PLANNING COMMISSION MEETING AGENDA CITY OF WHITE BEAR LAKE, MINNESOTA

The City of White Bear Lake Planning Commission will hold a meeting on Monday, November 30, 2020 beginning at 7:00 p.m. Pursuant to a statement issued by the Mayor under Minnesota Statutes, section 13D.021 as a result of the COVID-19 pandemic, the meeting will be conducted electronically via WebEx. The meeting room at City Hall will not be open to the public.

- **1**. Call to order and roll call.
- **2.** Approval of the November 30, 2020 agenda.
- 3. Approval of the October 26, 2020 Planning Commission meeting minutes.

4. CASE ITEMS:

Unless continued, these cases will go to the City Council meeting on Tuesday, December 8, 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.
- **B.** Case No. 20-19-V: A request by Alleycat's for an amendment, per Code Section 1202.040, Subd.2.A, to an existing wall sign variance to allow a portion of the sign to be converted from individual channel letter style to box style. The existing variance being amended is a variance to allow a 35.5 square foot sign on the south elevation in addition to the 50.28 square foot sign on the west elevation, for an end-cap tenant at the property located at 1971 Whitaker Street.

5. DISCUSSION ITEMS:

- A. City Council Meeting Summary from November 10, 2020.
- B. Park Advisory Commission Meeting Minutes from September 17, 2020.

6. ADJOURNMENT

Next Regular City Council Meeting	December 8, 2020
Next Regular Planning Commission Meeting	January 25, 2020

MINUTES PLANNING COMMISSION MEETING CITY OF WHITE BEAR LAKE OCTOBER 26, 2020

The regular monthly meeting of the White Bear Lake Planning Commission was called to order on Monday, October 26, 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. <u>CALL TO ORDER/ROLL CALL</u>:

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

MEMBERS EXCUSED: Erich Reinhardt.

MEMBERS UNEXCUSED: None.

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

OTHERS PRESENT: Steve Bucher, Kelly Clement, Jacqueline Ganser, Robert Wentink, Brent Peacock, Melissa Peacock, Troy Kampa, Susan Wolsfeld, Sean Wagner, Tim Wald, Eric Linner, Dan Schmidt, Grant Raykowski, Blake Segafredo, John Leininger, Allan Boucher, and Mike Amundsen.

2. <u>APPROVAL OF THE OCTOBER 26, 2020 AGENDA</u>:

Member Reis moved for approval of the agenda. Member Lynch seconded the motion, and the agenda was approved (5-0).

3. <u>APPROVAL OF THE SEPTEMBER 28, 2020 PLANNING COMMISSION MEETING</u> <u>MINUTES:</u>

Member Enz moved for approval of the minutes. Member Reis seconded the motion, and the minutes were approved (5-0).

4. CASE ITEMS:

- 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.

Miller discussed the case. Staff recommended denial of one variance and approval of one variance.

Member Reis asked if a variance had ever been granted on the Stewart Avenue side of the building. Miller replied that she was unsure. Kane explained that due to the age of the building, it was likely built before any formal zoning code was adopted, so the building setbacks are legal nonconforming. Member Reis explained that the reason he asks is if a variance was granted on the west and the applicants are now requesting a variance on the north and east, it would be a lot of nonconformity for one property.

Member Berry wondered whether the original two-car garage had received a variance since it was much closer to the rear property line than the proposed porch. Member Baltzer noted that the applicants may speak to this since the new garage is further back on the property.

Member Lynch asked if the property line on the east side encroached into the alleyway. Miller replied it was a twenty-foot wide right-of-way that started along the paved portion of the alley.

Member Baltzer opened the public hearing.

Steve Bucher, applicant, offered a number of reasons why they chose this location for the porch. He clarified that the property line is about three feet back from the pavement in the alley and stated that it will be less intrusive than what existed when they bought the property in both size and setback, since the old garage was much closer. Additionally, there is a concrete slab that is part of the basement and cannot be removed, which the porch would cover, improving the appearance of the rear yard.

Further, this is the only area of the yard that provides shade, which is a necessity for Mr. Bucher, as he is prone to skin cancer. He clarified that the second porch shown on the plans was not constructed and there is no intention to build one in that location.

Mr. Bucher addressed the concerns of neighbors regarding an increase in noise. He stated that the noise issue is not dependent on whether the variance for the screen porch is granted. The space will be used for outdoor enjoyment regardless of what is constructed, and he thinks that enclosing the space may make it quieter for surrounding neighbors.

Member Reis asked what would become of the concrete slab should the variance be denied. Mr. Bucher replied that it would remain as is. The variance would allow the applicants to turn an area that is otherwise unattractive into something aesthetically pleasing.

Jacqueline Ganser, 4821 Morehead Avenue, stated that she and her husband are opposed to the granting of the variance for several reasons. The neighborhood has relatively high density and there is little space between homes. She believes the proposed porch would be invasive to the personal space and privacy of the surrounding homes. She further explained that there is a precedent of noise issues by the former occupants, the Lakeshore Players Theater. The back step was often used by staff as a break area and the noise carried into their backyard. Ms. Ganser is concerned that the variance will extend the gathering space and further propagate the noise nuisance.

Ms. Ganser noted that they are particularly concerned that the applicants will be using the home for events and fundraising activities with an emphasis on musical performances and that Ms.

Clement's work in the audio electronics sector will further increase the noise. She asked the applicants how often they will hold fundraising events and how working from home will affect the neighborhood. She welcomes the applicants to the neighborhood and asks they be respectful of the small lots and character of the neighborhood.

Steve Bucher sought to address some of Ms. Ganser's concerns. He stated that they are not a theater company and if they chose to play music it would be the same as any other resident playing music in their home. He agrees that homes are generally close together, but this is not the case for the homes across the alley. There is significant space between them. He stated his use of the space will not match how the theater used it. We are sensitive to the neighbor's concerns, but we live in a city and there is going to be noise.

Kelly Clement, applicant, explained that the screened porch will not be used for entertaining. This is our residence. The porch will only have four chairs and a table, much like other neighbors in the alley have. She had previously told the neighbors that they would be interested in hosting events for the good of the community, not as a place for parties that would spill into the backyard. Mr. Bucher reiterated this is not a theater.

Ms. Clement continued that her job as an audio/video representative did not mean she would be demonstrating loud speakers all day long. Her business will not impact the neighborhood.

Jacqueline Ganser, 4821 Morehead Avenue, addressed the old garage that was on the property. The use of the garage was only used for storage by theater staff, so was essentially nonexistent. She commented that they are reasonable neighbors and are used to the level of noise and traffic that both the theater and Marketfest generate, however she will remain concerned of the potential for noise nuisances.

Steve Bucher, applicant, concluded that they will be sensitive to noise, but it is not an issue that will be affected by the construction of the screen porch.

Member Baltzer closed the public hearing.

Member Lynch asked if the variance request would be the same if the area was completely enclosed. Miller confirmed it would be.

Member Reis believed that the neighbors should not be concerned with potential noise issues because they are protected by the existing noise ordinances, so is somewhat of a non-issue in terms of the variance request. He continued that the issue for him is that it is a really big building with a big footprint for the R-4 neighborhood.

Member Berry asked if there are any existing variances anywhere on this property. Miller was unaware of any variances.

Member Lynch acknowledged the concern surrounding noise, but agreed with Member Reis in his opinion of the matter. His main concern is that there are other areas where such a structure could be constructed that do not encroach into the alleyway or other required setbacks.

Member Enz agreed with Member Lynch, stating that she believes the applicants could come up with creative ways to provide shade for a porch on the south side. There is a lot of space on the

south side of the property and certain plant material and design features could offer the shade the applicants are seeking.

Member Baltzer stated that the applicants have already addressed certain issues by moving the new garage back. The roof of the screen porch would match the garage and would break up the nothingness that currently exists in the rear, making it aesthetically easier to look at. He agreed that the slab will be an eyesore if left as is and that since the porch will only extend a few feet more than the slab, there will not be much of change. Any change will be for the better.

Member Reis moved to recommend approval of the side yard abutting a public right-of way variance and disapproval of the rear yard variance in Case No. 20-17-V, as recommended by staff. Member Lynch seconded the motion. The motion passed by a vote of 3-2. Member Baltzer and Member Berry dissented.

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.

Miller discussed the case. Staff recommended approval.

Member Lynch asked whether the one residence that had not signed the administrative variance had any objections to the project. Miller stated that the School District had tried to contact the property owners, but it appeared no one was living in the home, and there was no response to letters sent to the owners' mailing address.

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

Member Lynch moved to recommend approval of Case No. 12-5-Sa. Member Enz seconded the motion. The motion passed by a vote of 5-0.

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.

Crosby discussed the case. Staff recommended approval subject to the conditions listed in the report.

Member Enz asked if the conditions that staff was recommending included the proposed changes that staff just presented. Crosby confirmed that they did. Staff then showed a graphic depicting changes requested by the Manitou Island Association.

Member Reis asked if the noncompliant structure by the lake could be repaired and to what extent. Crosby replied that it could be repaired essentially down to the studs, so substantial work could be completed.

Member Baltzer opened the public hearing.

Melissa and Brent Peacock, 2532 Manitou Island, applicants, introduced themselves as the new owners of the property. They are not looking to upset neighbors with this project.

Sean Wagner, Board of Directors Member of the Manitou Island Association, 2535 Manitou Island. He reiterated that the Board has not withdrawn their objection to the variance, but requests that if the Planning Commission approves it, a number of conditions be included to minimize the impact on the neighborhood.

Member Baltzer closed the public hearing.

Member Baltzer sought clarification on whether the conditions proposed by the Board would be included if the Commissioners voted to approve the variance as requested. Crosby replied that it would be up to the Planning Commission on what conditions to include.

Member Lynch commented that there are already three accessory structures plus the driveway. Parking cars in a different formation could provide room for multiple vehicles without restricting access.

Member Reis stated that he understands Mr. Wagner's concerns, but he is not sure what exactly the Association is requesting in terms of modifying the variance request. He has not seen any specific conditions that the Commissioners could consider.

Member Enz concurred that it was a little confusing on what was being proposed and wondered if Mr. Wagner could clarify the position of the Board.

Sean Wagner explained that the property has received a number of variances in the past, so is already nonconforming. The addition of the third garage stall would exacerbate the nonconformity. The Board is requesting conditions that minimize the nonconformity be included to bring the existing two stall garage into more aesthetic consistency with the island. The Board would like to keep the character of the properties on the island consistent.

Member Reis suggested that the Board consider additional bylaws for the Association in order to build in more absolutes on what can and cannot be done on a property.

Member Baltzer asked the applicants if they were agreeable to the conditions Mr. Wagner proposed in terms of screening and design changes. Melissa and Brent Peacock confirmed that they were.

In response to a question from Member Lynch, Mr. Wagner confirmed that first and foremost, the Board is opposed to the variance request.

Crosby explained the changes to the request in more detail, stating that half of the garage door on the detached garage and the driveway leading up to that portion of the garage would be removed. The section of driveway would be replaced with lawn. A conifer-type screening hedge would also be planted on both sides of the driveway.

Member Baltzer summarized that to offset the variance for the new garage stall, one stall would be removed from the detached garage.

Member Enz understands what the Association is trying to maintain and suggested tabling the proposal to allow for a more detailed plan of the proposed changes.

Member Baltzer believed that the Association and the applicants have worked out an amenable solution, so he does not think the matter should be pushed back another month.

Member Enz asked and Mr. Wagner confirmed that the Board is in a 4-3 split in favor of the proposed changes, but still overall against the variance.

Member Berry moved to recommend approval of Case No. 20-16-V with the additional changes as agreed upon between the Board and the applicants. Member Reis seconded the motion. The motion passed by a vote of 3-2. Member Enz and Member Lynch dissented. Member Lynch explained that he voted no because he did not see the need for a variance, not that he opposed the changes.

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.

Crosby discussed the case. Staff recommended approval.

Member Baltzer opened the public hearing.

Blake Segafredo, Architect, explained that the applicants would like to include a compactor in the enclosure, which is why the area is so large and tall.

Member Baltzer closed the public hearing.

Member Enz moved to recommend approval of Case No. 20-8-CUP. Member Reis seconded the motion. The motion passed by a vote of 5-0.

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.

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

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

Member Enz moved to recommend approval of Case No. 20-9-CUP. Member Berry seconded the motion. The motion passed by a vote of 5-0.

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.

Kane discussed the case. Staff recommended approval.

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

Member Reis moved to recommend approval of Case No. 20-18-V. Member Berry seconded the motion. The motion passed by a vote of 5-0.

5. <u>DISCUSSION ITEMS:</u>

A. City Council Meeting Summary of October 13, 2020.

Member Lynch expressed his enthusiasm for the water tower contest that White Bear Lake is competing in.

B. Park Advisory Commission Meeting Minutes of July 16 & August 20, 2020.

Member Baltzer stated that he spoke to Parks Commission Member Brian Belisle regarding the pervious parking lot at Lions Park. He recommends striping the parking stalls somehow, even if it is just along the curb, to better indicate where the stalls are. He noted that presently, visitors have a hard time determining where the stalls are and cars often end up backing out into traffic on Old White Bear Avenue. It's a highly used park.

Continuing the conversation of community betterment, Member Reis recommended that the Manitou Island Association create a commonality in how house numbers are displayed. Currently, they are hard to see and this is dangerous for first responders.

Kane noted that staff has indicated a willingness to amend the zoning code to reflect the environment that the Island Association would like to preserve. The Association has been receptive of this idea in recent years.

6. ADJOURNMENT:

Member Lynch moved to adjourn, seconded by Member Enz. The motion passed unanimously (5-0), and the October 26, 2020 Planning Commission meeting was adjourned at 8:48 p.m.



City of White Bear Lake COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

SUBJECT:	Bluestone Villas - Case No. 20-1-P
DATE:	November 25, 2020 for the November 30, 2020 Planning Commission Meeting
FROM:	Samantha Crosby, Planning & Zoning Coordinator
ТО:	The Planning Commission

REQUEST

321 Group LLC is requesting a preliminary plat to subdivide one lot into 9 with an outlot for stormwater. The new public cul-de-sac street would mirror Rooney Place to the south, with similarly sized lots. See applicant's narrative.

SITE CHARACTERISTICS

The subject site is located on the south side of County Road E east of Linden Avenue. The site is 4.6 acres in size. The site contains one single-family residence, three accessory structures and an often humorous changeable copy message sign. The site is relatively flat with the low point in the southwest corner and some mature trees around the perimeter.

<u>ZONING</u>

The property is zoned R-3 – Single Family Residential, as are the properties to the west, south and east. The parcel across County Road E, to the north, is zoned R-6 – Medium Density Residential, developed with townhomes.

BACKGROUND

The land was platted in 1922 and the residence was constructed in 1928. The property used to be twice the size – the southern half was platted into Rooney Place in 1987. The residence was converted from well to City water in 1994.

