



**AGENDA**  
**PLANNING COMMISSION OF THE**  
**CITY OF WHITE BEAR LAKE, MINNESOTA**  
**MONDAY, MARCH 28, 2022**  
**7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

**1. CALL TO ORDER AND ATTENDANCE**

**2. APPROVAL OF AGENDA**

**3. APPROVAL OF THE MINUTES**

A. Minutes of the Planning Commission meeting on February 28, 2022

**4. CASE ITEMS**

A. **Case No. 22-2-P:** A request by **Jeff McDonnell / Tice Estate** for a Preliminary Plat, per Code Section 1402.020, to subdivide one parcel into five lots in order to construct two twin homes and two single-family residences at the property located at 1788 Highway 96 E.

B. **Case No. 22-7-V:** A request by **McNeely Music Center** for the following five variances:

- A five foot variance from the ten foot (east) side yard setback;
- A six foot variance from the 30 foot setback from the (west) side abutting a public right-of-way; and
- A six foot variance from the 30 foot front yard (south side) setback, all per Code Section 1303.150, Subd.5.c;
- A parking variance, per Code Section 1302.050, Subd.8.cc, to allow 18 parking spaces; and
- A variance from the 50% limit on the use of metal panels as an exterior building material, per Code Section 1303.150, Subd.6.c, to allow 69%,

All in order to demolish the existing building and reconstruct a new music center on generally the same footprint at the property located at 4910 Highway 61.

C. **Case No. 22-6-V:** A request by **Jim & Lynn Dierking** for a six foot variance from the 15 foot setback from a side property line, per Code Section 1303.040, Subd.5.c.2, in order to construct a mud room nine feet from the property line at the property located at 4743 Lake Avenue.

D. **Case No. 22-1-LS:** A request by **James Sanchez** for a minor subdivision to untie two historic lots of record, per Code Section 1302.030, Subd.3.c, at the property located at 5008 Stewart Avenue.

**5. DISCUSSION ITEMS**

A. City Council Meeting Summary of March 8, 2022.

B. Park Advisory Commission Meeting Minutes of March 17, 2022 – Meeting Canceled.

**6. ADJOURNMENT**

Next Regular City Council Meeting .....April 12, 2022

Next Regular Planning Commission Meeting .....April 25, 2022



**MINUTES  
PLANNING COMMISSION MEETING  
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA  
MONDAY, FEBRUARY 28, 2022  
7:00 P.M. IN THE COUNCIL CHAMBERS**

**1. CALL TO ORDER AND ATTENDANCE**

Vice Chair Mike Amundsen called the meeting to order at 7:00 p.m.

**MEMBERS PRESENT:** Mike Amundsen, Ken Baltzer, Jim Berry (7:03 pm), Pamela Enz, Mark Lynch, Erich Reinhardt and Andrea West

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Samantha Crosby, Planning & Zoning Coordinator, Tracy Shimek, Housing & Economic Development Coordinator, Ashton Miller, Planning Technician and Lindy Crawford, City Manager.

**OTHERS PRESENT:** Pete Edmondson and Chuck Mears

**2. APPROVAL OF AGENDA**

It was moved by Member **Lynch** seconded by Member **Baltzer**, to approve the agenda as presented.

Motion carried, 7:0

**3. APPROVAL OF THE MINUTES**

A. Minutes of January 31, 2022

It was moved by Member **Baltzer** seconded by Member **West**, to approve the minutes of the January 31, 2022 meeting as presented.

Motion carried, 7:0.

**4. CASE ITEMS**

**A. Case No. 22-2-V:** A request by **Tyler and Sara Pitlick** for a 31.5 foot variance from the 35 foot side yard abutting a right-of-way setback, per Code Section 1303.040, Subd.5.c.1, in order to expand the single family residence northward by 22 feet to allow for the construction of an addition 3.5 feet from the street side lot line at the property located at 4264 Cottage Park Road.

Crosby discussed the case. Staff recommended denial of the request as proposed.

Member Amundsen sought further information regarding the portion of the house that encroaches into the right-of-way. Crosby replied that she did not have a straightforward

answer as to how the house ended up being built in the right-of-way. She did not find evidence of any past variances in the property file and thinks the encroachment may have been a construction error.

Member Berry opened the public hearing.

Pete Edmonson, Edmonson Ink Draft and Design, P.O. Box 331, Annandale. He is representing the applicants. He thanked Crosby for the time and guidance provided throughout the process. Based on the existing layout of the home, the applicants believe the proposed addition fits with the neighborhood. The original design expanded the existing west wall of the home. Since the fence runs north/south along the property line, they believed that they could build there. After a recommendation from staff, they redesigned the addition so that it jogged towards the lake by four feet. Mr. Edmonson pointed out that most of the home is within the 35 foot setback, so it would be hard to design something functional that would not need a variance. While the variance request is large, the applicants are just requesting to add to what is existing.

Mr. Edmonson asked if neighbors had offered any feedback on the proposal. Crosby stated that the neighbor of the vacant lot across the street had questions, but did not submit comments.

Mr. Edmonson stated that he observed other homes in the Cottage Park neighborhood that have similar setbacks from the right-of-way. There is a new home being built nearby that looks like the garage will be five feet from the street-side property line.

Member Berry asked if Mr. Edmonson had any discussions with the applicants about redesigning the addition after feedback from staff. Mr. Edmonson confirmed that they originally submitted a design that was flush with the existing home, and later moved it back four feet. It was their belief that four feet was the maximum they could go and incorporate the redesign of the hallway, bedrooms and bathroom. He acknowledged that they could redesign anything, but the applicants did not want to move closer to lake, which could start to affect sight lines of the lake for the neighbor to the north. The applicants were also trying to preserve the patio and minimize disturbing the landscaping.

Member Berry sought to confirm that the applicants bought the house in October thinking they could add on. Mr. Edmonson stated yes, they saw the existing fence and did not think to check on setbacks, easements or other encumbrances.

Member Amundsen commented that an addition would cause the property to exceed the 30% impervious surface limit and asked if the applicants would be open to constructing a rain garden as a condition of approval for a revised variance request. Mr. Edmonson stated that the homeowners are not opposed to installing a rain garden or other stormwater infiltration feature.

Member Enz commented that proceeding with a design without a survey is unusual. This area of town is unique and a survey would have helped determine what is permitted on the property. She wondered why Mr. Edmonson thought to move forward with a design without a survey. Mr. Edmonson replied that they worked with a rough footprint sketch of the property. They knew the lot was nonconforming and that is where the discussion started.

Member Enz asked if there has been any thought put into redesigning the addition based on the City's recommendation of denial. Mr. Edmonson explained that they would need to "go back to the drawing board". They would need to adjust, slide, or remove some of the features.

Chuck Mears, 4274 Cottage Park Road, he has lived at the property since 2005. He is directly north of the subject site. He noted that there are five homes now in the neighborhood that encroach into the setback. He was at those other variance request meetings. The neighborhood is eclectic. He has no problem with the proposal. He spoke to the surveyors when they were out surveying the property. No one knows why the house was built in the right-of-way, but everyone is used to it. He does not think that the request to add to what is existing is unreasonable.

Member Berry closed the public hearing.

Member Reinhardt asked if staff had a specific distance it was recommending the addition be pushed back. Crosby responded that staff had not done an analysis prior to submittal, but had asked the applicants to provide as much setback as the design would allow. Staff believes a better effort could be made to push the addition back further.

Member Berry inquired if the 12.25 foot average setback put forth by staff in the report was the recommended setback. Crosby confirmed it was something to aim for.

Member Lynch commented that the lot is large, and there is a lot of space in the back. He wondered if it was possible to turn the addition 90 degrees. He believes a variance will be required for any addition, but he would like it to be reworked to be at least 12 feet back. He is worried that every request in this area is getting closer to the street using the justification that their neighbors are similar. Providing a larger setback will help reduce the creep that is occurring, and it seems doable when starting from scratch with an addition.

Mr. Edmonson explained that the 12 foot setback would be hard to achieve because it would need to wrap around the corner. He cannot imagine a redesign that would be able to provide a 12 foot setback.

Member Lynch acknowledged a 12 foot setback will cause the addition to be a little pinched, but he believes a different design is there and worth looking into.

Member Baltzer stated that he has been inside the house and it looks different from the outside. He tends to agree with the designer that it would be hard to redesign with a 12 foot setback. Nothing is conforming in Cottage Park and he does not think the project will be much of an impact on the neighborhood as a whole. He provided the history of an old cabin home that used to sit on the lot. He wonders if the footprint was used for the new home and that perhaps a survey was not completed at that time.

Member Enz noted that the proposed addition is away from the corner and will not block visibility, so she is generally supportive of the addition, but she encouraged the designer to push it back a bit more to break up the appearance of the house. She would like to avoid the home becoming a huge uninviting mass, which would not fit with the character of the existing neighborhood.

Member Lynch added that architectural elements could be incorporated to lessen the feel of a big wall.

Member Amundsen stated that he prefers the proposed design because it preserves the large portion of green space on the north side of the property. The neighbor's support for the project is important and he thinks this is potentially as good as it gets.

Member Reinhardt agreed that as long as northward expansion is ok, he supports the request.

Lindy Crawford, City Manager, asked the Commissioners to consider the practical difficulty for the variance.

Member Berry stated that he does not see a practical difficulty. There is room to build an addition on the home, but it may not be the size the homeowners are currently looking for. There is not a hardship the applicants are trying to overcome with this request.

Member Lynch laid out the three options he believed the Planning Commissioners had in ruling on the case. They could approve the request as presented, deny it, or approve a lesser variance by asking the applicant to come back next month with a different proposal.

In response to a question from Member Amundsen, Crosby confirmed that the applicants would be required to pay the fee again to re-apply if the current request was denied.

Member Berry asked if the Commissioners could continue the case to next month. Crosby responded that it is possible, but recommended asking the applicants about timing and the ability to redesign the request before next month's meeting.

Mr. Edmonson stated he has no clear vision on what to bring back to applicant and could not provide guidance on how to redesign the addition in a manner that would be accepted by the City.

Member Baltzer stated the Commissioners are not designers and should either approve or deny the request as it has been presented.

It was moved by Member **Lynch** to recommend denial of Case No. 22-2-V, seconded by Member **Enz**.

Motion carried, 5:2 Members Baltzer and Reinhardt opposed.

## 5. DISCUSSION ITEMS

### A. Housing Task Force Report Presentation.

Housing and Economic Development Coordinator Tracy Shimek presented an overview of the report. The task force was created in April of 2021. It worked to identify the housing needs and opportunities in White Bear Lake and put forth a variety of goals and recommendations on potential policies, programs and development priorities for the City Council's consideration.

Member Reinhardt sought more information on the recommendation to create a separate advisory board. Shimek explained that it would be an advisory board to the City Council. It would not necessarily provide recommendations of approval or denial; rather it would offer analysis on whether specific projects fit within the broader policies, priorities and goals of the City. There would not be a focus on the land use issues that come before the Planning Commission.

Member Reinhardt asked if staff already fulfilled that role. Shimek replied that it would allow the public to comment at a non-staff level. The advisory board is meant to provide the opportunity to invite the community to comment. Staff has heard from community members that they want more involvement in development projects. The specifics of how the committee would be set up have not been determined.

Member Reinhardt commented that it could potentially add complexity to the process that scares developers away from the City. Shimek explained that it is meant to take some of what staff does in guiding developers to a more public forum. It is meant to give the community more voice, so there is more community buy-in and to create a more open and transparent process.

Member Berry asked how the meetings would be different from the neighborhood meetings that are currently held by developers. Shimek stated that they would be an opportunity for broader community input as opposed to focusing solely on adjacent neighbors. The process gives developers the ability to gauge whether the community as a whole wants the project. She explained that a lot of money is poured into projects even before neighborhood meetings. This process would give developers the opportunity to hear from the City Council on whether the project should move forward.

Member Berry commented that there may be support for projects at the community-wide level, but the response could still be different at the neighborhood meeting from those directly affected by the project. Because there are so few opportunities to redevelop, he wondered about the feasibility of having higher-level discussions when properties within the City become available.

Shimek noted that other communities have predevelopment review processes, so the City would look to model what is already being done. She does not think the intent is to extend the length of the process, just bring it out to the public sooner.

Crawford commented that the City Council has not had the opportunity to discuss much of what has been recommended in the report. The advisory board may or may not be implemented; however, redesigning the predevelopment meeting process is low hanging fruit. She wants to give the new council and new staff members time to discuss, because a lot of good recommendations came out of the task force report.

Member Reinhardt commended the work done by the task force and supports efforts to reduce the costs incurred by developers in the predevelopment phase. He thinks that rather than adding another layer, the whole process should perhaps be redeveloped. He supports getting feedback from the public earlier.

Member Baltzer noted that however the process is structured, the City should weigh the impact on developers so they are not scared away.

Member Lynch observed that the people who typically participate and comment in this type of forum are those who feel strongly about the City's housing needs. However, there are a lot of people who probably prefer low-density single-family housing. When the opportunity arises to redevelop, there is going to be conflict, and he is not sure how to resolve that. He thinks it will be hard to meet the housing needs of the City, but it is worth doing.

Crawford agreed that it is hard, pointing to the projects that have already come before the Planning Commission. She reiterated that there are predevelopment procedures used by others that the City can look to for guidance.

Member Enz praised the work done by the task force. She participated in a few of the

workshops and learned a lot. She thinks educating the public about housing needs is the place to start.

Member West enjoyed being on the task force. It was a lot of information all of the time and there were many conversations between the diverse group of people that served on the task force. Based on personal experience, there are few options in White Bear Lake to downsize and due to the high cost of housing, her children cannot afford to live in the City. She reiterated the need to create affordable housing, so that those who work in the City can afford to live in it.

Member Enz recommended the Minnesota Design Team as a resource for addressing the City's housing needs. She looks forward to a time when her children can buy a home in White Bear Lake without going house poor and that those who work in the retail stores in downtown can afford to live in the neighborhood.

B. City Council Summary Minutes of February 8, 2022.

No Discussion

C. Park Advisory Commission Minutes of November 17, 2021 – Not Available.

No Discussion

**6. ADJOURNMENT**

There being no further business before the Commission, it was moved by Member **Baltzer** seconded by Member **Enz** to adjourn the meeting at **8:29** p.m.

Motion carried, 7:0





**City of White Bear Lake**  
Community Development Department

# MEMORANDUM

**To:** The Planning Commission  
**From:** Samantha Crosby, Planning & Zoning Coordinator  
**Date:** March 28, 2022  
**Subject:** Rose's Park View Addition / 1788 Highway 96, Case No. 22-2-P

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## REQUEST

The Tice Estate is requesting a Preliminary Plat approval to subdivide one lot into 5: one lot for the existing single-family residence facing Highway 96, two duplex lots, and two single-family lots - for a total of 6 new units.

## SITE CHARACTERISTICS

The subject site is located on the south side of County Highway 96 East, just east of Columbia Park (White Bear Township). The site is 1.85 acres in size. The site contains one single-family residence and is extremely flat with 99 mature trees scattered throughout. There is a 33 foot wide utility easement that runs north-south along the western boundary of the property and a 60 foot wide utility easement that runs east-west through the property in line with Clarence Street.

## ZONING

The property is zoned R-4 – Single and Two Family Residential, as are the properties to the east. The property to the south is zoned P – Public Facilities. The parcel to the west (the township park) is zoned R-2 “Urban Residential”. The properties across Highway 96, to the north, are zoned R-3 – Single Family Residential.

## BACKGROUND

The land has not yet been platted. The current residence was constructed in 1951. The Planning Commission considered a request for an almost identical proposal in January that consisted of 8 units, rather than 6. The City Council supported the Planning Commission's recommendation for denial by 4-1. Consequently, the applicant has amended the request to reduce the number of units by 2. No variances are required.

## ANALYSIS

### Lot Size & Width

The R-4 zoning district requires an 80 foot lot width and 5,000 square feet per unit for a duplex. It requires a 60 foot lot width and a 7,200 square foot lot area for a single family residence. The proposal meets code.

### Setbacks

The R-4 zoning district requires an average of 25 feet from the front, 10 feet from the sides and 30 feet from the rear. The proposal meets code.

### Parking

For duplexes, the code requires one fully-enclosed parking space. For single-family residential, the code requires a two-car garage. The proposal meets code.

### Utilities

Sewer and water service mains already run east-west through the property in the area where the new public street will be extended. The new units will utilize the same services that serve the rest of the existing neighborhood.

### New Road

As you may recall, the City Attorney recently determined that the landowner has the right to access the Clarence Street end. The new public street meets all the requirements for public dedication. The development of this parcel into a cul-de-sac type subdivision has been envisioned for a long time and the roadway capacity of the feeder streets are sufficient to handle the projected 58 trips per day increase in traffic generated by this project (per ITE).

### Stormwater

Two infiltration basins will be located along the west edge of the property. The existing utility easement will be re-dedicated as a 'drainage and utility' easement and the City will assume responsibility for maintenance of these features. Because the City will maintain the stormwater, a Stormwater Operation and Maintenance Agreement is not required. However, a curb cut for vehicular access at the west end of the cul-de-sac will be required.

### Landscaping

The tree preservation calculation has not been updated, but the landscape plan has been. The correct number of trees are shown and the proposal meets code.

### Elevations

Building elevations and floor plans have not been provided because they are not relevant to the review process. The applicant, who owns a design/build construction company, may custom build for clients or may sell the vacant lots to others.

### Park Access

Staff is recommending a pedestrian easement at the end of the cul-de-sac order to provide the neighborhood the right to access (by foot) the Township park. The Township supports this connection. The cut-through need not be paved or plowed, but will preclude the owners of these lots from erecting a fence in this area.

### Other

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 is what was required for Blustone Villas, the

preliminary plat for Rooney's Farm.

### **DISCRETION / SUMMARY**

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 standards outlined in the zoning and subdivision ordinances have been met, therefore, staff recommends approval of the 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 approved by the City.
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. Easements must also include an east-west easement between the end of the cul-de-sac and Columbia Park for 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. 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:

11. The applicant shall revise the plans to comply with Engineering Memo dated March 8, 2022. Final construction level design drawings shall be provided to and approved by the Engineering Department.
12. An initial escrow deposit of \$2,500 shall be established to cover outside legal costs of drafting a plat opinion and development agreement. Actual costs may vary.
13. A development agreement shall be finalized.

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

14. Provide proof of having executed and recorded the resolution of approval and the final plat.
15. Submit a final grading and drainage plan to be approved prior to the issuance of a building permit.
16. 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.
17. A development agreement shall be entered into prior to Council consideration of the final plat.
18. Black Locust trees are not exempt from tree replacement; the tree replacement calculation shall be revised to comply with code. Show all surveyed trees on the tree preservation plan.

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

19. A final grading and drainage plan shall be submitted for that lot. Frost footings shall be constructed 42 inches below existing grade unless otherwise approved by the Building Official.
20. Watershed District approval shall be obtained prior to issuance of a grading permit for any of the proposed lots within the subdivision.
21. The Metropolitan Council's SAC (Sewer Availability Charge) and City SAC and WAC (Water Availability Charge) for the lot must be paid.

22. Park dedication shall be collected at the time of building permit for each lot.
23. 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:

24. Any relevant terms entered into by the development agreement shall be satisfied.
25. The applicant shall provide an as-built drawing meeting the current engineering requirements for such.
26. All replacement trees must be planted and have survived one full growing season.
27. The street trees, and any other required plantings, have been installed and have survived one full growing season.
28. The applicants shall provide the City with the required the two reproducible mylar copies of the final plat.
29. 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**

Draft Resolution of Approval  
Location/Zoning Map  
Narrative Request, dated February 14, 2022  
Engineering memo dated March 8, 2022  
Site plans and graphics

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

**RESOLUTION APPROVING A  
PRELIMINARY PLAT OF  
ROSE'S PARK VIEW ADDITION AT  
1788 COUNTY HIGHWAY 96 EAST  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (22-1-P) has been submitted by the Tice Estate to the City Council requesting a Preliminary Plat from the City of White Bear Lake at the following site:

**ADDRESS:** 1788 County Highway 96 East

**EXISTING LEGAL DESCRIPTION:** The west ten (10) rods of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section twenty-two (22), Township thirty (30), Range twenty-two (22), except the south 3 acres thereof, according to the United States Government Survey thereof, subject to Easement for drainage ditch and roads as now established upon said premises, including easement for improvement of Highway 96, the taking now pending. (PID #: 233022220161)

**PROPOSED LEGAL DESCRIPTION:** Lots 1 through 5, Block 1, Rose's Park View Addition

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING:** A Preliminary Plat, per Chapter 1400, in order to subdivide one lot into 5: one lot for the existing single-family residence, two duplex lots and two single-family lots; and

**WHEREAS**, the Planning Commission has held a public hearing as required by the City Zoning Code on February 28, 2022; and

**WHEREAS**, the City Council has considered the advice and recommendations of the Planning Commission considering the effect of the proposed Preliminary Plat 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 PUD and Preliminary Plat abide 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

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**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:

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**, 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 approved by the City.
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.

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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. Easements must also include an east-west easement between the end of the cul-de-sac and Columbia Park for 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. 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:

11. The applicant shall revise the plans to comply with Engineering Memo dated March 8, 2022. Final construction level design drawings shall be provided to and approved by the Engineering Department.
12. An initial escrow deposit of \$2,500 shall be established to cover outside legal costs of drafting a plat opinion and development agreement. Actual costs may vary.
13. A development agreement shall be finalized.

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

14. Provide proof of having executed and recorded the resolution of approval and the final plat.
15. Submit a final grading and drainage plan to be approved prior to the issuance of a building permit.
16. 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.
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22. Park dedication shall be collected at the time of building permit for each lot.
23. 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:

24. Any relevant terms entered into by the development agreement shall be satisfied.
25. The applicant shall provide an as-built drawing meeting the current engineering requirements for such.
26. All replacement trees must be planted and have survived one full growing season.
27. The street trees, and any other required plantings, have been installed and have survived one full growing season.
28. The applicants shall provide the City with the required the two reproducible mylar copies of the final plat.
29. 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:

---

Dan Louismet, Mayor

**ATTEST:**

---

Kara Coustry, City Clerk

\*\*\*\*\*

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

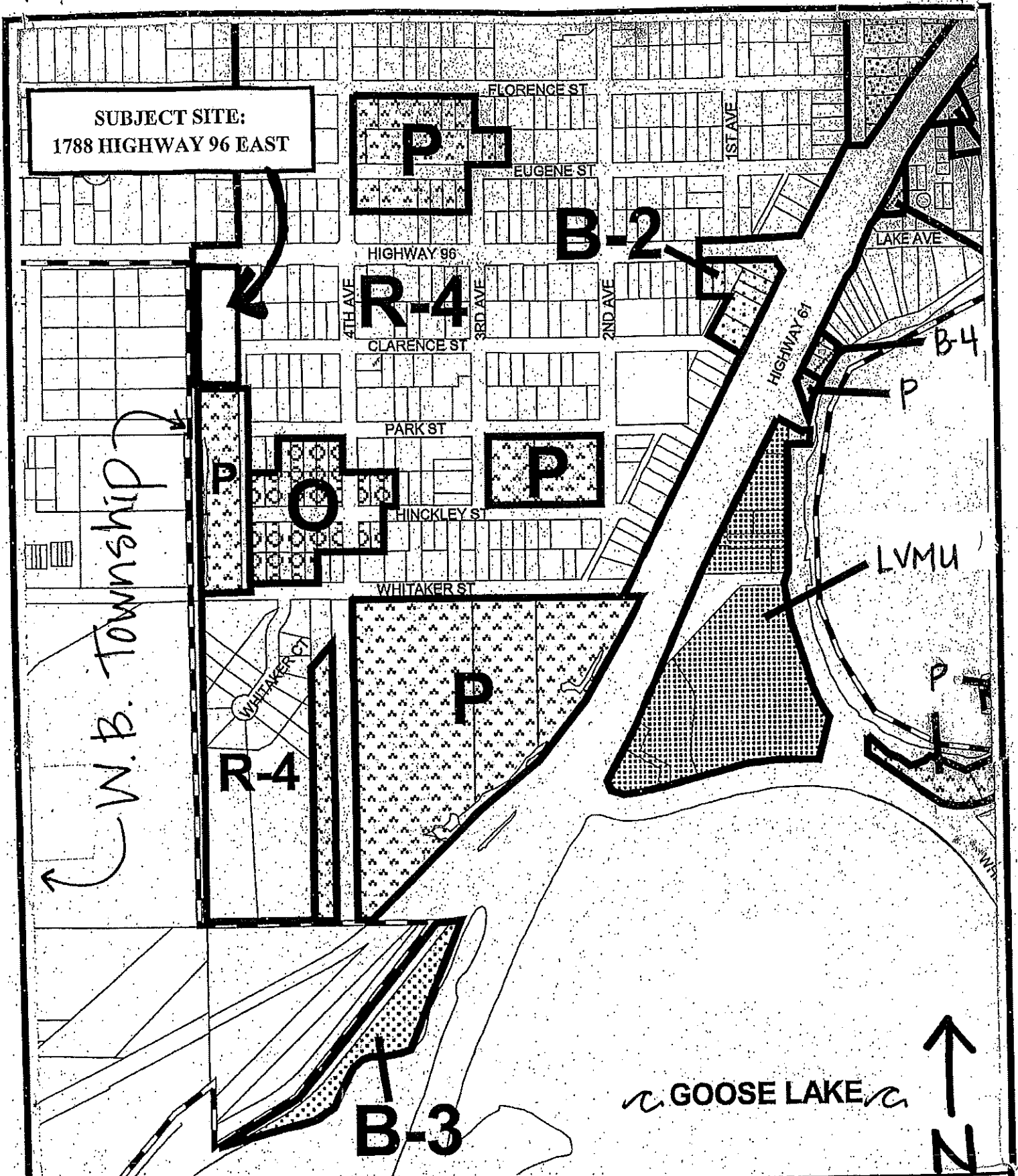
I have read and agree to the conditions of this resolution as outlined above.

---

Berry Tice, Executor, Tice Estate

Date

SUBJECT SITE:  
1788 HIGHWAY 96 EAST



W.B. Township

GOOSE LAKE



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

CASE NO. : 22-2-P  
CASE NAME : Rose's Park View Addn.  
DATE : March 29, 2022



**TICE-HAUSE**  
**DESIGN·BUILD**  
NEW HOMES • ADDITIONS • REMODELING

**Rose's Park View Addition**  
White Bear Lake, Minnesota

February 14, 2022

Purpose / Description

The purpose of this narrative is to describe the proposed development at 1788 East Highway 96 in White Bear Lake Minnesota. The total area of the property is 1.8 Acres. The property currently has one single family home with access off of highway 96. The adjacent land uses included Highway 96 to the north, Single Family Detached to the east and park use to the south and east.

The zoning of this parcel is R-2 and this proposal meets this use classification. It has been the goal of this project to meet all land development code requirements, plans and policies. This project is asking for no variances or rezoning.

This project proposes to be platted with four building pads for the property for a total of four to six dwelling units. The two building pads on the east side of the property and north and south of the cul-de-sac are proposed to be able to be single family or twin home. The buildings will be marketed as slab on grade - single level living with the possibility of a second floor for visitors or family. The building pads may be look outs but never full basements or walkouts.



# TICE-HAUSE

## DESIGN·BUILD

NEW HOMES • ADDITIONS • REMODELING

The project is proposing access off of Clarence Street with a termination of Clarence in a cul-de-sac with a proposed R.O.W of 60 feet and a proposed back or curb radius 45 feet and all other standard dimensions.

Stormwater holding ponds are being proposed the west property line and the cul-de-sac. These ponds are intended to be planted as “rainwater” gardens and provide a natural buffer to the park. Additional landscaping along the single family homes to the north and east are also being proposed to buffer the impact of this development.

### Facilities

The following facilities currently serve the existing lots and are available for the proposed lots:

Storm Sewer: Provided off of the Dillon Street R.O.W.

Water: Provided off of the water main on Clarence Street

Sanitary Sewer: Provided off of existing stubs off of Clarence Street

Natural Gas: Provided off of Clarence Street

Connectivity Telephone, Cable TV & Internet: TBD

Fire Protection: City of White Bear Lake

Waste Disposal: City of White Bear Lake

Road plowing and Maintenance: City of White Bear Lake



City of White Bear Lake  
Engineering Department

# MEMORANDUM

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

**FROM:** Nate Christensen, P.E., Assistant City Engineer  
Connie Taillon, P.E., Environmental Specialist/Water Resources Engineer

**DATE:** March 8, 2022

**SUBJECT:** Rose's Park View Addition Engineering Review Comments, Abbreviated

---

The Engineering Department reviewed the Stormwater Calculations and Civil and Landscape plans (C-000, C-010, C-101, C-201, C-202, C-301, C-501, C-502, C-503, L-010, L-101, and L-501) dated February 14, 2022, Preliminary Plat and Existing Conditions dated February 11, 2022, and received February 15, 2022.

**The following items must be addressed prior to issuance of construction permits:**

**General**

- 1) Provide a Geotechnical Report for review when completed. Include 1 soil boring per housing unit, 2 per each infiltration basin, and 2 within the cul-de-sac. The soil borings shall include the historic high groundwater elevation. Please be aware that there was a dump site directly south of this property. Include a reference in the Geotechnical Report if this dump site is found to encroach on the property.  
Provide a Geotechnical Report for review when available.
- 2) There is a deferred sewer and water assessment from City Project 215 in 1971. The current payoff amount is \$6,100.  
The deferred assessment shall be paid to the City prior to final plat approval.

**Stormwater Calculations**

- 3) Increase the time span in the snow melt condition.  
For the 100-yr, 10-day snowmelt model, there is a warning that the peak may fall outside the timespan. Please increase the time span of this snowmelt model.

**Preliminary Plat**

- 4) Change 'Vacated 5<sup>th</sup> St' to 'Vacated 5<sup>th</sup> Ave

**Demolition Plan (C-010)**

- 5) Show the existing gate valve on the watermain. It is near the tee that feeds the hydrant called out for removal.

**Grading, Erosion & Sediment Control Plan (C-201)**

- 6) Minimize the depth of the water quality volume in the infiltration basin for 1) safety reasons; 2) to minimize compaction of the soils; and 3) to improve plant survivability (very few plants can survive inundation over 1 foot for an extended duration). As per the Minnesota stormwater manual, the maximum water quality ponding depth for a drawdown time of 48 hours is 18" for HSG A and SM (HSG B) soils; 14.4" for loam, silt loam and MH (HSG B) soils, and 9.6" for HSG C soils. See related comment 8 regarding the outlet structure.

### **Utility Plan (C-301)**

- 7) The City would like storm sewer stubbed from the existing 96 inch main to the eastern limits of this development. This will minimize additional disruption when nearby streets are reconstructed in the near future. Final size and location to be determined.  
The location of the storm sewer stub is approved. The storm sewer stub shall be 24 inch RCP and bulk headed at the eastern end. All associated costs of installing this storm sewer shall be the responsibility of the developer, not the City.

