



**AGENDA
PLANNING COMMISSION OF THE
CITY OF WHITE BEAR LAKE, MINNESOTA
MONDAY, FEBRUARY 27TH, 2023
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 January 30, 2023

4. PUBLIC HEARING

A. Case No. 23-6-V: A request by **Tammy and Mike Hilliard** for a variance from the 15 foot side yard setback on both the north and south side, per code section 1303.040, subd.5.c.2, and a variance from the 40 foot rear yard setback, per section 1303.040, Subd.5.c.3, in order to tear down and rebuild a single family home on the property located at 4815 Lake Avenue.

B. Case No. 23-7-CUP: A request by **A New Hope Preschool** for a conditional use permit, per code section 1302.140, in order to operate a day care facility on the property located at 955 Wildwood Road.

5. DISCUSSION ITEMS

A. Case No. 23-8-C: A presentation by **Element Design-Build** of their Concept Plan proposing to redevelop the 2502 County Rd. E site to build apartments and townhomes.

B. City Council Meeting Overview

6. ADJOURNMENT

Next Regular City Council Meeting March 14, 2023

Next Regular Planning Commission Meeting March 27, 2023



**PLANNING COMMISSION MEETING
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
MONDAY, JANUARY 30, 2023
7:00 P.M. IN THE COUNCIL CHAMBERS**

1. CALL TO ORDER AND ATTENDANCE

Chair Jim Berry called the meeting to order at 7:01 p.m.

MEMBERS PRESENT: Mike Amundsen, Ken Baltzer, Jim Berry, Pamela Enz, Mark Lynch, Erich Reinhardt, Andrea West

MEMBERS ABSENT: None

STAFF PRESENT: Jason Lindahl, Community Development Director; Ashton Miller, City Planner; Shea Lawrence, Planning Technician

OTHERS PRESENT: Gary Dahle, Elizabeth Dahle, Mark Goodman, Bruce Englund, Joanne Englund, Mitch Honsa, Bart Schultz, Graham Westra, Don Gilbert, Heather Gilbert, John Jacobsen, Rebekah Goodspeed, Josh Winchell, Erika Winchell, Julie Longueville, Brad Longueville, Rose Miller, Mike Miller, Brianna Tahdooahnippa

2. APPROVAL OF AGENDA

It was moved by Member **Lynch** and seconded by Member **West** to approve the agenda as presented.

Motion carried, 7:0

3. APPROVAL OF THE MINUTES

A. Minutes of November 28, 2022

It was moved by Member **Baltzer** and seconded by Member **Enz**, to approve the minutes of November 28, 2022 meeting as presented

Motion carried, 7:0

4. CASE ITEMS

A. Case No. 23-3-CUP: A request by **The Minnesotan** for a conditional use permit, per code section 1303.160, subd.5.b, in order to convert the existing retail use to a liquor lounge with accessory retail at the property located at 2186 4th Street.

Community Development Director, Jason Lindahl discussed the case. Staff recommended approval of the request as proposed.

Member Berry opened up the public hearing.

Corey Roberts, the owner of the Minnesotan and applicant introduced himself and stated he has been a proud member of the downtown White Bear Lake Community since 2019 and is looking to expand their brand and enhance their offerings for their customers, such as by introducing a self-pour system in the proposed liquor lounge.

Member Baltzer asked if they will continue to sell their current retail products or if they will be eliminating that. Roberts responded that no, they will continue to sell their present retail products.

Member Berry asked if Roberts is okay with the conditions listed in the staff report. Roberts replied yes, he is okay with all of the conditions.

Member Berry closed public hearing.

It was moved by Member **Baltzer** to recommend approval of Case No. 23-3-CUP, seconded by Member **Amundsen**

Motion carried, 7:0

- B. Case No. 22-20-V:** : A request by **Joshua Winchell** for a variance from the side yard setback, per code section 1302.030, Subd.4.e, and a variance from the total accessory structure square footage allowed, per code section 1302.030, Subd.4.2.b, in order to construct a 160 square foot shed at the property located at 2338 South Shore Boulevard.

Ashton Miller, City Planner, discussed the case. Staff recommended approval of the request as proposed.

Member Lynch asked if the house was 50 sq. ft. bigger if there wouldn't be a need for a variance. Miller responded that they would not need a variance for the accessory structure size if that were the case.

Member Berry opened the public hearing.

Josh Winchell, owner of the property and applicant for this case, stated he doesn't agree with a couple of the conditions of approval listed in the staff report. He explained he doesn't agree with the condition of the City not being responsible for any damage resulting from a repair to the utility. He explained that part of the variance includes him placing the new shed closer to his property line so he can remove his current shed off the utility. Winchell, also expressed he does not agree with the condition requiring him to sign easement paperwork for the utilities on the property. He explained that there is

an easement in place already, which was discovered when he had his property surveyed about 10 years ago. He does not know where that easement paperwork is today—he sent over all this title paperwork and the easement paperwork was not found amongst the paperwork.

Member Amundsen asked for clarification if Winchell is referring to condition number 6 from the staff report.