COMPREHENSIVE PLAN

The site is guided "Low Density Residential" which aims for an overall density of 3 to 9 units per acre. The proposed development would be 1.96 lots per acre, which is lower than desired. The family's desire to keep the residence and associated structures makes Lot 4 larger than average; over an acre in size. If both Lot 4 and the stormwater pond are removed from the calculation, the density is 2.54; a lot closer to the desired density.

ANALYSIS

The development is envisioned to be a senior friendly, but not exclusive, community with a homeowners association proposed for lawn services and snow plowing. All lots meet the size and width requirements of the code with an average lot size of 12,657 (not including Lot 4). For setbacks, the code requires 30 feet from the front and rear and 10 feet from the sides, except street sides, which would also be 30. Each lot will be developed individually and the building pads are sufficiently large enough in which to construct a residence without needing any variances.

Access / Traffic

The proposed cul-de-sac mirrors the one to the south and will be named the same – Rooney Place. No new street connection will be made to County Road E, but one more driveway is desired to serve Lot 5. The new public street meets all the requirements for public dedication. A south-bound stop sign will be required. The existing light at the intersection is sufficient. Details such as these will be outlined in the required development agreement. The development of this parcel into the proposed subdivision has been envisioned for a long time and the roadway capacity of the feeder street (Dell Street) is sufficient to handle the increase in traffic generated by this project.

Staff envisioned a pedestrian cut-through between lots 3 and 6 and between lots 4 and 5 in order to provide the neighborhood easy access (by foot) to County Road E. The 20 to 30 foot wide drainage and utility easement in this area could also serve as that access easement. The cutthrough need not be paved or plowed, but will preclude the owners of these lots from erecting a fence in this area. The path would not be labeled or be conspicuous in any other way and would probably not be known to or used by anyone other than those living in the neighborhood. The applicant was not supportive of the idea, saying that it would be used by so few it would not be worth it. Staff has nonetheless included it as a condition of approval.

Stormwater

The stormwater run off will be directed to a pond located in the naturally low area in the southwest corner of the site. Because the pond manages water from the future public road, the pond is in an outlot to be dedicated to and maintained by the City once established. The Engineering department has a few minor conditions outlined in the attached memo, but the plans are close to finalized.

Tree Preservation / Landscaping

Unfortunately, the stand of trees in the southwest corner of the property will be mostly removed to accommodate the proposed stormwater pond. As these are predominately Ash, staff did not try to preserve the stand. Rather our goals is to restore the woodland with a more diverse and native mix around the pond's edge, and have therefore required that the area be replanted with native seed and trees. A restoration plan has not yet been submitted for staff review and approval, so we have included a condition that the developer use a native restoration contractor to design a vegetation plan to include an appropriate density and mix of tree species (subject to review and approval by the city, of course).

Section 1406.030, Subd.6 of the Subdivision Regulations requires street trees (trees planted in the city's right-of-way) at the rate of one per lot. The plans propose some trees that are very

close to but not actually in the right-of-way. These would be acceptable, but they are already being counted as replacement trees, and they cannot be counted as both. Therefore, staff suggested the placement of the boulevard trees within County Road E, Dell or Rooney right-of-way.

Utilities

Both sewer and water service will be brought to the lots from the south - by way of Dell Street. The existing homestead is served by septic, which must be abandoned and connection made at this time. The septic tank will be removed.

City staff seriously contemplated asking for Lot 5 as land dedication for the creation of a community garden in honor of Don Rooney's farming legacy. After all, right across County Road E are a lot of townhomes with limited space for (and probably HOA restrictions against) vegetable gardens. In the end, mainly due to access, maintenance, and parking, we decided to forego the request for land and to accept the cash dedication with the aforementioned pedestrian easement instead.

Other

The County right-of-way is being expanded by 12 feet, which puts the existing freestanding sign entirely within it. The new family member to occupy Lot 4 is wanting to retain the sign. In residential zoning districts, the sign code allows for 30 square feet of miscellaneous permanent signage up to 6 feet in height. The subject sign is 28 square feet in size and roughtly 8 feet tall. Since the sign needs to be relocated out of the right-of-way, it could be reduced to 6 feet at that time. With that adjustment (and a landscaped planter bed around the base of the sign) the sign is permitted by right.

The City is asking for an escrow deposit of \$2,500 to cover the legal costs of a plat opinion and drafting/ finalizing a development agreement. This has not been a step in other recent projects because we have not had a dedication of public improvements such as a local public street and stormwater pond in the last 20 years. Cheri Court, approved in 2000, was the last single-family residential subdivision in the City.

DISCRETION

The City's discretion in approving or denying a preliminary plat is limited to whether or not the proposed plat meets the standards outlined in the Zoning Ordinance and Subdivision Regulations. If it meets these standards, the City must approve the plat.

RECOMMENDATION

The project offers an opportunity to provide additional housing sites that fit within the character of the established neighborhood. Staff finds that the request complies with the Zoning and Subdivision Codes. Consequently, staff recommends approval of the Preliminary Plat, when subject to the following conditions:

- 1. All application materials, maps, drawings, and descriptive information submitted by the applicant shall become part of the subdivision.
- 2. The hardshell or other recordable plat, acceptable by the Ramsey County Recorder is

required. The applicant shall also provide the City Planner with two final approved reproducible mylar copies of the plat.

- 3. Per Section 1402.020, Subd.6.c if within one (1) year after approving the Preliminary Plat, the applicant has not submitted a final plat, (consistent with the approved preliminary plan) the preliminary plat shall become null and void unless a petition for an extension of time 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.
- 4. The applicant shall execute a City approved development agreement covering the construction of all public improvements and will also supply the City Planner with an irrevocable certified letter of credit. The development agreement shall be finalized prior to Council consideration of the final plat and executed prior to issuance of any permit for construction.
- 5. All public utility, electrical, cable and telephone lines shall be constructed underground within easements as per Section 1405.050.
- 6. The applicants shall agree to re-apportion any pending or actual assessments on the original parcel or lot of record in accordance with the original assessment formula on the newly approved parcels as per the City of White Bear Lake's Finance Office Schedule for Assessment.
- 7. The developer must dedicate public rights-of-way and utility easements as illustrated on the preliminary plan or as approved by the City Planner and City Engineer. North-south utility easement between the end of the cul-de-sac and County Road E to include pedestrian access.
- 8. No construction permits may be issued to the applicants for improvements on this subdivision site prior to approval and recording of the subdivision's Final Plat.
- 9. No new construction may adversely impact the adjacent parcels with respect to drainage.
- 10. The project shall comply with the Fire Memo dated August 20 and the Engineering Memo dated November 6, 2020.
- 11. A native restoration contractor shall design the restoration plan for the stormwater pond to include an appropriate density and mix of tree species, and seed type subject to review and approval by the city.
- 12. The plat shall be named Rooney Second Addition.
- 13. A stop sign shall be provided at the intersection.
- 14. At least one tree per lot shall be planted within the right-of-way, in addition to the tree replacement requirement of the zoning code.

Prior to City Council approval of the final plat:

- 15. An escrow of \$2,500 shall be established to cover outside legal costs of drafting a plat opinion and development agreement.
- 16. A development agreement shall be entered into.
- 17. Homeowner Association Documents shall be approved by staff. Covenants in the association documents shall reference replaced and preserved trees, to be maintained by future owners, with an exhibit illustrating said trees.

Prior to the issuance of a building permit for ANY work on site, the applicant shall:

- 18. Provide proof of having recorded both the Homeowner Association Documents and the final plat.
- 19. Submit a final grading and drainage plan to be approved prior to the issuance of a building permit.
- 20. Extend a letter of credit consisting of 125% of the exterior improvements, which renews automatically every year until released in writing by the City. The amount of the letter shall be based on a cost estimate of the outside and public improvements, to be approved by the City prior to the issuance of the letter of credit. The applicant shall also provide a timetable in which such improvements will be completed.

Prior to the issuance of a building permit for EACH lot:

- 21. A final tree replacement calculation subject to review and approval by staff. No trees shall be removed until the tree protection fencing is installed and inspected. A more accurate tree preservation plan (showing fencing at the dripline) shall be submitted for review and approval and installation shall be inspected prior to any grading.
- 22. A final grading and drainage plan shall be submitted for the lot. Frost footings shall be constructed 42 inches below existing grade unless otherwise approved by the Building Official.
- 23. Watershed District approval shall be obtained prior to issuance of a grading permit for any of the proposed lots within the subdivision.
- 24. The Metropolitan Council's SAC (Sewer Availability Charge) and City SAC and WAC (Water Availability Charge) for the lot must be paid.
- 25. If park dedication is not satisfied by land dedication, it shall be collected at the time of building permit for each lot.
- 26. Water and sewer hook-up fees shall be collected for each new lot within the subdivision at the time that the building permit is issued for that lot.

Prior to the release of the letter of credit:

- 27. Any relevant terms entered into by the development agreement shall be satisfied.
- 28. The applicant shall provide written certification from a Minnesota registered civil engineer stating that all utilities including stormwater and landscaping installed by the developer meet or exceed City of White Bear Lake standards and have been built in accordance with the drawings approved by the city.
- 29. The replacement trees must be planted on all lots.
- 30. The street trees, and any other required plantings, have been installed and have survived one full growing season.
- 31. The freestanding sign shall be relocated to meet current setback requirements or removed entirely.
- 32. The septic system on Lot 4 shall be removed and the sewer connected to municipal services.
- 33. The applicants shall provide the City with the required the two reproducible mylar copies of the final plat.
- 34. Durable iron monuments shall be set at all angle and curve points on the outside boundary lines of the plat and also at all block and lot corners and at all intermediate points on the block and lot lines indicating changes of direction in the lines and witness corners.

Attachments:

- 1. Draft Resolution of Approval
- 2. Location/Zoning Map
- 3. Narrative Request, dated
- 4. Site Plan and Graphics (7 pgs)
- 5. Fire Memo dated August 20, 2020
- 6. Engineering Memo dated Nov. 6, 2020

RESOLUTION NO.

RESOLUTION APPROVING A PRELIMINARY PLAT OF 1800 COUNTY ROAD E WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA

WHEREAS, a proposal (20-1-P) has been submitted 321 Group, LLC to the City Council requesting a Preliminary Plat from the City of White Bear Lake at the following site:

ADDRESS: 1800 County Road E (a.k.a. Rooney Farm).

EXISTING LEGAL DESCRIPTION: Lot 14 and 15 Elmwood Garden Farms, Lying South of the South line of Parcel 16, MnDOT ROW Plat No. 62-3, and lying North of the following described line: beginning at a point on the West line of said lot 15 distant 675.30 feet Northerly of the Southwest corner of said lot 15, thence on a straight line to a point on the East line of said lot 14 distant 675.33 feet Northerly of the Southeast corner of said lot 14 and there terminating, all in Elmwood Garden Farms. (PID #:353022220090)

PROPOSED LEGAL DESCRIPTION: Lots 1 through 9, Block 1, Bluestone Villas

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A Preliminary Plat, per Chapter 1400, in order to subdivide one lot into 9 single-family residential lots and one outlot; and

WHEREAS, the Planning Commission has held a public hearing as required by the City Zoning Code on November 30, 2020; and

WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission considering the effect of the proposed subdivision 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 preliminary plat abides by the intent of the City's ordinances, codes and the Comprehensive Plan, and that the developer has petitioned for or will construct all necessary improvements required by code; and

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

1. Because the project provides infill development that fits with the character of the surrounding neighborhood and the density is well below 4.2 units per acre, the proposal is consistent with the City's Comprehensive Plan and with existing and future land uses in the area.

- 2. The proposal conforms to the Zoning Code requirements.
- 3. The proposal will not depreciate values in the area.
- 4. The proposal will not overburden the existing public services nor the capacity of the City to service the area.
- 5. Traffic generation will be within the capabilities of the streets serving the site.

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

- 1. All application materials, maps, drawings, and descriptive information submitted by the applicant shall become part of the subdivision.
- 2. The hardshell or other recordable plat, acceptable by the Ramsey County Recorder is required. The applicant shall also provide the City Planner with two final approved reproducible mylar copies of the plat.
- 3. Per Section 1402.020, Subd.6.c if within one (1) year after approving the Preliminary Plat, the applicant has not submitted a final plat, (consistent with the approved preliminary plan) the preliminary plat shall become null and void unless a petition for an extension of time 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.
- 4. The applicant shall execute a City approved development agreement covering the construction of all public improvements and will also supply the City Planner with an irrevocable certified letter of credit. The development agreement shall be finalized prior to Council consideration of the final plat and executed prior to issuance of any permit for construction.
- 5. All public utility, electrical, cable and telephone lines shall be constructed underground within easements as per Section 1405.050.
- 6. The applicants shall agree to re-apportion any pending or actual assessments on the original parcel or lot of record in accordance with the original assessment formula on the newly approved parcels as per the City of White Bear Lake's Finance Office Schedule for Assessment.
- 7. The developer must dedicate public rights-of-way and utility easements as illustrated on the preliminary plan or as approved by the City Planner and City Engineer. North-south utility easement between the end of the cul-de-sac and County Road E to include pedestrian access.
- 8. No construction permits may be issued to the applicants for improvements on this subdivision site prior to approval and recording of the subdivision's Final Plat.
- 9. No new construction may adversely impact the adjacent parcels with respect to drainage.

- 10. The project shall comply with the Fire Memo dated August 20 and the Engineering Memo dated November 6, 2020.
- 11. A native restoration contractor shall design the restoration plan for the stormwater pond to include an appropriate density and mix of tree species, and seed type subject to review and approval by the city.
- 12. The plat shall be named Rooney Second Addition.
- 13. A stop sign shall be provided at the intersection.
- 14. At least one tree per lot shall be planted within the right-of-way, in addition to the tree replacement requirement of the zoning code.

Prior to City Council approval of the final plat:

- 15. An escrow of \$2,500 shall be established to cover outside legal costs of drafting a plat opinion and development agreement.
- 16. A development agreement shall be entered into.
- 17. Homeowner Association Documents shall be approved by staff. Covenants in the association documents shall reference replaced and preserved trees, to be maintained by future owners, with an exhibit illustrating said trees.

Prior to the issuance of a building permit for ANY work on site, the applicant shall:

- 18. Provide proof of having recorded both the Homeowner Association Documents and the final plat.
- 19. Submit a final grading and drainage plan to be approved prior to the issuance of a building permit.
- 20. Extend a letter of credit consisting of 125% of the exterior improvements, which renews automatically every year until released in writing by the City. The amount of the letter shall be based on a cost estimate of the outside and public improvements, to be approved by the City prior to the issuance of the letter of credit. The applicant shall also provide a timetable in which such improvements will be completed.

Prior to the issuance of a building permit for EACH lot:

- 21. A final tree replacement calculation subject to review and approval by staff. No trees shall be removed until the tree protection fencing is installed and inspected. A more accurate tree preservation plan (showing fencing at the dripline) shall be submitted for review and approval and installation shall be inspected prior to any grading.
- 22. A final grading and drainage plan shall be submitted for the lot. Frost footings shall be

constructed 42 inches below existing grade unless otherwise approved by the Building Official.