### **Details (C-503)**

- 8) Infiltration basins are meant to capture and infiltrate the required water quality volume only (see related comment 20). An outlet shall be provided for any additional volume captured in the basin that is above the water quality volume. This outlet(s) can consist of smaller orifices or other methods to reduce flow in order to meet rate control requirements. Revise the HydroCAD model, and detail A5 (outlet control structure) to meet these requirements. This comment should be revisited once the Geotechnical Report is available and the soil types are identified.

Note that even if the soil on the site is determined to be type A soils, the proposed conditions should be modeled as type B soils because topsoil or sod is proposed for the pervious areas (except for the infiltration basin), and soil compaction is likely to occur as part of grading operations.

### **Additional Comments**

- 9) The primary outlet for pond 5P in the proposed conditions model is at an elevation of 929.10. Please revise the utility plan to be consistent with the model.
- 10) Detail C1/C-503 referenced on the Utility Plan (C-301) for the hydrant connection is for water services. A wet tap is acceptable for the hydrant tee, but no detail reference is necessary. Please remove the detail note.
- 11) If a Homeowner's Association is not established for this development, the City will assume maintenance responsibility of the infiltration basin. If this is the case, the following will be required:
  - To properly establish the native seed, the applicant shall enter into a contract with a native landscape company that specializes in native seed installation and maintenance. The contract shall include the initial seed installation and three years of maintenance. Include this information on the appropriate plan sheet(s).
  - The native landscape company shall supply the native seed for the basin. Include this as a note on the appropriate plan sheet(s).
  - The native landscape company shall be approved by the City.
  - Submit the seed installation contract, 3-year maintenance contract, and seed list for review when available.

- Permanent infiltration basin monuments shall be installed around the perimeter of the infiltration basin seeded area. Please add the infiltration basin monuments on the appropriate plan sheet(s) at the locations shown on the attached drawing. The City will provide a detail of the monument at a later date for inclusion on the detail sheets.
- The infiltration basin shall be constructed and function as designed. This includes permanently stabilized drainage areas to the basin, removal of any deposited sediment in the basin, uncompacting soils in the basin (both engineered soils and native soils), conducting a soil test to verify that the basin is infiltrating as designed, etc.

12) Please include native seed in the areas highlighted on the attached drawing.

**The following items pertaining to Lot 2 must be addressed prior to release of the Letter of Credit**

- i) An as-built record drawing of this project shall be submitted for review. Please see attached for a list of record drawing requirements. The as-built record drawing will need to identify the ownership of the utility, whether public or private.

**While the following items are not required for issuance of a permit, we would like to take this opportunity to raise these points:**

- A) It is highly recommended that an individual familiar with infiltration basins be on site while the infiltration basin is being constructed to help ensure that it will be constructed as designed.

**Note:**

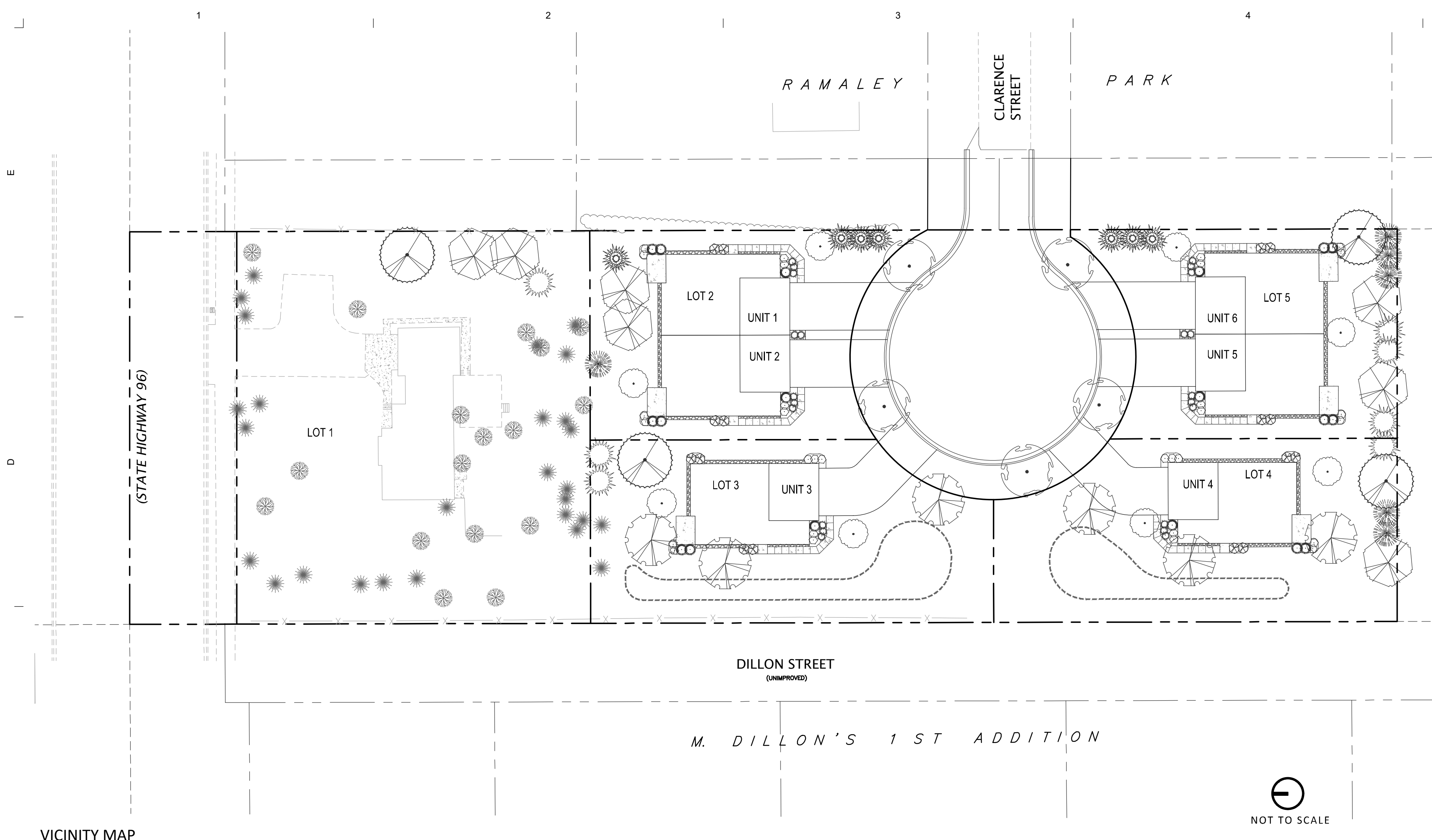
For the next plan review submittal please provide (in addition to the revised plans):

- A response to each review comment in this memo
- Revised stormwater calculations

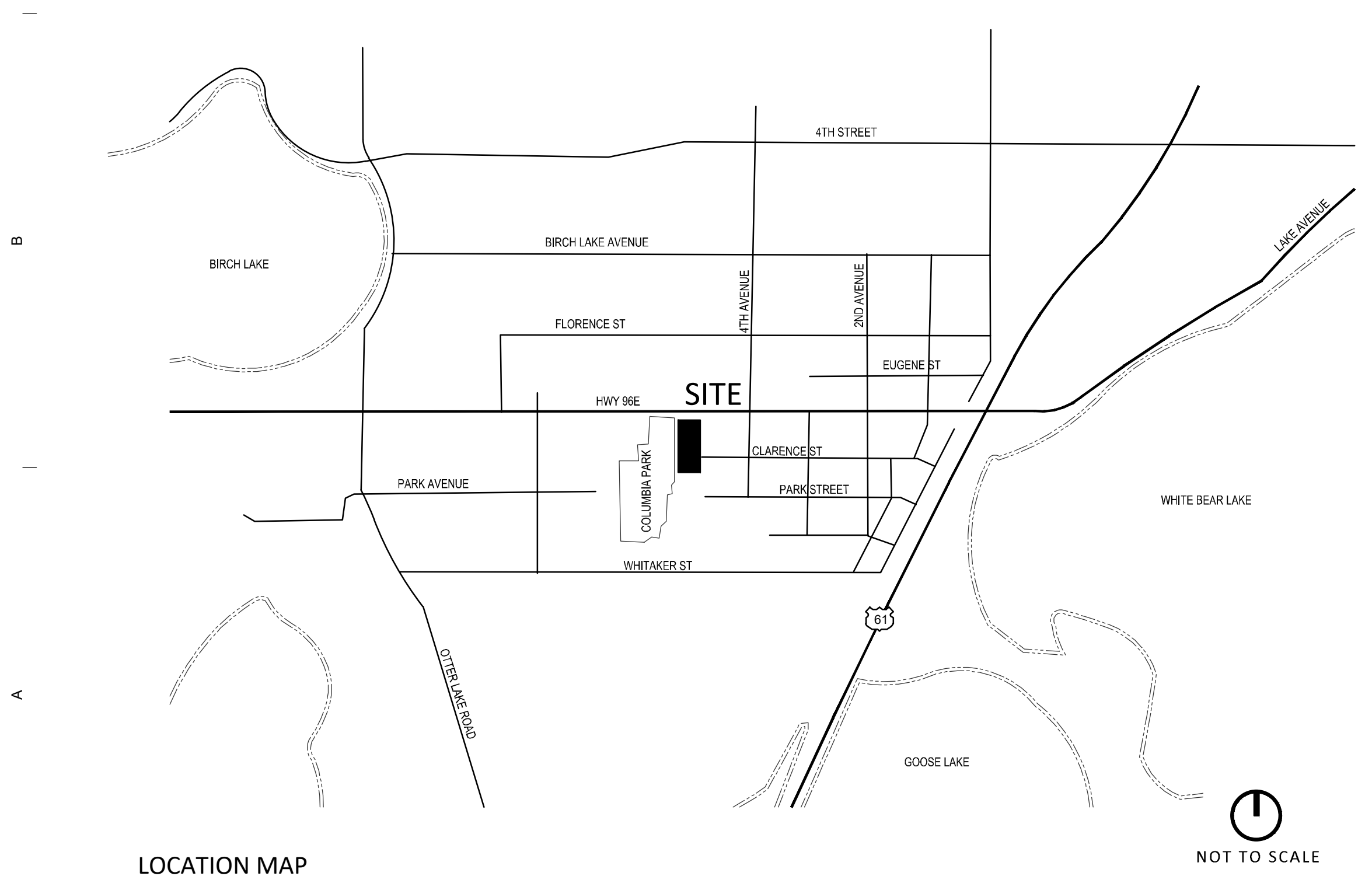
**Contact Information**

For questions regarding this memo contact either Nate Christensen at: 651-762-4812 or [nchristensen@whitebearlake.org](mailto:nchristensen@whitebearlake.org) or Connie Taillon at: 651-429-8587 or [ctaillon@whitebearlake.org](mailto:ctaillon@whitebearlake.org)





VICINITY MAP



LOCATION MAP

NOT TO SCALE

# ROSE'S PARK VIEW ADDITION

WHITE BEAR LAKE - MINNESOTA

PRELIMINARY PLAT  
SUBMITTAL  
SEPTEMBER 13, 2021  
RESUBMITTAL  
FEBRUARY 14, 2022

PROJECT CONTACTS

OWNER	TICE ESTATE 6211 UPPER 51st. STREET N OAKDALE, MN 55128	CRAIG TICE T (751)-733-0195
DEVELOPER	TICE-HAUSE DESIGN BUILD 6211 UPPER 51st. STREET N OAKDALE, MN 55128	JEFF MCDONELL T (612)-202-4767
CIVIL ENGINEER	ELAN DESIGN LAB, INC. 901 N 3rd STREET SUITE 120 MINNEAPOLIS, MN 55401	STEVE JOHNSTON, PE T (612) 260-7982
LANDSCAPE ARCHITECT	ELAN DESIGN LAB, INC. 901 N 3rd STREET SUITE 120 MINNEAPOLIS, MN 55401	PILAR SARAITHONG, RLA T (612) 260-7980
LAND SURVEYOR	CORNERSTONE LAND SURVEYING, INC. 6750 STILLWATER BLVD. N. SUITE 1 STILLWATER, MN 55082	DAN THURMES, LS T (651) 275-8969
COMMUNITY DEVELOPMENT CITY PLANNER	CITY OF WHITE BEAR LAKE 4701 HIGHWAY 61 WHITE BEAR LAKE, MN 55110	SAMANTHA CROSBY T (651) 429-8534
PUBLIC WORKS CITY ENGINEER	CITY OF WHITE BEAR LAKE 4701 HIGHWAY 61 WHITE BEAR LAKE, MN 55110	PAUL KAUPPI T (651) 429-8563

SHEET INDEX

- C-000 COVER SHEET
- C-001 ALTA EXISTING CONDITIONS
- C-002 PRELIMINARY PLAT
- C-010 DEMOLITION PLAN
- C-101 SITE PLAN
- C-201 GRADING, EROSION & SEDIMENT CONTROL PLAN
- C-202 SWPPP
- C-301 UTILITY PLAN
- C-501 DETAILS
- C-502 DETAILS
- C-503 DETAILS
- L-010 TREE PRESERVATION PLAN
- L-101 LANDSCAPE PLAN
- L-501 LANDSCAPE DETAILS

OWNER

TICE ESTATE

6211 UPPER 51st. STREET N  
OAKDALE, MN  
651-439-3837

C/O JEFF MCDONELL  
612-202-4767

DEVELOPER

TICE-HAUSE  
DESIGN BUILD

6211 UPPER 51st. STREET N  
OAKDALE, MN  
751-733-0195  
C/O CRAIG TICE

PROJECT

ROSE'S PARK VIEW  
ADDITION  
1788 EAST HIGHWAY 96  
WHITE BEAR LAKE,  
MN 55110



310 4TH AVE SOUTH, SUITE 1006  
MINNEAPOLIS, MN 55415  
p 612.260.7980  
f 612.260.7990 | www.elanlab.com

SHEET

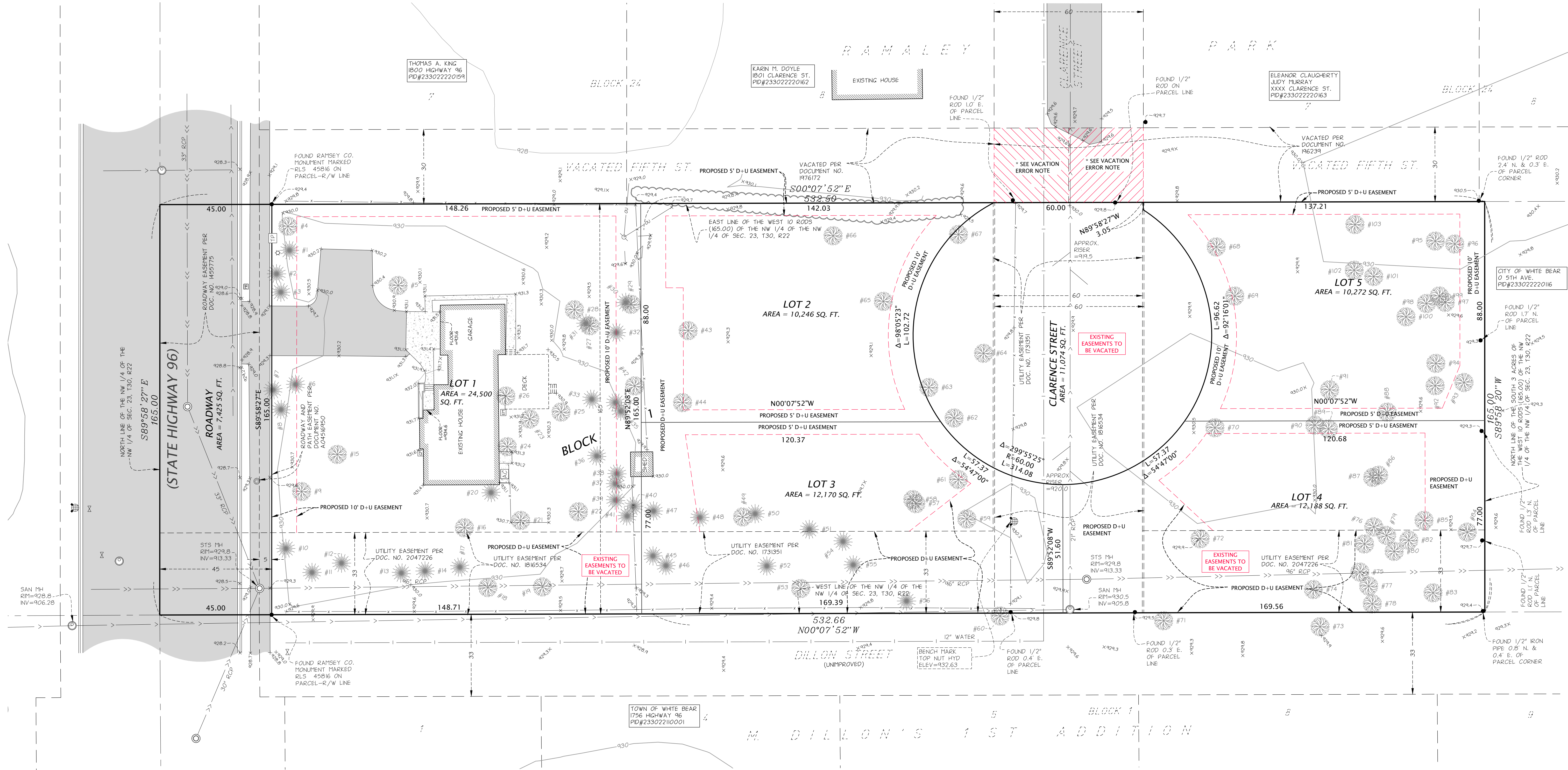
COVER SHEET

C-000

PROJECT NO.

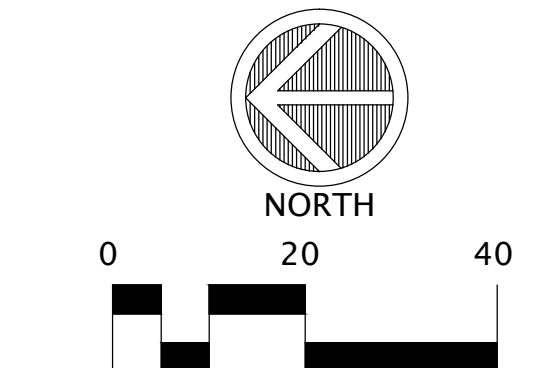
CLS21022

# ROSES PARK VIEW ADDITION PRELIMINARY PLAT



**CONTACT:**  
 Jeff "Mac" McDonell  
 Project Manager  
 mac@GHouse.com  
 mac@thdbuild.com  
 612.202.4767  
 651-358-3033

**COUNTY/CITY:**  
**RAMSEY COUNTY**  
**CITY OF WHITE BEAR LAKE**



**REVISIONS:**

DATE	REVISION
6-17-21	PRELIMINARY ISSUE
8-12-21	PRELIMINARY PLAT
2-11-22	REVISE LOTS

**CERTIFICATION:**

I hereby certify that this plan was prepared by me, or under my direct supervision, and that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota.

*Daniel L. Thurmes*  
 Daniel L. Thurmes Registration Number: 25718  
 Date: 6-17-21

**PROJECT LOCATION:**  
**1788 HIGHWAY 96**  
 PID#2330220161

Suite #200  
 1970 Northwestern Ave.  
 Stillwater, MN 55082  
 Phone 651.275.8969  
 dan@cssurvey.net

**CORNERSTONE LAND SURVEYING, INC.**

FILE NAME: SURJVH37  
 PROJECT NO.: JH21037

**PRELIMINARY PLAT**

**VACATION/ACCESS ERROR**

See letter from Troy Gilchrist, City Attorney, to the White Bear Lake City Council dated December 2, 2021 regarding the error in the Vacation of a Portion of 5th Avenue. See hatched area.

**EXISTING EASEMENT VACATIONS**

EXISTING UTILITY EASEMENTS PER DOC. NO.'S 1731351, 1816534 AND 2047226 CURRENTLY ENCLUMBER THE PARCEL. TO CLEAN THINGS UP FOR FUTURE TITLE CONSIDERATIONS WE ARE PROPOSING TO VACATE THESE EASEMENTS IN THEIR ENTIRETY AND DEDICATE NEW DRAINAGE AND UTILITY EASEMENTS IN THEIR PLACE.

**DEVELOPMENT DATA**

TOTAL PARCEL AREA = 87,876 SQ. FT.

LOT 1, BLOCK 1 = 24,500 SQ. FT.  
 LOT 2, BLOCK 1 = 10,246 SQ. FT.  
 LOT 3, BLOCK 1 = 12,170 SQ. FT.  
 LOT 4, BLOCK 1 = 12,188 SQ. FT.  
 LOT 5, BLOCK 1 = 10,272 SQ. FT.  
 HIGHWAY 96 = 7,425 SQ. FT.  
 CLARENCE ST. = 11,075 SQ. FT.

**LEGAL DESCRIPTION:**

The following Legal Description is as shown on the Metro Title Services, Inc., as agent for First American Title Insurance Company Title Commitment No. 21-M28725, dated August 27, 2021.

**Parcel A:**  
 The north 198.01 feet of the west 165.00 feet of the Northwest Quarter of the Northwest Quarter of Section 22, Township 30, Range 22, Ramsey County, Minnesota.

**Parcel B:**  
 That part of the west 165.00 feet of the Northwest Quarter of the Northwest Quarter of Section 22, Township 30, Range 22, Ramsey County, Minnesota, lying southerly of the northerly 198.01 feet thereof and which lies northerly of the south 3.00 acres thereof.

**AREA:**

TOTAL AREA AS SHOWN = 87,876 SQ. FT.  
 INCLUDING 7,425 SQ. FT. OF EXISTING ROADWAY EASEMENT.



**EASEMENT NOTES:**

The following survey related exceptions appear on the Metro Title Services, Inc., as agent for First American Title Insurance Company Title Commitment No. 21-M28725, dated August 27, 2021.

- Easement for highway purposes over the northerly 40 feet of Parcel A, together with the right to construct and maintain temporary snow fences on lands adjacent thereto, per Doc. No. 1455775.
- Easement for underground utility mains, pipes, and appurtenances over the west 33 feet of the west 165 feet of the north 394.96 feet and the South 60 feet of the north 394.96 feet and the West 165 feet of said Northwest Quarter of the Northwest Quarter, in favor of City of White Bear Lake per Doc. No. 1731351. (Parcels A and B)
- Easement for sanitary sewer and water mains, pipes and appurtenances over the south 60 feet of the north 395.56 feet of the west 165 ft of said Northwest Quarter of the Northwest Quarter purposes, in favor of City of White Bear Lake per Doc. No. 1816534. (Parcel B)
- Easement for underground utility mains, pipes, and appurtenances over the West 33 feet of Parcel A and B, in favor of City of White Bear Lake per Doc. No. 2047226.
- Easement for Roadway/Bikepath purposes over the South 5 feet of the North 45 feet of Parcel A, in favor of County of Ramsey per Doc. No. A04516950.

**UNDERGROUND UTILITIES NOTES:**

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THIS SURVEY HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. ADDITIONAL UTILITIES OF WHICH WE ARE UNAWARE MAY EXIST.

**SURVEY NOTES:**

- BEARINGS ARE BASED ON THE RAMSEY COUNTY COORDINATE SYSTEM NAD 1983.
- UNDERGROUND UTILITIES SHOWN PER GOPHER ONE LOCATES AND AS-BUILTS PLANS PROVIDED BY THE CITY OF WHITE BEAR LAKE PUBLIC WORKS DEPARTMENT.
- THERE MAY BE SOME UNDERGROUND UTILITIES, GAS, ELECTRIC, ETC. NOT SHOWN OR LOCATED.
- DATE OF FIELD SURVEY: 6-30-21

**BENCHMARKS**

ELEVATIONS BASED ON GPS DERIVED VALUES FOR (NAVD 88)

**LEGEND:**

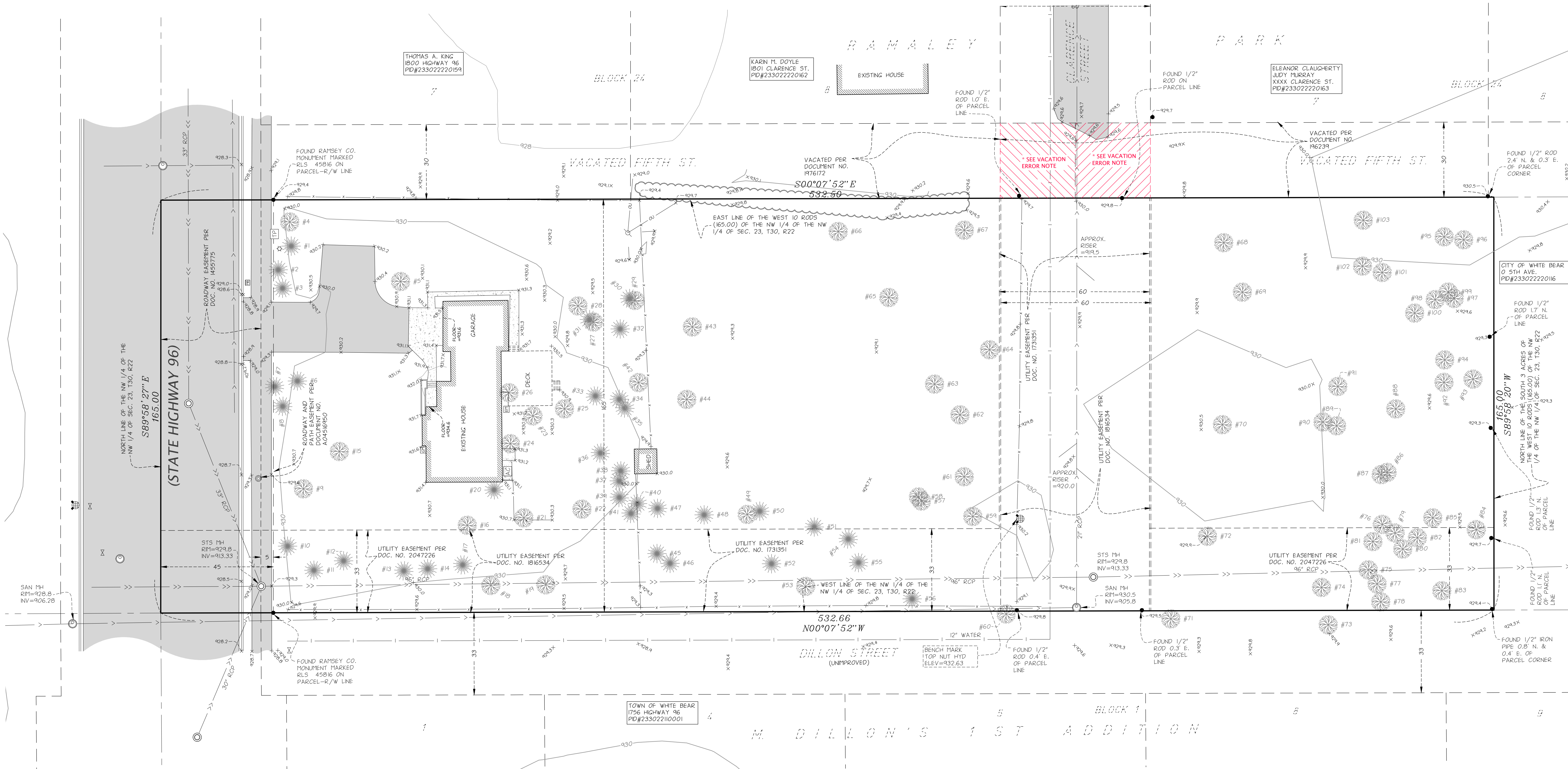
● FOUND MONUMENT	○ FIRE DEPT. CONNECTION
○ SET 1/2" IRON PIPE MARKED RLS NO. 25718	○ HYDRANT
□ CABLE TV PEDESTAL	○ CURB STOP
□ AIR CONDITIONER	○ WATER WELL
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○ LIGHT POLE	○ BOLLARD
○ GUY WIRE	○ FLAG POLE
○ POWER POLE	○ MAIL BOX
○ GAS MANHOLE	○ TRAFFIC SIGN
○ GAS METER	○ UNKNOWN MANHOLE
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○ CATCH BASIN	
○ STORM DRAIN	
○ FLARED END SECTION	
○ STORM MANHOLE	

**TREES:**

DENOTES TREES AS IDENTIFIED AND LOCATED BY:

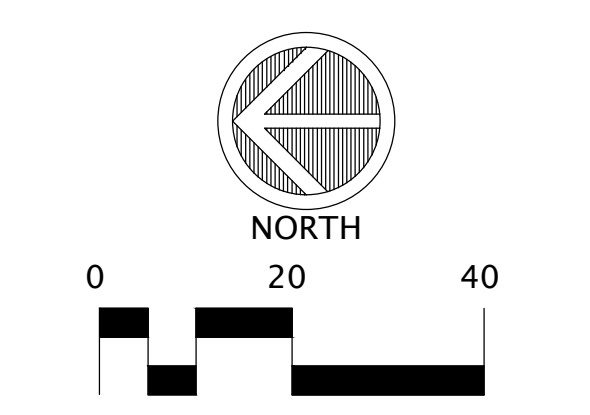
Mark Rehder  
 President & CEO  
 Rehder Forestry Consulting  
 www.rehderforestryconsulting.com  
 612-760-3519

# ROSES PARK VIEW ADDITION PRELIMINARY PLAT



**CONTACT:**  
 Jeff "Mac" McDonell  
 Project Manager  
 mac@JGHause.com  
 612.202.4767  
 651-358-3033

**COUNTY/CITY:**  
**RAMSEY COUNTY**  
**CITY OF WHITE BEAR LAKE**



**REVISIONS:**

DATE	REVISION
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*Daniel L. Thurmes*  
 Daniel L. Thurmes Registration Number: 25718  
 Date: 6-17-21

**PROJECT LOCATION:**  
**1788 HIGHWAY 96**  
 PID#23302220161

Suite #200  
 1970 Northwestern Ave.  
 Stillwater, MN 55082  
 Phone 651.275.8969  
 dan@cssurvey.net

**CORNERSTONE LAND SURVEYING, INC.**

FILE NAME SURVJH37  
 PROJECT NO. JH21037

EXISTING CONDITONS

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**BENCHMARKS**

ELEVATIONS BASED ON GPS DERIVED VALUES FOR (NAVD 88)

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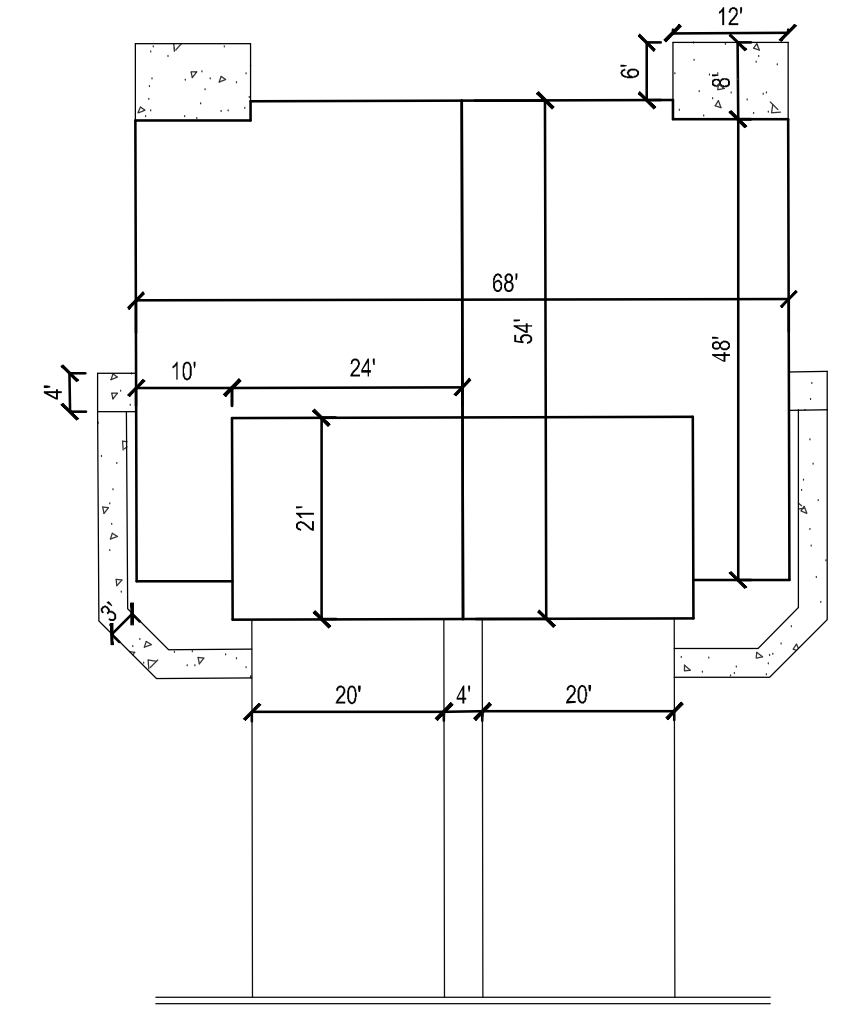
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- THERE MAY BE SOME UNDERGROUND UTILITIES, GAS, ELECTRIC, ETC. NOT SHOWN OR LOCATED.
- CONTOURS SHOWN PER LIDAR DATA OBTAINED FROM THE DNR MNTPOO WEBSITE. NOT FIELD VERIFIED.