Lindahl responded with some additional information regarding the case. Lindahl explained that he and Winchell had a conversation about the case earlier that day. He explained that based on the research done by the Engineering Department, it still remains unclear if there is an easement in place. Lindahl explained that the utilities were placed after the property was created in 1959 or 1960 and that it appears there was an easement that was supposed to cover the utilities on the west side of the property. He explained that after going through the documents and speaking with the City Attorney, it was discovered that the easement was only generally recorded at the county and not specifically at this property. Lindahl explained that more research is needed to determine if there is a valid easement in place.

Lindahl went on to say that if the research shows there is an easement in place, the City would not require an additional one, but if there isn't, the City Engineer recommends one be put in place. Additionally, if the shed encroaches on that easement there should be a release of the City's liability if there is resulting damage from accessing the utilities. Lindahl explains that the City does not have the intention to go into the easement for periodic repair—the easement is meant to allow access for necessary repairs and replacements, as the infrastructure will not last forever. He explains there is a public interest in maintaining the infrastructure because it serves the surrounding community.

Member Amundsen asked for clarification because the survey image shows the shed will be placed 6 ft. from the sewer line. He asked how that is considered encroachment. Lindahl responded that because we don't exactly know how deep the pipe is, the shed could be in a resulting easement. He explained that easements have a 1:1 correlation to the depth. Member Amundsen asked if the utility line is 6 feet deep, if the resulting easement would then be 6 feet on either side of the utility. Lindahl responded yes. Member Lynch then asked if the issue comes from our not knowing how deep the utility is, to which Lindahl responded yes.

Member Berry then asked if the applicant is penalized if the shed is too close to the utility and repair needs to take place. Lindahl responded that if there's an easement in place, we won't create a new one, but if creating one is necessary, we would work to make it as narrow and tight fit as possible. If the engineering department needs less than 6 feet of space, then no encroachment agreement would be necessary. Lindahl continued that staff is sympathetic to the applicant about how complicated this case has become in order for him to build a shed. Lindahl noted that the couple weeks between

now and the City Council meeting will give staff time to research more about whether there is an easement in place.

Winchell expressed that his biggest concern is where the liability lies. If he must redo an easement agreement and release the City of liability, he wondered if the easement could also have an impact on his house, as it could be expensive if it does and he has to repair his shed and house.

Lindahl explained that he understands Winchell's concerns, but the challenge is that the proposed location has a slight encroachment to the easement. It could be possible to, but less practical, to locate the shed within the setback and away from the utilities, but he understands that there are other reasons why the applicant has chosen the proposed location – convenience of accessing shed, topography, and aesthetics of placing the shed in the side yard as opposed to in the rear yard, between the house and the pond. Lindahl explained that there are some tradeoffs if the applicant wants to place the shed within the setback and so close to the utilities and those tradeoffs include establishing the easement and releasing the City of liability for damage. But because there are some unknowns about the lot, Lindahl suggested that staff makes every effort to work this out prior to the City Council review.

Winchell explained that there is nowhere else on the property to locate the shed. He explained that placing the shed elsewhere would impede his neighbor's view of the pond. The back corner of the lot is unavailable because it has a fire pit. Winchell wants to be cognizant of his neighbors, and place the shed at the bottom of the hill outside of their view. Winchell explained that the only place to locate the shed without impeding their view is in the proposed location.

Member Reinhardt asked the applicant if the easement were to impact the location of the shed, if that would cause him to not build the shed.

Winchell explained that he is at a crossroads and that this could get really expensive so he may move away from building the shed. The original intention of the shed was to provide extra storage space because he has limited garage space because it does not have a pitched roof. He explained that he appreciates the city working with him on this process.

Member Berry closed the public hearing.

Member Lynch asked city staff what the chances are the unknowns of this case would be resolved before the City Council meeting.

Lindahl responded that the City and the homeowners want the same things – they have a reasonable ask for a reasonable use. He explained that staff try to have these resolved

prior to Planning Commission, but at this time, there is still the need for more research. Lindahl explained he is hopeful that we will get to an outcome that works for everyone.

Member Lynch proposed that the Planning Commission, when thinking about this case, should move forward with the assumption that the easement is in a reasonable spot. He continued that the City Council will deal with what comes up in the next couple weeks as further research into the case occurs. Member Lynch suggested that the Planning Commission members express what their concerns are and the best way to move forward and that the City Council will have more information to go off of. Member Lynch continued to say he believes that the easement should be solidified and that the shed should not be built on it or the City should not be liable for damages if it is.

Member Berry explained that the commissioners will look at conditions 6 and 7 and act on this case as if conditions 6 and 7 will be resolved before the City Council meeting or the case will have to be continued.

Member Lynch agreed with Member Berry that based on current knowledge, conditions 6 and 7 are a good idea, knowing that they may change prior to the City Council Meeting.

Member Amundsen asked about the wording of condition 7 which says that the City will not be responsible for any damage to the structure in the event of a utility repair. He asked if the mention of an easement was purposely left out of the wording.

Lindahl responded that the condition was written generally to cover the topic of encroachment. If it gets to the point where an encroachment agreement is necessary, then there would be a more specific template the City Attorney would create for this case.

Member Lynch asked, in the case of the City potentially damaging a shed that is nowhere near the easement, if the city would be responsible.

Lindahl explained that there is a public need of the easement and utilities and that if the City needs to access it, it is because something is wrong or the infrastructure is going to fail soon. He continued that the City would come in to do their work as quickly and carefully as possible and try to restore the area to the way it was. But in construction projects like that, which could be an emergency situation, there could be quick work that needed to be done that could cause some damage. The city does not try to cause damage and would try to make it right if they did.