- 23. Watershed District approval shall be obtained prior to issuance of a grading permit for any of the proposed lots within the subdivision.
- 24. The Metropolitan Council's SAC (Sewer Availability Charge) and City SAC and WAC (Water Availability Charge) for the lot must be paid.
- 25. If park dedication is not satisfied by land dedication, it shall be collected at the time of building permit for each lot.
- 26. Water and sewer hook-up fees shall be collected for each new lot within the subdivision at the time that the building permit is issued for that lot.

Prior to the release of the letter of credit:

- 27. Any relevant terms entered into by the development agreement shall be satisfied.
- 28. The applicant shall provide written certification from a Minnesota registered civil engineer stating that all utilities including stormwater and landscaping installed by the developer meet or exceed City of White Bear Lake standards and have been built in accordance with the drawings approved by the city.
- 29. The replacement trees must be planted on all lots.
- 30. The street trees, and any other required plantings, have been installed and have survived one full growing season.
- 31. The freestanding sign shall be relocated to meet current setback requirements or removed entirely.
- 32. The septic system on Lot 4 shall be removed and the sewer connected to municipal services.
- 33. The applicants shall provide the City with the required the two reproducible mylar copies of the final plat.
- 34. Durable iron monuments shall be set at all angle and curve points on the outside boundary lines of the plat and also at all block and lot corners and at all intermediate points on the block and lot lines indicating changes of direction in the lines and witness corners.

 The foregoing resolution, offered by Councilmember
 and supported by

 Councilmember
 , was declared carried on the following vote:

Ayes: Nays: Passed:

Jo Emerson, Mayor

ATTEST:

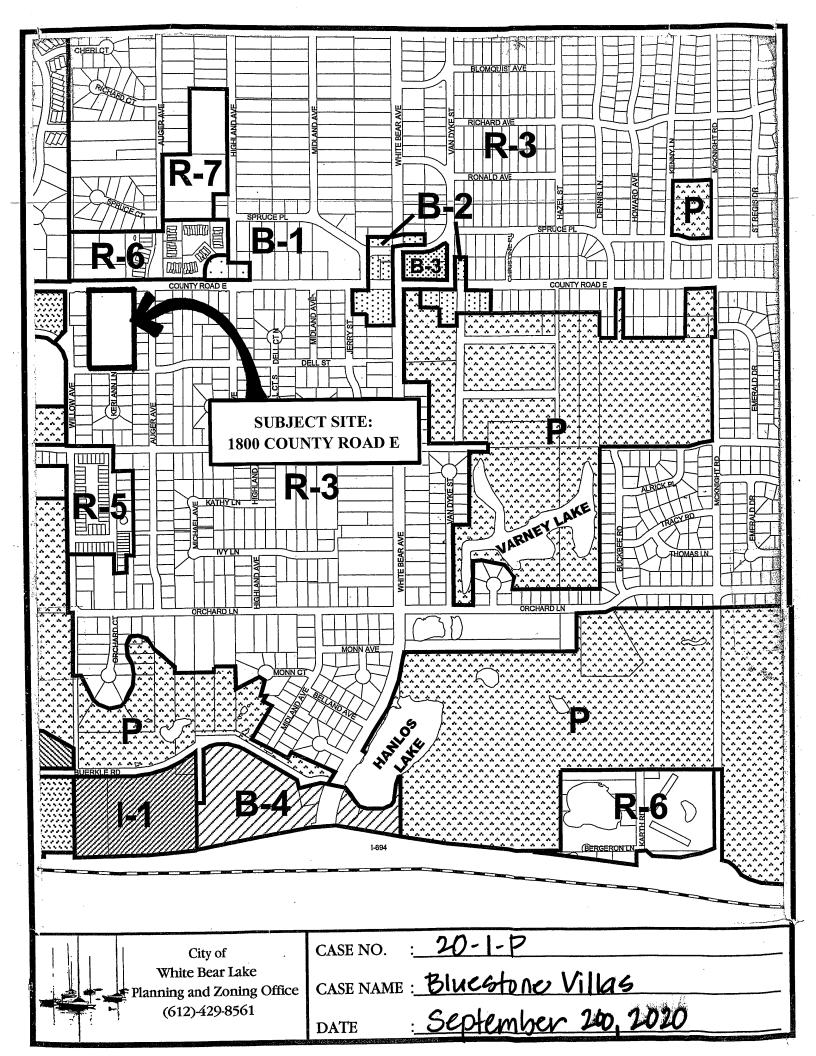
Kara Coustry, City Clerk

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.

Mark Ashby, 321 Group LLC.

Date



August 24, 2020

Re Blustone Villas Proposed plat

1800 E Co Rd E

City of White Bear Lake

The Blustone Villas plat contains 9 single family parcels. Lots 1,2,3,5,6,7,8,9 will be ready for new construction homes. All homeowners in this development will have complete ownership of their lots.

Lot 4 is the existing Rooney home which will stay and continue to be occupied by a Rooney family member

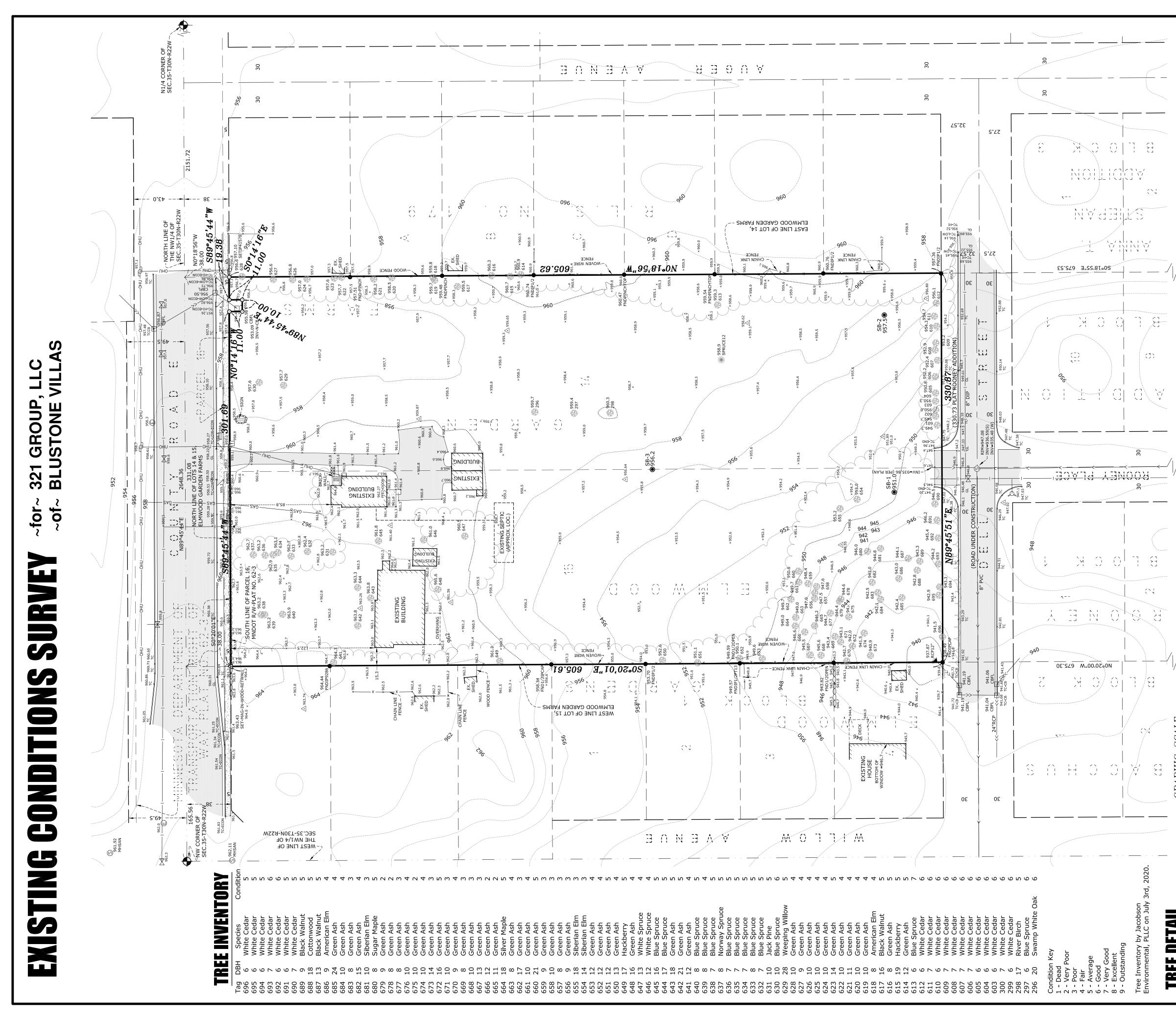
Homeowners of cul-de-sac lots (1,2,3,6,7,8,9) will agree to belong to a homeowner's association. These lots will be association-maintained, meaning the association will have a service provider provide lawn and snow removal maintenance.

Lots 4 and 5 will not be a part of said association.

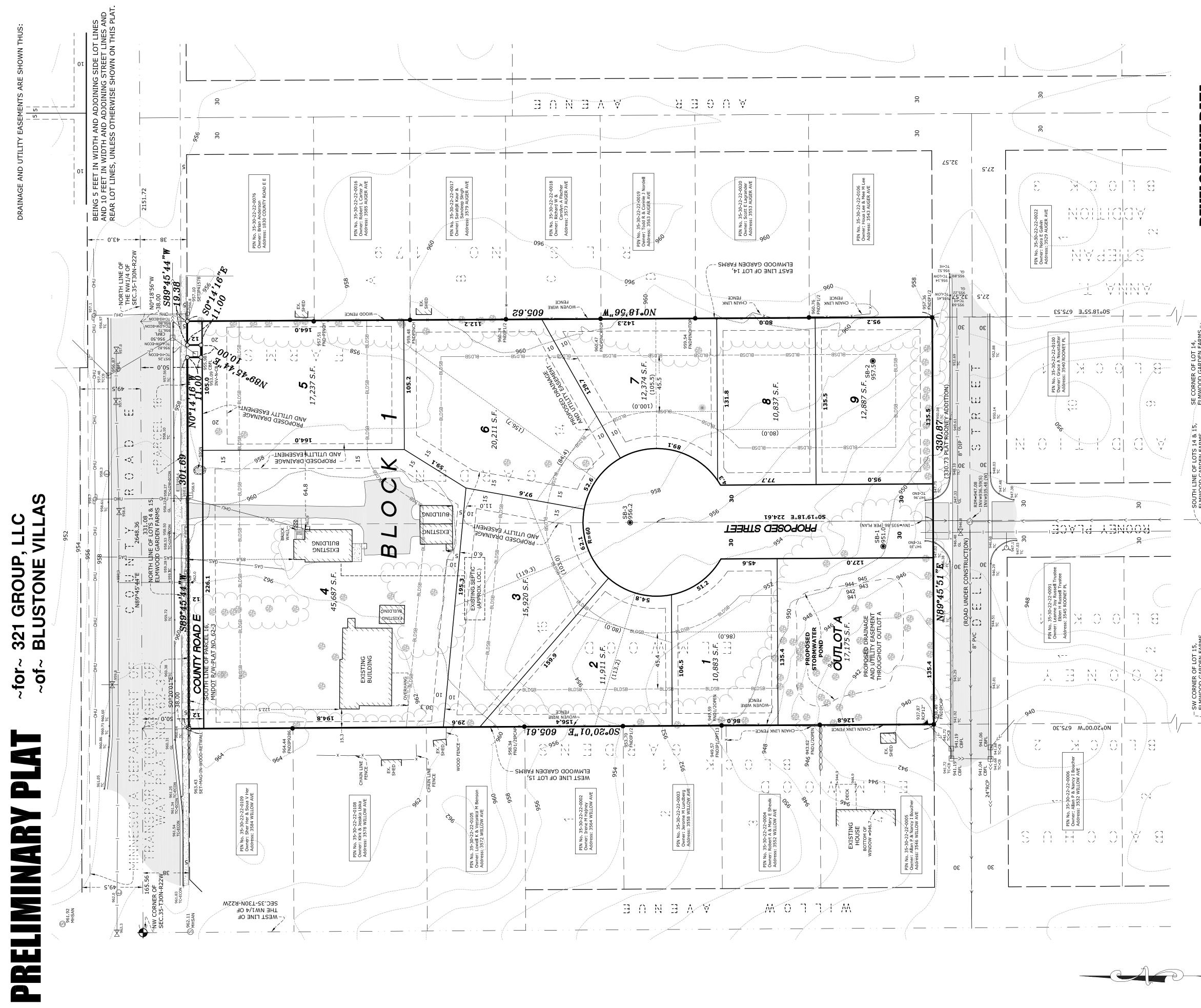
There will be a combination of 1 and 2-level homes with slab on grade, along with full, lookout and walkout options.

The catch basin between lots 6 and 7 serves only as a stormwater collection point; it allows stormwater to be routed to Outlot A. This catch basin is not intended to be a storm water feature and no stormwater treatment or storage will occur at this location.