**LEGEND:**

● FOUND MONUMENT	✚ FIRE DEPT. CONNECTION	— OR —	UNDERGROUND ELECTRIC
○ SET 1/2" IRON PIPE MARKED RLS NO. 25718	HYDRANT	— OF —	UNDERGROUND CABLE TV
□ CABLE TV PEDESTAL	CURB STOP	— UF —	UNDERGROUND FIBER OPTIC
⊠ AIR CONDITIONER	WATER WELL	— UT —	UNDERGROUND TELEPHONE
⊡ ELECTRIC MANHOLE	WATER MANHOLE	— OS —	OVERHEAD UTILITY
⊞ ELECTRIC METER	WATER METER	— US —	UNDERGROUND GAS
⊞ ELECTRIC PEDESTAL	POST INDICATOR VALVE	— SS —	SANITARY SEWER
⊞ ELECTRIC TRANSFORMER	WATER VALVE	— ST —	STORM SEWER
⊞ LIGHT POLE	⊞ BOLLARD	— W —	WATERMAIN
⊞ GUY WIRE	⊞ FLAG POLE	— F —	FENCE
⊞ POWER POLE	⊞ MAIL BOX	— T —	CURB (TYPICAL)
⊞ GAS MANHOLE	⊞ TRAFFIC SIGN	— S —	CONCRETE SURFACE
⊞ GAS METER	⊞ UNKOWN MANHOLE	— B —	BITUMINOUS SURFACE
⊞ TELEPHONE MANHOLE	⊞ SOIL BORING	— C —	
⊞ TELEPHONE PEDESTAL	⊞ TRAFFIC SIGNAL		
⊞ SANITARY CLEANOUT	⊞ CONIFEROUS TREE		
⊞ SANITARY MANHOLE	⊞ DECIDUOUS TREE		
⊞ CATCH BASIN			
⊞ STORM DRAIN			
⊞ FLARED END SECTION			
⊞ STORM MANHOLE			

CALL BEFORE YOU DIG!  
**Copher State One Call**  
 TWIN CITY AREA 651-454-0002  
 TOLL FREE: 1-800-252-1166





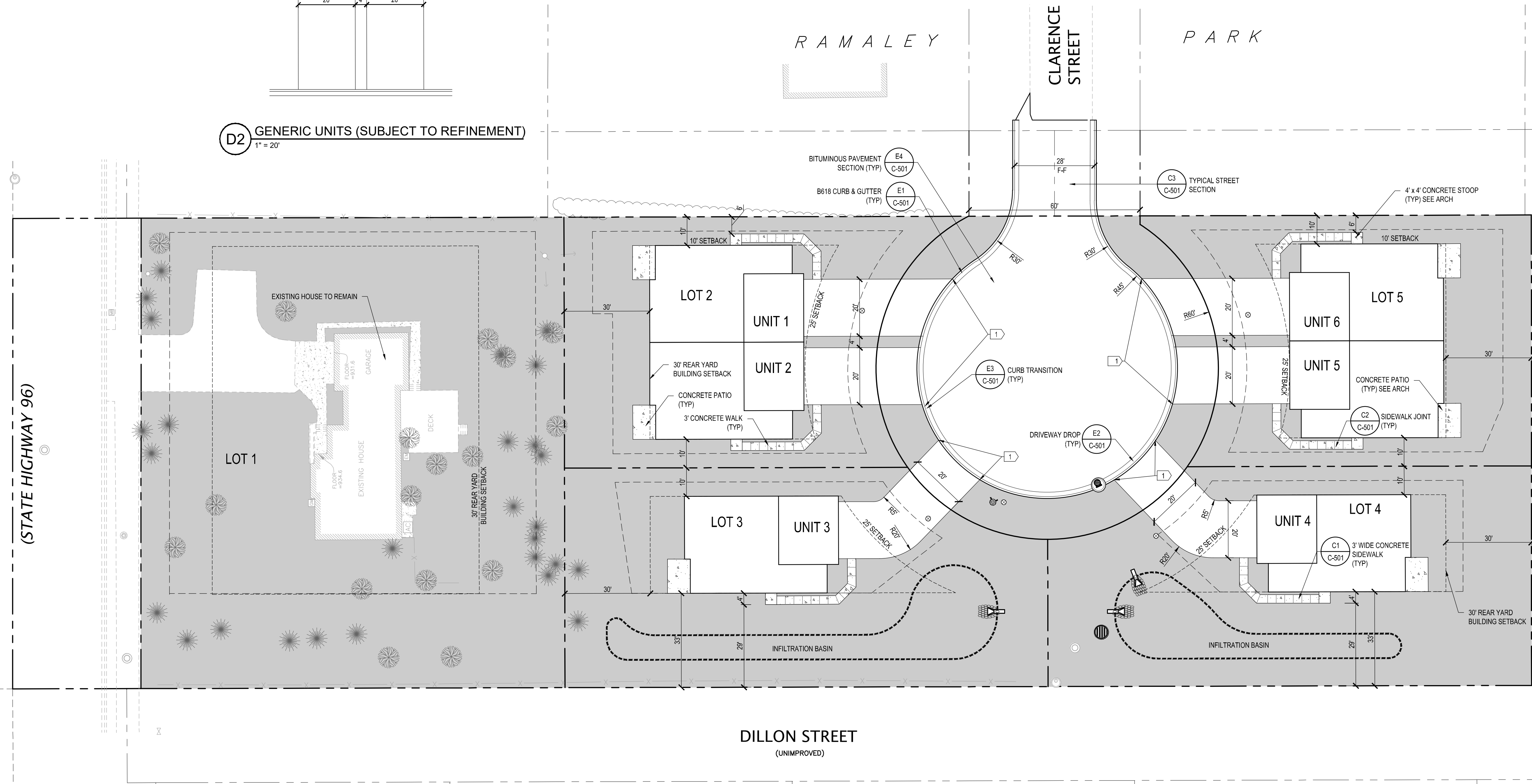
**D2** GENERIC UNITS (SUBJECT TO REFINEMENT)  
1" = 20'

**LEGEND**

	PERVIOUS AREA		2' CURB TAPER FROM 6" TO 1"
	CONCRETE SIDEWALK OR PAVEMENT		

**PROJECT SUMMARY**

ZONED: R-4 SINGLE FAMILY, TWO-FAMILY RESIDENTIAL		AREA BUILDINGS	EXISTING	PROPOSED
SETBACK	REQUIRED	PROPOSED	1,965 SF. (2%)	12,597 SF. (16%)
FRONT	25' MIN.	25' MIN.	2,667 SF. (4%)	16,417 SF. (20%)*
SIDE SETBACK	10' MIN.	10'	TOTAL IMPERVIOUS	4,632 SF. (6%)
REAR YARDS	30' MIN.	30' MIN.	PERVIOUS	75,819 SF. (94%)
BUILDING SEPARATION	15'	20'	* SUBJECT TO MINOR VARIATION DEPENDING ON FINAL BUILDING DESIGN	
SITE AREA		87,876 SF. (2.02 AC)	TOTAL 6 UNITS	
HWY 96 RIGHT-OF-WAY		7,425 SF. (0.17 AC)	DENSITY 3.2 UNITS/ AC.	
PROJECT NET AREA		80,451 SF. (1.85 AC)		
CLARENCE ST RIGHT-OF-WAY		11,074 SF.		
LOT 1		24,500 SF.		
LOT 2		10,246 SF.		
LOT 3		12,170 SF.		
LOT 4		12,188 SF.		
LOT 5		10,273 SF.		



(STATE HIGHWAY 96)

RAMALEY

CLARENCE STREET

PARK

DILLON STREET  
(UNIMPROVED)

M. DILLON'S 1ST ADDITION

OWNER

**TICE ESTATE**

6211 UPPER 51st. STREET N  
OAKDALE, MN  
651-439-3837

C/O JEFF MCDONELL  
612-202-4767

DEVELOPER

**TICE-HAUSE  
DESIGN BUILD**

6211 UPPER 51st. STREET N  
OAKDALE, MN  
751-733-0195  
C/O CRAIG TICE

PROJECT

**ROSE'S PARK VIEW  
ADDITION**

1788 EAST HIGHWAY 96  
WHITE BEAR LAKE,  
MN 55110

SUBMITTAL

**PRELIMINARY PLAT  
SUBMITTAL  
09/13/21**

ISSUE	DATE
RESUBMITTAL	02/14/22

**Elan**  
DESIGN LAB  
CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE  
310 4TH AVE SOUTH, SUITE 1006  
MINNEAPOLIS, MN 55415  
p 612.260.7980  
f 612.260.7990 | www.elanlab.com

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

Stephen M. Johnston DATE  
REGISTRATION NO. 18914 09/13/2021

SHEET

SITE PLAN

**C-101**

PROJECT NO.  
**CLS21022**

**A1** SITE PLAN  
1" = 20'

**811**  
Know what's below.  
Call before you dig.

20 60  
SCALE IN FEET

**NO CONSTRUCTION**



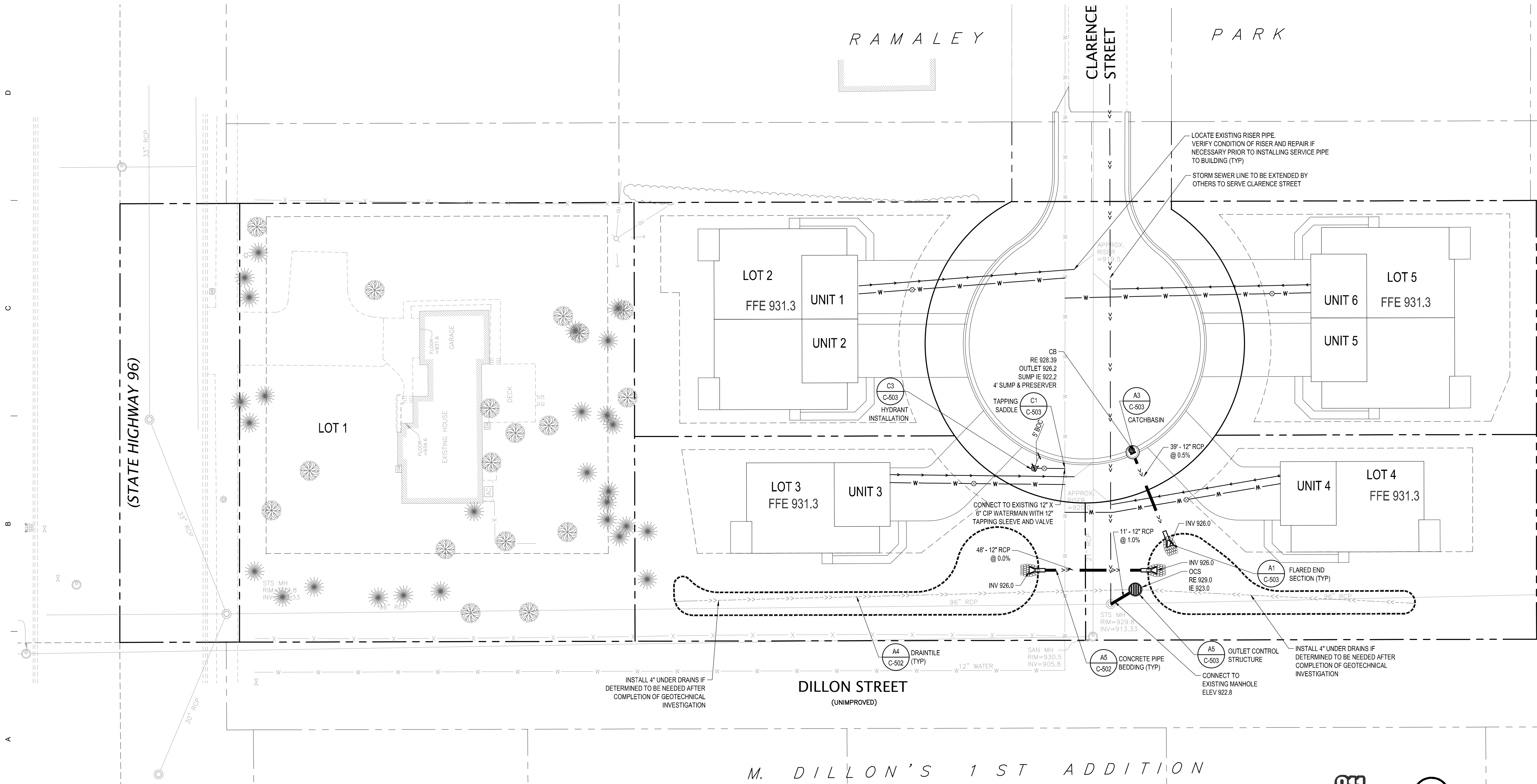
**UTILITY NOTES**

- VERIFY ALL CONNECTIONS TO EXISTING UTILITY SERVICES PRIOR TO CONSTRUCTION. ANY DISCREPANCIES BETWEEN LOCATED UTILITIES AND THE EXISTING CONDITIONS PLAN SHOULD BE NOTED AND FORWARDED TO THE ENGINEER.
- ALL CONNECTIONS TO PUBLIC UTILITIES TO BE IN ACCORDANCE WITH THE CITY OF WHITE BEAR LAKE DESIGN STANDARDS, LATEST EDITION.
- CONTRACTOR TO PROVIDE ADEQUATE MEANS AND METHODS TO ASSURE ADJACENT PROPERTY IS NOT DAMAGED DURING UTILITY INSTALLATION.
- PIPE LENGTHS SHOWN ARE MEASURED FROM CENTER OF STRUCTURE TO CENTER OF STRUCTURE.
- PIPE MATERIALS:
 

STORM SEWER	RCP
DRAIN TILE	PVC (SDR 26)
WATER	COPPER (TYPE K)
SANITARY	PVC (SDR 26)
- ALL UTILITY CONSTRUCTION TO CONFORM WITH STATE, CITY ENGINEER'S ASSOCIATION OF MINNESOTA (CEAM) AND CITY OF WHITE BEAR LAKE STANDARD SPECIFICATIONS.
- ADJUST ALL STRUCTURES, PUBLIC AND PRIVATE, TO PROPOSED GRADES WHERE DISTURBED. COMPLY WITH ALL REQUIREMENTS OF UTILITY OWNERS. STRUCTURES BEING RESET TO PAVED AREAS TO MEET OWNERS REQUIREMENTS FOR TRAFFIC LOADINGS.
- WATER LINES SHALL HAVE A MINIMUM 7.5' TO A MAXIMUM 10' OF COVER.

**LEGEND**

- SANITARY SEWER
- DOMESTIC WATER SERVICE
- STORM SEWER
- UNDER DRAIN



OWNER

**TICE ESTATE**

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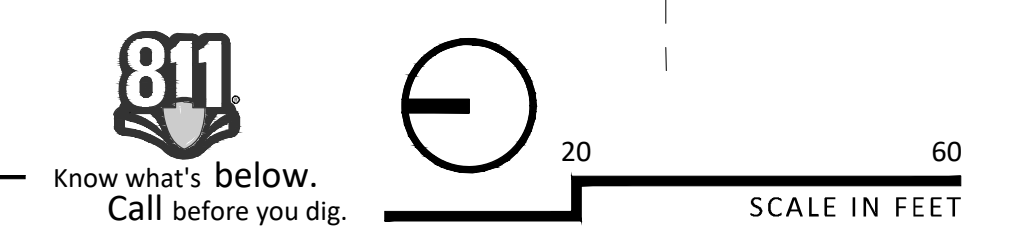
Stephen M. Johnston DATE  
REGISTRATION NO. 18914 09/13/2021

SHEET

UTILITY PLAN  
**C-301**

PROJECT NO.  
CLS21022

**A1** UTILITY PLAN  
1" = 20'



M. DILLON'S 1ST ADDITION

TREE PRESERVATION SCHEDULE

Remove/Save	Tag	DBH	Classified	Species	Conditions	Notes
Save	1	6	Premium	Spruce, white	Fair	
Save	2	6	Premium	Spruce, white	Fair	
Save	3	9	Premium	Spruce, white	Fair	
Save	4	17		Locust, black	Fair	**
Save	5	12	Premium	Ash, green	Good	
Save	6	10	Premium	Spruce, white	Fair	
Save	7	6	Premium	Spruce, white	Fair	
Save	8	6	Premium	Spruce, white	Fair	
Save	9	6	Premium	Spruce, white	Fair	
Save	10	9	Premium	Spruce, white	Fair	
Save	11	8	Premium	Spruce, white	Fair	
Save	12	12	Premium	Spruce, norway	Good	
Save	13	11	Premium	Spruce, white	Fair	
Save	14	5	Premium	Spruce, white	Fair	
Save	15	9	Premium	Crabapple	Good	
Save	16	13	Premium	Ash, green	Good	
Save	17	8	Premium	Pine, red	Fair	
Save	18	27	Secondary	Maple, silver	Good	
Save	19	20	Secondary	Maple, silver	Fair	
Save	20	5	Premium	Spruce, white	Fair	
Save	21	19	Premium	Ash, green	Good	
Save	22	10	Premium	Ash, green	Fair	
Save	23	5	Premium	Cherry, black	Fair	
Save	24	19	Premium	Ash, green	Good	
Save	25	13	Premium	Ash, green	Good	
Save	26	22	Premium	Ash, green	Fair	
Save	27	16	Premium	Ash, green	Good	
Save	28	36	Secondary	Maple, silver	Fair	
Save	29	11	Premium	Ash, green	Good	
Save	30	6	Premium	Spruce, white	Fair	
Save	31	4	Premium	Spruce, white	Fair	
Save	32	6	Premium	Spruce, white	Fair	
Save	33	10	Premium	Spruce, white	Fair	
Save	34	5	Premium	Spruce, white	Fair	
Save	35	10	Premium	Spruce, white	Fair	
Save	36	6	Premium	Spruce, white	Fair	
Save	37	6	Premium	Spruce, white	Fair	
Save	38	8	Premium	Spruce, white	Fair	
Save	39	10	Premium	Pine, red	Good	
Save	40	6	Premium	Spruce, white	Fair	
Save	41	8	Premium	Spruce, white	Fair	
Save	42	13	Premium	Ash, green	Good	
X	43	18	Secondary	Maple, silver	Good	
X	44	16	Secondary	Maple, silver	Good	
Save	45	13	Premium	Pine, white	Good	

X	46	8	Premium	Pine, red	Fair	
Save	47	12	Premium	Pine, red	Fair	
X	48	12	Premium	Pine, red	Fair	
X	49	12	Premium	Ash, green	Fair	
X	50	4	Premium	Pine, red	Fair	
X	51	13	Premium	Pine, red	Fair	
X	52	11	Premium	Pine, red	Fair	
X	53	16	Secondary	Maple, silver	Good	
X	54	12	Premium	Pine, red	Fair	
X	55	10	Premium	Pine, red	Fair	
X	56	13	Premium	Pine, red	Fair	
X	57	27	Premium	Ash, green	Good	
X	58	15	Secondary	Maple, silver	Good	
X	59	13	Premium	Ash, green	Good	
	60					Off Site
X	61	10	Premium	Ash, green	Good	
X	62	20	Premium	Ash, green	Good	
X	63	5	Premium	Ash, green	Good	
X	64	14	Premium	Ash, green	Good	
XXX	65			Boxelder		Insignificant
X	66	11	Secondary	Maple, silver	Good	
X	67	7	Premium	Ash, green	Fair	
XX	68	8		Locust, black	Good	**
X	69	25	Premium	Ash, green	Fair	
X	70	27	Premium	Ash, green	Fair	
	71					Off Site
X	72	20	Secondary	Maple, silver	Good	
	73					Off Site
XX	74	9		Locust, black	Fair	**
XX	75	16		Locust, black	Fair	**
XX	76	10		Locust, black	Fair	**
XX	77	10		Locust, black	Fair	**
XX	78	11		Locust, black	Fair	**
XX	79	10		Locust, black	Fair	**
XX	80	12		Locust, black	Fair	**
XX	81	13		Locust, black	Fair	**
XX	82	12		Locust, black	Fair	**
XX	83	18		Locust, black	Fair	**
XX	84	7		Locust, black	Fair	**
XX	85	52		Locust, black	Fair	**
XX	86	17		Locust, black	Fair	**
XX	87	17		Locust, black	Fair	**
XX	88	7		Locust, black	Fair	**
XX	89	8		Locust, black	Fair	**
XX	90	12		Locust, black	Fair	**
XX	91	8		Locust, black	Fair	**
XX	92	15		Locust, black	Fair	**

XX	93	38		Locust, black	Fair	**
XX	94	12		Locust, black	Fair	**
XX	95	10		Locust, black	Fair	**
XX	96	10		Locust, black	Fair	**
XX	97	15		Locust, black	Fair	**
XX	98	8		Locust, black	Fair	**
XX	99	14		Locust, black	Fair	**
XX	100	12		Locust, black	Fair	**
XX	101	12		Locust, black	Fair	**
XX	102	12		Locust, black	Fair	**
XX	103	13		Locust, black	Fair	**

- X Remove significant premium & secondary trees (See replacment formular)
- XX Remove restrict noxious trees (Not calculated in tree replacement formular)
- XXX Remove insignificant trees (Not calculated in tree replacement formular)
- \*\* MDA Restrict Noxious Weeds

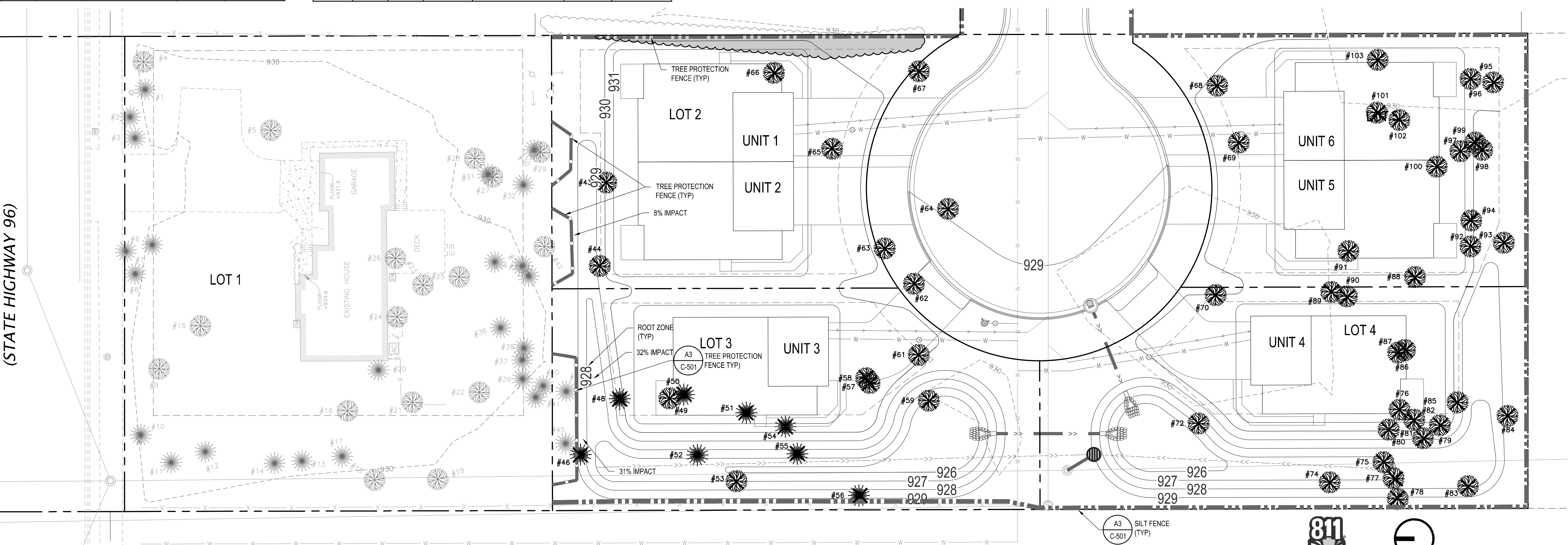
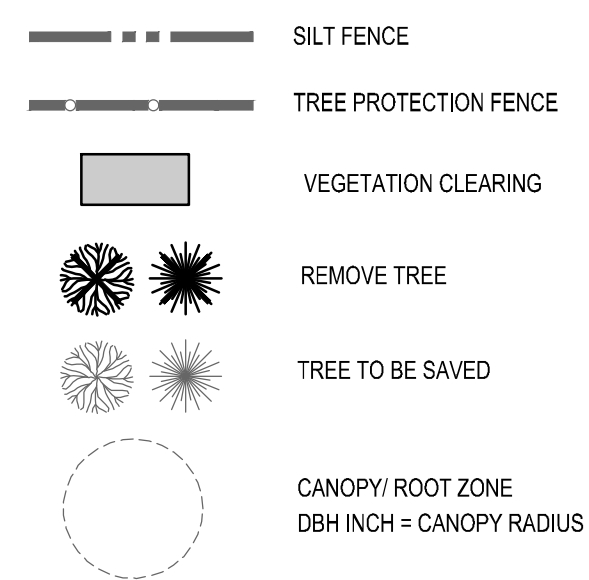
TREE PRESERVATION NOTES

- NO VEGETATION CLEARING, PRUNING, AND TREE REMOVAL TO BE STARTED WITHOUT COORDINATION WITH THE OWNERS REPRESENTATIVE AND OBTAINING THE CITY'S ALTERATION PERMIT. TREES TO BE SAVED AND/OR REMOVED TO BE MARKED IN THE FIELD PRIOR TO ANY REMOVAL. CONTRACTOR TO PROTECT EXISTING TREES, SHRUBS, AND VEGETATION WHERE NOTED. UNAUTHORIZED REMOVAL WILL REQUIRE REPLACEMENT AND POSSIBLE RESTITUTION. DURING THE CONSTRUCTION, IF TREES NOTED TO BE SAVED ARE DAMAGED AND CONSIDERED LOST PER THE CITY'S STANDARDS, CONTRACTOR IS RESPONSIBLE FOR REQUIRED REPLACEMENT AND FINANCIAL PENALTY.
- INSTALL SILT FENCE AND TREE PROTECTION FENCE PRIOR TO COMMENCING GRADING ACTIVITIES. FENCING TO BE INSTALLED AND INSPECTED PRIOR TO DEMO OF EXISTING STRUCTURES ON SITE. INSTALL TREE PROTECTION FENCE AROUND TREES TO BE SAVED AT A DISTANCE IN FEET FROM TREE EQUAL TO THE TREE DIAMETER (DBH). SIGNS SHALL BE PLACED ALONG FENCE TO PROHIBIT GRADING BEYOND THE FENCE LINES. MAINTAIN FENCES FOR DURATION OF CONSTRUCTION ACTIVITIES. UPON ESTABLISHMENT OF TURF AND SEEDING, REMOVE FENCES AND DISPOSE OFFSITE.
- NO MATERIALS, VEHICLES, OR EQUIPMENT CAN BE STORED WITHIN THE TREE PROTECTION AREAS.
- ALL REPLACEMENT TREES SHALL BE PLANTED WITHIN 12 MONTHS AFTER THE ISSUANCE OF THE SITE ALTERATION PERMIT.
- ALL REPLACEMENT TREES SHALL BE INSTALLED AND HAVE SURVIVED ONE FULL GROWING SEASON.