It was moved by Member **Amundsen** to recommend approval of Case No. 22-20-V, seconded by Member **West**.

Motion carried, 7:0

- C. Case No. 23-1-V:** A request by **Heather Gilbert** for a variance from the side yard setback, per code section 1303.040 Subd.5.c.2, in order to construct a two story home in approximately the same footprint of the existing home at the property located at 4556 Highway 61.

Miller discussed the case. Staff recommended approval of the request as proposed.

Member West asked for staff to elaborate on the ordinary high water level.

Miller responded that ordinary high water level is an average of lake levels and it is determined by the DNR. The setback is based on an average of the two neighbors on the lakeside to protect views.

Member Berry opened the public hearing.

Gary Dahle, an attorney representing Michael and Rosalie Miller, who live at the neighboring property 4552 Highway 61 welcomed the Gilberts to the neighborhood and wished them many years of enjoyment of the existing home. Dahle explained there is a close proximity between the two structures, 7 ft. 3 inches at the closest point, and that the existing foundation is closer than what the setback rules require. Dahle listed seven health and safety concerns about the proposed project as follows:

1. There is a greater fire hazard because of the close proximity.
2. In the winter, icicle formation creates an injury hazard.
3. In the winter, there is also a higher hazard risk for surface icing in the space between the buildings.
4. The close proximity of the foundation creates water damage issues. Water falling from the structure could fall on the neighboring property and drain into the foundation. The proposed doubling of the roof height means rain dropping off the roof falls twice as far which exacerbates erosion.
5. The proximity of the structures could leave inadvertent damage to the neighboring structure from construction activity or moving soils.
6. The close proximity and narrow space could create a wind tunnel effect which could be strong because the property is located near White Bear Lake. The increased wind could blow up additional dirt and grit which could lead to additional maintenance work for the neighbor at the 4552 Highway 61 property.
7. Lakeward extension of the project would amplify any of the previously listed concerns.

Dahle continued to cite the White Bear Lake zoning code and that its purpose is to establish minimum regulations in regards to altering structures and land. He explained that regulations are in part created to provide adequate light, air and convenience of access to property and prevent overcrowding and that the overall purpose of the zoning

code is to protect health, safety and general welfare. He stated the Miller's access to light and air would be impaired and the access to the property may be affected.

Dahle continued to reference that the zoning code requirement for issuing variances includes the proposal will not impair adequate supply of air and light and increase fire hazard or endanger fire safety. Dahle stated that adding a second story to the house would violate these requirements. The code states that a variance should not be granted if the proposed project will diminish nearby property values, and the possible damage that could be caused by the construction and drainage issues could impact the Miller property's value. Dahle continued to reference the Structural Engineer report that states construction could affect the structural performance of the Miller's property.

Heather Gilbert, the applicant, explained that she is not opposed to the conditions of approval listed in the staff report and that her builder is present to answer questions.

John Jacobsen, the builder for the Gilberts, addressed some of the issues brought up by Mr. Dahle. Jacobsen explained they will leave the existing foundation wall so there isn't any excavation in the alleyway abutting the Miller property. The building will be pushed in 1.8 feet in the back, away from the lake and will not encroach on the 20 ft. front yard setback, which is consistent with the rest of the nearby houses so it shouldn't affect the light. There will be gutters and a downspout on the house, and they can put a heat tracing on the gutters to prevent icicle formation. The current distance between the 2 buildings will remain the same with the proposed structure. He explains that the grading shouldn't change.

Member Amundsen, asked what the height difference is between the current and proposed structure, because it looks like the second story appears to be more like a loft space. Jacobsen responded that he doesn't know the exact difference but that they plan to stay within the 35 feet limit. Amundsen then asked if the second story won't have full walls with trusses on top. Jacobsen responded that there will be some wall there.

Member Amundsen asked if the building materials will be fire rated because the walls are so close. Jacobsen responded that they wouldn't be using the same materials that may be used for a fire wall in a condominium such as fire treated lumber.

Member Enz asked what type of materials they will be using. Jacobsen responded they will be using 2x4s and 2x6 and sheeting with an LP material – a high density non burnable material.

Member Enz asked Gilbert if the lower level is intended for rental because there appears to be a full kitchen and could be a separate entrance. Gilbert explained that the lower level is meant to be an additional space to entertain and she does not intend to rent the space.

Member Berry closed the public hearing.

Member Amundsen asked city staff if the code requires different building materials depending on the distance between buildings.

Miller responded that the City follows the state building code which does have certain requirements, and there are extra layers that need to be applied when you encroach into a setback. Miller stated that is something the building official will weigh in on. Amundsen followed up, asking if the variance is approved, if it would come up in the building permit process that the buildings are too close and would require certain building materials. Miller responded yes, and that the City cannot provide a variance from the state building code.

Member Lynch, asked how far away the two properties are built from the lot lines. He continued that it appears 4552 is about 3.2 ft away from the lot line and 4558 is about 10 ft from the property line. Miller confirmed that yes, that is what the survey shows.

Member Lynch said that because they are building on practicably the same footprint and because it appears that the home on 4552 Highway 61 similarly encroaches on the setback as well, it seems reasonable to allow this variance. He continued saying that if there is any damage during construction then that would be something that the property owners would deal with separate from this process.