Respectfully 321 Group LLC



			AREA			EXISTING ZONING	R-3 - SINGLE FAMILY RESIDENTIAL	BENCHMARK	RAMSEY COUNTY BENCHMARK: #9235 ELEVATION = 923.66 FEET (NAVD88)		I hereby certify that this survey, plan	or report was prepared by me or under my direct supervision and that I am a	duly Registered Land Surveyor under	the laws of the State of Minnesota.	Jos Con	JASÓN E. RUD	Date: 10-26-2020 License No. 41578	DRAWN BY: JEN JOB NO: 200440PP DATE: 07/16/2020	FIELD CREW: JH & CB	1 08-05-20 Set Lot Corners and loc. small util. JEN	Add septic & City Submittal	NO. DATE DESCRIPTION BY	200440PP
	ELMWOOD GARDEN FARMS	"E 330.66 (330.6 PLAT ELMWOOD GARDEN FARMS)		LE NO. 533844]	Lots 14 and 15, Elmwood Garden Farms, lying South of the South line of Parcel 16, Minnesota Department of Transportation Right of Way Plat No. 62-3, and lying North of the following described line: Beginning at a point on the West line of said lot 15 distant 675.30 feet Northerly of the Southwest corner of said lot 15, thence on a straight line to a point on the East line of said lot 14 distant 675.33 feet Northerly of the Southeast corner of said lot 14 and there terminating. all in Elmwood Garden Farms.		d by E.G. Rud and Sons, Inc. on 7-08-2020. Property corners set and small utilities located on 8-04-2020. Soil Boring 8-11-2020.	are on Ramsey County Coordinate System. County Road E, White Bear Lake, MN 55110. Parcel ID Number: 35-30-022-22-0090. • prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.	perty determined by: er State One Call Ticket No. 202111686.	Ecord drawings provided by the City of white bear Lake's engineering department. Excavations were not made during the process of this survey to locate underground utilities and/or structures. The location of underground utilities and/or structures may vary from locations shown hereon and additional underground utilities and/or structures may be encountered.			DENOTES WATER VALVE	 × 	DENOTES RETAINING WALL	DENOTES LIDAR CONTOURS	Carlos Denotes tree line				 	DENOTES CONCRETE SURFACE	
 	- SW CORNER OF LOT 15, ELMWOOD GARDEN FARMS	N89°48'08"E	PROPERTY DESCRIPTION	[DESCRIPTION PER RAMSEY COUNTY CERTIFICATE OF TITLE NO. 533844]	Lots 14 and 15, Elmwood Garden Farms, lying South of the No. 62-3, and lying North of the following described line: B the Southwest corner of said lot 15, thence on a straight lir Southeast corner of said lot 14 and there terminating. all ir	NOTES	- Field work completed by E.G. Rud and Sons, Inc. on 7-08-2 locations staked on 8-11-2020.	 Bearings shown are on Ramsey County Coordinate System. Address: 1800 County Road E, White Bear Lake, MN 55110. Parcel ID Number: 35-30-022-22-0090. This survey was prepared without the benefit of title work. Additional easements, restrictions and/or shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's 		 Record drawings provided by the city of white bear take's engineering department. Excavations were not made during the process of this survey to locate underground utilities and/or structures may vary from locations shown hereon and additional und content of the process of this survey to a survey to the process of the proces of the process of the process of the process of the proces				DENOTES	DENOTES SEL PRIVATE DENOTES RAMSEY COUNTY CAST IRON MONUMENT	DENOTES	DENOTES	(E) DENOTES ELECTRICAL MANHOLE X 952.36 DENOTES EXISTING SPOT ELEVATION	DENOTES	DENOTES MAILBOX	DENOTES SANITA	DENOTES	DENOTES STAKED GEO-TECHNICAL BORING LOCATION
GRAPHIC SCALE	40 0 20 40 80	1 INCH = 40 FEET	MAP	P. 30. RNG. 22				(m)		Control Control <t< th=""><th></th><th></th><th>or</th><th></th><th>COUNTY, MINNESOLA (NO SCALE)</th><th></th><th>ONI SUNS O</th><th></th><th>Lar</th><th>Drive NE. Suité 110</th><th>55014</th><th>Fax (651) 361-8701</th><th></th></t<>			or		COUNTY, MINNESOLA (NO SCALE)		ONI SUNS O		Lar	Drive NE. Suité 110	55014	Fax (651) 361-8701	
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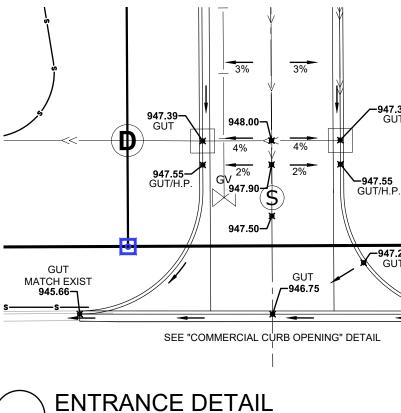
- AIVJS JIHOVAJ			UEVELUPMENI UAIA
			TOTAL AREA = 200,329 S.F. (4.60 ACRES)
	PROPERTY DESCRIPTION	PR	
1 INCH = 40 FEET	[DESCRIPTION PER RAMSEY COUNTY CERTIFICATE OF TITLE NO. 533844]	PR	ED NUMBER OF OUTLOTS F-WAY DEDICATION
	Lots 14 and 15, Elmwood Garden Farms, lying South of the South line of Parcel 16, Minnesota Department of Transportation Right of Way Plat No. 62-3, and lying North of the following described line: Beginning at a point on the West line of said lot 15 distant 675.30 feet Northerly of the Southwest corner of said lot 15, thence on a straight line to a point on the East line of said lot 14 distant 675.33 feet Northerly of the Southeast corner of said lot 14 and there termination all in Elmwood Garden Farms		EXISTING ZONING
	NDTFS	_	R-3 - SINGLE FAMILY RESIDENTIAL
	 Field work completed by E.G. Rud and Sons, Inc. on 7-08-2020. Property corners set and small utilities located on 8-04-2020. Boring locations staked on 8-11-2020. 	Soil	ZONING INFORMATION
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Image: Control of the second	This survey was prepared without the benefit of title work. than those shown hereon. Survey subject to revision upon	encumbrances may exist other n attorney's title opinion.	MINIMUM LOT AREA = 10,500 S.F. MINIMUM LOT WIDTH AT FRONT SETBACK = 80 FEET
	 Decention of utilities existing on or serving the surveyed property determined by. Observed evidence collected pursuant to Section 5.E.iv. Markings requested by E.G.Rud and Sons, Inc. per Gopher State One Call Ticket No. 	202111686.	SETBACKS
		The location of	\D = 30
	underground utilities and/or structures may vary from locations shown hereon and additional underground utilities and/or structures may be encountered. Contact Gopher State One Call Notification Center at (651) 454-0002 for verification of utility type	tility type	SIDE YARD = 10 FEET REAR YARD = 30 FEET
	and field location, prior to excavation.		
			I hereby certify that this survey, plan
	IRON MONUMENT FOUND AS LABELED		or report was prepared by me or under my direct supervision and that I am a
$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	O DENOTES IKUN MONUMENT SET, MAKKED KLS# 41578 © DENOTES SET PKNAIL		duly Registered Land Surveyor under
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RAMSEY COUNTY, MINNESOTA			
	 DENOIES CURB STOP DENOTES ELECTRICAL BOX 		JASON E. BUD
	E DENOTES ELECTRICAL MANHOLE X 952.36 DENOTES EXISTING SPOT FI EVATION	DENOTES EXISTING SANITARY SEWER DENOTES EXISTING STORM SEWER	Date: 10-26-2020 License No. 41578
	Devotes	DENOTES EXISTING WATER MAIN	DRAWN BY: JEN JOB NO: 200440PP DATE: 08/17/20
I < Ist and Surveyors			CHECK BY: JER FIELD CREW: JH & CB
6776 Lake Drive NF			10-08-2020 Revised layout
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	DENOTES STAKED GEO-TECHNICAL BORING LOCATION Addrev DENOTES WATER VALVE	Owner: City of X Address: Unassigned (PER RAMSEY COUNTY TAX INFORMATION)	4 DESCRIPTION BY BY
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- 1. THE INFORMATION SHOWN ON THESE DRAWINGS CONCERNING TYPE AND LOCATION OF EXISTING UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO TYPE AND LOCATION OF UTILITIES AS NECESSARY TO AVOID DAMAGE TO THESE UTILITIES.
- 2. CALL "811" AT LEAST 48 HOURS PRIOR TO ANY EXCAVATIONS FOR EXISTING UTILITIES LOCATIONS 3. THE CONTRACTOR SHALL FIELD VERIFY SIZE, ELEVATION, AND LOCATION OF
- EXISTING UTILITIES AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO THE START OF INSTALLATIONS.
- 4. ALL UTILITY AND STREET INSTALLATIONS SHALL CONFORM TO THE CITY STANDARD SPECIFICATIONS AND DETAIL PLATES.
- ALL WORK SHALL BE PERFORMED DURING CITY APPROVED WORKING HOURS. 6. STORAGE OF MATERIALS OR EQUIPMENT SHALL NOT BE ALLOWED ON PUBLIC
- STREETS OR WITHIN PUBLIC RIGHT-OF-WAY. 7. NOTIFY CITY A MINIMUM OF 48 HOURS PRIOR TO THE COMMENCEMENT OF
- CONSTRUCTION. 8. ALL ELECTRIC, TELEPHONE, AND GAS EXTENSIONS INCLUDING SERVICE LINES SHALL BE CONSTRUCTED TO THE APPROPRIATE UTILITY COMPANY SPECIFICATIONS. ALL UTILITY DISCONNECTIONS SHALL BE COORDINATED WITH THE APPROPRIATE UTILITY COMPANY
- 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING, MAINTAINING TRAFFIC CONTROL, SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGMEN AND LIGHTS, AS NECESSARY TO CONTROL THE MOVEMENT OF TRAFFIC.

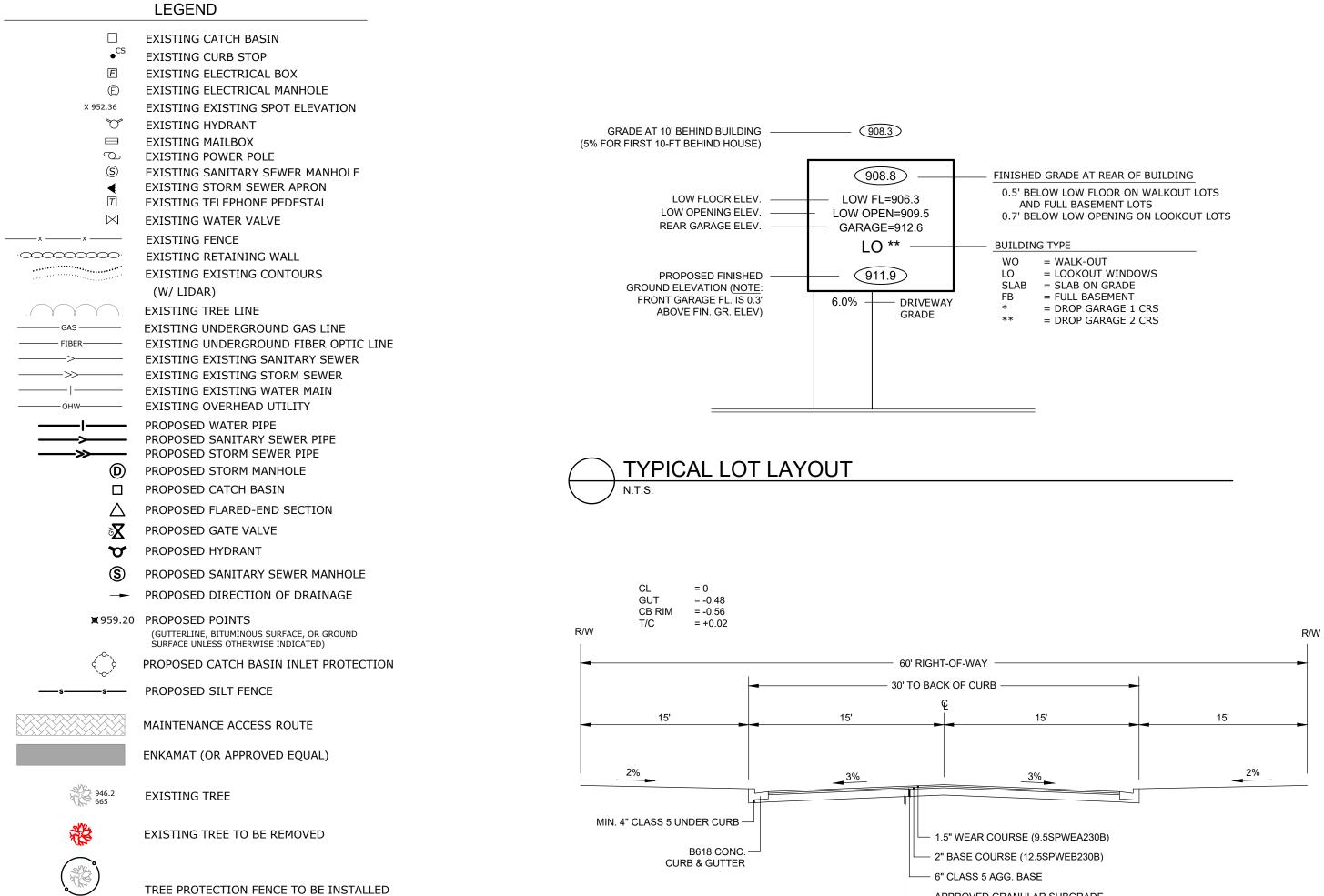
PER CITY SPECIFICATIONS

ADDITIONAL NOTES

- 1. CONTACT THE CITY AT (651) 429-8587 OR CTAILLONE@WHITEBEARLAKE.ORG FOR A TREE PROTECTION FENCE INSPECTION PRIOR TO ANY REMOVALS OR GRADING WORK.
- 2. CONTACT THE CITY AT (651) 429-8587 OR <u>CTAILLONE@WHITEBEARLAKE.ORG</u> FOR AN INFILTRATION BASIN INSPECTION AFTER FINAL GRADING AND PRIOR TO INSTALLATION OF SEED AND EROSION CONTROL BLANKET.
- 3. NOTIFY NICOLE SODERHOLM FROM RAMSEY WASHINGTON METRO WATERSHED DISTRICT AT (651) 792-7976 PRIOR TO BEGINNING ANY AND ALL CONSTRUCTION
- ACTIVITY FOR AN INITIAL SWPPP INSPECTION. 4. NOTIFY NICOLE SODERHOLM FROM RAMSEY WASHINGTON METRO WATERSHED DISTRICT AT (651) 792-7976 AT LEAST 48 HOURS PRIOR TO CONSTRUCTION OF THE
- INFILTRATION BASIN(S). 5. THE SPECIFIED EROSION AND SEDIMENT CONTROL MEASURES ARE THE MINIMUM. CONTRACTOR TO PROVIDE ADDITIONAL PRACTICES IF REQUIRED DURING THE COURSE OF CONSTRUCTION.