TREE PRESERVATION SUMMARY

REMOVAL	EXISTING	REMOVE	REQUIRED
TOTAL TAGGED	103 TREES		
OFF-SITE	3 TREES		
TOTAL ON-SITE	100 TREES		
TOTAL SIGNIFICANT PREMIUM TREES	58 TREES 622 INCHES	19 TREES 243 INCHES	(A1 / B) X C1 X A1 = D (243 / 801) X 1.33 X 243 = 98 INCHES
TOTAL SIGNIFICANT SECONDARY TREES	9 TREES 179 INCHES	6 TREES 96 INCHES	(A2 / B) X C2 X A2 = D (96 / 801) X 0.266 X 96 = 3 INCHES
TOTAL RESTRICT NOXIOUS TREES	32 TREES 445 INCHES	31 TREES 428 INCHES	N/A
TOTAL INSIGNIFICANT TREE	1 TREE	1 TREE	N/A
TOTAL			101 INCHES
ON-SITE TREE REPLACEMENT			
	16 - 2.5" DECIDUOUS TREES	40 INCHES	
	20 - 6" HT CONIFEROUS TREES (2.5)	50 INCHES	
	8 - ORNAMENTAL TREES (1.5)	12 INCHES	
TOTAL		102 INCHES	

LEGEND



TICE ESTATE

6211 UPPER 51st. STREET N  
OAKDALE, MN  
651-439-3837

C/O JEFF MCDONELL  
612-202-4767

TICE-HAUSE DESIGN BUILD

6211 UPPER 51st. STREET N  
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C/O CRAIG TICE

ROSE'S PARK VIEW ADDITION

1788 EAST HIGHWAY 96  
WHITE BEAR LAKE, MN 55110

PRELIMINARY PLAT SUBMITTAL

09/13/21

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DATE

TREE PRESERVATION PLAN

1" = 20'



L-010

PROJECT NO. CLS21022

DATE

DATE



PLANT SCHEDULE

KEY	QUANT.	COMMON NAME	SCIENTIFIC NAME	SIZE	ROOT COND.	MATURE SIZE
<b>DECIDUOUS TREES</b>						
	7	RED MAPLE	ACER RUBRUM	2.5" CAL.	B&B	40'H X 30'W
	5	MATADOR MAPLE	ACER X FREEMANII 'BAILSTON'	2.5" CAL.	B&B	45'H X 25'W
	6	RIVER BIRCH	BETULA NIGRA	2.5" CAL.	B&B	40'H X 30'W
	4	SWAMP WHITE OAK	QUERCUS BICOLOR	2.5" CAL.	B&B	50'H X 35'W
<b>ORNAMENTAL TREES</b>						
	8	AUTUMN BRILLIANCE SERVICEBERRY	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE'	1.5" CAL.	B&B	25'H X 15'W

KEY	QUANT.	COMMON NAME	SCIENTIFIC NAME	SIZE	ROOT COND.	MATURE SIZE
<b>CONIFEROUS TREES</b>						
	7	BLACK HILLS SPRUCE	PICEA GLAUCA 'DENSATA'	6' HT.	B&B	40'H X 20'W
	6	NORWAY PINE	PINUS RESINOSA	6' HT.	B&B	50'H X 25'W
	7	EASTERN WHITE PINE	PINUS STROBUS	6' HT.	B&B	60'H X 25'W
<b>SHRUBS</b>						
	18	SKYROCKET JUNIPER	JUNIPERUS VIRGINIANA 'SKYROCKET'	4' HT.	POT	12'H X 4'W
	16	ARCTIC FIRE DOGWOOD	CORNUS STOLONIFERA 'FARROW'	24" HT.	POT	3'H X 3'W
	22	GOLDMOUND SPIREA	SPIRAEA JAPONICA GOLDMOUND	24" HT.	POT	3'H X 3'W
	30	SEM ASH LEAF SPIREA	SORBARIA SORBIFOLIA 'SEM'	24" HT.	POT	3'H X 3'W
<b>PERENNIALS</b>						
	30	RUBY STELLA DAYLILY	HEMEROCALLIS 'RUBY STELLA'	1 GAL.	POT	1.5'H X 1.5'W

SUBSTITUTIONS: IF ANY SUBSTITUTIONS ARE REQUIRED, SUBMIT WRITTEN DOCUMENTS AND PROPOSED SUBSTITUTIONS TO LANDSCAPE ARCHITECT FOR APPROVAL 5 DAYS PRIOR TO PURCHASE AND/OR INSTALLATION.

LANDSCAPE NOTES

- LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR FINISHED GRADING AND POSITIVE SURFACE DRAINAGE IN ALL LANDSCAPE AREAS. LANDSCAPE CONTRACTOR MUST ENSURE THAT THE FINAL GRADES ARE MET AS SHOWN ON GRADING PLAN. IF ANY DISCREPANCIES ARE FOUND, IMMEDIATELY NOTIFY LANDSCAPE ARCHITECT FOR RESOLUTION.
- ALL PLANT MATERIALS ARE TO CONFORM WITH STATE & LOCAL CONSTRUCTION STANDARDS AND THE CURRENT ADDITION OF THE AMERICAN ASSOCIATION OF NURSERYMEN STANDARDS. ALL PLANT MATERIALS ARE TO BE HEALTHY, HARDY STOCK, AND FREE FROM ANY DISEASES, DAMAGE, AND DISFIGURATION.
- QUANTITIES OF PLANTS LISTED ON THE PLAN ARE TO GOVERN ANY DISCREPANCY BETWEEN THE QUANTITIES SHOWN ON THE PLANT SCHEDULE AND PLAN. PLACE PLANTS IN PROPER SPACING FOLLOWING LAYOUT FIGURES.
- TOPSOIL TO BE MNDOT 3877 2B LOAM TOPSOIL BORROW FOR LANDSCAPED AREAS AND PLANTING BEDS. SEE E3C502 FOR INFILTRATION PLANTING MEDIA. TOPSOIL IS NOT ALLOWED IN THE INFILTRATION BASIN.
- PLANTING SOIL TO BE CONSISTED OF 50% SELECT TOPSOIL BORROW (MNDOT 3877) AND 50% GRADE 2 COMPOST (MNDOT 3890). PLANTING SOIL TO HAVE A PH BETWEEN 6.5-7.5. BE FREE OF CHEMICAL CONTAMINANTS, DEBRIS, LARGE ROCKS GREATER THAN 1/2" DIAMETER, AND FRAGMENTS OF WOOD. SUBSOIL SHALL BE SCARIFIED TO A DEPTH OF 4" BEFORE PLANTING SOIL IS SPREAD.
- SPREAD PLANTING SOIL AT MINIMUM EIGHTEEN (18) INCH DEEP IN ALL PLANTING BEDS PRIOR TO PLANTING. THOROUGHLY WATER TWICE TO FACILITATE CONSOLIDATION PRIOR TO PLANTING. DO NOT OVERLY COMPACT SOIL.
- MULCH TO BE SHREDDED HARDWOOD BARK MULCH (MNDOT 3882 TYPE 6). CONSISTED OF RAW WOOD MATERIAL FROM TIMBER AND BE A PRODUCT OF A MECHANICAL CHIPPER, HAMMER MILL, OR TUB GRINDER. THE MATERIAL SHALL BE SUBSTANTIALLY FREE OF MOLD, DIRT, SAWDUST, AND FOREIGN MATERIAL, AND SHALL NOT BE IN AN ADVANCED STATE OF DECOMPOSITION. THE MATERIAL SHALL NOT CONTAIN CHIPPED UP MANUFACTURED BOARDS OR CHEMICALLY TREATED WOOD, INCLUDING BUT NOT LIMITED TO, WATER BOARD, PARTICLE BOARD, AND CHROMIATED COPPER ARSENATE (CCA) OR PENTA TREATED WOOD. THE MATERIAL SHALL BE TWICE-GROUND/SHREDDED, SUCH THAT, NO INDIVIDUAL PIECE SHALL EXCEED 2 INCHES IN ANY DIMENSION.
- APPLY FOUR (4) INCH DEPTH OF SHREDDED HARDWOOD BARK MULCH IN FOUR (4) FOOT DIAMETER RING AROUND ALL TREES.
- EDGE ALL SHRUB BEDS WITH 3/8" X 4" MILL FINISHED ALUMINUM EDGING WITH STAKES. ALL EDGING TO BE COMMERCIAL GRADE.
- APPLY FOUR (4) INCH DEPTH OF 1-1/2" DARK GRAY TRAP ROCK MULCH OVER WEED BARRIER FABRIC IN AREAS INDICATED ON PLAN.
- APPLY FOUR (4) INCH DEPTH OF SHREDDED HARDWOOD BARK MULCH IN ALL SHRUB AREAS AND APPLY THREE (3) INCH DEPTH OF SHREDDED HARDWOOD BARK MULCH IN PERENNIAL AREAS. PRIOR TO MULCHING, APPLY PRE-EMERGENT HERBICIDE TO ALL PLANTING BEDS.
- APPLY PRE-EMERGENT TO MULCH IN PLANTING AREAS TO PROHIBIT WEED GROWTH. APPLICATION RATE TO BE PER MANUFACTURERS RECOMMENDATIONS. IF WEEDS APPEAR IN TREATED AREAS DURING THE FIRST YEAR, LANDSCAPE CONTRACTOR TO REMOVE ALL WEEDS AT NO ADDITIONAL COST.
- THE ENTIRE LANDSCAPE AREAS SHALL BE IRRIGATED WITH AN UNDERGROUND IRRIGATION SYSTEM. NO WATER IS ALLOWED ON ANY PAVEMENT, PARKING, WALKWAY, AND BUILDING. THE IRRIGATION CONTRACTOR IS TO DESIGN AND SUBMIT SHOP DRAWING OF IRRIGATION DESIGN AND CALCULATIONS TO LANDSCAPE ARCHITECT FOR REVIEW 5 DAYS PRIOR TO PURCHASING AND INSTALLATION. IRRIGATION DESIGN IS TO MEET ALL CITY AND STATE PLUMBING CODES AND REQUIREMENTS. IRRIGATION IS NOT ALLOWED IN THE INFILTRATION BASIN.
- FOLLOW LANDSCAPE DETAILS FOR ALL INSTALLATION, UNLESS OTHERWISE NOTED.
- LANDSCAPE CONTRACTOR SHALL MAINTAIN PLANTS IN HEALTHY CONDITION THROUGHOUT WARRANTY PERIOD. THE WARRANTY PERIOD IS ONE FULL YEAR FROM DATE OF PROVISIONAL ACCEPTANCE UNTIL FINAL ACCEPTANCE. WARRANTY PERIOD FOR PLANT MATERIAL INSTALLED AFTER JUNE 1ST SHALL COMMENCE THE FOLLOWING YEAR.
- ALL STREET AND TREE PROPOSED FOR TREE PRESERVATION REPLACEMENT SHALL BE INSTALLED AND HAVE SURVIVED ONE GROWING SEASON PRIOR TO FINAL ACCEPTANCE.

LEGEND

- 26,565 SF. SOD
- ROCK MULCH
- 3,290 SF. INFILTRATION SEEDING SEE SHEET C-201 FOR SEEDING NOTES

INFILTRATION NOTES

- AVOID COMPACTING SOILS IN INFILTRATION BASIN. IF COMPACTION OF THE INFILTRATION MEDIA OR UNDERLYING NATIVE SOIL OCCURS, UNCOMPACT TO THE DEPTH NECESSARY TO ALLEVIATE COMPACTION.
- MAINTAIN INFILTRATION BASIN FREE FROM WEEDS AND OTHER INVASIVE PLANT MATERIAL.
- AFTER FIRST GROWING SEASON REMOVE ALL DEAD PLANT DEBRIS FROM PREVIOUS GROWING SEASON AS NECESSARY TO MAINTAIN ACCEPTABLE APPEARANCE OF INFILTRATION BASIN.

LANDSCAPE SUMMARY

TREE PRESERVATION REPLACEMENT

- 16 - 2.5" DECIDUOUS TREES
- 20 - 6' HT CONIFEROUS TREES
- 8 - 1.5" ORNAMENTAL TREES

SUBDIVISION TREES

- REQUIRED MIN. 1 STREET TREE / LOT
- PROPOSED 6 - 2.5" STREET TREES

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CERTIFICATION

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

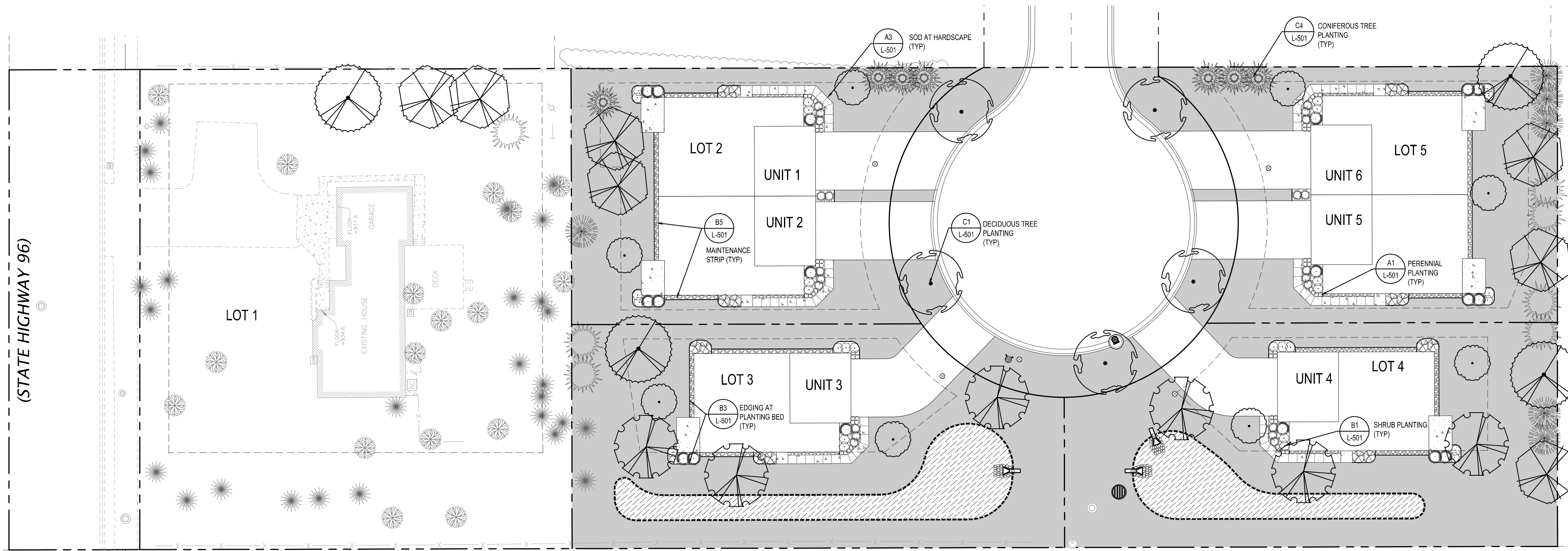
Pilarsinee Sarathong DATE  
REGISTRATION NO. 45059 09/13/2021

SHEET

LANDSCAPE PLAN

L-101

PROJECT NO.  
CLS21022



IRRIGATION TO BE DESIGNED BY IRRIGATION CONTRACTOR. THE SYSTEM MUST BE EQUIPPED WITH MOISTURE SENSORS



Know what's below.  
Call before you dig.



20 60  
SCALE IN FEET

A1 LANDSCAPE PLAN  
1" = 20'



**City of White Bear Lake**  
Community Development Department

# MEMORANDUM

**To:** The Planning Commission  
**From:** Samantha Crosby, Planning & Zoning Coordinator  
**Date:** March 28, 2022  
**Subject:** **McNeely Music Center / 4910 Highway 61, Case No. 22-7-V**

---

## REQUEST

The applicant Oliver Din, on behalf of the Manitou Fund MMC LLC, is requesting four variances in order to demolish the existing building and construct a new music center on generally the same footprint:

- A 5 foot variance from the 10 foot (east) side yard setback requirement,
- A 6 foot variance from the 30 foot setback requirement from (the west) side abutting a public right-of-way,
- A 6 foot variance from the 30 foot front yard (south side) setback requirement,
- A parking variance to allow 18 parking spaces, and
- A variance from the 50% limit on the use of metal panels as an exterior building material to allow 69%.

The proposed use is a two-story building that will house 9 teaching studios on the upper 2 floors and a 4-room recording studio in the basement. There will be a lounge/reception area on the main level. The applicant envisions recitals occurring in the lounge area, but this would be scheduled only when lessons are not occurring. See applicant's narrative.

## SITE CHARACTERISTICS

The site is located at the northeast corner of 8<sup>th</sup> Street and Highway 61. It is a wedged-shape lot that is 13,295 square feet in size. The site currently contains a two-story office building and 18 parking stalls. The existing building does not meet the setbacks from the west, south or east, the parking lot does not meet the setbacks from both the north and the west, and is 3 stalls short of complying with parking requirements.

## ZONING/CONTEXT

The property is zoned B-4 - General Business. The directly abutting properties to the north, east and south are also zoned B-4. The property across Highway 61 to the west is zoned DCB – Diversified Central Business. The property directly to the east is a city-owned parking lot that was constructed in 2002. The properties to the east and south of the public lot are zoned R-4 - Single and Two Family Residential.

## BACKGROUND

The property was platted in 1871. The site was originally developed as a single-family residence. It appears that at some point in the past it may have been a gasoline service station, as there is a letter in the address file from the MPCA (Minnesota Pollution Control Agency) in 1994. The letter details a petroleum tank release (leak) and the corrective actions that were taken to the satisfaction of the MPCA.

A review of the city's files revealed that the parking lot to the east of the subject site was dedicated to the city (specifically for the construction of parking) as a joint venture of the previous owner of the subject site and Bill Foussard, owner of WB Country Inn / Rudy's Redeye Grill. The stalls in the public parking lot were attributed to the subject site (which at the time was a ReMax office) during the day and WB Country Inn/Rudy's in the evenings. So while the public lot is available for use on a first-come first serve basis, the stalls cannot be attributed to the site in evening hours to off-set parking code requirements.

In 1996, the City granted 5 variances for: lot width, parking, two hard-surface setbacks and a building setback (see resolution included in applicant's packet for details). The current office building was constructed in 1997. In 1998, the City granted an 8-foot setback variance for a 32 square foot monument sign.

## ANALYSIS

### A 5 foot variance from the 10 foot (east) side yard setback requirement

The plans show the east building wall 6 feet from the east property line, but the applicant has requested a 5 foot variance as this is one of the 5 variances that was previously approved for the existing building in 1996 and also due to the thickness of the curtain wall needed for the metal panels. The east side of the building currently has a "stepped" façade that will be reconstructed as a straight wall. So the new east wall will be a continuous distance from the property line, which is a slight expansion of the building. Also, the new building will be up to 28 feet tall when the existing building is about 26 feet 8 inches tall; also a slight expansion. Since they are reshaping the footprint in this area, it is possible to relocate the wall to meet code.

In 1996, the variance was supported based on the "narrow, irregular shape of the lot". On a corner lot, the shorter of the two side abutting the public right-of-way is the front. Therefore, the south side of the lot is the front. The B-4 zoning district requires a 100 foot lot width and the subject site is only 60.47 feet wide along the south side. This narrowness of the parcel from east-to-west supports the need for deviation from the code standards on the east (or west) side. Given the previously approved variance, and the lack of any known adverse impacts of this variance over the past 26 years, staff supports the variance as requested.

There is a back stoop and stairs that extends into this setback area. If a stoop is the minimum size required by the building code it is considered a permitted encroachment. This stoop is one foot wider and 5 feet longer than the minimum required by code. The reason was to provide a more substantial landing for the hauling of trash and equipment. By incorporation herein, the new stoop is considered part of the requested variance.

*A 6 foot variance from the 30 foot setback requirement from (the west) side abutting a public right-of-way*

The existing building is 28 feet from the west property line when 30 feet is required. There is indication in the City's files that the current office building was a rebuild of a former office building. Given that this is not one of the 5 variances granted in 1996, staff assumes that the proximity of the west wall to the west property line was an existing condition at the time the building was constructed and therefore a variance was deemed un-necessary.

The requested variance is for 24 feet from the west property line. The building is being expanded by 3.9 feet and, again, the applicant is asking for a little bit of "wiggle room" due to the thickness of the curtain wall for the metal panels. Given the same rationale outlined above – the narrow width of the lot (east-to-west) and the existence of a similar non-conformity without any known adverse impacts, staff supports the variance as requested.

*A six foot variance from the 30 foot front yard (south side) setback requirement*

The existing building is only 24 feet from the south property line. This is not one of the 5 variances that were previously approved for the existing building. The staff report from 1996 points out that a 30 foot setback is required by code, but the site plan clearly dimensions a 25 foot setback from the south property line. Current staff suspects the omission was an oversight of previous staff; there should have been 6 variances granted instead of 5.

Because of the irregular shape of the lot, a building with a west wall that is parallel to Highway 61, with right-angled corners produces a south wall that is not parallel to 8<sup>th</sup> Street. The west half of the south side building wall meets the 30 foot setback requirement. Only the very southeast corner of the building does not comply – a total of 83 square feet. Given the nominal amount of encroachment and given the lack of any known adverse impacts of this non-conformity over the past 26 years, staff supports the variance.

*A parking variance to allow 18 parking spaces*

This was also one of the 5 variances granted in 1996, however, with the change of use the variance no longer applies. The wording of this request is vague because the parking code does not list a comparable use. The "other uses" section of the parking code exists exactly for this reason:

"Other uses not specifically mentioned herein shall be determined on an individual basis by the City Council. Factors to be considered in such determination shall include (without limitation) size of the building, type of use, number of employees, expected volume and turnover of customer traffic, and expected frequency and number of delivery or service vehicles."

The applicant's written narrative provides an explanation of the nature of the use and the amount of parking demand they expect the use to generate. They anticipate the peak hours for the 9 teaching studios will be between 3 p.m. and 8 p.m. and the peak hours for the basement recording studio will be after 6 p.m. Nine teaching studios consisting of one teacher and one student each generates a demand for 18 parking spaces, if everyone drives. However, staff

agrees that not everyone will drive; there will be some amount of walking, biking, or drop-off/pick-up. With only half hour classes, the drop-off/pick-up may not be the majority of the students but given that there is a separate lane available for this function (which could stack 2 vehicles at the south end) staff believes that the off-set would be comparable to the demand generated by the recording studio in the basement. And while it cannot be counted towards on-site requirements, there is both the public lot next door and on-street parking available along 8<sup>th</sup> Street that could be utilized.

Ultimately, the management of the facility has the ability to adjust operations. For example, if necessary, they could stagger the timing/schedule of the teaching studios, or add a 10-minute delay between each class, to allow students the ability to clear out before the next students show up. Being that the parking demand actually generated by the proposal will not be completely known until operations are in full swing, staff has included a condition regarding the resolution of parking issues should they arise. This is a condition that has been used in the past for projects such as The Barnum Apartments, Flips Gymnastics and White Bear Animal Hospital.

*A variance from the 50% limit on the use of metal panels as an exterior building material to allow 69%*

The prefinished metal wall panels are limited by the zoning code to no more than 50% of the aggregate wall area. The proposed building elevations are 100% metal panels on the south, east and southeast facades. (The panels also comprise 45% of the north façade and 41% of the west façade.) The applicant has indicated the metal panels are pricey and may not be used if their budget doesn't allow. Therefore they have also provided graphics which show the EFIS (Exterior Finish Insulation System) material that would be used instead if the metal panels are beyond reach.

In the past, the City has granted variances from the 50% limitation for both Walser Polar Mazda and Walser Polar Chevrolet. Their siding was aluminum composite material (ACM) which is a flat design that appears tile-like; very different from traditional sheet metal panels. While the proposed siding is not generic sheet metal, because of the corrugated profile, it is difficult to differentiate from it. Staff trusts that the architect has done a wonderful job and the building will look quite elegant. Nonetheless, we do not see a true practical difficulty to support the variance, nor are we able to draw a clear line between the style proposed here and more standard sheet metal panels. For these reasons, staff recommends denial of this part of the request. If the applicant has the budget to utilize this material, the amount could be reduced so that it does not exceed 50%.

*Other*

As referenced above, the site will be maintaining the access to 8<sup>th</sup> Street, to allow for a one-way south bound drop-off/pick-up lane and to allow vehicles the ability to access south-bound Highway 61 via 8<sup>th</sup> Street. Staff strongly encouraged the maintenance of this access opening. The applicant is asking to reduce the width of the drive-aisle to 12 feet in the area adjacent to the building to provide for more pedestrian space and greater protection of the glass wall from things like plows. Staff has included a couple minor modifications to maintain the possibility of emergency vehicle use of this aisle.

The project does not exceed 10,000 square feet of new or reconstructed impervious area, therefore, the City's stormwater management requirements are not triggered.

A bike rack is required by code. The rack must be the type that allows the bicycle to be locked at the frame, rather than the tires.

Finally, one of the variances was not discovered until March 22<sup>nd</sup>. The fifth variance was added to the request, but to be thorough, the adjacent property owners will be re-noticed prior to the City Council meeting and the City Council should open up the floor to the public in case anyone would like to speak.

### **DISCRETION / 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 a practical difficulty. If the proposal is deemed reasonable (meaning that it does not have an adverse effect on neighboring properties, it is consistent with the Comprehensive Plan, and it is harmony with the intent of the zoning code) then the criteria have been met.

### **RECOMMENDATION**

Staff recommends approval of the setback and parking variances but denial of the metal panel variance. Staff recommends denial of the metal panel variance based on the following findings:

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

Staff further recommends approval of the parking and setback variances subject to the following conditions:

1. All materials submitted with this application, including the plans and drawings dated March 23, 2022, and the descriptive information also dated March 23, 2022, shall become part of the building permit.
2. Per Section 1301.060, Subd.3, the variance shall become null and void if the project has not been completed or utilized within one (1) calendar year after the approval date, subject to petition for renewal. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
3. This variance approval shall become effective upon the applicant tendering proof (ie: a

receipt) to the City of having filed a certified copy of the sign resolution of approval with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.

4. The teaching studios shall accommodate not more than one student and one teacher at a time.
5. Should on-street parking generated by the proposed use become a nuisance in the future, the property owner will work with the City to adjust practices or modify procedures to insure that the amount of parking provided is sufficient to accommodate the demand created.
6. No signs or signage locations are approved. Any signage shall require approval of a separate sign permit.
7. If waste/recycling receptacles exceed 75 gallons in size, they shall either be stored internal to the building or screened by a masonry enclosure designed to match the building.
8. Any rooftop mechanical equipment will be positioned far enough away from the edge of the building so that it is not visible from the public right-of-ways or adjacent residential, or be screened from view.
9. If contaminated soils are encountered, the proper procedures shall be followed.
10. The applicant shall obtain a building permit prior to beginning any work.

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

11. The applicant shall comply with the Fire Department memo dated February 18, 2022. The site plan shall be revised to widen the south side turning radius of the Highway 61 access opening, remove the northernmost bollard, and use surmountable curb between the hatched area of the parking lot and the sidewalk, all subject to fire department approval.
12. Provide a landscape plan, to comply with code including tree preservation and replacement calculations, if any - plan to be approved by staff.
13. The applicant shall provide building materials samples to be approved by staff.
14. The applicant shall provide soil borings within the building footprint to show suitability for construction.
15. No new lighting is requested or approved. If any new lighting is desired, the applicant shall provide a photometric plan and lighting details. Pole height shall not exceed 20

feet on top of a maximum 2 foot tall base. The light sources shall be shielded from view from Highway 61, 8<sup>th</sup> Street and the east. Plan and details subject to staff approval.

16. Provide a bike rack detail, subject to staff approval.
17. Provide a SAC (Sewer Availability Charge) determination letter from the Metropolitan Council.
18. Obtain any necessary permits from MnDOT and the watershed district and provide a copy to the City.

**ATTACHMENTS**

- Draft Resolution of Approval
- Draft Resolution of Denial
- Location/Zoning Map
- Fire Department Memo dated Feb. 18, 2022
- Request Narrative dated March 23, 2022
- Plan Set dated March 23, 2022 (10 pages)



**RESOLUTION NO.**

**RESOLUTION GRANTING FOUR VARIANCES  
FOR 4910 HIGHWAY 61  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (22-7-V) has been submitted by the Manitou Fund MMC LLC, to the City Council requesting approval of four variances from the Zoning Code of the City of White Bear Lake for the following location:

**LOCATION:** 4910 Highway 61

**LEGAL DESCRIPTION:** That part of Lots 1, 2 and 3, in Block 23, White Bear, lying North of the Northern Pacific Railroad Company right-of-way and Easterly of Trunk Highway No. 61, all of which lies Southerly of the following described line: Commencing at the Southwest corner of the Northeast Quarter of the Northeast Quarter of Section 14, Township 30 North, Range 22 West; thence South 89 degrees 49 minutes West (assumed bearing) along the South line of said Quarter Quarter a distance of 466.28 feet to the Easterly Highway right-of-way of Trunk Highway No. 61 as monumented; thence South 14 degrees 24 minutes 42 seconds West 44.25 feet along said Easterly right-of-wayline to the point of beginning of the line be herein described; thence South 73 degrees 29 minutes 09 seconds East 120.88 feet to the Northwesterly right-of-way line of said railroad and there terminating. (PID: 143022140008); and

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING:** Four variances in order to demolish the existing building and reconstruct a new music center on generally the same footprint: a 5 foot variance from the 10 foot side yard setback requirement; a 6 foot variance from the 30 foot setback requirement from a side abutting a public right-of-way; and a 6 foot variance from the front yard setback, all per code section 1303.150, Subd.5.c; and a parking variance, per code section 1302.050, Subd.8.cc to allow 18 parking spaces;

**WHEREAS**, the Planning Commission held a public hearing as required by the Zoning Code on March 28, 2022; and

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

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

## RESOLUTION NO.

1. The requested variances will not:
  - a. Impair an adequate supply of light and air to adjacent property.
  - b. Unreasonably increase the congestion in the public street.
  - c. Increase the danger of fire or endanger the public safety.
  - d. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this Code.
2. Because of the narrow, irregular shape of the lot, the variances are a reasonable use of the land or building and the variances are the minimum required to accomplish this purpose.
3. The variances will be in harmony with the general purpose and intent of the City Code.
4. Because the variances have been in place for the past 26 years with no known adverse impacts, the variances will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
5. The non-conforming uses of neighboring lands, structures, or buildings in the same district are not the sole grounds for issuance of the variances.

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

1. All materials submitted with this application, including the plans and drawings dated March 23, 2022, and the descriptive information also dated March 23, 2022, shall become part of the building permit.
2. Per Section 1301.060, Subd.3, the variance shall become null and void if the project has not been completed or utilized within one (1) calendar year after the approval date, subject to petition for renewal. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
3. This variance approval shall become effective upon the applicant tendering proof (ie: a receipt) to the City of having filed a certified copy of the sign resolution of approval with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. The teaching studios shall accommodate not more than one student and one teacher at a time.

## RESOLUTION NO.

5. Should on-street parking generated by the proposed use become a nuisance in the future, the property owner will work with the City to adjust practices or modify procedures to insure that the amount of parking provided is sufficient to accommodate the demand created.
6. No signs or signage locations are approved. Any signage shall require approval of a separate sign permit.
7. If waste/recycling receptacles exceed 75 gallons in size, they shall either be stored internal to the building or screened by a masonry enclosure designed to match the building.
8. Any rooftop mechanical equipment will be positioned far enough away from the edge of the building so that it is not visible from the public right-of-ways or adjacent residential, or be screened from view.
9. If contaminated soils are encountered, the proper procedures shall be followed.
10. The applicant shall obtain a building permit prior to beginning any work.