Member Enz asked if the issue of water mitigation would come up now, or during the building phase.

Miller responded that the engineering department has reviewed the application and has brought up water mitigation in the review memo. The zoning code does not allow for any impact of runoff onto any other property.

It was moved by Member **Amundsen** to recommend approval of Case No. 23-1-V, seconded by Member **Lynch**.

Motion carried. 7:0

- D. Case No. 23-2-CUP:** A request by **Guidepost A LLC** for a conditional use permit, per code section 1302.140, in order to convert an existing office building into a daycare facility at the property located at 3220 Bellaire Avenue.

Ashton Miller, City Planner, discussed the case. Staff recommended approval of the request as proposed.

Member Lynch asked if the requirements for schools are much different from the requirements for daycares, in reference to a community comment that thought the Montessori daycare should be considered a school.

Miller answered that there are actually fewer requirements for schools as the city's zoning code section regarding day cares is exhaustive.

Member Berry opened the public hearing.

Mark Goodman, a representative with Guidepost A LLC extended his thanks to city staff for their assistance through this process. He stated that Guidepost LLC only goes where there is a demand. He asked if the condition of approval in the staff report that requires a landscaping letter of credit, can be revised to include the phrasing "or other financial instrument acceptable to the City Finance Department". He explained that Guidepost A LLC does not typically issue letters of credit so it would be more amenable to them to have another option available.

Lindahl explained that the recommendation is based on the standard practice from the City, but that staff is agreeable to the change that the applicant is proposing. Lindahl explained that the City's attorney would review whatever mechanism the applicant proposes.

Member Enz asked if the building will have a secured entrance.

Goodman responded that there are Guidepost Facilities all over the world and country. The Lake Forest location does not have a secured entrance, but there are and will be procedures in place for child pickup.

Member Berry said that if the facility is similar to the graphic provided that it will be an improvement. He also expressed that he likes that Guidepost A LLC, does not purchase property based on speculation and they know they will fill it.

Goodman explained that if they didn't think they would fill it, they wouldn't be able to finance the project.

Rebekah Goodspeed who lives at 2569 Oak Drive, asked how Guidepost A LLC determines need. She also explained she had a discussion with the homeowner just north of the property, who wondered what the fencing would look like.

Joanne Englund of 2537 Sumac Circle, expressed that she and her husband believe that the day care is a great idea for the property. She explained that it isn't a loud area, and she's excited it will be used as a productive venture.

Brianna Tahdoahnippa of 3244 Bellaire Ave, commented that the neighborhood is noisy with road traffic and that she wants to suggest a lower speed limit in the area. She doesn't agree with the proposal because of the increased noise. She would ask that if it is approved that the fencing would be more durable or higher than proposed. She added that there have been squatters on the property, so she does agree it should be occupied but that it shouldn't be a daycare. She also expressed concern because she has seen wolves in the area.

Goodman explained that fencing height is required by state licensing. He continued that the daycare won't contribute any more street noise and that the children won't add much more noise because of the placement of the play areas on the lot and the site being surrounded by large trees.

Member West asked what the fence will look like.

Miller explained that a black iron fence is what was proposed and that there are certain limitations about what types of fencing can be used and how tall the fences can be in the front yard.

Goodman explained they are going to use the highest quality and security fencing as possible and reiterated that they will be regulated by state licensing requirements.

Lindahl explains that there are two applications of fencing in this case, one required by state licensing for children's safety. He explained that because the property is zoned medium density residential, the City applied the medium density zoning requirement which limits front yard fence height. Lindahl continued that the second application of fencing is screening from the adjacent properties. Fencing can be effective, but the city typically looks to do screening through natural planting to create a more natural environment. Lindahl explained that the city could consider additional fencing to the site, if that is more agreeable to the Planning Commission.

Goodman explained that he doesn't see how additional fencing would add much more screening because of the distance from the building and play areas to other residential properties. They are trying to minimize their costs and fencing the entire property could be very expensive.

Member Berry asked how the need for daycare was determined for the area.

Goodman responded that they have a staff that goes out and digs into demographics of communities and that they have an in depth approach to determine need. He reiterates that this facility is only a daycare, not a school and that there will be plenty of parking on site in the parking lot.

Member Berry closed the public hearing.

Member Lynch said he would like to help connect the community member who was interested in suggesting a lower speed limit on the road.

Miller responded that the City has a safety committee that can take concerns and requests from the community and that City staff can help her get in touch with them.

Member Baltzer said that he believes the day care is a good use for the building since it's been empty for so long.

It was moved by Member **Baltzer** to recommend approval of Case No. 23-2-CUP, seconded by Member **Lynch**.

Member Amundsen asked for clarification if the approval includes the previously mentioned amendment to requirement 7 in the conditions of approval.

Member Baltzer confirmed yes.

Member **Lynch** re-seconded.

Motion carried, 7:0.

- E. Case No. 85-11-Sa2:** A request by **Silverstar Carwash** for an amendment to a conditional use permit, per code section 1301.050, in order to modify the existing car wash and add vacuums at the property located at 2180 7th Street.

Miller discussed the case. Staff recommended approval of the request as proposed.

Member Amundsen asked if we know the reason for the significant difference in water usage over the years.