SCALE = 1:20 (THIS DETAIL ONLY)



TYPICAL STREET SECTION

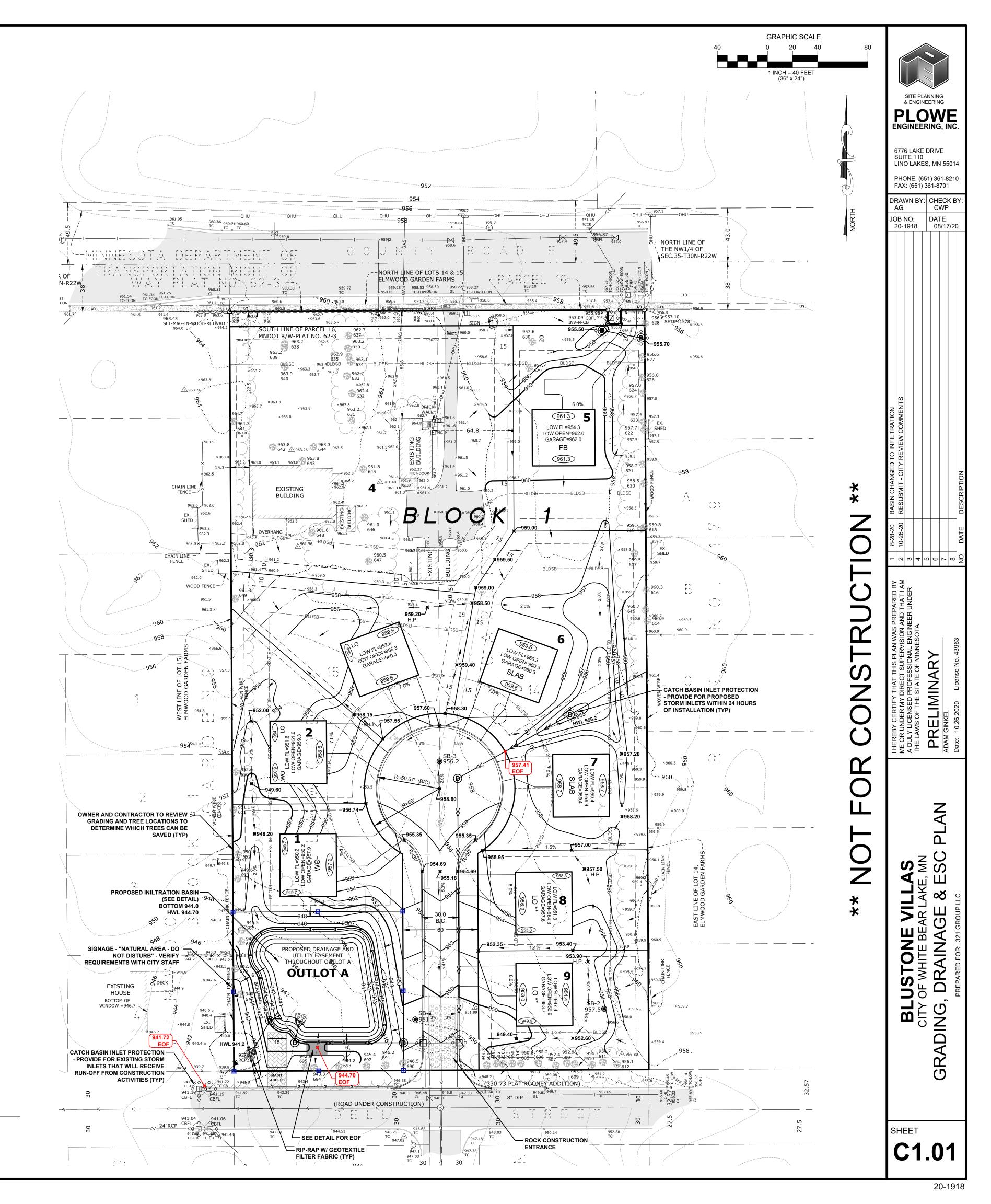
N.T.S.



947.20

MATCH EXIST -

- APPROVED GRANULAR SUBGRADE (AS DETERMINED BY GEOTECHNICAL ENGINEER)



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- 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING, MAINTAINING TRAFFIC CONTROL, SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGMEN AND LIGHTS, AS NECESSARY TO CONTROL THE MOVEMENT OF TRAFFIC.

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- CONTRACTOR TO PROVIDE ADDITIONAL PRACTICES IF REQUIRED DURING THE COURSE OF CONSTRUCTION.

	LEGEND
	EXISTING CATCH BASIN
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E	EXISTING ELECTRICAL BOX
E	EXISTING ELECTRICAL MANHOLE
X 952.36	EXISTING EXISTING SPOT ELEVATION
V	EXISTING HYDRANT
	EXISTING MAILBOX
C) C	EXISTING POWER POLE
S	EXISTING SANITARY SEWER MANHOLE
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——I——	PROPOSED WATER PIPE
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D	PROPOSED STORM MANHOLE
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¤ 959.20	PROPOSED POINTS (GUTTERLINE, BITUMINOUS SURFACE, OR GROUND SURFACE UNLESS OTHERWISE INDICATED)
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ss	PROPOSED SILT FENCE
	MAINTENANCE ACCESS ROUTE
	ENKAMAT (OR APPROVED EQUAL)
946.2 665	EXISTING TREE

EXISTING TREE TO BE REMOVED

TREE PROTECTION FENCE TO BE INSTALLED PER CITY SPECIFICATIONS

TREE REMOVAL NOTES

TOTAL TREE CALIPER ON SITE = 1080 INCHES TREE CALIPER REMOVED TREE REPLACEMENT FORMULA = $(513 / 1080) \times 0.266 \times 513$

= 513 INCHES = 65 INCHES

CALCULATIONS ARE BASED ON DECIDUOUS TREES WITH CALIPER 8" OR GREATER AND EVERGREEN TREES WITH CALIPER 6" OR GREATER

TREE REPLACEMENT NOTES

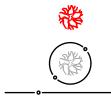
NO MORE THAN ONE-THIRD (1/3) OF THE REPLACEMENT TREES SHALL BE OF THE SAME TYPE OF TREE, WITHOUT APPROVAL OF THE ZONING ADMINISTRATOR. REPLACEMENT TREES MUST MEET THE FOLLOWING MINIMUM SIZE REQUIREMENTS:

DECIDUOUS TREES CONIFEROUS TREES ORNAMENTAL TREES

2¹/₂ CALIPER INCHES 6 FEET TALL 1¹/₂ CALIPER INCHES

RECOMMENDED SPECIES LIST:

COMMON NAME	LATIN NAME
RED MAPLE	ACER RUBRUM
SUGAR MAPLE	ACER SACCHARUM
SILVER MAPLE	ACER SACCHARINUM
PAPER BIRCH	BETULA PAPYRIFERA
RIVER BIRCH	BETULA NIGRA
HACKBERRY	CELTIS OCCIDENTALIS
AMERICAN MOUNTAIN ASH	SORBUS AMERICANA
TAMARAC	LARIX LARICINA
IRONWOOD	OSTRYA VIRGINIANA
BIG TOOTH ASPEN	POPULUS GRANDIDENTATA
TREMBLING ASPEN	POPULUS TREMULOIDES
WILD PLUM	PRUNUS AMERICANA
WILD BLACK CHERRY	PRUNUS SEROTINA
BUR OAK	QUERCUS MACROCARPA
SWAMP WHITE OAK	QUERCUS BICOLOR
WHITE OAK	QUERCUS ALBA
RED OAK	QUERCUS RUBRA
NORTHERN PIN OAK	QUERCUS ELLIPSOIDALIS
ARBORVITAE	THUJA OCCIDENTALIS
BLACK WILLOW	SALIX NIGRA
AMERICAN BASSWOOD	TILIA AMERICANA
BUTTERNUT	JUGLANS CINEREA
BLACK WALNUT	JUGLANS NIGRA
WHITE SPRUCE	PICEA GLAUCA
WHITE PINE	PINUS STROBUS

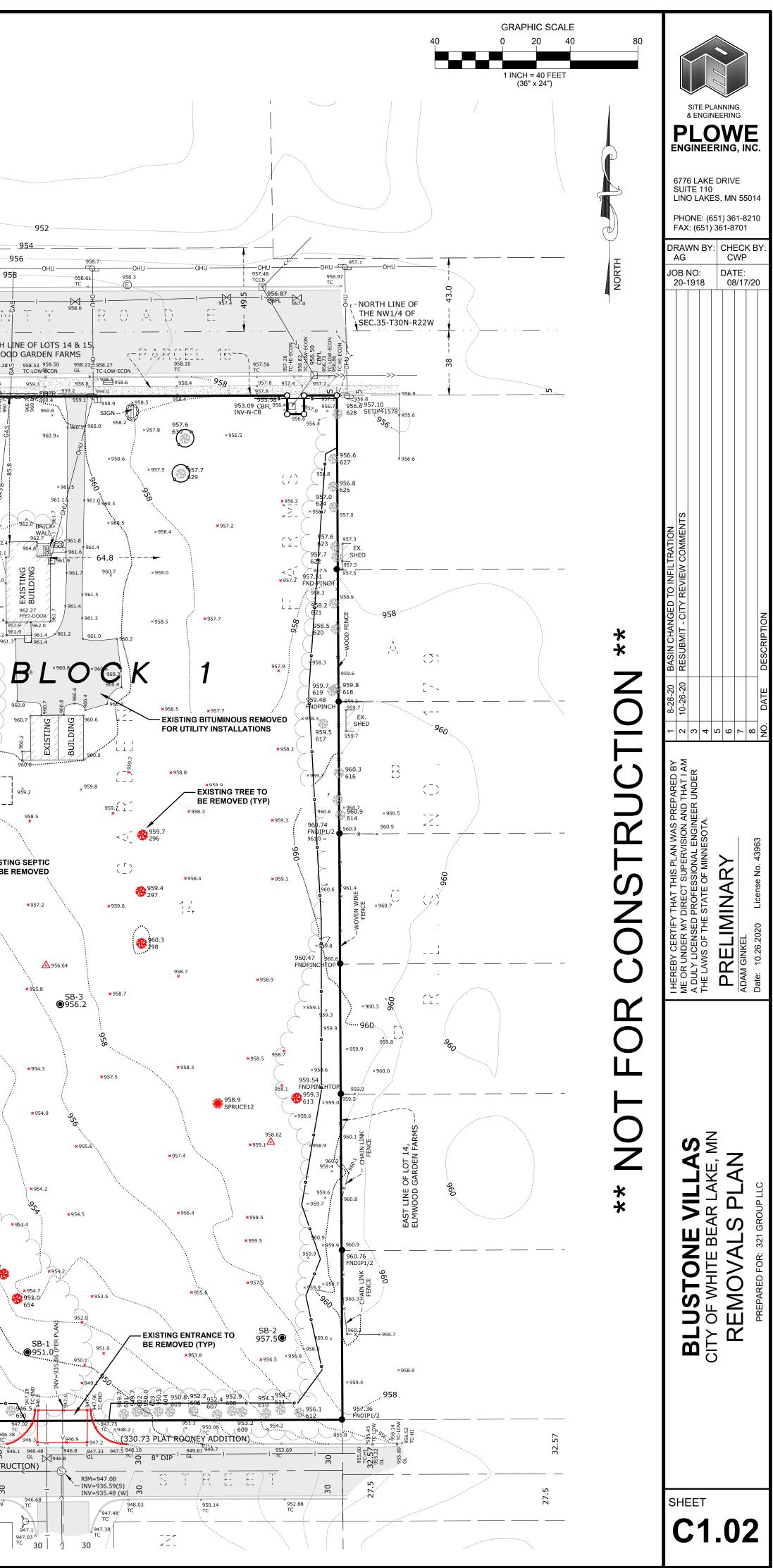


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	14	JPIUCE			941.72 TC-CB	938.49 FNDIPCAP × 941-8	943.3 943.4 943.4	944.95	947.02 TC 946.38 946.38 946.3	V946.9
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956

- 958



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- 4. ALL UTILITY AND STREET INSTALLATIONS SHALL CONFORM TO THE CITY STANDARD SPECIFICATIONS AND DETAIL PLATES. 5. ALL WORK SHALL BE PERFORMED DURING CITY APPROVED WORKING HOURS.
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- 7. NOTIFY CITY A MINIMUM OF 48 HOURS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. 8. ALL ELECTRIC, TELEPHONE, AND GAS EXTENSIONS INCLUDING SERVICE LINES SHALL BE CONSTRUCTED TO THE APPROPRIATE UTILITY COMPANY SPECIFICATIONS. ALL
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ADDITIONAL NOTES

 CONTACT THE CITY AT (651) 429-8587 OR <u>CTAILLONE@WHITEBEARLAKE.ORG</u> FOR A TREE PROTECTION FENCE INSPECTION PRIOR TO ANY REMOVALS OR GRADING WORK.

LEGEND

	LEGEND
	EXISTING CATCH BASIN
• ^{CS}	EXISTING CURB STOP
E	EXISTING ELECTRICAL BOX
Ē	EXISTING ELECTRICAL MANHOLE
X 952.36	EXISTING EXISTING SPOT ELEVATION
V	EXISTING HYDRANT
	EXISTING MAILBOX
С О	EXISTING POWER POLE
Ś	EXISTING SANITARY SEWER MANHOLE
€ <u>⊤</u>	EXISTING STORM SEWER APRON EXISTING TELEPHONE PEDESTAL
	EXISTING TELEFTIONE FEDESTAL EXISTING WATER VALVE
	EXISTING FENCE EXISTING RETAINING WALL
	EXISTING EXISTING CONTOURS
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GAS FIBER	EXISTING UNDERGROUND GAS LINE EXISTING UNDERGROUND FIBER OPTIC LINE
>	EXISTING EXISTING SANITARY SEWER
>>>	EXISTING EXISTING STORM SEWER
	EXISTING EXISTING WATER MAIN
OHW	EXISTING OVERHEAD UTILITY
——I——	PROPOSED WATER PIPE
	PROPOSED SANITARY SEWER PIPE
	PROPOSED STORM SEWER PIPE
D	PROPOSED STORM MANHOLE
	PROPOSED CATCH BASIN
Δ	PROPOSED FLARED-END SECTION
Z ₅	PROPOSED GATE VALVE
ð	PROPOSED HYDRANT
S	PROPOSED SANITARY SEWER MANHOLE
	PROPOSED DIRECTION OF DRAINAGE
¤ 959.20	PROPOSED POINTS
	(GUTTERLINE, BITUMINOUS SURFACE, OR GROUND SURFACE UNLESS OTHERWISE INDICATED)
6	PROPOSED CATCH BASIN INLET PROTECTION
t or	
ss	PROPOSED SILT FENCE
	MAINTENANCE ACCESS ROUTE
	ENKAMAT (OR APPROVED EQUAL)
946.2 665	EXISTING TREE
彩	EXISTING TREE TO BE REMOVED

TREE PROTECTION FENCE TO BE INSTALLED PER CITY SPECIFICATIONS

TREE REMOVAL NOTES

TOTAL TREE CALIPER ON SITE = 1080 INCHES TREE CALIPER REMOVED TREE REPLACEMENT FORMULA = $(513 / 1080) \times 0.266 \times 513$

