these locations to better understand what we can and cannot do in these areas and to get the DNR's recommendations on what should be done with these two areas. Paul reached out to the resident and offered to meet him at the locations to get his perspective. At this time, we have not heard back from yet.

Bryan Belisle asked if the City had considered connecting the trail that goes through Hidden Hollow park to the future Lake Links Trail. Andy Wieteki reported that the once the trail is around the lake or at least along South Shore Boulevard, the City would reroute the trail through the church parking lot and make a dedicated trail to Bellaire. The shoulder would be the connecting trail to South Shore Avenue. The City does plan to pave the trail in the park in the future to make the trail more user friendly.

Bill Ganzlin wanted to know if there are any trails that are maintained in the winter months for residents to use, especially this year with Covid-19. The trails plowed in the winter time include: Lake Avenue, Rotary Park, Birch Lake trail around to Hwy 96 to White Bear Parkway to Birch Lake Boulevard South. Andy reported that the City also plans to pave the trails inside Lakewood Hills Park in the future and plow them for winter use. The Park Advisory Commission Members agreed that it would be a good idea to post the trails that are plowed in the winter months on the City's website.

**8. OTHER BUSINESS**

None.

**9. ADJOURNMENT**

The next meeting will be held on August 20, 2020 at 6:30 p.m. at Memorial Beach.

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

# Park Advisory Commission Meeting Minutes

AUGUST 20, 2020

6:30 P.M.

Memorial Beach/West Park

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

## 1. CALL TO ORDER

The meeting was called to order at 6:34 pm.

## 2. APPROVAL OF MINUTES

Approval of the minutes from July 16, 2020 was moved by Mike Shepard and seconded by Ginny Davis.

## 3. APPROVAL OF AGENDA

Approval of the August 20, 2020 agenda was moved by Victoria Biehn and seconded by Mark Cermak with the addition of Lifeguards at Memorial Beach by Bryan Belisle.

## 4. UNFINISHED BUSINESS – LIONS PARK FISHING PIER WEED UPDATE

Andy Wietecki updated the Park Commission Members about the Lions Park fishing pier weed issue. Money was moved around in the budget to make the weed removal happen this year. Weed removal at the Lions Park fishing pier will help improve the conditions for the fishermen and fisherwomen that use this pier.

## 5. NEW BUSINESS

### a) Memorial Beach Retaining Wall Improvement Project for 2021

The Park Advisory Commission met at Memorial Beach to discuss the hillside at Memorial Beach that keeps eroding onto the trail below. Installation of a retaining wall will improve the aesthetics and make the hill much easier to maintain. Andy requested feedback from the Commission members on whether a commercial or natural look would be preferred. Anastacia suggested that the City try to design the wall and landscaping with a natural look including boulders and natural plantings instead of high maintenance shrubs and plants. The other members agreed that the City should look at more natural designs but also design more usable space for people to sit and enjoy the lake view by incorporating more benches and patio space. According to Andy, the City will have soil boring samples tested this fall to identify the soil conditions so that a design/plan can be developed over the winter months.

### b) Pavement Replacement at Lakewood Hills Softball Complex

The City of White Bear Lake is proceeding with pavement replacement at Lakewood Hills Softball Complex this fall. The sinking concrete apron around the building was already replaced. The City is currently waiting for 3 new French drains. Once the drains arrive and are ready to be installed, all the asphalt around the softball complex will be removed and replaced. The project was almost pushed off for another year but the project came in way under budget, so the City decided to proceed with it this year.

#### **6. OTHER STAFF REPORTS – UPDATE AND TOUR OF WEST PARK SHELTER**

After discussing the beach project at Memorial Beach, the Park Advisory Commission walked to West Park to look at the new picnic shelter being constructed. The Commission members really liked the design and how well it fits the park. The Commission couldn't help but notice the great views of the lake from the new shelter. Andy Wieteki also updated the Park Advisory Commission on the construction progress.

The Commission received an update on the City's park budget for next year.

#### **7. COMMISSION REPORTS**

Bryan Belisle had a resident reach out to him asking why West Park is the only beach on White Bear Lake that isn't staffed with lifeguards. The Park Advisory Commission discussed the importance of a lifeguard in a life or death situation and discussed how the City could obtain and manage lifeguards. Bryan believes that the YMCA will staff our beach for a fee and that all of the training and scheduling is done by the YMCA. The Commission agreed that the City should look into this program offered by the YMCA.

Mike Shepard requested an update on the split rail fence at Lions Park that the White Bear Lake Lions Club donated money to replace. Andy reported that the fence was installed on July 27<sup>th</sup>. The new fence gives the lakeshore at Lions Park a much needed enhancement.

#### **8. OTHER BUSINESS**

None.

#### **9. ADJOURNMENT**

The next meeting will be held on September 17, 2020 at 6:30 p.m.

There being no further business to come before the Park Commission, the meeting was adjourned. Moved by Mike Shepard and seconded by Mark Cermak.