Miller responded that in 2018 Hogwash came in and installed a second wash for motorcycles which could have impacted the numbers. Change of usage could also explain the reduction.

Member Berry opened the public hearing.

Bart Schultz, who works for Houston Engineering, the company working with Silverstar Carwash explained that Silverstar Carwash has been around since 2010 and is located out of Sioux Falls. They have recently moved into Minnesota. He continued that they use high quality equipment at their carwashes and that customer loyalty and customer service is important to them. Schultz explained that the proposal shows they intend to change the exterior façade of the building to have the standard Silverstar Carwash look

and in order to prevent intensification of the building they have removed the standard Silverstar Carwash parapet from their design and moved the vacuum area inside the building. He explained the facility will always be staffed with 4 people during operating hour to assist customers.

Member Amundsen asked Schultz if he is okay with the condition that lists the acceptable hours of operation.

Schultz responded yes and that the hours listed in that condition are their standard hours of operation.

Member Berry closed the public hearing.

It was moved by Member **Amundsen** to recommend approval of Case No. 85-11-Sa2, seconded by Member **Enz**.

Motion carried, 7:0.

- F. Case No. 23-5-CUP:** A request by **White Bear Lake Area Schools** for a conditional use permit, per code section 1303.245, for a gym addition at the Central Middle School building located at 4857 Bloom Avenue.

Miller discussed the case. Staff recommended approval of the request as proposed.

Member West thanked Miller for going over the parking information for the facility.

Member Berry opened the public hearing

Tim Wald, the Assistant Superintendent for Finance and Operations for White Bear Lake Area Schools explained this project is part of the 2019 referendum. He stated that two of their architects are present and can answer any questions.

Member Amundsen asked if they plan to acquire the 4th property, near the three that the school district has already acquired.

Wald responded that there is a purchase agreement in place for that property.

Member Amundsen stated that plays into the setbacks, because acquiring that lot will provide them with even more space to work with.

Wald stated that they intend for that lot to be green space.

Member Enz expressed that watching this process for the school district come together has been exciting.

Wald responded that the high school recently welcomed students into the building.

Member Berry agreed it's been exciting watching it all come together.

Wald expressed his appreciation to the City's Building Department during the last couple years.

Lindahl explained that the Building Department staff have been working hard to make sure the school's projects are moving along and expressed that the school district has been a great partner throughout the process and they are making an incredible investment in the community and the education of the kids.

Wald explained that there are always challenges to getting supplies which has created some challenging timelines for the inspectors and construction managers, but they were able to pull it off.

Member Berry closes the public hearing.

It was moved by Member **Enz** to recommend approval for Case No. 23-5-CUP, seconded by Member **Baltzer**.

Motion carried. 7:0

5. DISCUSSION ITEMS

A. Election of Officers

Lindahl discussed the memo about processes for election of officers.

Member Lynch asked about the timeline for electing officers in the future.

Lindahl explained that the bylaws state the elections should occur at the end-of-the-year meeting and then take effect in the following meeting in January. He continued that elections have typically happened in January because the end of the year agendas tend to be very full. Lindahl explained that staff will continue to consider any changes that should be made to the bylaws as we go through the year.

Member Berry opened the nominations for Chairperson.

Member **Baltzer** nominated Member Berry.

It was moved by Member **Amundsen** to close the nominations, Member **Baltzer** seconds.

It was moved by Member **Berry** moved to elect himself by unanimous consent to the position of Chairperson, Member **Amundsen** seconds.

Motion carried, 7:0.

Member Berry opened nominations for Vice Chair.

Member **Baltzer** nominated Member Amundsen.

It was moved by Member **Lynch** to close the nominations, Member **Baltzer** seconds.

It was moved by Member **Lynch** to elect Member Amundsen to Vice Chair by unanimous consent.

Motion carried, 7:0.

Member Baltzer made a comment that the Chair must first say that he will entertain a motion before members move to approve cases.

Member Amundsen said he will review the process.

Lindahl said that we may be a little rusty since there hasn't been a Planning Commission meeting for a couple months.

Member Baltzer explained he just wanted to mention the procedure.

B. City Council Meeting Overview

Lindahl discussed the Planning Commission cases that have been to City Council since the last Planning Commission Meeting. He explains that Smarte Carte and the Herkenhoff cases were both approved by City Council. The Winchell case was a part of the November agenda but continued at the request of the applicant, which the Commission heard tonight.

Lindahl explained that the sign application from Acqua, was withdrawn by the applicant because the State of Minnesota brought to the City's attention that they have their own sign standards for off premise signs. Acqua would not have been able to meet the State standards.

Member Lynch asked if the spacing requirement that they could not meet was the State or City's requirement.

Lindahl explained the City has setback requirements for signs and spacing requirements

for billboards. Based on the City's definition of signs and billboards, Aqua's proposal fell under the definition of a sign, but based on the State's definition, it was considered a billboard. It was because Aqua couldn't fit within the state required standards for spacing that they chose to withdraw their application

Lindahl continued that the Concept Plan and Neighborhood Meeting text amendment had its first and second reading so it has been officially approved. The Commission will have their first concept plan proposal during the February Planning Commission Meeting

6. ADJOURNMENT

There being no further business before the Commission, it was moved by Member **Baltzer**, seconded by Member **West** to adjourn the meeting at 9:19 p.m.