= 513 INCHES = 65 INCHES

CALCULATIONS ARE BASED ON DECIDUOUS TREES WITH CALIPER 8" OR GREATER AND EVERGREEN TREES WITH CALIPER 6" OR GREATER

TREE REPLACEMENT NOTES

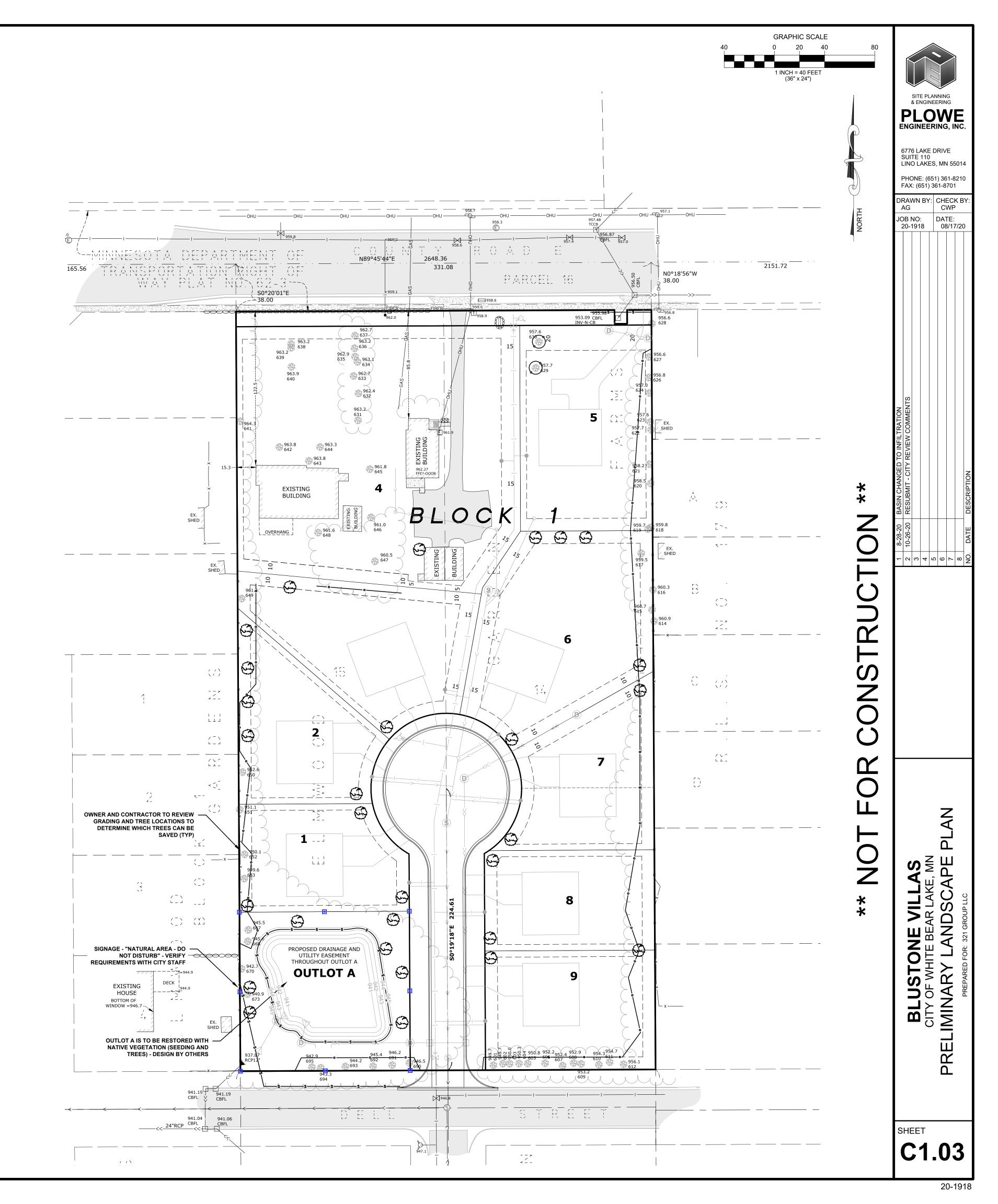
NO MORE THAN ONE-THIRD (1/3) OF THE REPLACEMENT TREES SHALL BE OF THE SAME TYPE OF TREE, WITHOUT APPROVAL OF THE ZONING ADMINISTRATOR. REPLACEMENT TREES MUST MEET THE FOLLOWING MINIMUM SIZE REQUIREMENTS:

DECIDUOUS TREES CONIFEROUS TREES ORNAMENTAL TREES 2¹/₂ CALIPER INCHES 6 FEET TALL 1¹/₂ CALIPER INCHES

RECOMMENDED SPECIES LIST:

COMMON NAME	LATIN NAME
RED MAPLE	ACER RUBRUM
SUGAR MAPLE	ACER SACCHARUM
SILVER MAPLE	ACER SACCHARINUM
PAPER BIRCH	BETULA PAPYRIFERA
RIVER BIRCH	BETULA NIGRA
HACKBERRY	CELTIS OCCIDENTALIS
AMERICAN MOUNTAIN ASH	SORBUS AMERICANA
TAMARAC	LARIX LARICINA
IRONWOOD	OSTRYA VIRGINIANA
BIG TOOTH ASPEN	POPULUS GRANDIDENTATA
TREMBLING ASPEN	POPULUS TREMULOIDES
WILD PLUM	PRUNUS AMERICANA
WILD BLACK CHERRY	PRUNUS SEROTINA
BUR OAK	QUERCUS MACROCARPA
SWAMP WHITE OAK	QUERCUS BICOLOR
WHITE OAK	QUERCUS ALBA
RED OAK	QUERCUS RUBRA
NORTHERN PIN OAK	QUERCUS ELLIPSOIDALIS
ARBORVITAE	THUJA OCCIDENTALIS
BLACK WILLOW	SALIX NIGRA
AMERICAN BASSWOOD	TILIA AMERICANA
BUTTERNUT	JUGLANS CINEREA
BLACK WALNUT	JUGLANS NIGRA
WHITE SPRUCE	PICEA GLAUCA
WHITE PINE	PINUS STROBUS

= PROPOSED TREE



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 THE CONTRACTOR SHALL BE DESPONSIBLE FOR PROVIDING, MAINTAINING TRAFFIC
- 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING, MAINTAINING TRAFFIC CONTROL, SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGMEN AND LIGHTS, AS NECESSARY TO CONTROL THE MOVEMENT OF TRAFFIC.

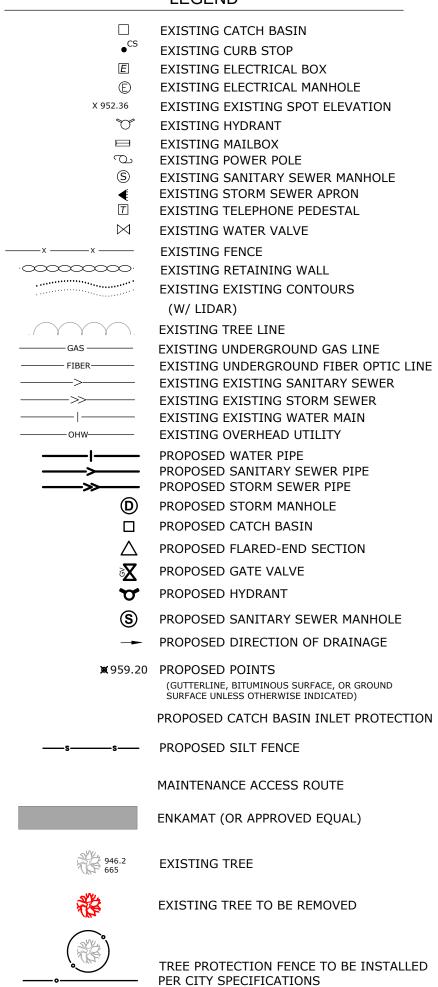
SANITARY SEWER NOTES

- 1. PROPOSED SANITARY SEWER PIPE SHALL BE: 1.1. MAIN PVC SDR 35
- 1.2. SERVICES PVC SDR 26
- 2. FIELD VERIFY SIZE, ELEVATION AND LOCATION OF EXISTING SANITARY SEWER AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO ANY INSTALLATIONS.
- 3. CONTRACTOR TO CONTACT CITY ENGINEERING DEPARTMENT AT LEAST 48 HOURS PRIOR TO CONNECTION TO EXISTING PUBLIC SANITARY SEWER.
- ALL SANITARY SEWER STRUCTURE CASTINGS SHALL BE NEENAH STYLE R-1642, LABELED "SANITARY SEWER".

WATERMAIN NOTES

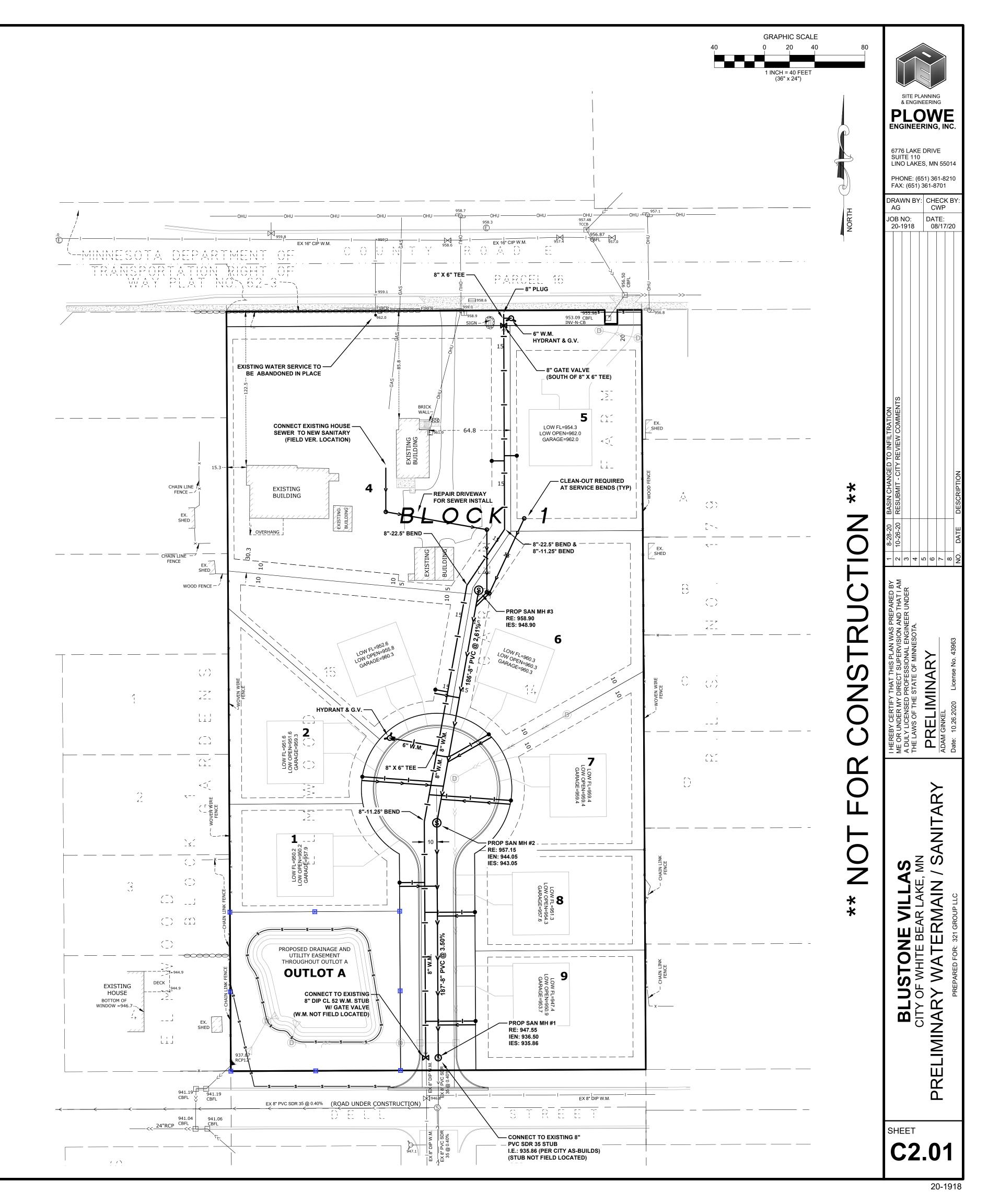
- 1. PROPOSED WATERMAIN PIPE SHALL BE: 1.1. MAIN DIP CL 52
- 1.2. SERVICES COPPER TYPE K
- 2. FIELD VERIFY SIZE, ELEVATION, AND LOCATION OF EXISTING WATERMAIN AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO ANY INSTALLATIONS.
- MAINTAIN A MINIMUM OF 7.5 FEET OF COVER OVER ALL WATERMAIN PIPE.
 PROVIDE PREFORMED INSULATION, PPG FOAMGLASS, OR APPROVED EQUAL WHERE
- SANITARY SEWER OR STORM SEWER CROSSES WITHIN 24" OF WATERMAIN. 5. WATERMAIN SHUTOFF REQUIRES A MIN. 48 HOUR NOTICE TO PUBLIC WORKS AND ALL AFFECTED PROPERTY OWNERS.

LEGEND



ADDITIONAL NOTES

1. SURVEY AS-BUILD LOCATIONS ARE REQUIRED FOR ALL INSTALLED UTILITIES, INCLUDING ALL BEND POINTS ON THE WATERMAIN.



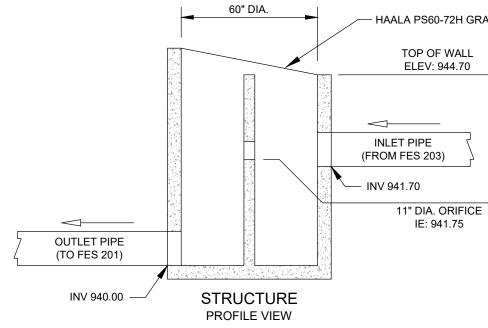
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STORM SEWER NOTES

- 1. PROPOSED STORM SEWER PIPE SHALL BE: 1.1. REINFORCED CONCRETE PIPE (RCP) WITH R-4 GASKETS
- 2. FIELD VERIFY SIZE, ELEVATION, AND LOCATION OF EXISTING STORM SEWER AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO ANY INSTALLATIONS.
- 3. STORM SEWER LENGTHS INCLUDE THE LAYING LENGTH OF THE FLARED-END SECTION. LAYING LENGTH OF APRON TO BE DEDUCTED FROM PAYMENT LENGTH OF PIPE
- 4. PIPE FLARED-END SECTIONS SHALL INCLUDE TRASHGUARD AND RIP-RAP. 5. ALL SANITARY SEWER STRUCTURE CASTINGS THAT ARE SOLID LID SHALL BE NEENAH STYLE R-1642, LABELED "STORM SEWER".