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

11. The applicant shall comply with the Fire Department memo dated February 18, 2022. The site plan shall be revised to widen the south side turning radius of the Highway 61 access opening, remove the northernmost bollard, and use surmountable curb between the hatched area of the parking lot and the sidewalk, all subject to fire department approval.
12. Provide a landscape plan, to comply with code including tree preservation and replacement calculations, if any - plan to be approved by staff.
13. The applicant shall provide building materials samples to be approved by staff.
14. The applicant shall provide soil borings within the building footprint to show suitability for construction.
15. No new lighting is requested or approved. If any new lighting is desired, the applicant shall provide a photometric plan and lighting details. Pole height shall not exceed 20 feet on top of a maximum 2 foot tall base. The light sources shall be shielded from view from Highway 61, 8<sup>th</sup> Street and the east. Plan and details subject to staff approval.
16. Provide a bike rack detail, subject to staff approval.

**RESOLUTION NO.**

- 17. Provide a SAC (Sewer Availability Charge) determination letter from the Metropolitan Council.
- 18. Obtain any necessary permits from MnDOT and the watershed district and provide a copy to the City.

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

Ayes:  
 Nays:  
 Passed:

---

Dan Louismet, Mayor

**ATTEST:**

---

Kara Coustry, City Clerk

\*\*\*\*\*

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

---

Applicant's Signature

---

Date

**RESOLUTION NO.**

**RESOLUTION DENYING A VARIANCE  
AT 4910 HIGHWAY 61  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (22-7-V) has been submitted by the Manitou Fund MMC LLC to the City Council requesting an exterior materials variance from the City of White Bear Lake at the following location:

**ADDRESS:** 4910 Highway 61

**LEGAL DESCRIPTION:** That part of Lots 1, 2 and 3, in Block 23, White Bear, lying North of the Northern Pacific Railroad Company right-of-way and Easterly of Trunk Highway No. 61, all of which lies Southerly of the following described line: Commencing at the Southwest corner of the Northeast Quarter of the Northeast Quarter of Section 14, Township 30 North, Range 22 West; thence South 89 degrees 49 minutes West (assumed bearing) along the South line of said Quarter Quarter a distance of 466.28 feet to the Easterly Highway right-of-way of Trunk Highway No. 61 as monumented; thence South 14 degrees 24 minutes 42 seconds West 44.25 feet along said Easterly right-of-wayline to the point of beginning of the line be herein described; thence South 73 degrees 29 minutes 09 seconds East 120.88 feet to the Northwesterly right-of-way line of said railroad and there terminating. (PID: 143022140008); and

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING:** A variance from the 50% limit on the use of metal panels as an exterior building material, per code section 1303.150, Subd.6.c, to allow 69%; and

**WHEREAS**, the Planning Commission has held a public hearing as required by the City Zoning Code on March 28, 2022; and

**WHEREAS**, after hearing from the public and considering the applicant's requests, the Planning Commission voted to forward the request to the City Council with a \_\_\_\_ recommendation that the request be denied; and

**WHEREAS**, the City Council has considered the advice and recommendations of the Planning Commission considering 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** that the City Council of the City of White Bear Lake hereby denies the request, based upon the findings and determinations as follows:

**RESOLUTION NO.**

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

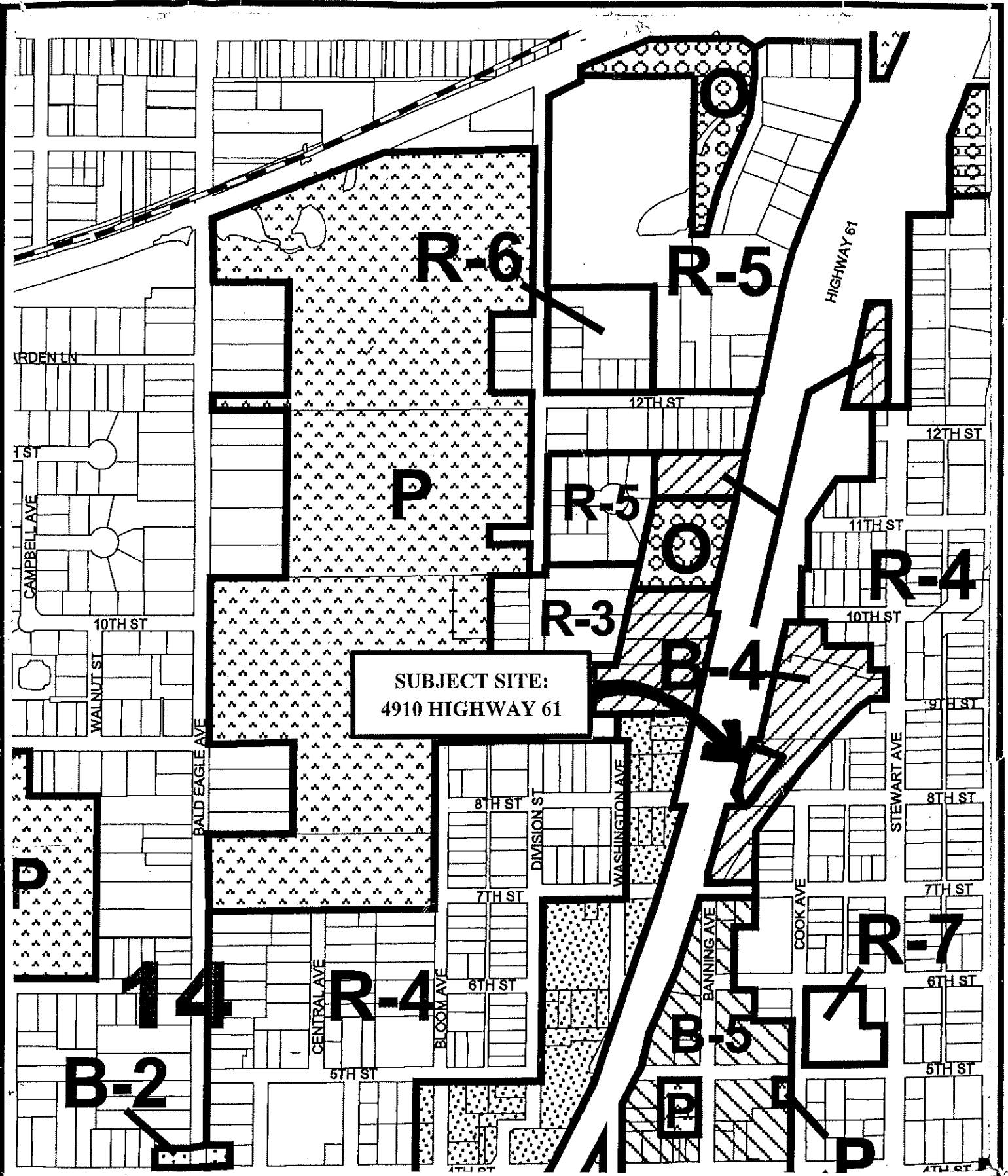
The foregoing resolution, offered by Councilmember \_\_\_\_\_ and supported by Councilmember \_\_\_\_\_, was declared carried on the following vote:

Ayes:  
Nays:  
Passed:

\_\_\_\_\_  
Dan Louismet, Mayor

**ATTEST:**

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



**SUBJECT SITE:**  
4910 HIGHWAY 61

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

CASE NO. : 22-7-V  
CASE NAME : McNeely Music Center  
DATE : March 20, 2022



## City of White Bear Lake Fire Department

4701 Highway 61 N.  
White Bear Lake, Minnesota 55110  
651-429-8568 | [www.whitebearlake.org](http://www.whitebearlake.org)



February 18, 2022

Dagmara Larsen  
MSR Design

Dear Dagmara:

Thank you for submitting documents for Fire Department review. The plans for the above project have been evaluated. Please review the comments within this document.

Please let me know if I can assist you further.

Sincerely,

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

Encls.





## City of White Bear Lake Fire Department

4701 Highway 61 N.  
White Bear Lake, Minnesota 55110  
651-429-8568 | [www.whitebearlake.org](http://www.whitebearlake.org)



### 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. Address number shall be plainly visible from the street fronting the property and shall contrasting color from the background.
3. Install approved emergency lock box for Fire Department emergency access to building at an **approved location** and provide keys for emergency access into and throughout the occupancy as required.
4. The fire sprinkler system shall be installed compliant with provisions of 2016 NFPA Standard 13, Installation of Sprinkler Systems. City permit required **prior** to initiation of work.
5. The sprinkler system shall be properly monitored by a qualified monitoring company.
6. Occupancy classification will need to be determine with a total occupant load. A fire alarm system may be required.
7. Install emergency egress illumination in the means of egress including exit discharge compliant with 2020 MSFC.
8. Install compliant exit signage as required by the 2020 MSFC.
9. Provide and install dry chemical fire extinguishers certified for service and tagged as required. Service classification rating shall be a minimum 2A classification rating and maximum travel distance of 75 feet to extinguishers. The minimum classification rating may be upgraded for special or extra hazard areas within the occupancy.
10. Provide information concerning combustible interior finish materials used for this project. Interior finish materials shall be classified as required by 2020 MSFC as to flame spread and smoke development characteristics. Interior wall and ceiling finish shall have a flame spread index not greater than that specified in 2020 MSFC for the group of proposed occupancy and location of interior finish. Please furnish product specification sheets listing this information.
11. The required fire-resistance rating of rated construction shall be maintained. Openings through rated construction for the passage of wiring, sleeves, conduit, piping, etc. shall be protected by repair with approved materials which maintains the rating of the construction damaged, altered, breeched or penetrated.



## City of White Bear Lake Fire Department

4701 Highway 61 N.  
White Bear Lake, Minnesota 55110  
651-429-8568 | [www.whitebearlake.org](http://www.whitebearlake.org)



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

### **Codes and Standards Used for this Review**

This review is based on the following codes and standards as adopted and in effect in the State of Minnesota at the time of plan submittal.

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

3/23/2022



Planning Commission  
White Bear Lake City Hall  
4701 Highway 61  
White Bear Lake, MN 55110

**Re: McNeely Music Center | City of White Bear Lake**

MSR Design Project 2021.021

Dear Planning Commission,

The McNeely Music Center has been envisioned and fully financed by the Manitou Fund, a local, private foundation, as an educational facility serving the community of White Bear Lake. This facility is designed as a place focused on individual music education for all ages, with primary mission to provide lessons for school age children and teens.

The proposed building, located at 4910 Highway 61, will be replacing a structure that is currently on that property. The new building will have two stories above ground and a lower level that together will house 9 teaching studios and a recording studio. The building will also occasionally be used for recital and small performance events. These events will typically occur during periods when lessons are not taking place.

Due to the existing site limitations, including the existing built site conditions, and a need for providing accessible parking and path to the new building, to meet the vision set for this distinct community focused institution, we seek following variance:

**Item 1: Setbacks** | Numeric Deviation: 1303.150 Subd. 5. *Lot Requirements and Setbacks (c) Setbacks*

We are demolishing the existing building (see AD001) but intend to reuse the Highway 61 curb cuts, drive, and the parking lot, to save on resources and allow for a quicker construction process. The new building footprint will essentially follow the footprint of the existing building with two exceptions noted below. The existing building originally received a variance. (Case Number 96-33-V, attached), and we would like to carry that forward.

We seek a variance due to the practical difficulties posed by the setback requirements and the challenging shape of the site. The current existing footprint (see A001, area designated in red) offers a much greater opportunity for a workable site plan than the boundary defined by the setback lines. The exceptions we seek beyond the existing footprint (see A001, area designated in yellow) are requested to enhance the workability of the layout and allow for the

addition of an elevator to meet accessibility requirements. The proposed expansion of the existing footprint, shown on the set of drawings submitted as an exhibit to this letter are as follows: (1) extend the west wall slightly beyond the existing face of the notch at the west side of the building reducing the setback to 24'-0" (the code requires a 30'-0" setback); (2) use the existing building's 5'-0" setback (code requires 10'-0") on the east side of the building but straighten out the notches along the east wall so the wall does not step. This will allow us to accommodate a new elevator pit and create a simpler volume for the appearance of the building; (3) slightly shift the south wall beyond the location of the existing south wall. The existing foundation wall on the south side of the building is setback 24' -3 ½" from the property line. We seek a setback of 24' (See blue area on A001-a SITEPLAN).

**Item 2: Number of Parking Spaces** | Numeric Deviation: 1302 Subd. 8 *Number of Spaces Required.*

We seek a variance to confirm 18 parking spaces are needed on the site. The current site was approved with 18 spaces per variance Case Number 96-33-V Resolution and was most likely classified as an "office building." The primary function of the proposed new building is music education. The students coming to the music center will come from all age groups and many of the students will be dropped off for their lessons. Since the program type doesn't fall easily into existing zoning code categories the following narrative is intended to provide guidance for parking count requirements based on the intended uses of the spaces identified on the floor plans. The building will have three floors.

LOWER LEVEL:

The lower level will house the recording studio which consists of four rooms: 2 Flex Control Rooms and 2 Recording/Drum booths. The expected use of the recording studio overall will vary between 2-8 people on weekends, with the typical level of use being 2-3 people using the space during normal business hours (the time frame when most of the teaching studios will be in use). The peak use of the recording studio will typically happen after teaching hours, when students and teachers are not using the building.

FIRST FOOR:

The first floor will house 4 teaching studios. Typical lessons will consist of 1 teacher and 1 student. There will also be a Lounge/Reception area that will be used for small performances that will take place at designated times when lessons are not underway.

## SECOND FLOOR:

The second level will house 5 teaching studios. Typical lessons will consist of 1 teacher and 1 student. There is also a meeting room to be used by teachers.

## SUMMARY

The total number of students and teachers using the building at peak times would typically be 18. With the recording studio we would add 2-3 people during that time. However, since majority of the students would not be driving themselves to lessons, a total of 18 spaces is sufficient to meet the needs of the Music Center. The lot would allow parking for 18 people. Any overflow parking would be used at the public lot to the east of the building during regular business hours per an existing agreement.

### **Item 3: Exterior metal panel** | Numeric Deviation: 1303.150 Subd. 6. *Building Requirements (c) Exterior Building Materials*

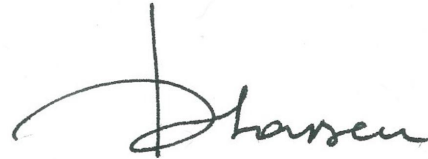
We seek a variance on the allowable percentage of the amount of exterior metal panel used on the proposed building. The city requires that the *gross building wall area of this type shall be limited to no more than fifty (50) percent of the aggregate of wall area excluding window and door areas*. Referencing our elevations, we are currently looking at approximately sixty-nine (69) percent of the aggregate of wall area (see sheet A201 for area take offs).

The proposed metal panel will be specified with a high architectural finish grade, not an industrial finish grade. (See attached product sheets noted with red bubbles the specific products). The choice to use metal panel is driven by design aspiration for this project to provide an elegant and lively presence for this new community amenity. We hope to accomplish this by creating a vibrant and dynamic exterior that responds to changing light conditions. The proposed product is durable and will help with minimizing long-term maintenance costs and provide a consistent look for many years. It will also compliment the high performance glazing we are proposing for the facade. See attached cut shades with product information.

Sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and a final downward stroke.

Oliver Din | Manitou Fund  
Trustee | President | CEO  
651.226.8658 | [odin@manitoufund.org](mailto:odin@manitoufund.org)

A handwritten signature in black ink, featuring a large, sweeping initial 'D' followed by the name 'Larsen' in a cursive script.

Dagmara Larsen, AIA | MSR Design  
Principal  
612.638.7511 | [dagmara@msrdesign.com](mailto:dagmara@msrdesign.com)

**RESOLUTION APPROVING A VARIANCE  
FROM CERTAIN CONDITIONS  
OF THE CITY OF WHITE BEAR LAKE ZONING CODE  
FOR RICHARD PAULSEN**

**WHEREAS**, a proposal (96-33-V) has been submitted by Richard Paulsen to the City Council requesting a variance from the City of White Bear Lake Zoning Code at the following site:

**ADDRESS:** ~~4910 Highway 61~~

**LEGAL DESCRIPTION:** On file at City Hall

**THE APPLICANT SEEKS THE FOLLOWING RELIEF:** Variances as follows: 1) 51-foot lot width variance; 2) to reduce the number of on-site parking from 21 to 18; 3) 4-foot parking area setback variance from the side yard; 4) 14-foot parking area setback variance from the public right of way; and 5) 5-foot building setback variance from the side yard, per Code Sections 1302.050 and 1303.150

**WHEREAS**, the Variance Board has held a public hearing as required by the city Zoning Code on August 21, 1996;

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

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of White Bear Lake that the City Council finds that the special physical conditions applying to this case are unique to this site and do not generally apply to other land, buildings, or structures in the zoning district or area in which it is located, and that in granting the variance the City Council finds that the proposal will not impair an adequate supply of light and air to adjacent or nearby properties, create undue traffic congestion, fire, or health hazards, or diminish or impair health, safety, comfort, morals; nor is this case contrary to the intent of the city's ordinances, codes, and the

Comprehensive Plan; and that the granting of this variance is necessary to alleviate the demonstrated hardships; and

**FURTHER, BE IT RESOLVED**, that the attached conditions, plans, maps, and other information shall become part of this permit and approval; and in granting this permit the city and the applicant agree that this permit 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 of the permit.

**CONDITIONS:**

1. All application materials, maps, drawings and descriptive information submitted with this application shall become part of this permit.
2. All parking and driveway areas shall be hard surfaced and concrete curb and gutter installed around the perimeter of the parking and driveway areas.
3. A landscaping plan shall be submitted to and approved by staff prior to obtaining a building permit. In addition, subject to state approval, the applicant agrees to install and maintain landscaping on the Highway 61 boulevard.
4. Applicant shall obtain a building permit prior to construction.
5. Stop signs shall be placed at both driveways.

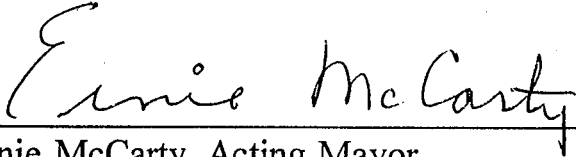


The foregoing resolution, offered by Councilmember COX and supported by Councilmember ANDERSON, was declared carried on the following vote:

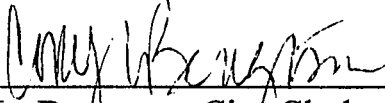
Ayes: ANDERSON, AUGER, COX, LEMIRE

Nays: NONE

Passed: OCTOBER 8, 1996

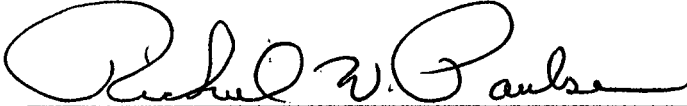
  
Ernie McCarty, Acting Mayor

ATTEST:

  
Cory L. Bengtson, City Clerk

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

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

  
Applicant's signature                      Date

Dick Paulson: 426-6500

4910 Hwy 61

LOT 3

LOT 8

19.00' HWY NO. 61

Monument sign

Exc. Apert

Iron

5'

- 119.09 -

PROPOSED

PARKING (18 STALLS)

DRIVEWAY

EXISTING

PROPOSED BUILDING ≈ 4000 S.F.

L = 16.25 -

NW 1/4 line of Northern Pacific R.R. Co. R/W

Highway R/W line 2' setback

166.23 -

27'

5'

28" MAPLE

25'

N

Iron

- 93.7 -

Iron

$(4000 \times 0.9) / 200 = 18 + 3 = 21$

60

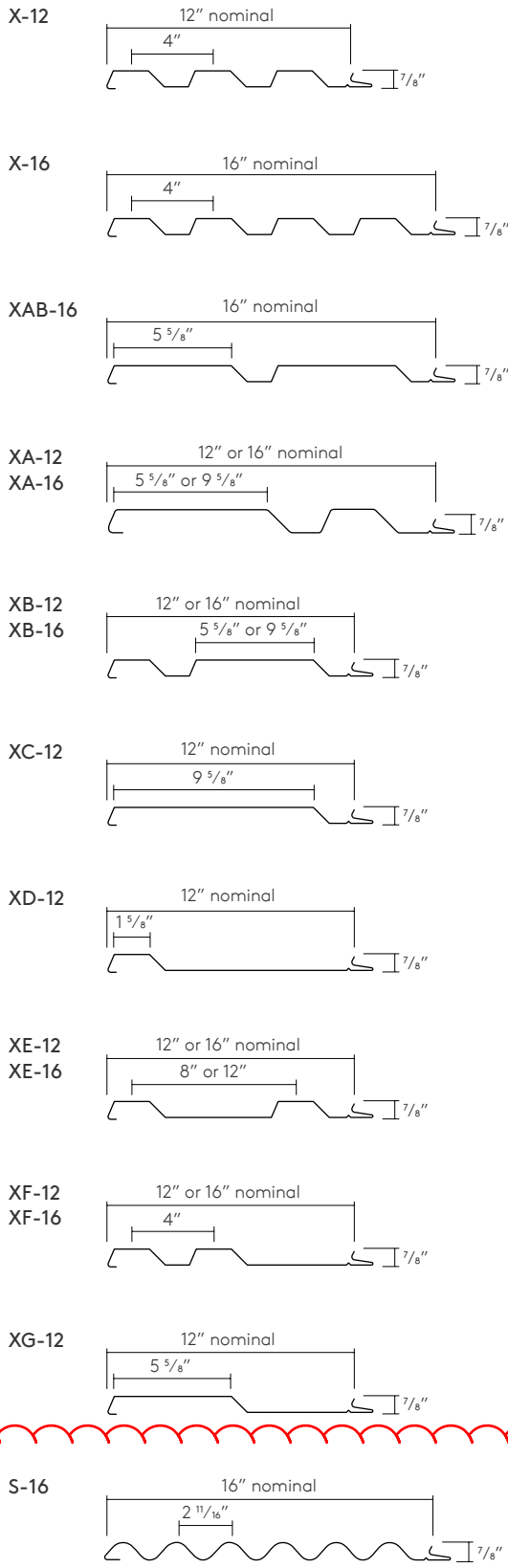
(BLACKTOP) 8<sup>th</sup> STREET

Street

# Integrity Wall Series

Integrity Series is an integrated, concealed fastener, rainscreen, wall panel system featuring fifteen unique profiles.





The asymmetrical shape of the X-12 panel was created in the early 1990's, since then it has become one of the most popular profiles selected by architects for use on buildings of all types.

- Concealed clip and fastener design
- Weather resistant or rainscreen rear ventilated application
- Ideal for new or retrofit projects
- Smooth surface standard, stucco embossed texture optional
- All PVDF painted finishes available
- Perforated options available
- Optional factory caulking available

**Panel Depth:**  
 $\frac{7}{8}$ " (22mm)

**Cover Width:**  
12" (305mm) or 16" (406mm)

**Lengths:**  
5' (1.52m) to 30' (9.14m) standard.  
Shorter and longer lengths available

**Galvalume / Zinalume Painted Steel Options:**  
18 GA (1.19mm) / 20 GA (.91mm) /  
22 GA (.76mm) / 24 GA (.60mm)

**Aluminum Options:**  
.050 GA (1.27mm) / .040 GA (1mm)

**Stainless Steel Options:**  
20 GA (.91mm) / 22 GA (.76mm) / 24 GA (.60mm)

**Zinc Options:**  
18 GA (1.19mm) / 20 GA (1.0mm) / 22 GA (.91mm)

**Natural Copper Options:**  
20 oz. / 16 oz.

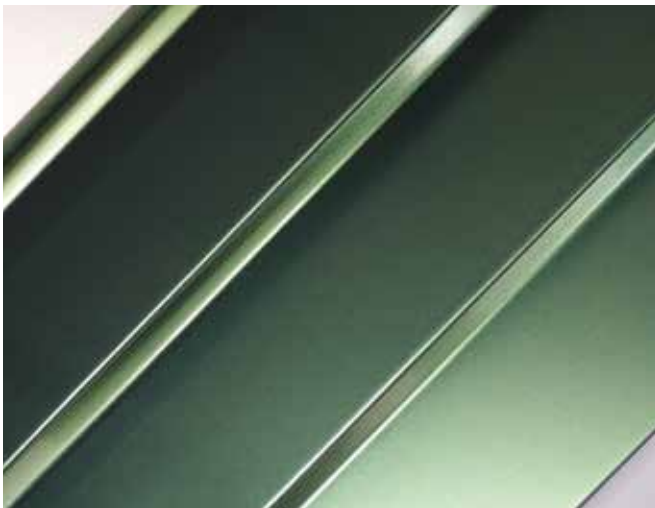
**Application:**  
Horizontal or vertical

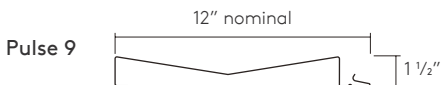
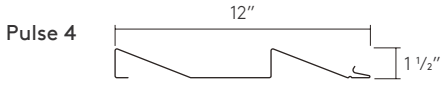
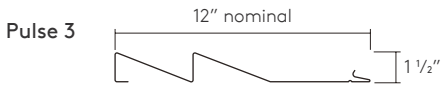
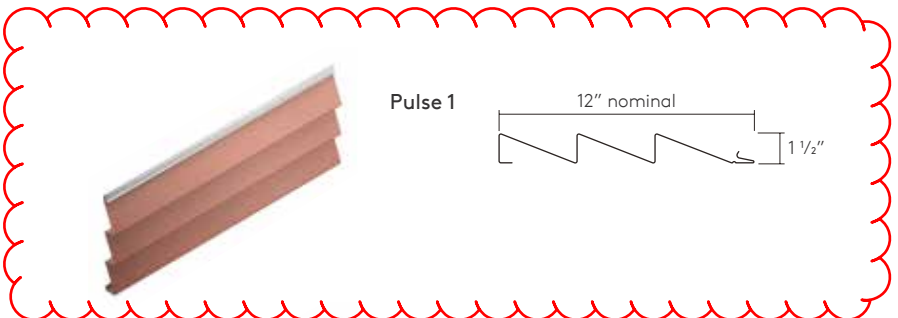


**Easy Integration**  
Common joint allows multiple panel integration with Pulse Series® and Matrix Series®

# Pulse Wall Series

The Morin Pulse Series® adds an exciting angular look to the integrated concealed fastener rain screen wall panel system.





Clip detail

With five panel profiles as well as complementary extruded aluminum trims and miter seam corners, the angular integrated Pulse Wall Series adds a nice dimension to help facilitate the next design.

- Ideal for new or retrofit projects
- Five unique angular profiles
- Concealed clip / fastener design
- Weather resistant or rain screen rear ventilated application
- Smooth surface standard; stucco embossed optional
- All PVDF painted finishes available
- Perforated options available
- Optional factory caulking
- Horizontal or vertical

**Panel Depth:**  
1 1/2" (38mm)

**Cover Width:**  
12" (305mm)

**Lengths:**  
5' (1.52m) to 30' (9.14m) standard.  
Shorter and longer lengths available

**Galvalume / Zinalume Painted Steel Options:**  
18 GA (1.19mm) / 20 GA (.91mm) /  
22 GA (.76mm) / 24 GA (.60mm)

**Aluminum Options:**  
.050 GA (1.27mm) / .040 GA (1mm)

**Stainless Steel Options:**  
22 GA (.76mm) / 24 GA (.60mm)

**Zinc Options:**  
20 GA (1.0mm) / 22 GA (.91mm)

**Natural Copper Options:**  
20 oz. / 16 oz.

**Application:**  
Horizontal or vertical



Protected by



Metal Wall & Roof Systems  
North America

# Architectural Metal Wall & Roof Systems Color Options

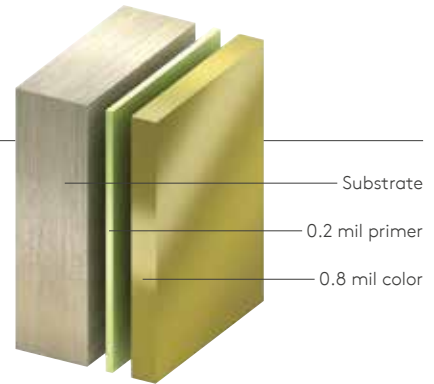
Our range of color options provide you with the most durable surfaces and longest warranties, with custom color matching available there are unlimited design options available.

**Morin**<sup>®</sup>  
A Kingspan Group Company

### Premium Colors – Mica

#### Fluropon® Classic II PVDF

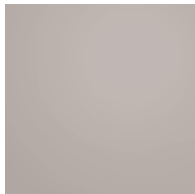
2-Coat Fluropon® Classic II PVDF is a premium fluoropolymer coating containing 70% Kynar 500® proprietary resin that achieves a pearlescent appearance. This two coat system is a cost-effective alternative to metallic systems requiring clear coat.



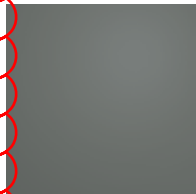
**Silversmith**  
SR:0.53 E:0.79 SRI:59  
RGB: 161 163 161



**Champagne Bronze**  
SR:0.44 E:0.78 SRI:46  
RGB: 149 139 130



**Champagne Pearl**  
SR:0.48 E:0.81 SRI:53  
RGB: 166 156 148



**Weathered Zinc**  
SR:0.33 E:0.84 SRI:33  
RGB: 99 105 106

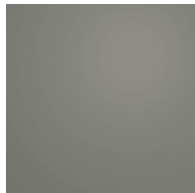
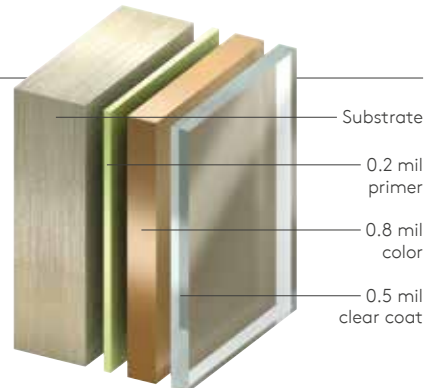


**Copper Penny**  
SR:0.48 E:0.84 SRI:54  
RGB: 156 108 77

### Premium Colors – Metallic

#### Fluropon® Classic PVDF

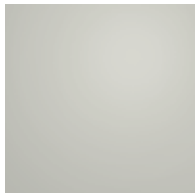
3-Coat Fluropon® Classic PVDF is a premium fluoropolymer coating containing 70% Kynar 500® proprietary resin and a special metallic effect. Due to its outstanding color retention and resistance to ultraviolet radiation, it is the preferred choice among architects and metal building manufacturers.



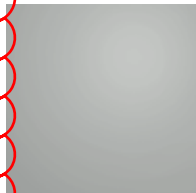
**Medium Gray**  
SR:0.36 E:0.85 SRI:38  
RGB: 105 106 106



**Seafoam Green**  
SR:0.49 E:0.87 SRI:56  
RGB: 158 168 165



**Champagne Gold**  
SR:0.51 E:0.85 SRI:58  
RGB: 155 153 148



**Bright Silver**  
SR:0.57 E:0.81 SRI:65  
RGB: 163 164 164

### Custom Color Matching Available

Morin makes it easy to add protection and visual distinction to your next project. Our state-of-the-art color and paint facility can achieve virtually any tint, shade or finish to your specifications, quickly and accurately. To get started, contact our experienced sales representatives today for details.