Motion carried, 7:0.

DRAFT



City of White Bear Lake
Community Development Department

MEMORANDUM

TO: The Planning Commission
FROM: Ashton Miller, City Planner
DATE: February 27, 2023
SUBJECT: Hilliard Variance – 4815 Lake Avenue – Case No. 23-6-V

SUMMARY

The applicant, Susan Welles on behalf of homeowners, Tammy & Mike Hilliard, is requesting a 10.8 foot variance from the required 15 foot side yard setback on both the north and south sides and a 25 foot variance from the 40 foot rear yard setback in order to tear down and rebuild a single family home on the property located at 4815 Lake Avenue.

Based on the findings made in this report, staff finds that the applicant has demonstrated a practical difficulty with meeting the City's zoning regulations as required by Minnesota Statute 462.357, Subd.6 and recommends approval of this request.

GENERAL INFORMATION

Applicant/Owner: Susan Welles / Tammy & Mike Hilliard

Existing Land Use / Zoning: Single Family; zoned R-2: Single Family Residential & S – Shoreland Overlay District

Surrounding Land Use / Zoning: North, West & South: Single Family; zoned R-2: Single Family Residential & S – Shoreland Overlay District
East: Matoska Park; zoned P: Public & S

Comprehensive Plan: Low Density Residential

Lot Size & Width: Code: 15,000 sq. ft.; 100 feet
Site: 3,445 sq. ft.; 39.8 feet

BACKGROUND

The subject site is located on the west side of Lake Avenue, in between 5th and 6th Street. The property does not have riparian rights on White Bear Lake since Matoska Park is to the east of the lot. The lot contains a single family home that was constructed in 1924. In 1979, a side yard setback variance was granted to allow a one stall garage with living space above it on the north side of the property.

The proposed home will be the same width as the existing home, but will be centered on the lot to provide an equal setback to both side lot lines. The home will also be expanded in the rear and pushed back so that it meets the required front yard average setback. A third story will be added on the front of the home that will measure 34 feet and 7 inches at the mean of the roofline. The maximum allowed is 35 feet, so the proposed will be just under what is allowed by right. The property is currently grandfathered in at 54% impervious surface and the proposal will be the same with the removal of a portion of the existing driveway and walkway.

Community Comment

Under state law and the City's zoning regulations, variance applications require a public hearing. Accordingly, the City published notice of this request in the White Bear Press and mailed notice directly to property owners within 200 feet of the subject site. That notice directed all interested parties to send questions or comments to the Planning Department by mail, phone, or email or to attend the public hearing where they could learn about the request, ask questions, and provide feedback. As of the writing of this report, city staff has not received any comments regarding the request. During the public hearing, staff will provide an update if any public comments are received prior to the Planning Commission meeting.

ANALYSIS

Review Authority

City review authority for variance applications is considered a Quasi-Judicial action. This means the city acts like a judge in evaluating the facts against the legal standard. The city's role is limited to applying the legal standard of practical difficulties to the facts presented by the application. Generally, if the application meets the review standards, the variance should be approved.

Variance Review

The standards for reviewing variances are detailed in Minnesota State Statute 462.357, Subdivision 6. In summary, variances may be granted when the applicant establishes there are "practical difficulties" in complying with the zoning regulations. A practical difficulty is defined by the five questions listed below. Economic considerations alone do not constitute a practical difficulty. In addition, under the statute the City may choose to add conditions of approval that are directly related to and bear a rough proportionality on the impact created by the variance.

Staff has reviewed the variance request against the standards detailed in Minnesota State Statute 462.357, Subdivision 6 and finds the applicant has demonstrated a practical difficulty. The standards for reviewing a variance application and staff's findings for each are provided below.

1. Is the variance in harmony with the purposes and intent of the ordinance?

Finding: The property is zoned R-2: Single Family Residential and S: Shoreland Overlay. The purpose of the R-2 zoning district is "to provide for urban density single family detached residential dwelling units". The neighborhood was platted in 1887, before the city adopted a formal zoning code, at a lot width and size that is substandard to current requirements. At

some point in time, the subject site was part of a subdivision that combined the western half and southern 10 feet of the property to the three abutting parcels on the south. This resulted in the existing lot to become further substandard in both size and width. The variances make the reconstruction of the single family home on a substandard lot possible and therefore the proposal will be in harmony with the purpose of the zoning district.

2. Is the variance consistent with the comprehensive plan?

Finding: The property is guided for “low density residential”, which has a density range of 3 to 9 units per acre. Typical housing includes single family detached. The property is at a density of 12.6 units per acre, which is above the guided density range, however when the city block is taken as a whole, the immediate neighborhood has a density of 5.22 units per acre, which is within the density range. Reconstructing a single family home on the lot will not change the neighborhood’s density, therefore, the proposed variances are not inconsistent with the 2040 Comprehensive Plan.

3. Does the proposal put the property to use in a reasonable manner?

Finding: The proposal puts the subject property to use in a reasonable manner. Both the Comprehensive Plan and the purpose and intent of the R-2 zoning district allow for single family dwelling units, so the request to reconstruct a single family home with attached garage on the lot is reasonable.