STORM SEWER STRUCTURE SCHEDULE

01		
STR.	SIZE	CASTING
302	27" DIA.	NEENAH R-4342
301	48" DIA.	NEENAH R-4342
107	27" DIA.	NEENAH R-4342
106	48" DIA.	NEENAH R-1642
105	48" DIA.	NEENAH R-3067V
104	48" DIA.	NEENAH R-3067V
103	48" DIA.	NEENAH R-1642
102	60" DIA.	NEENAH R-1642
-		





LEGEND

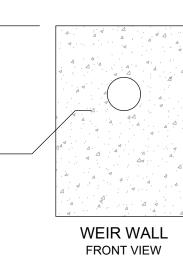
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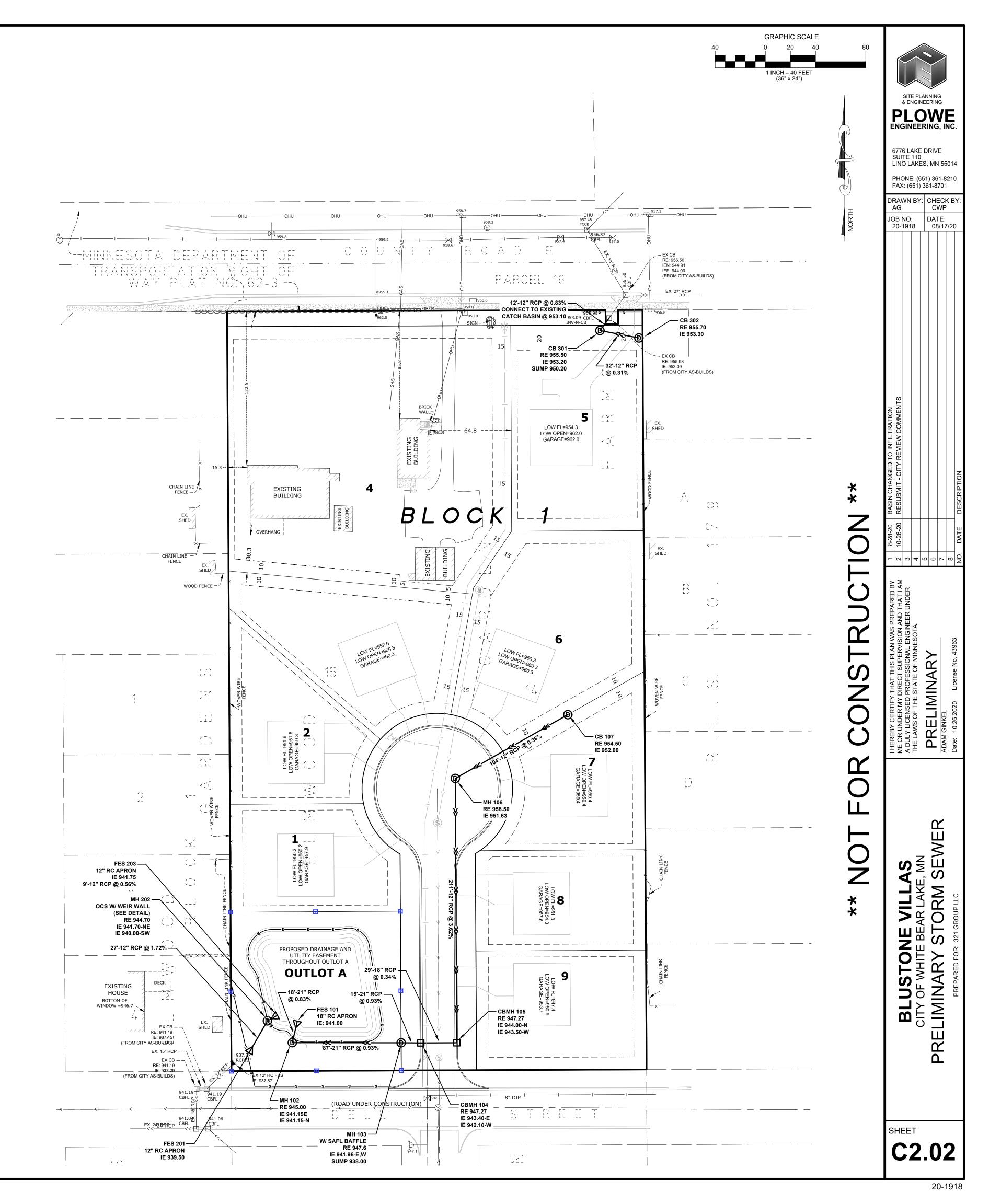
	LEGEND
	EXISTING CATCH BASIN
•CS	EXISTING CURB STOP
E	EXISTING ELECTRICAL BOX
E	EXISTING ELECTRICAL MANHOLE
X 952.36	EXISTING EXISTING SPOT ELEVATION
\mathcal{O}	EXISTING HYDRANT
	EXISTING MAILBOX
С	EXISTING POWER POLE
S	EXISTING SANITARY SEWER MANHOLE
€	EXISTING STORM SEWER APRON
T	EXISTING TELEPHONE PEDESTAL
\bowtie	EXISTING WATER VALVE
XX	EXISTING FENCE
	EXISTING RETAINING WALL
	EXISTING EXISTING CONTOURS
	(W/ LIDAR)
$(\gamma \gamma \gamma \gamma)$	EXISTING TREE LINE
GAS	EXISTING UNDERGROUND GAS LINE
FIBER	EXISTING UNDERGROUND FIBER OPTIC LINE
>	EXISTING EXISTING SANITARY SEWER
	EXISTING EXISTING STORM SEWER EXISTING EXISTING WATER MAIN
OHW	EXISTING EXISTING WATER MAIN
<u> </u>	PROPOSED WATER PIPE
;	PROPOSED SANITARY SEWER PIPE
>	PROPOSED STORM SEWER PIPE
D	PROPOSED STORM MANHOLE
	PROPOSED CATCH BASIN
\bigtriangleup	PROPOSED FLARED-END SECTION
Z	PROPOSED GATE VALVE
Υ	PROPOSED HYDRANT
S	PROPOSED SANITARY SEWER MANHOLE
-	PROPOSED DIRECTION OF DRAINAGE
⋈ 959.20	PROPOSED POINTS
	(GUTTERLINE, BITUMINOUS SURFACE, OR GROUND SURFACE UNLESS OTHERWISE INDICATED)
	PROPOSED CATCH BASIN INLET PROTECTION
ss	PROPOSED SILT FENCE
	MAINTENANCE ACCESS ROUTE
	ENKAMAT (OR APPROVED EQUAL)
946.2 665	EXISTING TREE
卷	EXISTING TREE TO BE REMOVED
	TREE PROTECTION FENCE TO BE INSTALLED

PER CITY SPECIFICATIONS



– HAALA PS60-72H GRATE







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

August 20, 2020

Plowe Engineering 6776 Lake Dr STE 110 Lino Lakes, MN 55014

RE: General Building Plan Review

Project: Blustone Villas - Rooney Farm 1800 County Road E

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. All roads and drive lane shall meet the White Bear Lake Fire Department requirements for widths and turning radiuses. Provide layout showing White Bear Lake Fire Apparatus turning radius overlay on drive lanes.
- 2. The access road shall meet the requirements of MSFC 2020 Appendix D.
 - a. Asphalt or concrete driving surface capable of supporting the imposed load of fire apparatus weighing up to 75,000 pounds.
 - b. Road shall not exceed 10% grade unless approved by AHJ.
 - c. Dead-end roads shall terminated properly. (Minimum cul-de-sac diameter is 96-feet).
- 3. Address number shall be plainly visible from the street fronting the property and shall contrasting color from the background.
- 4. Signage shall be of an approved size and weatherproof material. Signage shall identify the road clearly.
- 5. The fire hydrant in the cul-de-sac shall have a 3-foot clear space around it.

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.
 - o 2020 Minnesota State Fire Code
 - o NFPA 72, 2016 edition
 - o NFPA 13, 2016 edition

Thank You,

Kut fin

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



City of White Bear Lake Engineering Department

MEMORANDUM

TO:	Samantha Crosby, Planning & Zoning Coordinator
FROM:	Nate Christensen, P.E., Civil Engineer Connie Taillon, P.E., Environmental Specialist/Water Resources Engineer
DATE:	November 6, 2020
SUBJECT:	Blustone Villas Engineering Review Comments

The Engineering Department reviewed the Civil Plans and Stormwater Drainage Report dated October 26, and received October 27, 2020, and have the following comments in red text. Comments in black text are from review comments dated September 18, 2020.

General

- Outlot A shall be restored with native vegetation (seed and trees). To properly establish native seed, the applicant shall enter into a contract with a native plant restoration company for installation and three years of maintenance for initial establishment. The contractor shall be approved by the City. Submit the installation contract and 3-year maintenance contract for review when available. Include this information on the Landscape Plan and any other appropriate plan sheet. 11/6/20: Note provided on Sheet C1.03. Provide a plan for review and approval prior to issuance of any permits.
- Submit a geotechnical recommendation for the infiltration area berm design for review. 11/6/20: Not yet received. Please submit a geotechnical recommendation for the infiltration area berm design for review when available.

Sheet C1.01 - Grading, Drainage & ESC Plan

3) Dimension street from face of curb to face of curb. 30 feet face to face is acceptable. If driveway slopes are too steep, the street can be a minimum of 28 feet face to face. 11/6/20: This item has not been addressed. (Please either use 30.0 F-F or 31.34' B/C)

11/6/20: Please label the EOF for lot 5.

4) Include tree protection fence at the grading limits along the entire east side of the property, west side of the property, and northern area of lot 3.
 11/6/20: This item has been addressed on Sheet 1.02. Please show on Sheet 1.01 as well.

5) Remove the 'Sodded EOF' note and replace with permanent erosion control blanket and native seed.

11/6/20: The EOF will also be planted by the restoration contractor; therefore, please remove the MnDOT seed mix note and add a note that references a native seed mix designed by others.

Sheet C1.02 – Removals Plan

- 6) Add the additional tree protection fence from comment 17 on this plan sheet. 11/6/20: This item has been addressed. In addition:
 - Label lot 3.

- In the additional notes section, Connie Taillon's email is listed as <u>CTAILLONE@WHITEBEARLAKE.ORG</u>, please change to <u>CTAILLON@WHITEBEARLAKE.ORG</u>, to reflect the correct e-mail.

- Add to the following note:
 - 6. Contractor shall notify Ben Hofschulte from Ramsey County at 651-266-7198 at least 48 hours prior to construction abutting County Road E (additional right of way permit from Ramsey County shall be required).

Sheet C1.03 – Preliminary Landscape Plan

 Add the additional tree protection fence from comment 17 on this plan sheet. 11/6/20: This item has been addressed. In addition, please call out tree protection fence with label, and label lot 3. Please correct Connie's e-mail, see response to comment 6.

<u>Sheet C2.01 – Preliminary Watermain / Sanitary</u>

8) Survey as-builds are required for all installed utilities, including at all bend points on the watermain.

11/6/20: This item will be addressed in the future, prior to the City accepting the Road and utilities.

Note: The City will require proper abandonment of the existing water service, which includes digging down to the existing watermain on County Road E, turning the corporation valve off, and cutting the old water service.

Also, please move the hydrant gate valve, in front of Lot 3 (not labeled) to the street. Label Lot 3.

Sheet C3.01– Details

- 9) Basin overflow detail
 - a. Add the top of berm elevation, HWL elevation, and EOF elevation on the plan and section drawings.

11/6/20: Revise all elevations to be consistent with the grading plan.

b. Section A-A: remove the sod note and add permanent erosion control blanket and native seed mix.

11/6/20: The EOF will also be planted by the restoration contractor; therefore, please remove the MnDOT seed mix note and add a note that references a native seed mix designed by others.

New Comments 11/6/20

Sheet C2.02 – Preliminary Storm Sewer

10) FES 101 and FES 203 are too close. Move FES 101 back to the original location to prevent short circuiting. A second maintenance access will not be required for FES 101.

Sheet C3.02– DETAILS

11) Include City's Fire Hydrant Detail

- 12) Include USPS Mailbox Installation Detail. Or is this a walking route?
- 13) Include City's Tapping Saddle for Water Service Detail

Sheet C4.01–SWPPP

- 14) This sheet appears to be a copy of the NPDES/SDS permit for construction activity. If this is the intent please include sections 1-3 as well, add additional sheets if necessary.
- 15) Stormwater Drainage Report: Provide Tables 1-3 (rate control summaries) in the report.



City of White Bear Lake COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

- **TO:** The Planning Commission
- **FROM:** Samantha Crosby, Planning & Zoning Coordinator

DATE: November 25, 2020 for the November 30, 2020 Planning Commission Meeting

SUBJECT Alleycat's, 1971 Whitaker Street - Case No. 20-19-V

REQUEST

The new business owner of the Meet Market, Al Landreville, must change the business name and has chosen "Alleycat's Gourmet Sandwiches". In the process of changing out the wall signage, he realized the parameters of the existing Variance approval do not fit his vision for branding. Consequently, he is requesting an amendment to an existing sign variance to allow a portion of the south-facing wall sign to be converted from individual channel letter style to a box style.

SITE CHARACTERISTICS

The subject site is located on the northeast corner of Whitaker Street and Highway 61 and is known as the Lakeside Shops. The property is a strip shopping center with the former Meet Market located at the west end of the building.

BACKGROUND

The Meet Market Deli is approximately 6 years old. In 2014 the sign code did not allow more than one sign for any one tenant, no matter their location in the building. Therefore, the applicant sought (and was granted) "a variance from the one sign maximum to allow the installation of a second wall sign for a single tenant of a multi-tenant building."

<u>ZONING</u>

The site is zoned LVMU – "Lake Village Mixed Use" and is located within the Shoreland Overlay District of White Bear Lake. The properties to the north, east and south are also zoned, LVMU and S. Highway 61 abuts the property to the west, and across 61, the properties to the west are zoned R-4 - "Single and Two Family Residential".

APPLICANT'S PRACTICAL DIFFICULTY

See applicant's narrative.

ANALYSIS

The sign code was revised significantly in 2017. Now the code allows end cap tenants, where a side elevation faces a street, to have a secondary wall sign not to exceed 3.5% of that wall area, or

	Primary Wall (South)	Secondary Wall (West)	Total
Code	7% of wall area	3.5% of wall area	
Wall Area	500 sq. ft.	840 sq. ft.	
Allowed	35 sq. ft.	29.4 sq. ft.	64.4 sq. ft.
Previous Approval*	35.53 sq. ft.	50.28 sq. ft.	93.8 sq. ft.
Proposed	32.2 sq. ft.	49.5 sq. ft.	81.5 sq. ft.

30 square feet. In this case, the primary wall is the south elevation and the secondary wall is the west elevation.

* Granted by the 2014 variance.

As you can see, the current request is no larger than the previously approved variance. The desired signage is, however, a different type of signage, and therefore is not consistent with the previously approved variance. On the south elevation, the previous variance allowed only individual channel letters. The proposed sign is a combination of individual channel letters and a box style sign. Another difference is that the white background and black boarder is painted on the building wall behind the sign. This area is not included when calculating the size of the sign, but makes the sign appear bigger than its measurements.

Being the closest tenant in the shopping center to Highway 61 and given the unusually large pylon sign the center has, staff does not see a true practical difficulty in relation to the sign. However, at least size-wise, the subject request is an improvement over the existing signage.

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

As an amendment to an already approved variance, 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.
- 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 sign permit shall be obtained prior to installation of the sign.

Attachments:

- 1. Draft Resolution of Approval
- 2. Zoning/Location Map
- 3. Applicant's Request Narrative
- 4. Sign Graphics (3 pages)

RESOLUTION NO.

RESOLUTION GRANTING A SIGNN VARIANCE FOR 1971 WHITAKER STREET WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA

WHEREAS, a proposal (20-19-V) has been submitted by Al Landreville 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: 1971 Whitaker Street

LEGAL DESCRIPTION: Lot 12, Block 3, Rearrangement of Lake Shore Addition to White Bear, Ramsey County, MN

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A variance to allow a second wall sign for one tenant of a multi-tenant building, per Code Section 1202.140, Subd.1.a, in order to allow the installation of an 35.5-square foot sign on the south building elevation in addition to the 50.28 square foot sign on the west elevation; and

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on November 30, 2020; and

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

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

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

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

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

- 1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
- 2. 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 sign permit shall be obtained prior to installation of the sign.