To find out more and to see the complete range, visit: [www.morincorp.com](http://www.morincorp.com)

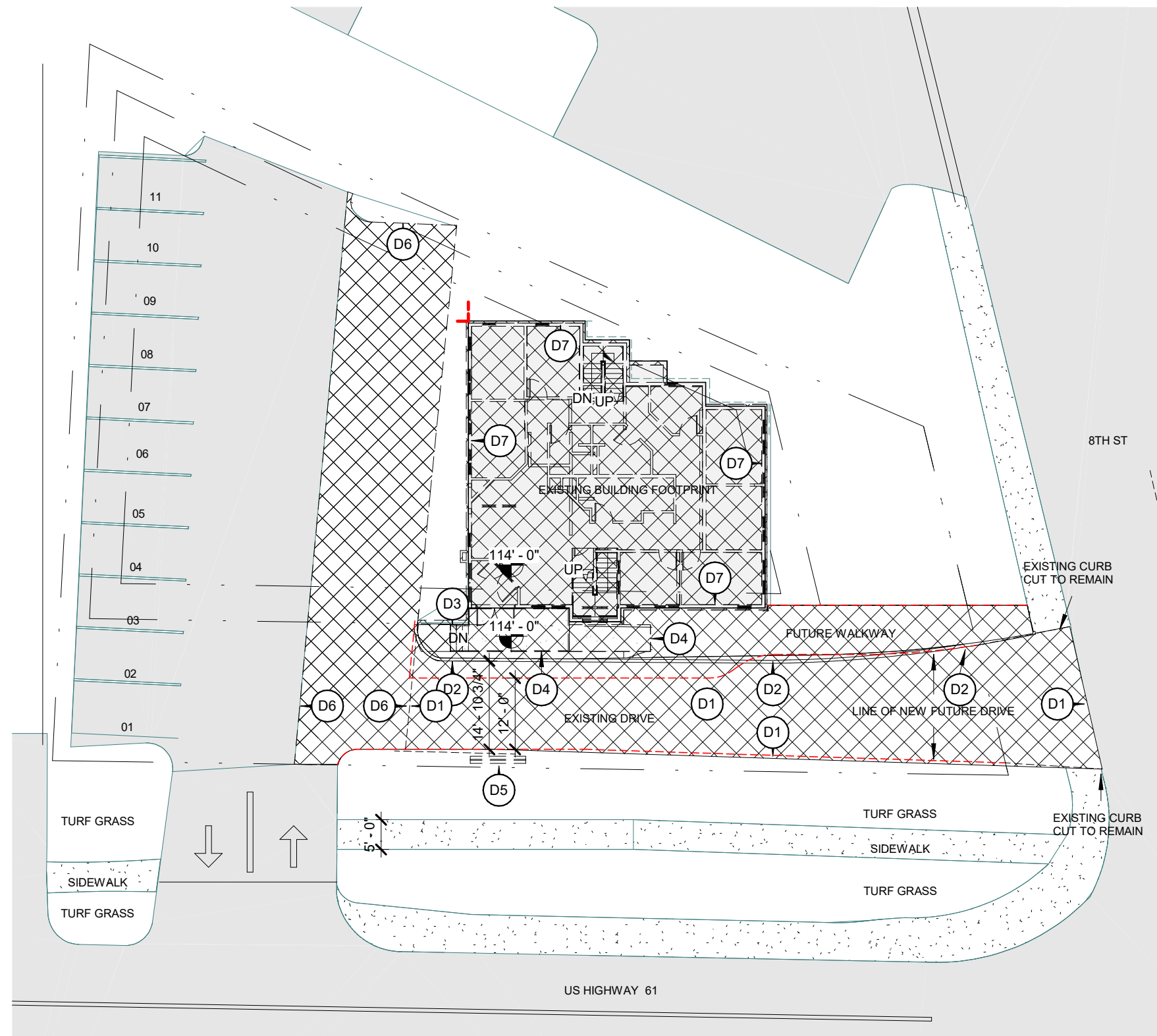


# McNeely Music Center

City of White Bear Lake Variance Proposal

March 23, 2022

**MSR**Design



**DEMOLITION GENERAL NOTES**

1. NOTIFY ARCHITECT IMMEDIATELY IF FIELD CONDITIONS ARE DIFFERENT THAN SHOWN ON PLANS
2. COORDINATE DEMO DRAWINGS WITH DESIGN INTENT OF SITE PLAN A001.
3. COORDINATE BUILDING DEMOLITION SCOPE WITH THE BUILDING DEMOLITION PLANS. SEE AD101 - DEMOLITION PLANS.
4. SPOT ELEVATIONS PROVIDED FOR DESIGN INTENT. REFER TO CIVIL SURVEY FOR ACCURATE AND PRECISE GRADING ELEVATIONS.

**DEMOLITION KEYNOTES**

- (D1) DEMO EXISTING DRIVE-THRU PAVEMENT AND CURB. SEE NOTES ON DRAWING FOR EXTENT OF DEMO FOR NEW DRIVE THROUGH LOCATION.
- (D2) DEMO EXISTING CONCRETE CURB ALONG HATCHED EXTENTS FOR FUTURE SIDEWALK ENLARGMENT.
- (D3) DEMOLISH EXISTING CONCRETE STAIRS AND CONCRETE WALK. REMOVE THE EXISTING CONCRETE, FOUNDATION, AND EXISTING RAILING TO GRADE.
- (D4) DEMOLISH EXISTING CONCRETE PAD, AND CONCRETE RAMP DOWN. REMOVE THE EXISTING CONCRETE, FOUNDATION, AND EXISTING RAILING TO GRADE.
- (D5) DEMOLISH AND REMOVE EXISTING STONE SIGN, INCLUDING FOUNDATION.
- (D6) REPLACE PARKING LOT PAVEMENT TO EXTENTS OF DASHED LINE.
- (D7) DEMOLISH BUILDING WALLS AND FLOORS AND EXISTING FOUNDATION. SEE AD101 - DEMO FLOOR PLANS FOR SCOPE OF DEMO WORK ON THE EXISTING STRUCTURE.

**1 SITE DEMOLITION PLAN FOR VARIANCE**

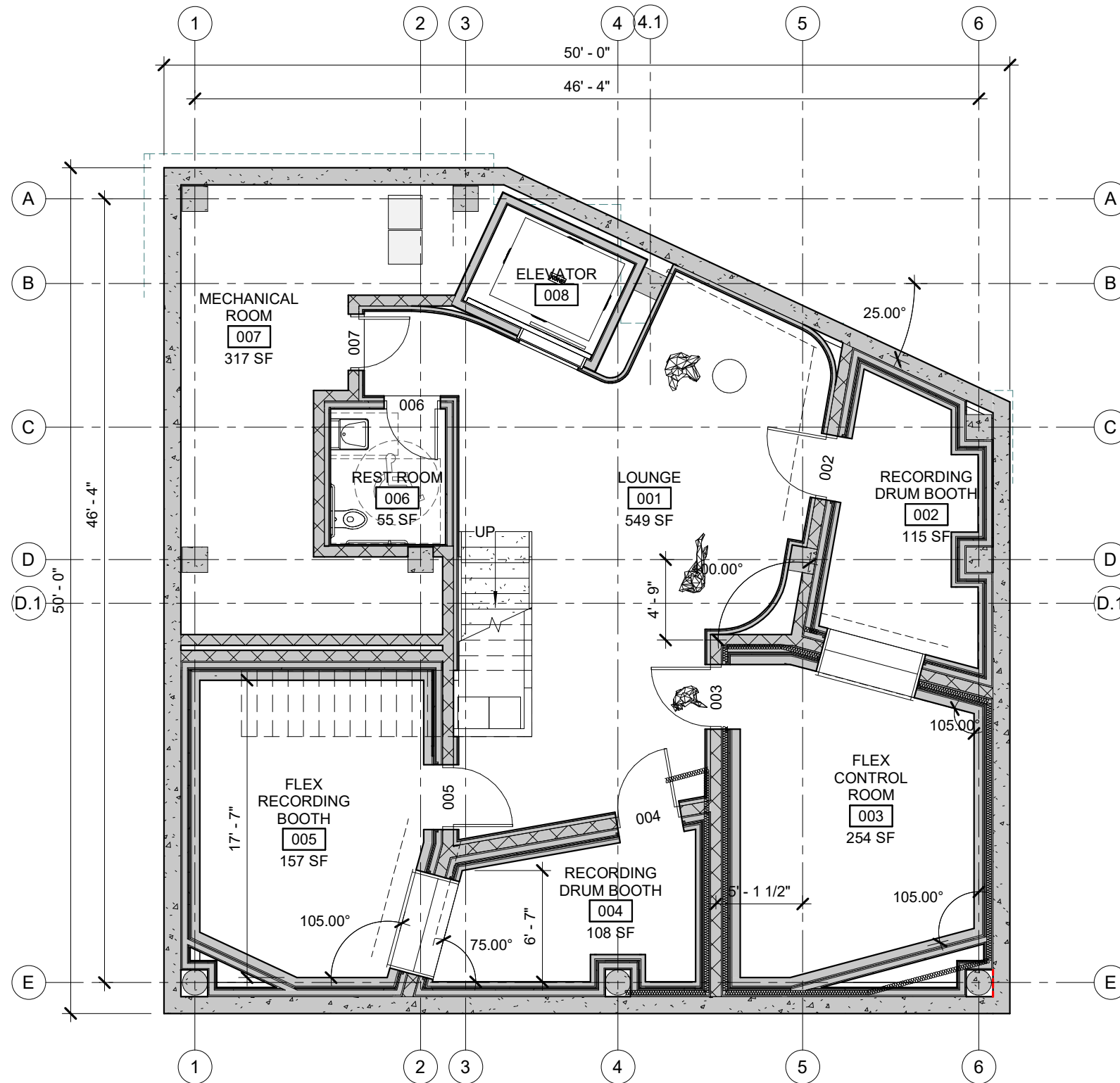
AD001-a 3/64" = 1'-0"

GENERAL NOTES:  
 THESE DRAWINGS ADDRESS SETBACK ENCROACHMENT SCOPE. THE DEVELOPMENT OF SITE LIGHTING AND SITE UTILITIES SCOPE WILL BE DOCUMENTED IN CONSTRUCTION DOCUMENTATION PHASE OF THE PROJECT AND WILL BE INCLUDED IN BUILDING PERMIT DOCUMENTATION SET OF DRAWINGS.

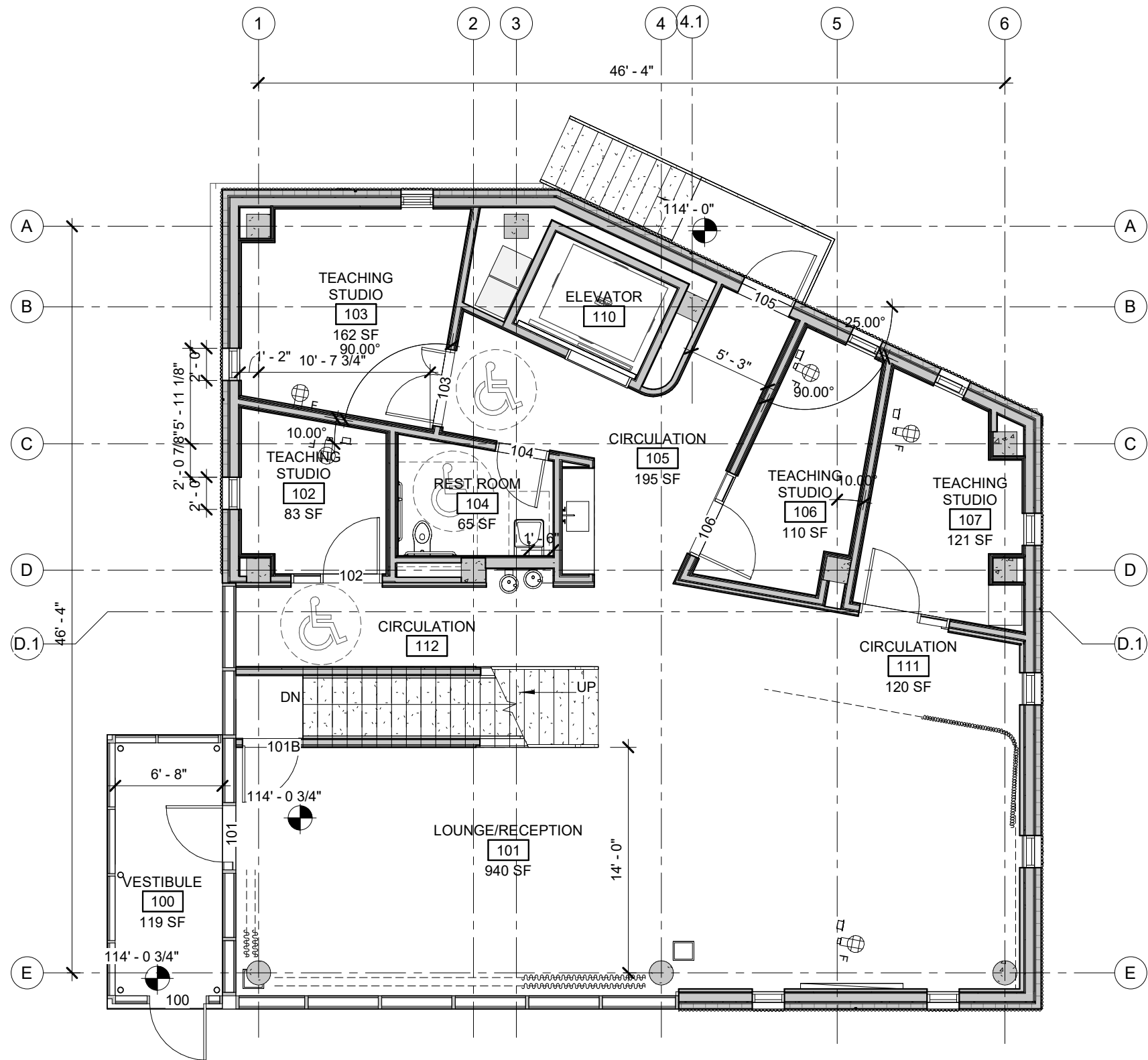


# 1 SITE PLAN FOR VARIANCE

A001-a 3/64" = 1'-0"



**1** LOWER LEVEL FLOOR PLAN  
 A100-a 1/8" = 1'-0"



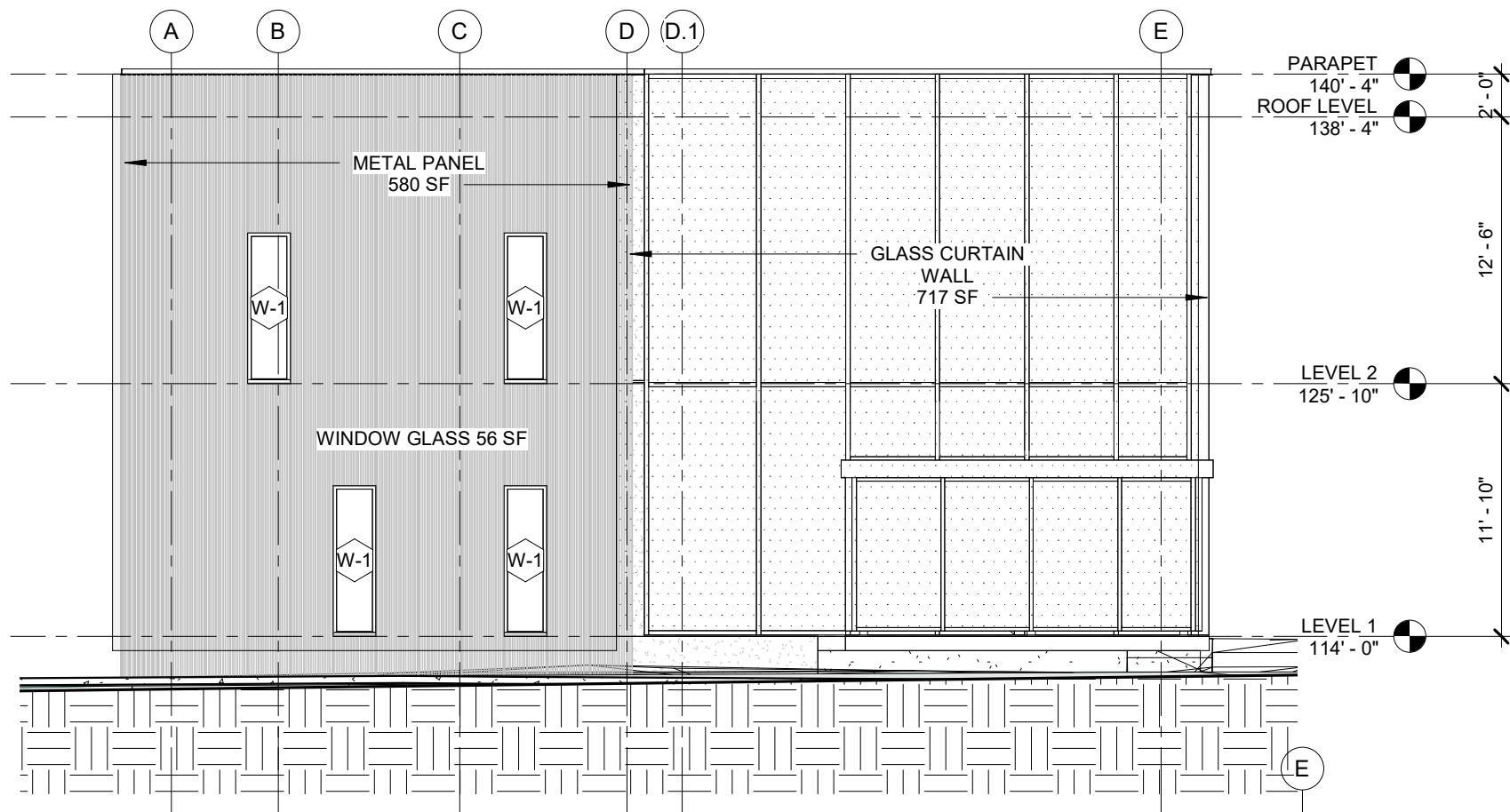
# 1 LEVEL 1 FLOOR PLAN

A101-a 1/8" = 1'-0"



# 1 LEVEL 2 FLOOR PLAN

A102-a 1/8" = 1'-0"



**NORTH FACADE:**  
 METAL PANEL/OR EIFS: 580 SF  
 GLASS CURTAIN WALL 717 SF

**SOUTH FACADE**  
 METAL PANEL/OR EIFS 853 SF  
 GLASS CURTAIN WALL 0 SF

**EAST FACADE**  
 METAL PANEL/OR EIFS 483 SF  
 GLASS CURTAIN WALL 0 SF

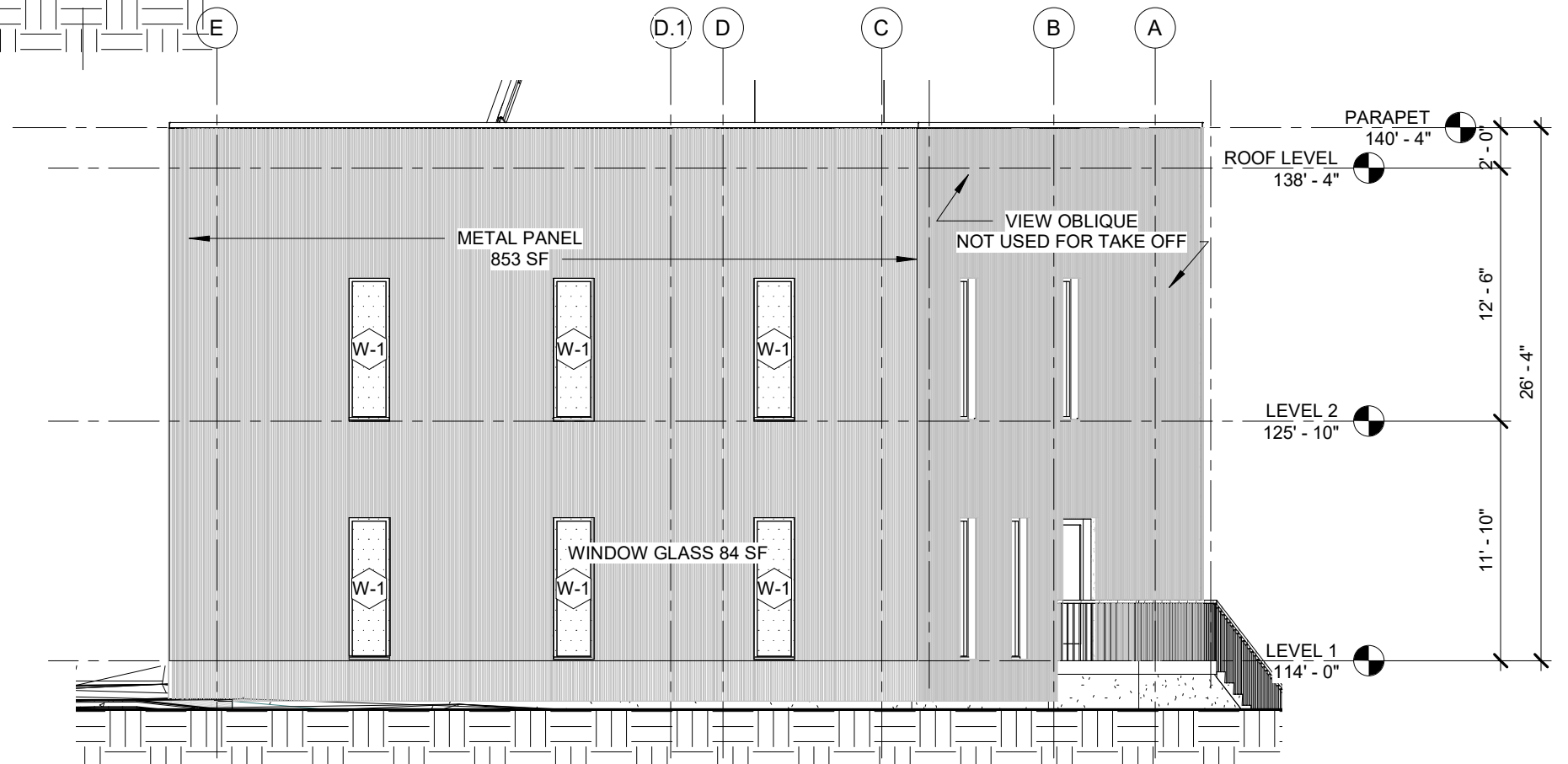
**SOUTHEAST FACADE**  
 METAL PANEL/OR EIFS 895 SF  
 GLASS CURTAIN WALL 0 SF

**WEST FACADE**  
 METAL PANEL/OR EIFS 549 SF  
 GLASS CURTAIN WALL 779

**SUMMARY**  
 TOTAL METAL PANEL 3,360 SF 69%  
 TOTAL CURTAIN WALL GLASS 1,490 SF 31%

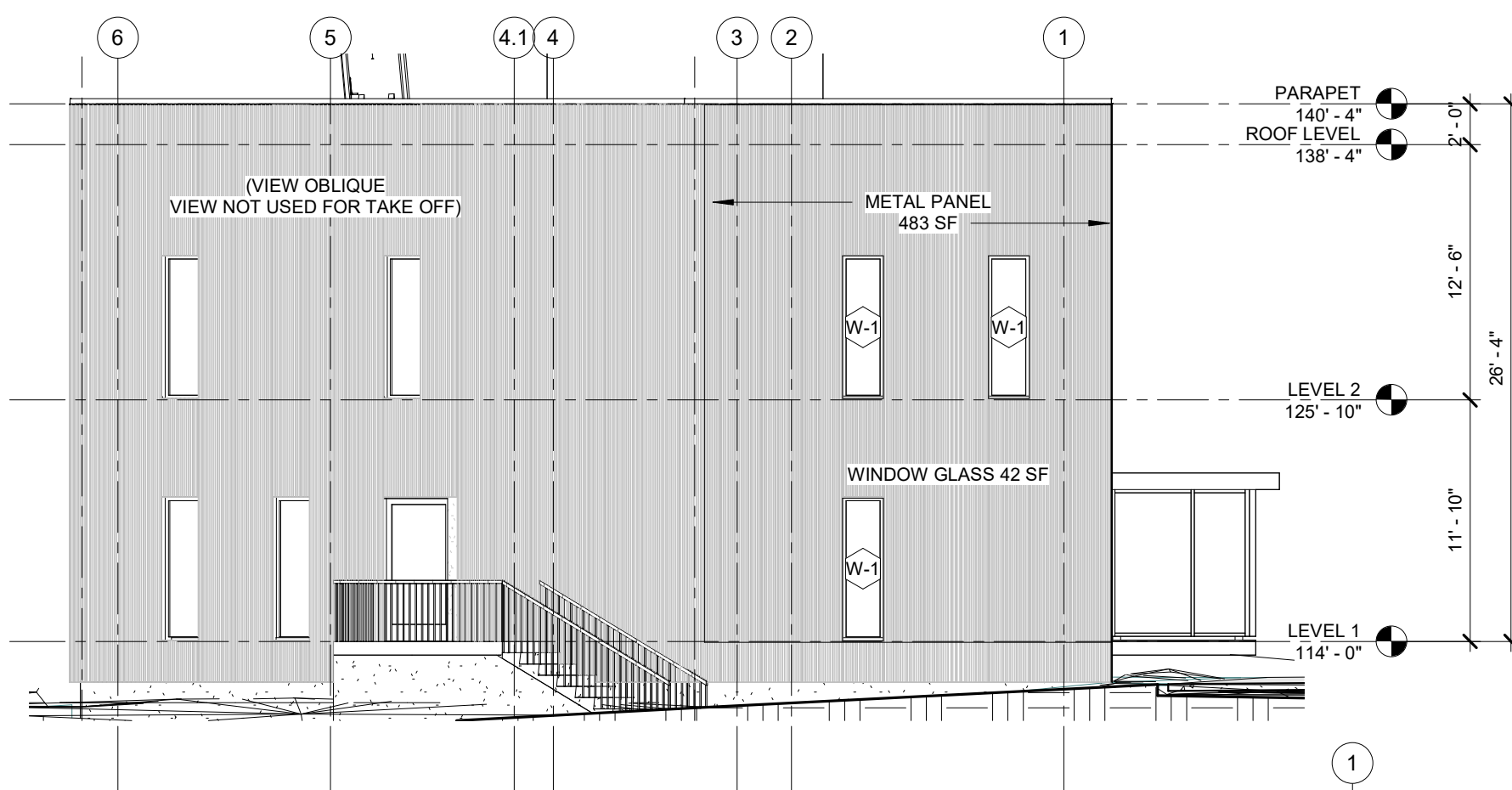
**1 BUILDING NORTH ELEVATION FOR VARIANCE**

A201-a 1/8" = 1'-0"



**2 BUILDING SOUTH ELEVATION FOR VARIANCE**

A201-a 1/8" = 1'-0"

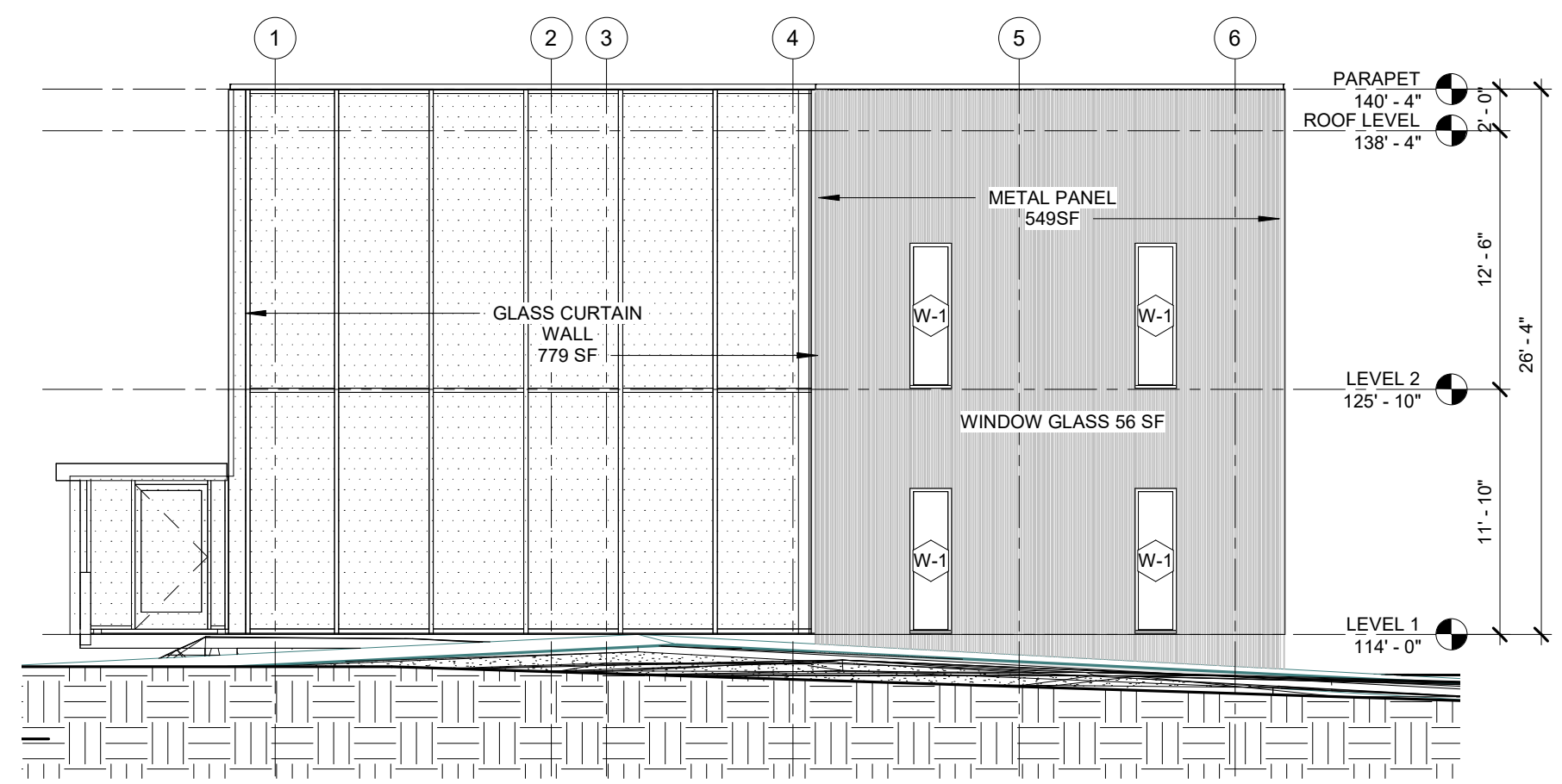


**1 BUILDING EAST ELEVATION FOR VARIANCE**

A201-b 1/8" = 1'-0"

- NORTH FACADE:  
METAL PANEL/OR EIFS: 580 SF  
GLASS CURTAIN WALL 711SF
- SOUTH FACADE  
METAL PANEL/OR EIFS 853 SF  
GLASS CURTAIN WALL 0 SF
- EAST FACADE  
METAL PANEL/OR EIFS 483 SF  
GLASS CURTAIN WALL 0 SF
- SOUTHEAST FACADE  
METAL PANEL/OR EIFS 895 SF  
GLASS CURTAIN WALL 0SF
- WEST FACADE  
METAL PANEL/OR EIFS 549 SF  
GLASS CURTAIN WALL 779

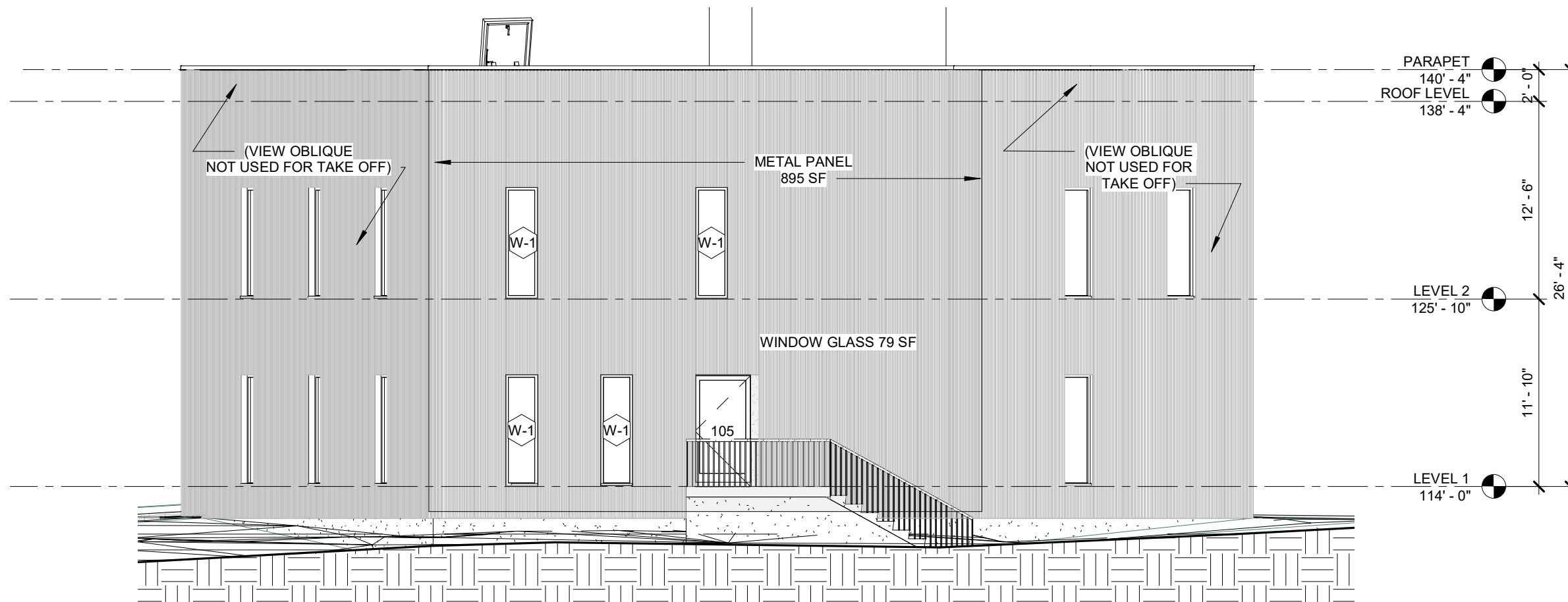
**SUMMARY**  
TOTAL METAL PANEL 3,360 SF 69%  
TOTAL CURTAIN WALL GLASS 1,490 SF 31%



**2 BUILDING WEST ELEVATION VARIANCE**

A201-b 1/8" = 1'-0"





**SUMMARY**  
 TOTAL METAL PANEL 3,360 SF 69%  
 TOTAL CURTAIN WALL GLASS 1,490 SF 31%

**NORTH FACADE:**  
 METAL PANEL/OR EIFS: 580 SF  
 GLASS CURTAIN WALL 711SF

**SOUTH FACADE**  
 METAL PANEL/OR EIFS 853 SF  
 GLASS CURTAIN WALL 0 SF

**EAST FACADE**  
 METAL PANEL/OR EIFS 483 SF  
 GLASS CURTAIN WALL 0 SF

**SOUTHEAST FACADE**  
 METAL PANEL/OR EIFS 895 SF  
 GLASS CURTAIN WALL 0SF

**WEST FACADE**  
 METAL PANEL/OR EIFS 549 SF  
 GLASS CURTAIN WALL 779

# 1 BUILDING SOUTHEAST ELEVATION FOR VARIANCE

A202-a 1/8" = 1'-0"



**1** ELEVATION - WEST - METAL PANEL

A211 NOT TO SCALE



**1** ELEVATION - WEST - EIFS

A212 NOT TO SCALE



**1** ELEVATION - SOUTH - METAL PANEL  
A213 NOT TO SCALE



**1** ELEVATION - SOUTH - EIFS

A214 NOT TO SCALE



**1** ELEVATION - EAST - METAL PANEL  
A215 NOT TO SCALE



**1** ELEVATION - EAST - EIFS  
A216 NOT TO SCALE



**1** ELEVATION - NORTH - METAL PANEL  
A217 NOT TO SCALE

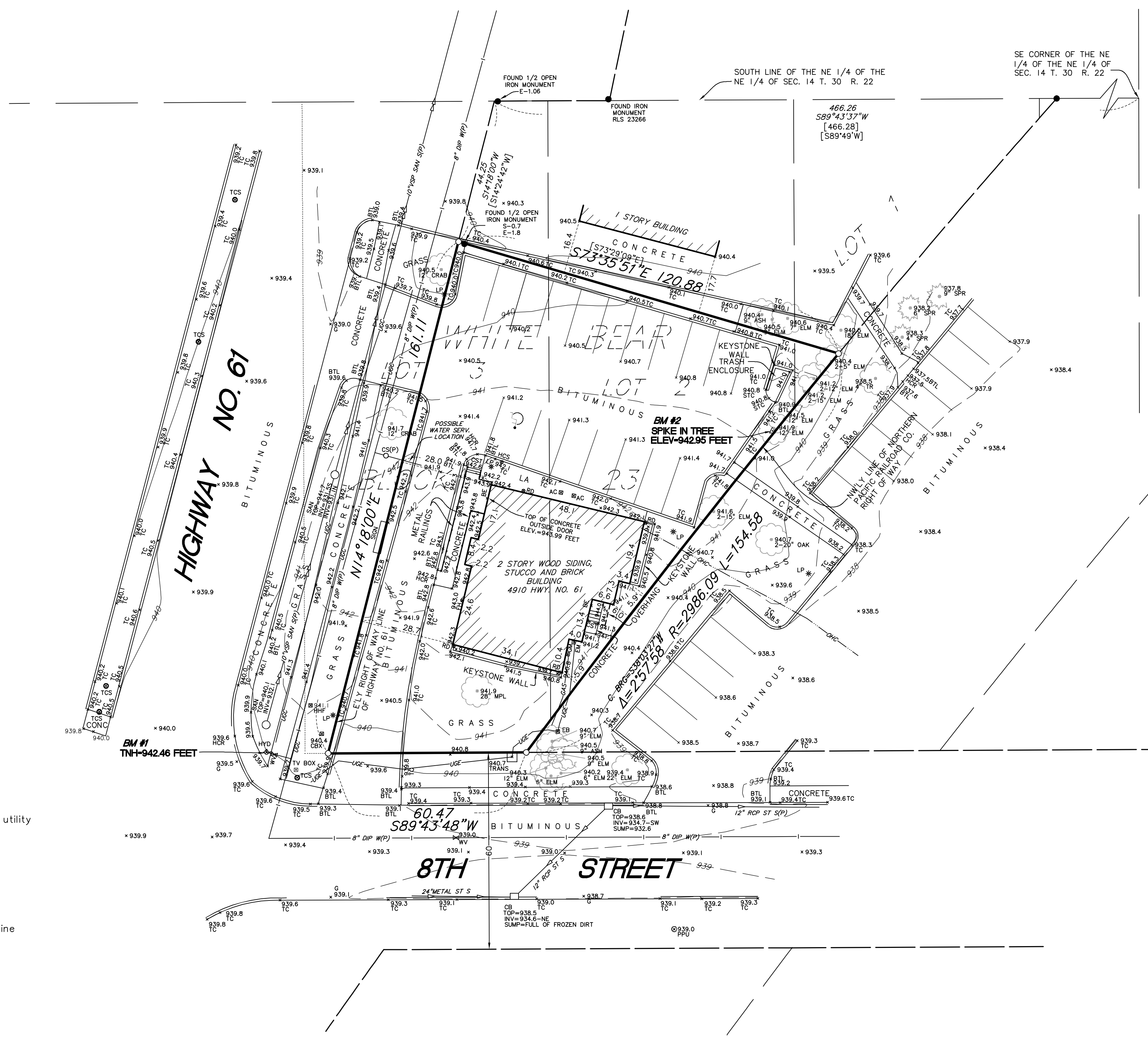




**1** ELEVATION - NORTH - EIFS  
A218 3" = 1'-0"

**LEGEND**

- Denotes iron monument set marked with P.L.S. No. 44890
- Denotes found iron monument
- AC Denotes air conditioner
- BE Denotes building entrance
- BM Denotes bench mark
- BTL Denotes beavertail curb
- CB Denotes catch basin
- CBX Denotes communication box
- CS Denotes curb stop
- CST Denotes concrete step
- DIP Denotes ductile iron pipe
- EB Denotes electric box
- EM Denotes electric meter
- FH Denotes fire hookup
- G Denotes gutter
- GM Denotes gas meter
- HCR Denotes disabled ramp
- HCS Denotes disabled sign
- HHF Denotes fiber optic hand hole
- HYD Denotes fire hydrant
- INV Denotes structure invert
- LA Denotes landscaping
- LP Denotes light pole
- OHC Denotes overhead communication line
- (P) Denotes per plan
- PPU Denotes power pole with underground utility
- RCP Denotes reinforced concrete pipe
- RD Denotes roof drain
- SAN Denotes sanitary manhole
- SAN S Denotes sanitary sewer
- ST S Denotes storm sewer
- STC Denotes top of surmountable curb
- TC Denotes top of concrete curb
- TCS Denotes traffic control sign
- TRANS Denotes transformer
- UGC Denotes underground communication line
- UGE Denotes underground electric line
- W Denotes water line
- WV Denotes water valve
- CRAB Denotes Crabapple tree
- SPR Denotes Spruce tree
- TR Denotes deciduous tree



**BENCHMARKS (BM)**  
(NAVD 88)

- 1.) Top of top nut of fire hydrant in the northeast quadrant of 8th Street and Highway No. 61.  
Elevation = 942.46 feet
- 2.) Top of spike in south face of 12\"/>

**DESCRIPTION OF PROPERTY SURVEYED**  
(Per Warranty Deed Doc. No. A04843315)

That part of Lots 1, 2 and 3, in Block 23, White Bear, lying North of the Northern Pacific Railroad Company right-of-way and Easterly of Trunk Highway No. 61, all of which lies Southerly of the following described line: Commencing at the Southwest [Southeast] corner of the Northeast Quarter of the Northeast Quarter of Section 14, Township 30 North, Range 22 West; thence South 89 degrees 49 minutes West (assumed bearing) along the South line of said Quarter Quarter a distance of 466.28 feet to the Easterly Highway right-of-way of Trunk Highway No. 61 as monumented; thence South 14 degrees 24 minutes 42 seconds West 44.25 feet along said Easterly right-of-way line to the point of beginning of the line be herein described; thence South 73 degrees 29 minutes 09 seconds East 120.88 feet to the Northwesterly right-of-way line of said railroad and there terminating.

Abstract property  
Property is located in Ramsey County, Minnesota.

**PLAT RECORDING INFORMATION**

The plat of White Bear was filed of record on July 8, 1871.

[ ] Bearings and/or dimensions listed within brackets are per plat or record documents.

**TITLE COMMITMENT**

This survey was prepared without the benefit of current title work. Easements, appurtenances, and encumbrances may exist in addition to those shown hereon. This survey is subject to revision upon receipt of a current title insurance commitment or attorney's title opinion.

**GENERAL NOTES**

- 1.) Survey coordinate basis: Ramsey County coordinate system (North American Datum of 1983 Coordinates, final adjustment December 17, 1991)
- 2.) At the time fieldwork was performed for this survey, there was a significant amount of snow on the ground. Physical features were located to the best of our ability, but there may be additional features that were not visible and, therefore, not shown hereon.

**UTILITY NOTES**

- 1.) Utility information from plans and markings was combined with observed evidence of utilities to develop a view of the underground utilities shown hereon. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. In addition, Gopher State One Call locate requests from surveyors may be ignored or result in an incomplete response. Where additional or more detailed information is required, excavation and/or a private utility locate request may be necessary.
- 2.) Other underground utilities of which we are unaware may exist. Verify all utilities critical to construction or design.
- 3.) Some underground utility locations are shown as marked onsite by those utility companies whose locators responded to our Gopher State One Call, ticket numbers 213620775 and 213490740.
- 4.) Contact GOPHER STATE ONE CALL at 651-454-0002 (800-252-1166) for precise onsite location of utilities prior to any excavation.

**AREA**

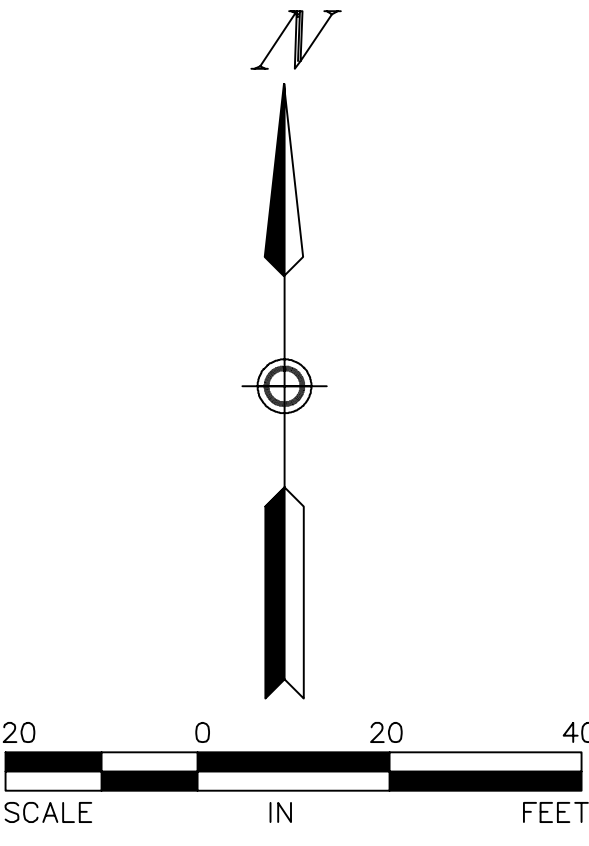
13,295 square feet or 0.305 acres

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 1st day of February, 2022

SUNDE LAND SURVEYING, LLC.

By: *Leonard F. Carlson*  
Leonard F. Carlson, P.L.S. Minn. Lic. No. 44890



Revision	By	Date
	JMD	

Drawing Title:  
**BOUNDARY, LOCATION, TOPOGRAPHIC  
and UTILITY SURVEY FOR:  
MANITOU FUND**  
Of: 4910 HWY. NO. 61, WHITE BEAR LAKE, MN

**SUNDE**  
LAND SURVEYING  
www.sunde.com

Main Office:  
9001 East Bloomington Freeway (35W) • Suite 118  
Bloomington, Minnesota 55420-3435  
952-881-2455 (Fax: 952-888-9526)

Project: 2021-146	Bk/Pg: 953/67	Date:
Township: 30	Range: 22	Section: 14
File: 2021146001.dwg		Sheet: 1 of 1



**City of White Bear Lake**  
Community Development Department

# M E M O R A N D U M

**TO:** The Planning Commission  
**FROM:** Ashton Miller, Planning Technician  
**DATE:** March 28, 2022  
**SUBJECT:** Dierking Variance, 4743 Lake Avenue – Case No. 22-6-V

---

## **REQUEST**

The applicants, Jim and Lynn Dierking, are requesting a six foot variance from the fifteen foot side yard setback in order to construct a mudroom nine feet from the west property line.

## **SITE CHARACTERISTICS**

The subject site is located on the north side of Lake Avenue, south of 4<sup>th</sup> Street and east of Morehead Avenue. The lot contains a single family home and a two car detached garage that accesses 4<sup>th</sup> Street. The portion of the property that is north of Lake Avenue is 15,437 square feet in size. It is 111 feet wide along Lake Avenue and tapers to 68 feet wide along 4<sup>th</sup> Street.

## **ZONING / BACKGROUND**

The subject site is zoned R-2, Single Family Residential and S, Shoreland Overlay, as are the properties to the east and west. The properties to the north are zoned R-4, Single Family – Two Family Residential and S.

According to Ramsey County, the home was constructed in 1880.

## **APPLICANT'S PRACTICAL DIFFICULTY**

See Applicant's Narrative.

## **ANALYSIS**

Alternative locations for the mudroom were considered, particularly on the east side of the kitchen where an entrance to the home already exists. As stated in their narrative, the applicants note that due to a lack of access from Lake Avenue, all of their guests must enter through the back door. Staff has historically not supported curb cuts along Lake Avenue, so acknowledges the impediment of not having a functioning front entry and the desire to retain a rear entrance for visitors. Additionally, a change in grade and a tree in the yard are cited as to why the alternative is not a suitable location for the addition.

The 120 square foot mudroom is proposed to be nine feet from the property line at its closest. As the lot widens, the setback will be increased to 10.75 feet, which is fairly standard in this neighborhood and throughout the City. It will not be closer to the property line than the existing garage, which is 2.3

feet from the property line at its closest, and since it will be in line with the garage, it should not affect neighbors' views of the lake.

The proposed addition complies with other aspects of the code. It will meet the rear and front yard setbacks and the exterior materials (siding, roof, etc.) will match those on the existing home. Rear yard cover will not be impacted with the addition in this location and the amount of impervious surface will remain below the 30% allowed by right.

### **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 a practical difficulty. If the proposal is deemed reasonable (meaning that it does not have an adverse effect on neighboring properties, it is consistent with the Comp Plan, and it is in harmony with the intent of the Zoning Code) then the criteria have been met.

### **RECOMMENDATION**

Staff recommends approval of the applicant's request, subject to the following conditions:

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

### **Attachments:**

Draft Resolution of Approval

Zoning/Location Map

Applicant's Narrative (2 pages) & Plans (3 pages)

Neighbor Email – Pepper

**RESOLUTION NO.**

**RESOLUTION GRANTING A VARIANCE  
FOR 4743 LAKE AVENUE  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (22-6-V) has been submitted by Jim & Lynn Dierking 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:** 4743 Lake Avenue

**LEGAL DESCRIPTION:** Lot 2, Block 57 of the town of White Bear, Ramsey County, Minnesota, bounded by a line commencing 31 feet East of the Northwest corner of said Block and running East 68 feet along North Line; thence in a straight line in a Southeasterly direction 148 feet to a point on Southeast boundary of said Block, 141.7 feet from Southeast corner; thence in a Southwesterly direction along Southeast boundary of said Block, 111 feet (this point being 113.5 feet East of Southwest corner of said Block); thence in a straight line in a Northwesterly direction 195 feet to a point of beginning together with riparian rights. (PID #: 133022320031)

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING:** A 6 foot variance from the 15 foot setback from a side property line, per code section 1303.040, Subd.5.c.2, in order to construct a mudroom 9 feet from the property line; and

**WHEREAS**, the Planning Commission held a public hearing as required by the Zoning Code on March 28, 2022; 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.

**RESOLUTION NO.**

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.

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

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

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

Ayes:  
Nays:  
Passed:

---

Dan Louismet, Mayor

**ATTEST:**

---

Kara Coustry, City Clerk

**RESOLUTION NO.**

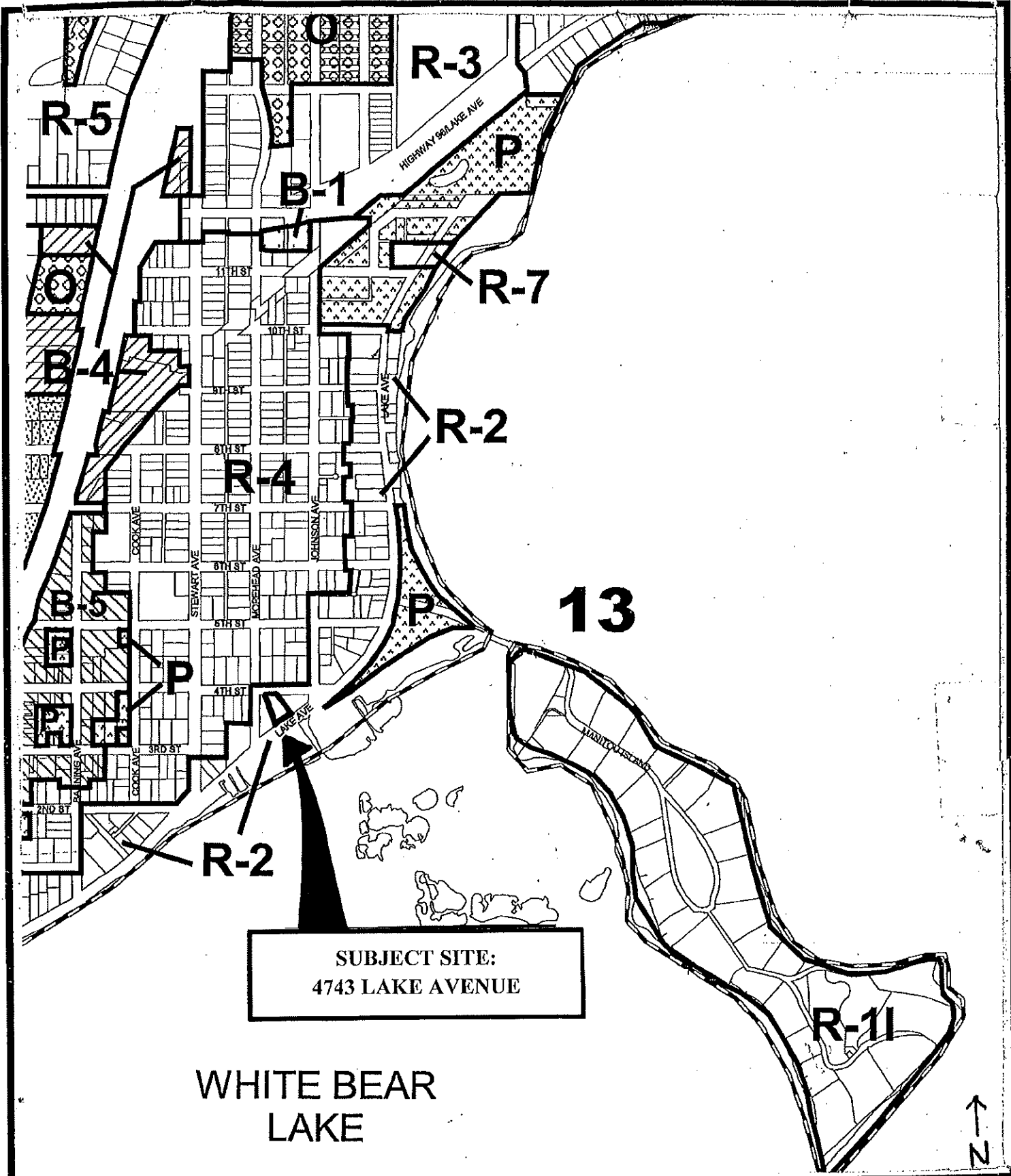
\*\*\*\*\*

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

---

Applicant's Signature

Date



**SUBJECT SITE:**  
**4743 LAKE AVENUE**

**WHITE BEAR  
 LAKE**

<p>City of          White Bear Lake          Planning and Zoning Office          (612)-429-8561</p>	<p>CASE NO. : <u>22-6-V</u>          CASE NAME : <u>Dierking</u>          DATE : <u>March 28, 2022</u></p>
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## Variance Request – Jim & Lynn Dierking

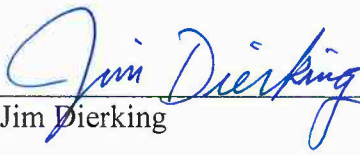
We are requesting a variance to the side yard setback requirement for the purpose of building a 10' x 12' addition to our home. The addition would serve primarily as a mudroom, storage and laundry room, and would include a door to the outside. The outside access door would be directly across from our existing garage service door. The proposed location of this addition is in the most practical/functional location for the intended purpose – having access directly from the garage makes sense for a mudroom. Internally, there is good access to this space in the proposed location through our existing kitchen. The proposed addition in this location would not come as close to the side yard setback line as our existing garage; it is approximately 3 feet farther away from that line than the garage is at its farthest point.

If we tried to locate the addition in the area of our existing back door, there would be several difficulties:

- (1) The back door is the main entrance to our house, for ourselves, our family, friends and guests. We have a door on the front of the house, which faces Lake Avenue, but there is no place on that side for cars to park, and we do not have a driveway on that side, so that door is very rarely used. Instead, all of our guests park in our driveway or on 4<sup>th</sup> Street, and come to the house from that direction, through the back door. In our opinion, it would be awkward and unreasonable to have guests enter the house through a mudroom/laundry room instead of directly through this main entrance.
- (2) There is an approximately 10" increase in grade from ground level to house level at the back door, and this space is smaller than our 10' x 12' proposal. Because we'd need to have 2 stairs to accommodate the change in grade (which we have now), the area available to add a mudroom/laundry room here would only be about 6' x 7', unless the stairs were extended North, where they would partially block the corridor from the garage to the back door. So, in order to accommodate the space we anticipate needing, the new structure would have to extend further east than our existing kitchen wall and/or further to the North – in either case, the design would be clunky at best, much less functional than our proposed location, could create rear yard impervious issues and, in our opinion, would detract from the value of the home
- (3) Locating the addition in this area would result in loss of our patio, which we would have to re-do to the east of its current location, at significant expense. This would also require us to take down an existing pine tree that is 19" in diameter and about 60' tall; this tree adds character to the home and would be a significant loss.

Our house was built a long time ago (1880) and, as with many homes built that long ago, has no good place at either the front or rear entry for coats, boots, shoes, hats, gloves, etc... We would like to build this small addition primarily for the use and storage it will provide for those types of things. We will also use a portion of the addition as a laundry room, relocating that from its existing space in the house, allowing better utilization of that space for a guest bathroom. The addition will be designed in keeping with the existing house and will "fit right in" from an aesthetic point of view.