 The foregoing resolution, offered by Councilmember
 and supported by

 Councilmember
 , was declared carried on the following vote:

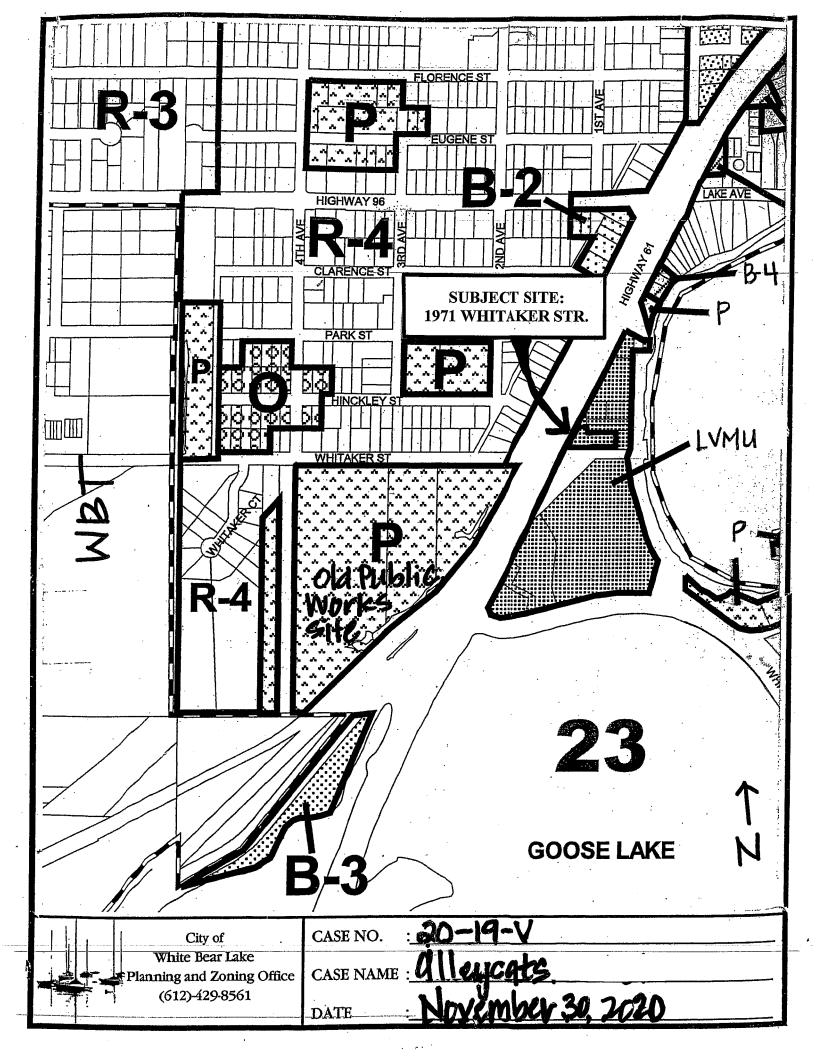
Ayes: Nays: Passed:

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.



October 16, 2020

Attn: City of White Bear Lake

Dear Members of White Bear Lake City Council,

We'd like to share a bit of background information of why the decision was made to change our name from "The Meet Market" to "Alleycat's Gourmet Sandwiches". We feel it is important for you to have a clear understanding of the process and hope to gain the approval of this council and the community as a whole.

We purchased "The Meet Market" is bit over a year ago, in June 2019. We really liked the name and thought it would be a good idea to trademark it, and make it a solid brand. When performing our search with the hope of success, we attracted the attention of a restaurant that already owned the name in West Palm Beach, Florida called "THE MEAT MARKET". Once they found out about "The Meet Market" in White Bear Lake, they threatened us with a lawsuit if we didn't change the name. Even though it is spelled differently and 1800 miles away, my attorney said we had a very weak case at best. The cost of the lawsuit would have outweighed the costs involved with a name change. We were left with no choice but to concede to their demands and change the name.

My business partner and I have owned and operated Sak's Sports Bar since 2008, and we understand the importance of brand recognition. So, changing the name of "The Meet Market" is the last thing we wanted to do. Even more frustrating is the inevitable loss of business due to the name change, not to mention the cost of the sign, other marketing changes, and attorney fees.

We are requesting an amendment to the existing variance for the southfacing wall sign in order to replace the permitted "channel letter" style sign with a "logo box" style sign. In order to remain consistent with the look and feel of our new logo, several steps had to be taken, including several discussions with your Planning & Zoning Coordinator, Samantha Crosby, who has been working with us rather consistently, along with the building owner, Richard Eitle, who has permitted us to paint the exterior of his building to create a white backdrop. We feel the permitted "channel letter" design, alters the look and feel of our brand and would very much like to represent our image consistently. The west frontage, with its use of a "logo box", in our opinion, optimizes the readability of our message by clearly indicating our product. We feel the permitted "channel letter" design would decrease readability in the permitted size, decrease the brand recognition of our logo, and eliminate the red color element that we feel is necessary to project our image properly. We recently received a permit for a sign that anticipates the approval of this variance. If the variance is not approved the storefront sign will remain as shown in the attached rendering labeled "RECENTLY APPROVED" until the spring, when we can consider having the building repainted leaving a smaller, more symmetrical background.

In summary, this variance request for the south-facing sign is simply to remain consistent with the west facing sign for the reasons stated above by replacing the permitted "channel letter" style sign with a "logo box" style sign. Please see the attached renderings indicating:

1) The approved signage prior to the name change, containing a "logo box".

2) The recently approved (existing) signage.

3) The proposed signage and topic of the variance request.

Please note that the square footage of the proposed signage, along with the existing signage, is below the previously approved "MEET MARKET" signage.

Thank you for your consideration.

Respectfully submitted,

Alan Landreville







CITY COUNCIL MEETING SUMMARY

November 10, 2020

APPROVAL OF MINUTES – Approved

APPROVAL OF THE AGENDA – Approved

VISITORS AND PRESENTATIONS - Nothing scheduled

<u>PUBLIC HEARINGS</u> – Nothing scheduled

LAND USE – Approved, 1 item postponed

- A. Consent
 - Consideration of a Planning Commission recommendation for approval of a request by Independent School District #624 for a Conditional Use Permit Amendment at Matoska Elementary at 2530 Spruce Place. (Case No. 12-5-Sa). Resolution No. 12662
 - Consideration of a Planning Commission recommendation for approval of a request by Independent School District #624 for a Conditional Use Permit at Lincoln Elementary at 1961 6th Street. (Case No. 20-9-CUP). Resolution No. 12663
 - 3. Consideration of a Planning Commission recommendation for approval of a request by Tousley Ford for a Conditional Use Permit at 1755 Buerkle Road. (20-8-CUP). **Resolution No. 12664**
 - Consideration of a Planning Commission recommendation for approval of a request by Grant Raykowski for a variance at 2503 Manitou Island. (Case No. 20-18-V). Resolution No. 12665
- B. Non-Consent
 - 1. Consideration of a Planning Commission recommendation for approval of one variance request and denial of one variance request by Steve Bucher for two variances at 4820 Stewart Avenue. (Case No. 20-17-V). **Resolution No. 12666**
 - 2. Consideration of a Planning Commission recommendation for approval of a request by Melissa and Brent Peacock for a variance at 2532 Manitou Island, postponed to Nov. 24, 2020 (Case No. 20-16-V). **Postponed at the applicant's request**

<u>UNFINISHED BUSINESS</u> – Tabled for work session discussion

A. Resolution reallocating remaining Non-profit relief grant funds and extension of Emergency Assistance grant funds.

ORDINANCES – Conducted second reading and published both for passage

A. Second reading of a City-Initiated text amendment to Zoning Code at Section 1303.120, Subd.3 "Permitted Accessory Uses" to clarify that the intent of line (a) is permitting accessory buildings, not a specific use within the building. (Case No. 20-1-Z). **Ordinance No. 20-1-2044**

 B. Second reading of adoption of the Minnesota State Fire Code by reference. Ordinance No. 20-1-2045

NEW BUSINESS – Approved

- A. Resolution approving 2021 MNPEA Patrol Officers Union Contract. Resolution No. 12670
- B. Resolution approving 2021 LELS Sergeants Union Contract. Resolution No. 12671
- C. Resolution accepting the City's DRAFT Surface Water Management Plan and authorizing distribution to water management organizations and counties for technical review. **Resolution No. 12672**
- D. Resolution authorizing Livable Communities Act re-enrollment for 2021-2030.
 Resolution No. 12673

CONSENT – Approved

- A. Acceptance of Minutes; September Environmental Advisory Commission; September White Bear Lake Conservation District; October Planning Commission.
- **B.** Resolution authorizing execution of a contract with Sandstrom Land Management LLC for construction of rain gardens on the properties of landowners. **Resolution No. 12674**
- C. Resolution authorizing a transfer of liquor licenses for Lunds Inc. to Lunds Food Holdings, Inc. **Resolution No. 12675**
- D. Resolution authorizing Score Grant funding allocation and application. Resolution No. 12676

DISCUSSION – Nothing scheduled

COMMUNICATIONS FROM THE CITY MANAGER

- The License Bureau (LB) will be implementing MNDrives tomorrow, the replacement for MNLars. The LB was chosen to pilot this program because of the good work they do. MNDrives will be live on November 16, 2020. Also, the LB earned another dealership account.
- City Council Work Session on Tuesday, November 17, 2020 at 6:00 via Zoom to work through CARES funding and the budget.
- Governor Walz dialed back on late night entertainment and COVID-19 cases have been observed throughout the city and at the staff level. Staff have yet to evaluate new guidance as it pertains to the Sports Center and Armory facilities.

- General Election turnout in each of the City's Wards ranged from 94 98% of registered voters as of June 1, 2020.
- > Staff is working on ideas for a traffic committee and will revisit this with Council soon.
- Staff is working on the proposal for Equity and Inclusion and will revisit this with Council soon.
- Barely Open event has been cancelled but fundraising for the Food Shelf will continue online.
- > Downtown cancelled Winterfest this year but are still holding their Open House.
- City Engineer/Public Works Director Kauppi
 - a. \$500,000 was awarded as part of the 2020 bonding bill to complete the final segment of the Lake Links Trail from Ramsey County beach to the southern limits. White Bear Township received the same, and Dellwood received \$2.6 million for their segment.
 - b. Plows will begin at 3:00 a.m. tomorrow, starting in downtown.
- Community Development Director Kane
 - a. School District meeting Thursday evening via Zoom for which staff will report back regarding the North Campus expansion
 - b. Small area planning has been taking place to include the visions of the School District, Art Center, Rush Line and Bruce Vento Trail projects to maximize pedestrian and bicycle connections to Downtown White Bear Lake. Councilmember Jones was asked and accepted an invitation to participate in selection of a consultant with staff.
- Mayor Emerson recognized all active and military veterans for their service to the County and honored military staff read off the names and positions of all military staff working for the City.

ADJOURNMENT – 8:56 p.m.

Park Advisory Commission Meeting Minutes

SEPTEMBER 17, 2	020 6:30 P.M.	Memorial Beach/West Park	
MEMBERS PRESENT	Bill Ganzlin, Victoria Biehn,	Mark Cermak, Anastacia Davis, Mike Shepard	
MEMBERS ABSENT	Bryan Belisle, Ginny Davis,		
STAFF PRESENT	Andy Wietecki		
VISITORS			
NOTE TAKER	Andy Wietecki		

AGENDA TOPICS

1. CALL TO ORDER

The meeting was called to order at 6:37 pm.

2. APPROVAL OF MINUTES

Approval of the minutes from August 20, 2020 was moved by Mark Cermak and seconded by Victoria Biehn.

3. APPROVAL OF AGENDA

Approval of the September 17, 2020 agenda was moved by Mike Shepard and seconded by Mark Cermak.

4. UNFINISHED BUSINESS

5. NEW BUSINESS

a) Lifeguards at Memorial Beach

Andy Wietecki followed up with the Commission Members about the lifeguard discussions at the August meeting. Anastacia inquired when the last time there were lifeguards at Memorial Beach. There have not been any lifeguards at this location for the past 15-20 years. The surrounding community beaches on White Bear Lake paid around \$20,000 - \$24,000 for lifeguard services through the YMCA in 2018. This number is just a rough idea of what costs could be to employ lifeguards for the summer at our beach. Bill Ganzlin asked if we could have extra patrols at the Matoska boat launch policing the launch to make sure that everyone launching their boats is paying for a tag. Then use those fees to help pay a portion of the cost of lifeguards at the beach. Andy would talk to the Finance Department to see if those funds could be transferred. The CSOs (Community Service Officers) have stepped up patrolling at Matoska to ensure that the trailers in the parking area all have permits on them. The Park Advisory Commission members unanimously agreed to support funding and implement lifeguards at Memorial Beach.

b) Dumpster Enclosure Proposals/Drawings for Podvin Park

The Park Advisory Commission toured three different dumpster enclosure styles to be considered for Podvin Park. Podvin Park is one of the premier parks within the City; and the current dumpster location sitting out front detracts from the park's appeal. Andy Wietecki informed the Commission that the dumpster location would be on an existing 6-inch concrete slab that was meant for motorcycle parking. Mike Shepard questioned where the motorcycles will park if the dumpster uses that concrete slab. Andy informed the Commission that the dumpster has always been on that concrete pad so it doesn't sink into the asphalt. Andy confirmed (on September 18th) that there is another concrete pad between the skate park and basketball court that will work for motorcycle parking. The Park Advisory Commission decided on the option from Midwest Wrought Iron. The enclosure will fit nicely into the park and it will be easy to replace the composite slats if they are ever broken or vandalized.

c) Rotary Park Nature Preserve Tour

The Park Advisory Commission met at Rotary Park Nature Preserve. Bill Ganzlin led the Commission pointing out invasive Siberian Elm and Amur Maples that are heavily growing throughout the park. The Commission was impressed with the pavilion at the top the hill. Bill reported that the Rotary Club helped fund the project and also provided laborers to help build the pavilion. The question was raised whether there was much vandalism at Rotary Park. Fortunately, there is minimal vandalism – possibly due to the amount of people utilizing the trail that runs through the park. As the tour continued to the boardwalk, Bill Ganzlin asked if the Osprey pole had ever had an Osprey nest. From a previous conversation Andy had with retired City Engineer Mark Burch, Andy does not believe there has been any Osprey that have taken up residence at Rotary Park. The tour continued through the woods and ended up out by White Bear Parkway where the park property actually crosses the road to the North and extends up to the railroad tracks and over by Taymark's parking lot. Bill mentioned that years ago the City had a controlled burn in this area with the Fire Department on the prairie next to Taymark. The prairie was burned off and the fire department had some training at the same time. As the tour ended, Andy showed the Park Advisory Commission members some Arbor Day trees that were planted in his first year with the City that now stand 20 feet tall. Overall, the Commission were impressed with the beauty at Rotary Park Nature Preserve.

6. **OTHER STAFF REPORTS**

None.

7. COMMISSION REPORTS

None.

8. OTHER BUSINESS

None.

9. ADJOURNMENT

The next meeting will be held on January 21, 2021 at 6:30 p.m.

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