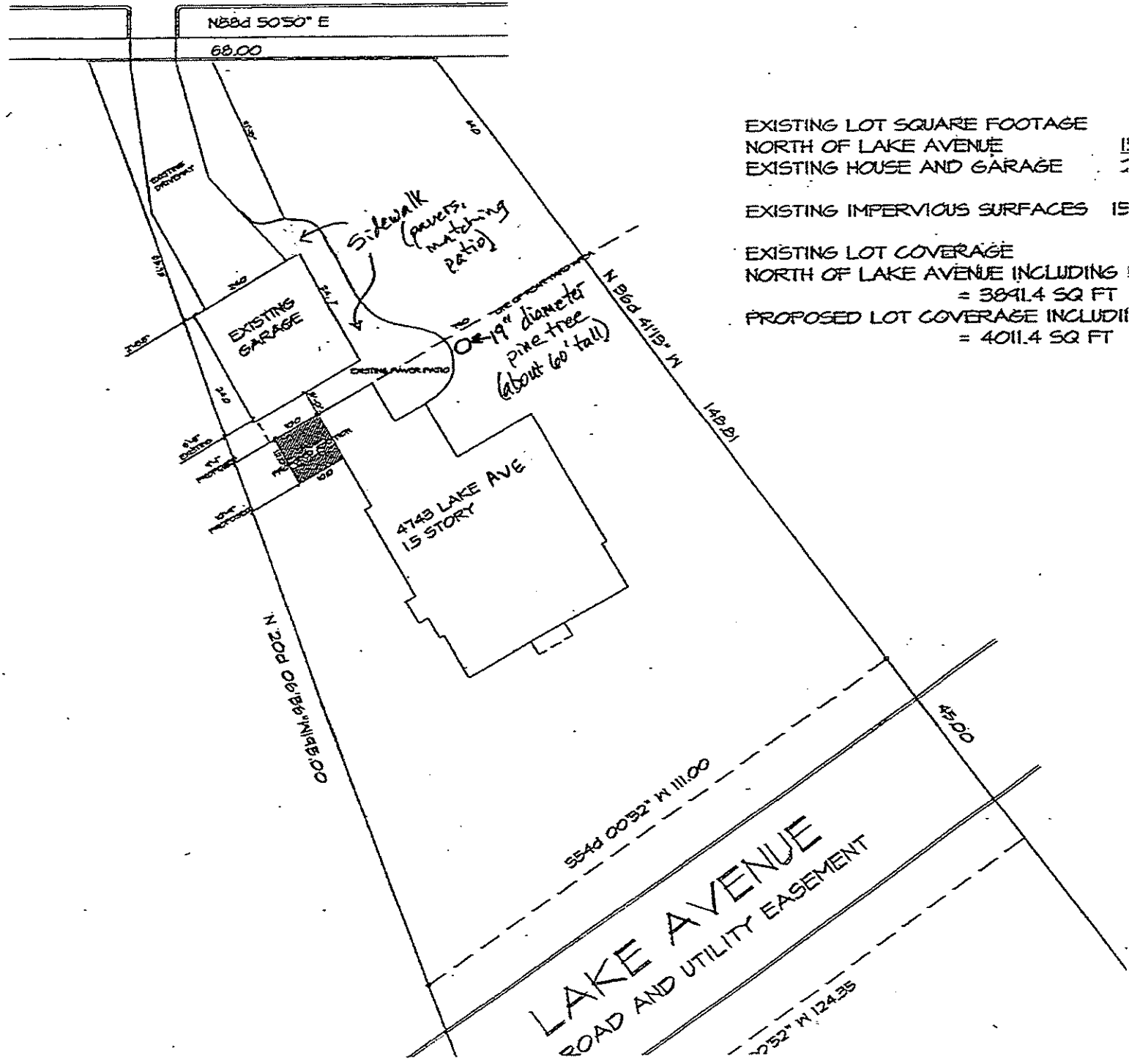
Dated: March 21, 2022

  
\_\_\_\_\_  
Jim Dierking

\_\_\_\_\_  
Lynn Dierking

23267170v2

4TH STREET



- EXISTING LOT SQUARE FOOTAGE NORTH OF LAKE AVENUE
- EXISTING HOUSE AND GARAGE
- EXISTING IMPERVIOUS SURFACES
- EXISTING LOT COVERAGE NORTH OF LAKE AVENUE INCLUDING
- = 3841.4 SQ FT
- PROPOSED LOT COVERAGE INCLUDING
- = 4011.4 SQ FT

N88d 50'50" E  
68.00

N 20° 06' 48" W 151.00

S54d 00'52" W 111.00

LAKE AVENUE  
ROAD AND UTILITY EASEMENT

S75° 52' W 124.35

4743 LAKE AVE  
15 STORY

EXISTING GARAGE

Sidewalk  
(pavers, matching patio)

10-19" diameter  
pine tree  
(about 60' tall)

EXISTING LOT SQUARE FOOTAGE NORTH OF LAKE AVENUE

EXISTING HOUSE AND GARAGE

EXISTING IMPERVIOUS SURFACES

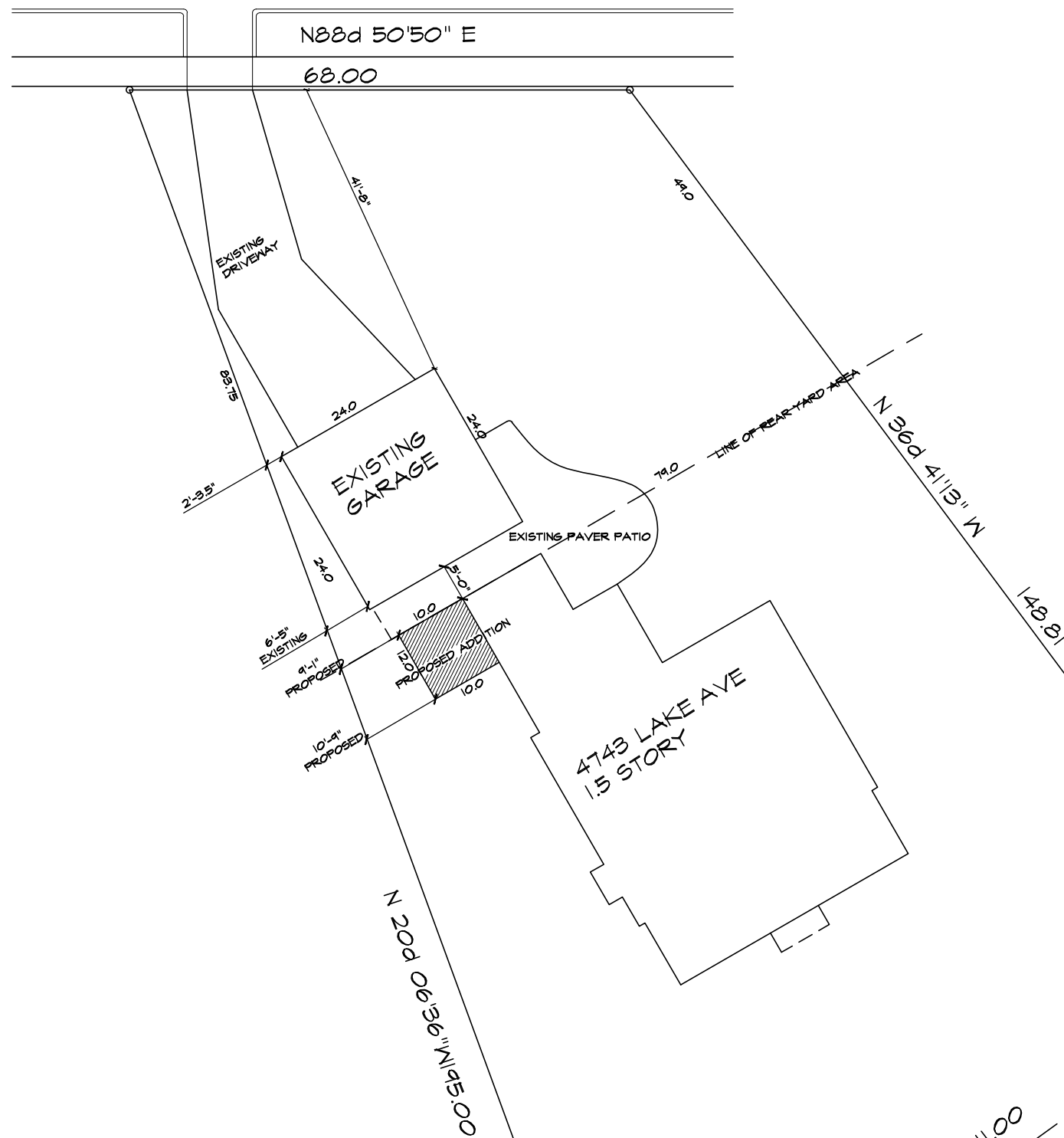
EXISTING LOT COVERAGE NORTH OF LAKE AVENUE INCLUDING

= 3841.4 SQ FT

PROPOSED LOT COVERAGE INCLUDING

= 4011.4 SQ FT

# 4TH STREET



EXISTING LOT SQUARE FOOTAGE  
 NORTH OF LAKE AVENUE 15437 SQ FT  
 EXISTING HOUSE AND GARAGE 2383.61 SQ FT

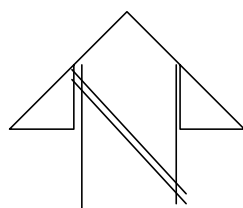
EXISTING IMPERVIOUS SURFACES 1507.79 SQ FT

EXISTING LOT COVERAGE  
 NORTH OF LAKE AVENUE INCLUDING IMPERVIOUS  
 = 3891.4 SQ FT 25.2%

PROPOSED LOT COVERAGE INCLUDING IMPERVIOUS  
 = 4011.4 SQ FT 25.99%

LAKE AVENUE  
 ROAD AND UTILITY EASEMENT

WHITE BEAR LAKE



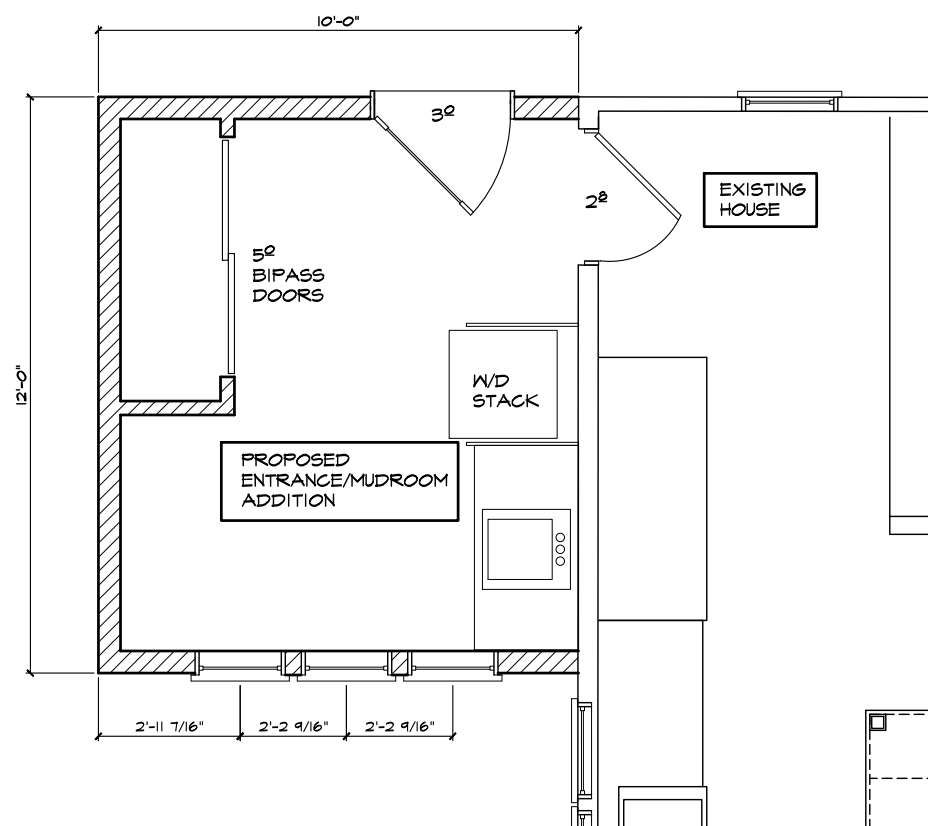
SCALE 20'=1'-0"



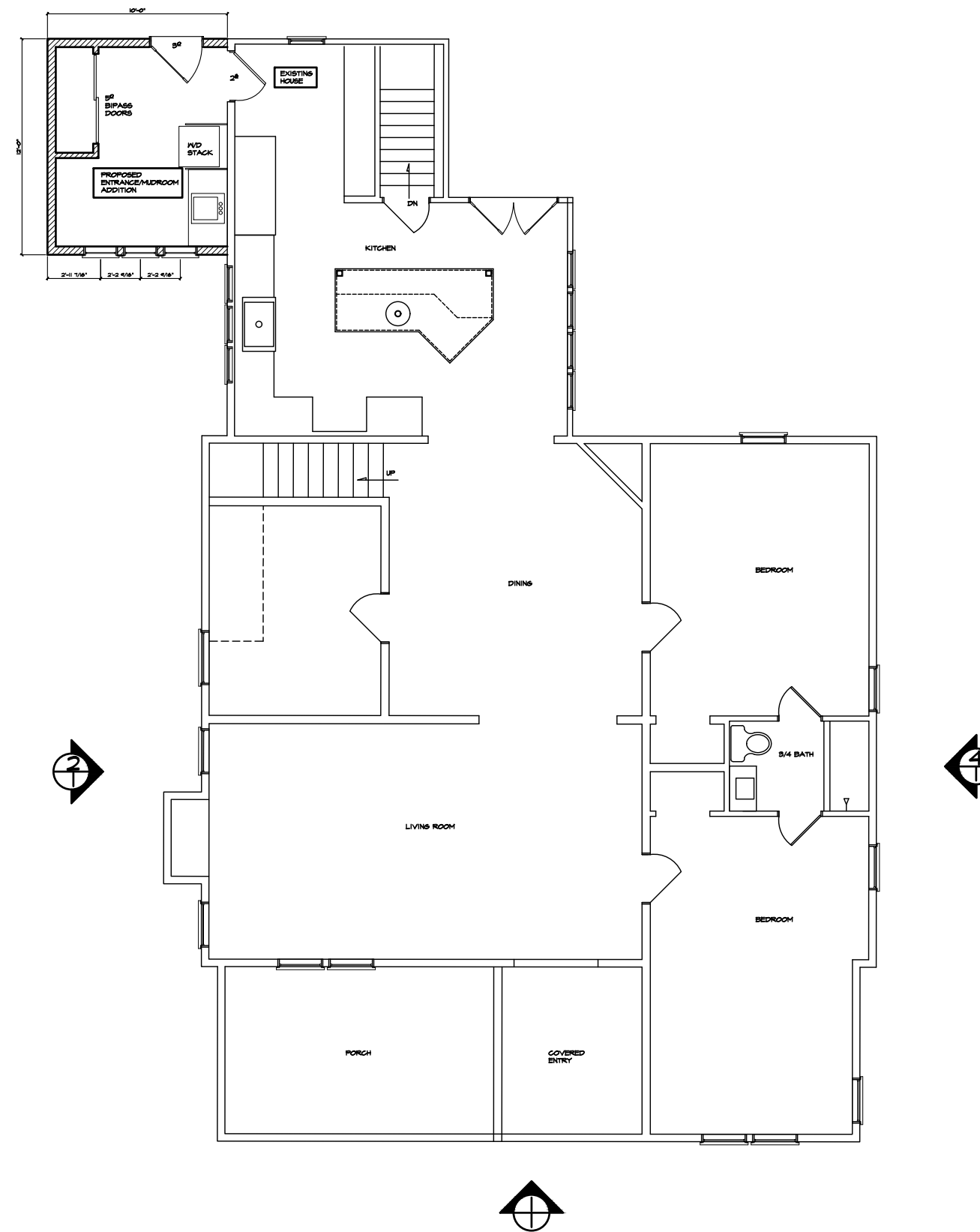
1 FRONT YARD ELEVATION  
SCALE 1/8"=1'-0"



2 WEST SIDE YARD ELEVATION  
SCALE 1/8"=1'-0"



3 ADDITION FLOORPLAN  
SCALE 1/4"=1'-0"



5 EXISTING HOUSE/ADDITION FLOORPLAN  
SCALE 1/8"=1'-0"



4 EAST SIDE YARD ELEVATION  
SCALE 1/8"=1'-0"

## Ashton Miller

---

**From:** RL PEPPER <rlpepper@msn.com>  
**Sent:** Tuesday, March 22, 2022 10:00 AM  
**To:** Ashton Miller  
**Subject:** 4743 Lake Avenue Dierking case 22 6 V

Regarding your letter of March 17 informing us as to the above noted case, we have no objection to the plans as drawn and enclosed with the letter.

Sincerely,

Robert and Laura Pepper

2280 4<sup>th</sup> Street

WBL 55110

Sent from [Mail](#) for Windows



**City of White Bear Lake**  
Community Development Department

# M E M O R A N D U M

**TO:** The Planning Commission  
**FROM:** Ashton Miller, Planning Technician  
**DATE:** March 28, 2022  
**SUBJECT:** Sanchez Lot Split / 5008 Stewart Avenue / Case No. 22-1-LS

---

## REQUEST

The applicant, James Sanchez, is requesting a minor subdivision in order to untie two historic lots of record. A public hearing is not required for this type of lot split.

## SITE CHARACTERISTICS

The subject site is located on the east side of Stewart Avenue and south of Highway 96. There is currently a single-family home on the south half of the property. A garage and shed were recently demolished in anticipation of the lot split. The lot is 14,146 square feet in size and 100 feet wide.

## ZONING / BACKGROUND

The subject site is zoned R-4, Single Family and Two Family Residential, as are all of the immediately surrounding properties.

The two historic lots of record were platted in 1886 (Auerbach's rearrangement of part of White Bear), although the City does not have a record of when the lots were tied together. According to Ramsey County, the home was constructed in 1912 and the recently removed garage was built in 1976. The City required the garage to be removed before the lot could be divided because code does not allow for an accessory structure on a lot without a principal structure.

## ANALYSIS

The seventy percent rule allows two historic lots of record to be "untied" when they meet seventy percent of current size and width standards. The table below denotes the lot requirements for the R-4 Zoning District, seventy percent of that, and the proposed lot sizes. As shown, the two properties will be greater than seventy percent in both size and width, so can be untied and utilized as residential lots.

	R-4 Zoning District Requirements	Seventy Percent Rule	Proposed Lots
Size	7,200 sq. ft.	5,040 sq. ft.	7,118 & 7,189 sq. ft.
Width	60 feet	42 feet	50 feet

The Zoning Code requires residential lots to have a garage, so at least a single car garage will need to be built for the existing single family home. The applicant has agreed to submit a \$10,000 bond to ensure the garage is constructed on lot 8 within one year of approval of the lot split and staff has included that as a condition of approval.

Although not in the Shoreland Overlay district, both parcels are limited to 30% impervious surface. A tree preservation plan and park dedication will be required at the time building permits are submitted for new construction. Finally, the new parcel will have access to sewer and water.

### **SUMMARY**

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

Staff has reviewed the request for compliance with the Subdivision Regulations and the Zoning Code and finds that the applicable requirements have been met.

### **RECOMMENDATION**

Staff recommends approval 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. Within 6 months after the approval of the survey by the City, the applicant shall record the survey along with the instruments of conveyance with the County Land Records Office or the subdivision shall become null and void.
3. The resolution of approval shall be recorded against both properties and notice of these conditions shall be provided as condition of the sale of either lot.
4. The applicants shall provide the City with proof of recording (receipt) as evidence of compliance with conditions #2 and #3. Within 120 days after the date of recording, the applicant shall provide the City Planner with two final, recorded copies of the Certificate of Survey.
5. The applicants shall agree to reapportion any pending or actual assessments on the original parcel or lot of recording in accordance with the original assessment formula on the newly approved parcels, as per the City of White Bear Lake finance office schedules.
6. Durable iron monuments shall be set at the intersection points of the new lot line with the existing lot lines. The applicant shall have one year from the date of Council approval in which to set the monuments.
7. No construction permits may be issued for improvements prior to approval and recording of the survey and approving resolution.



8. A surety bond or letter of credit from a City approved institution shall be established for the amount of \$10,000 to be released upon passing final inspection of the garage on Lot 8. The garage shall be built within one year of approval of the lot split.
9. The park dedication fee shall be collected for Lot 9 at the time when a building permit is issued.
10. Metropolitan Council SAC (Sewer Availability Charge) and WAC (Water Availability Charge) and City SAC and WAC shall be due at the time of building permit for Lot 9.
11. Water and sewer hook-up fees shall be collected at the time when a building permit is issued.
12. A tree preservation plan shall be submitted for review and approval prior to the issuance of a building permit.

**Attachments:**

Draft Resolution of Approval  
Zoning/Location Map  
Survey (1 page)

**RESOLUTION NO.**

**RESOLUTION GRANTING A MINOR SUBDIVISION  
FOR 5008 STEWART AVENUE  
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

**WHEREAS**, a proposal (22-1-LS) has been submitted by James Sanchez to the City Council requesting approval of a minor subdivision from the Zoning Code of the City of White Bear Lake for the following location:

**LOCATION:** 5008 Stewart Avenue

**EXISTING LEGAL DESCRIPTION:** Lot 8 & 9, Block 7 of Auerbach's Rearrangement of White Bear, Ramsey County, Minnesota (PID: 133022220022)

**PROPOSED LEGAL DESCRIPTIONS:**

(Parcel A) Lot 8, Block 7, Auerbach's Rearrangement of White Bear, Ramsey County, Minnesota.

(Parcel B) Lot 9, Block 7, Auerbach's Rearrangement of White Bear, Ramsey County, Minnesota.

**WHEREAS, THE APPLICANT SEEKS THE FOLLOWING:** Approval of a minor subdivision to split one lot into two; and

**WHEREAS**, the Planning Commission has reviewed this proposal on March 28, 2022; and

**WHEREAS**, the City Council has considered the advice and recommendations of the Planning Commission regarding 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 that the City Council accepts and adopts the following findings of the Planning Commission:

1. The proposal is consistent with the City's Comprehensive Plan.
2. The proposal is consistent with existing and future land uses in the area.
3. The proposal conforms to the Zoning Code requirements.
4. The proposal will not depreciate values in the area.

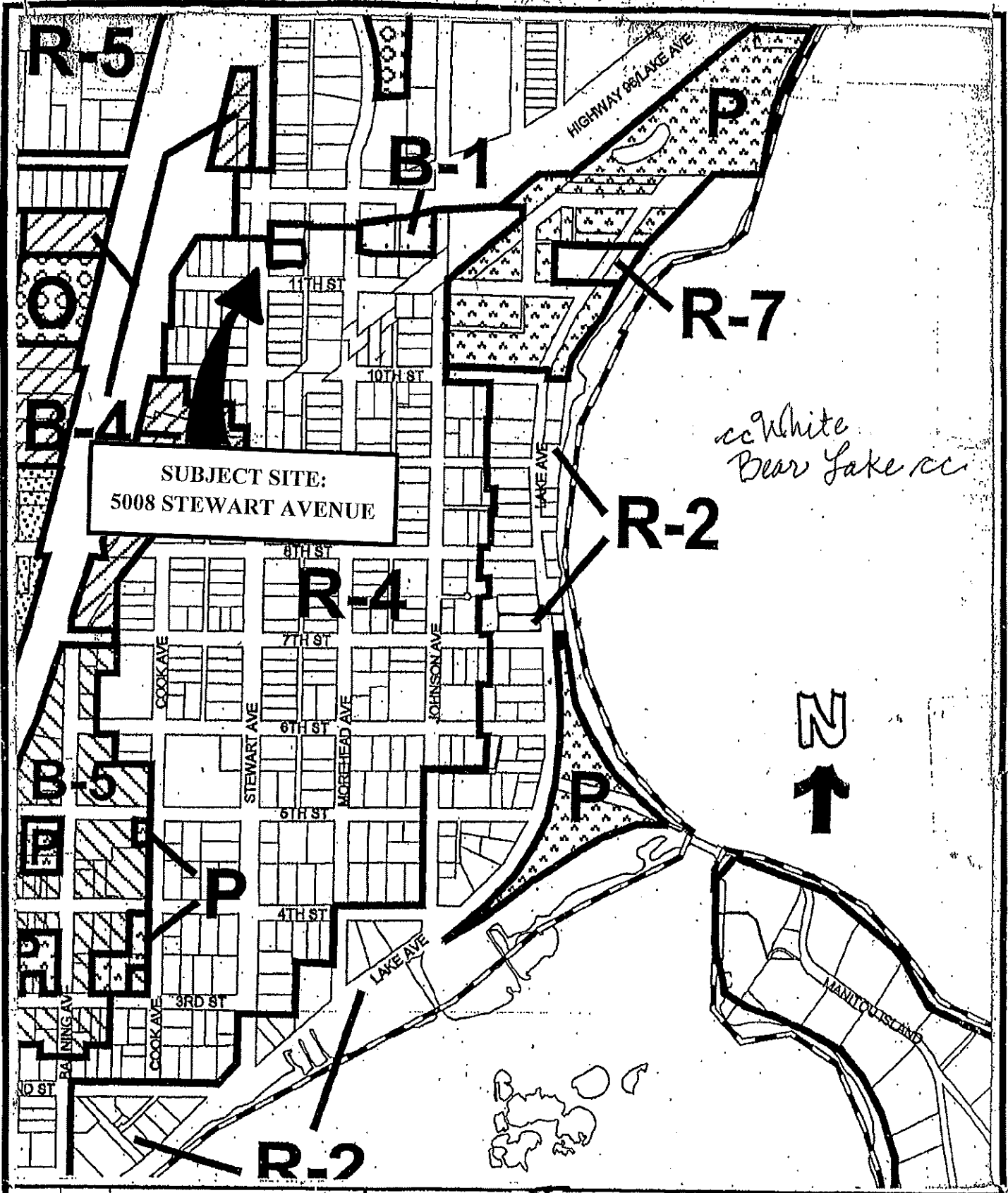
## RESOLUTION NO.

5. The proposal will not overburden the existing public services nor the capacity of the City to service the area.
6. Traffic generation will be within the capabilities of the streets serving the site.

**BE IT FURTHER RESOLVED**, that the City Council of the City of White Bear Lake hereby approves the requested variances, 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. Within 6 months after the approval of the survey by the City, the applicant shall record the survey along with the instruments of conveyance with the County Land Records Office or the subdivision shall become null and void.
3. The resolution of approval shall be recorded against both properties and notice of these conditions shall be provided as condition of the sale of either lot.
4. The applicants shall provide the City with proof of recording (receipt) as evidence of compliance with conditions #2 and #3. Within 120 days after the date of recording, the applicant shall provide the City Planner with two final, recorded copies of the Certificate of Survey.
5. The applicants shall agree to reapportion any pending or actual assessments on the original parcel or lot of recording in accordance with the original assessment formula on the newly approved parcels, as per the City of White Bear Lake finance office schedules.
6. Durable iron monuments shall be set at the intersection points of the new lot line with the existing lot lines. The applicant shall have one year from the date of Council approval in which to set the monuments.
7. No construction permits may be issued for improvements prior to approval and recording of the survey and approving resolution.
8. A surety bond or letter of credit from a City approved institution shall be established for the amount of \$10,000 to be released upon passing final inspection of the garage on Lot 8. The garage shall be built within one year of approval of the lot split.
9. The park dedication fee shall be collected for Lot 9 at the time when a building permit is issued.
10. Metropolitan Council SAC (Sewer Availability Charge) and WAC (Water Availability Charge) and City SAC and WAC shall be due at the time of building permit for Lot 9.





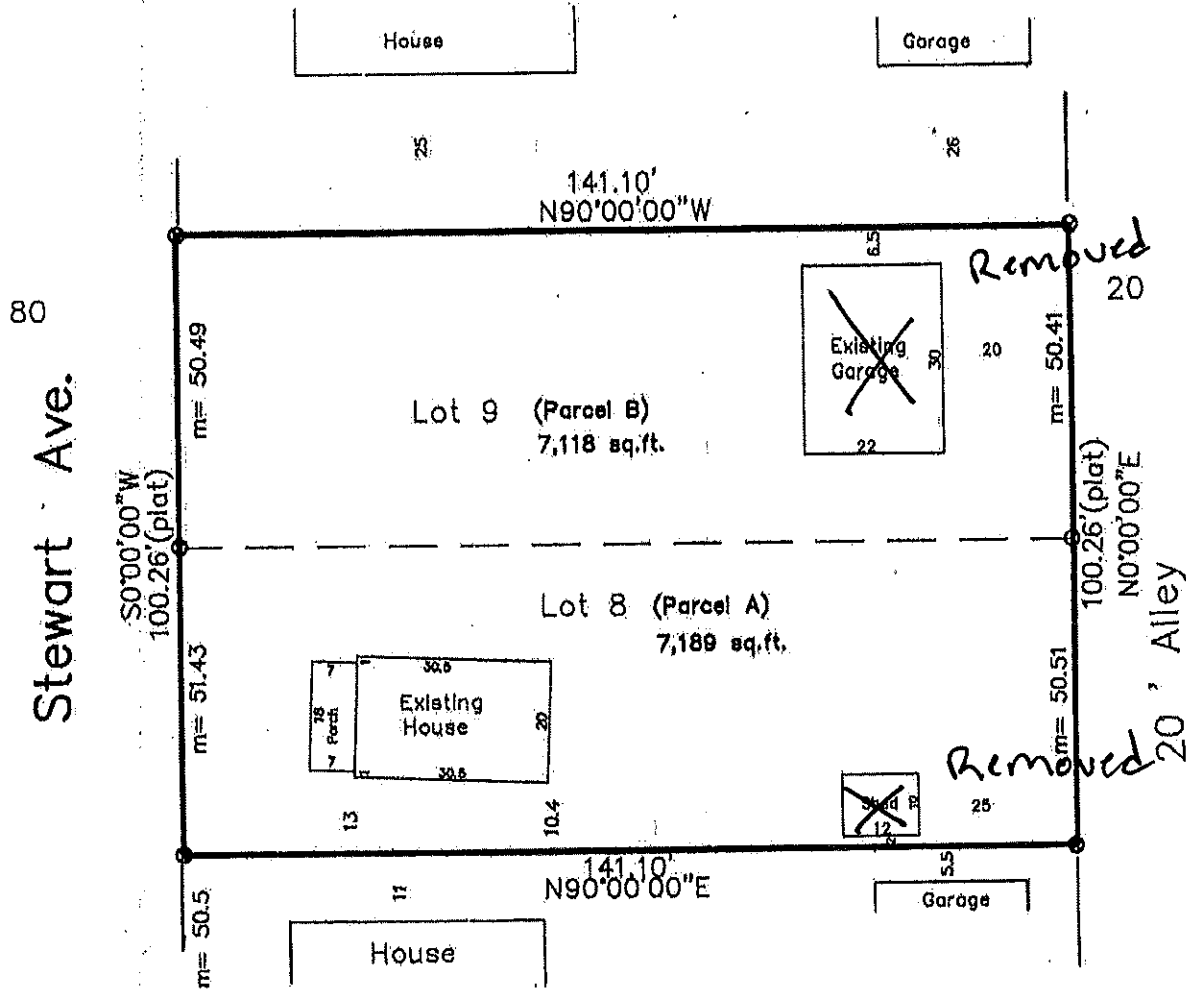
City of  
White Bear Lake  
Planning and Zoning Office  
(612)-429-8561

CASE NO. : 22-1-LS  
CASE NAME : Sanchez  
DATE : March 28, 2022

# Certificate of Survey

& Proposed Lot Split

For: James Sanchez  
5008 Stewart Ave.



### Proposed Legal Descriptions

Parcel A--Lot 8, Block 7, Auerbach's Rear, to White Bear, Ramsey County, Minnesota.

Parcel B--Lot 9 Block 7, Auerbach's Rear, to White Bear, Ramsey County, Minnesota.

SCALE: 1 Inch = 30 feet

⊙ Denotes Iron

Job No.: 137-917

⊙ Denotes Iron found  
Bearings shown are on an assumed datum.

I hereby certify that this is a true and correct representation of a survey of the boundaries of the above describe land and of the location of all buildings, if any, thereon, and all visible encroachments, if any, from or on said land.

**Earth Science Assoc.**

37445 Grand Ave.

North Branch, Mn. 55056

Dated this 30 day of July 2017 By: Mathew T. Kytoneh  
Mathew T. Kytoneh— Minn. Reg. No. 18213

## **CITY COUNCIL MEETING SUMMARY**

March 8, 2022

### **APPROVAL OF MINUTES** – Approved

- A. Minutes of the Regular City Council Meeting on February 22, 2022

### **APPROVAL OF THE AGENDA** – Approved

### **CONSENT AGENDA** – Approved

- A. Acceptance of Minutes: November Park Advisory Commission; January Environmental Advisory Commission; February Planning Commission
- B. Resolution amending the Purpose and Regulations of the White Bear Lake Farmers' Market.  
**Resolution No. 12943**
- C. Resolution approving use of Railroad Park Gazebo by Sunrise Park Middle School.  
**Resolution No. 12944**
- D. Resolution approving annual business and liquor license renewals. **Resolution No. 12945**

### **VISITORS AND PRESENTATION**

The Police and Fire Chiefs both gave presentations to the City Council about each department

### **PUBLIC HEARINGS** – Approved

- A. Resolution ordering improvements, approving plans and specifications and authorizing advertisement for bids for the 2022 Pavement Rehabilitation Project, City Project No. 22-01.  
**Resolution 12947**
- B. Second reading of the proposed Water Meter Ordinance. **Ordinance 22-3-2054.**

### **UNFINISHED BUSINESS** – Approved

- A. Resolution opposing the proposed Purple Line (formerly Rush Line) Bus Rapid Transit route.  
**Resolution No. 12949**

### **NEW BUSINESS** – Tabled

- A. Resolution denying a request by the Pitlick's for a setback variance at 4264 Cottage Park Road - Tabled, continue this to the first meeting in April in order to provide the applicant time to revise plans another two feet.
- B. First Reading of a proposed Ordinance adopting a redistricting plan

### **DISCUSSION** – Nothing scheduled

### **COMMUNICATIONS FROM THE CITY MANAGER**

- A. White Bear Area Chamber of Commerce 2022 Legislative Issues
- B. City Manager Crawford attended a Senate Committee hearing with Mayor Louismet on Housley's bill, which was co-authored by Senator Chamberlain. There are two proposed bills, one in the Senate and one in the House regarding lake levels. A resolution of support for those bills may be coming forward at an upcoming City Council meeting.

### **ADJOURNMENT** – 10:09 p.m.