4. Are there unique circumstances to the property not created by the landowner?

Finding: There are unique circumstances not created by the landowner. The property is only 39 feet wide and the required setbacks on each side are 15 feet, meaning the home could only be 9 feet in width. Since the zoning code also requires a principal structure to be at least 22 feet in width, at a minimum, a variance from the 22 foot width requirement would be required to build on the lot and be within the setbacks. Alternatively, a 22 foot wide home would need a combined 17 feet in side yard setback variance to build a new home. The request for 21.6 feet in side yard setback variances is not the minimum required, but does allow the construction of a home and attached garage that is the same width as the existing home and similar to the surrounding homes.

Further, the property is only 23% of the required lot size, meaning the overall buildable area of the lot is limited due to the larger setback requirements for the district. Additionally, the angle of the front and rear lot lines creates an irregular buildable area. The proposed rear yard setback is 37.5% of what is required at the closest point. The rear yard widens and the setback increases to 26 feet, or 65% of the required setback. Given the constraints on the lot, staff finds the request to be reasonable.

5. Will the variance, if granted, alter the essential character of the locality?

Finding: Granting the requested variance will not alter the essential character of the surrounding neighborhood. Many of the properties in the old downtown White Bear area are similar in width. Staff conducted a quick analysis of the other homes on the block of the subject site and found that all but two are substandard in width. Of those 12 properties substandard in width, 11 have structures that encroach into the side yard setback, like the home to the north, which is only 1.6 feet from the shared lot line. Many of the encroachments are legally nonconforming, but setback variances have been granted for 2322 6th Street, 2346 6th Street, 2345 5th Street, and 2355 5th Street, indicating the proposal is consistent with past approvals.

RECOMMENDATION

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

1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
2. Per Section 1301.060, Subd.3, the 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 line and have the property pins exposed at the time of the inspection.
5. Gutters shall be installed and runoff directed away from adjacent properties.

Attachments:

Draft Resolution of Approval

Zoning/Location Map

Applicant's Narrative (2 Pages) & Plans (5 pages)

RESOLUTION NO.

**RESOLUTION GRANTING THREE SETBACK VARIANCES
FOR 4815 LAKE AVENUE WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, Tammy & Mike Hilliard have requested a 10.8 foot variance from the required 15 foot setback on both the north and south side, per code section 1303.040, Subd.5.c.2, and a 25 foot variance from the 40 foot rear yard setback, per section 1303.040, Subd.5.c.3 in order to tear down and reconstruct a single family home on the property at the following location:

LEGAL DESCRIPTION: The North 40 feet of the East Half of Lot 4, STEWARTS SUBDIVISION OF BLOCK 46 OF WHITE BEAR, Ramsey County, Minnesota. Also including 7.5 feet lying West of Lot 3, being the East Half of the alley running North and South in rear of said Lot.

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on February 27, 2023; 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:

1. The requested variances are in harmony with purposes and intent of the ordinance.
2. The requested variances are consistent with the 2040 Comprehensive Plan.
3. Granting the requested variances will allow the property to be used in a reasonable manner.
4. There are unique circumstances to the property not created by the landowner.
5. Granting the requested variances alone will not alter the essential character of the neighborhood.

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

RESOLUTION NO.

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 line and have the property pins exposed at the time of the inspection.
5. Gutters shall be installed and runoff directed away from adjacent properties.

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

Ayes:
Nays:
Passed:

Dan Louismet, Mayor

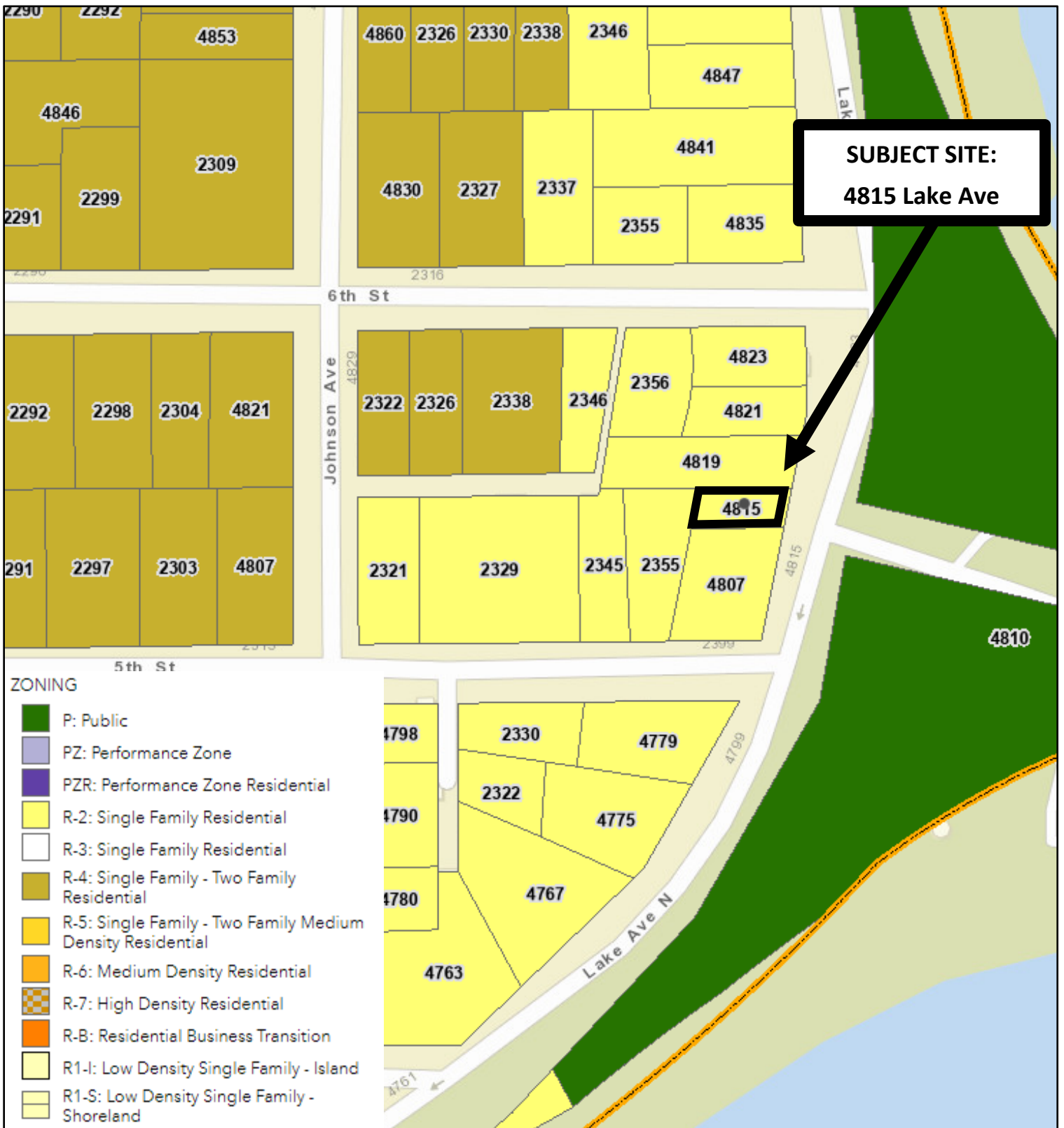
ATTEST:

Caley Longendyke, 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



SUBJECT SITE:
4815 Lake Ave



City of
 White Bear Lake
 Planning & Zoning
 651-429-8561

CASE NO. : 23-6-V

CASE NAME : Hilliard Variance

DATE : 2-27-2023

January 17, 2023

To White Bear Lake Planning Commission/White Bear Lake City Council,

I am petitioning you today to ask for a variance to the side and rear setbacks at 2815 Lake Ave. to allow my clients Tammy and Mike Hilliard to construct a new home to replace an existing two-story from the 1920's. The existing structure began as a modest lake home and has seen several additions through the years. Currently the main level has different finished floor elevations that vary by as much as 2.5". The current garage is only 9' in width and does not allow a car to be parked inside and have access in or out of both sides of the vehicle. The existing stairs are steep and non-conforming. My clients have lived in the home for the last 20 years and would like to construct a new residence that will better suit their needs as they look to the future.

The existing lot is in the Shoreland District of Old Town and is non-conforming per the City's Code for R-2 which states lots to be a minimum of 15,000 sq. ft. This lot encompasses only 3,445 sq. ft. It currently has an impervious coverage of 1,882 sq. ft. – (54%) with existing house, driveway and sidewalks.

The East facing front setback of the home encroaches the City's average setback on the SE corner by over 4'. The existing South side setback is 3' at its closet corner and the North side 4.5' from the nearest corner. The house does not run parallel to the side lot lines which exacerbates the proximity to the neighbors at the near corners. The rear set back to the West is 28'-2 at its nearest corner.

I am asking the city for a variance for the 10' side setback requirement {1303.400, Subd. 5.c.2}. We plan on setting the new structure centered and parallel to the side lot lines and maintain a house width of 30'-8 which is equal to the current house width. This will result in a 4'-2 setback on each side of the new home thus gaining more space from the South neighbor (1'-2) and only a slight decrease (-10") to the North neighbor.

I intend to pull the front of the new house back into compliance with City standard of average front yard setback {1302.040, Subd. 4.c (Ref. Ord. 10-1-1063, 1/12/10)} based on neighbors to the North

and South. I will also be asking for a variance to the rear yard setback {1303.040, Subd.5.c.3} of 40' to a setback of 14'-11 at the nearest corner. Since the house will not run parallel to the rear lot line the 14'-11 is the minimum closest corner. The maximum closest corner will be 26'. I believe by pulling the front back into conformity and squaring the house on the lot it will provide a better situation for the new home versus the current structure's position. To achieve this goal, it was necessary to push the rear portion of the house further into the rear of the lot. I will be replacing existing concrete along the north property line with material that will be able to handle stormwater runoff and will not be impervious.

Proposed impervious surface will be slightly under existing (-8 sq. ft.) and will maintain 54% coverage on the lot as it currently exists. I have enlarged the main floor foundation footprint to accommodate a wider double deep garage for 2 vehicles with a small amount of extra storage. In doing so I have not exceeded the standard square footage coverage of a basic 24' by 24' two stall garage.

Tree replacement will not be affected with the new construction and the new home will conform with all other White Bear Lake Ordinances as outlined for new construction in the Shoreland District.

Please review the attached proposal for the new home along with site plan that outlines the above conditions. We are asking variance only for the side and rear setbacks to construct this home as designed and submitted for your review.

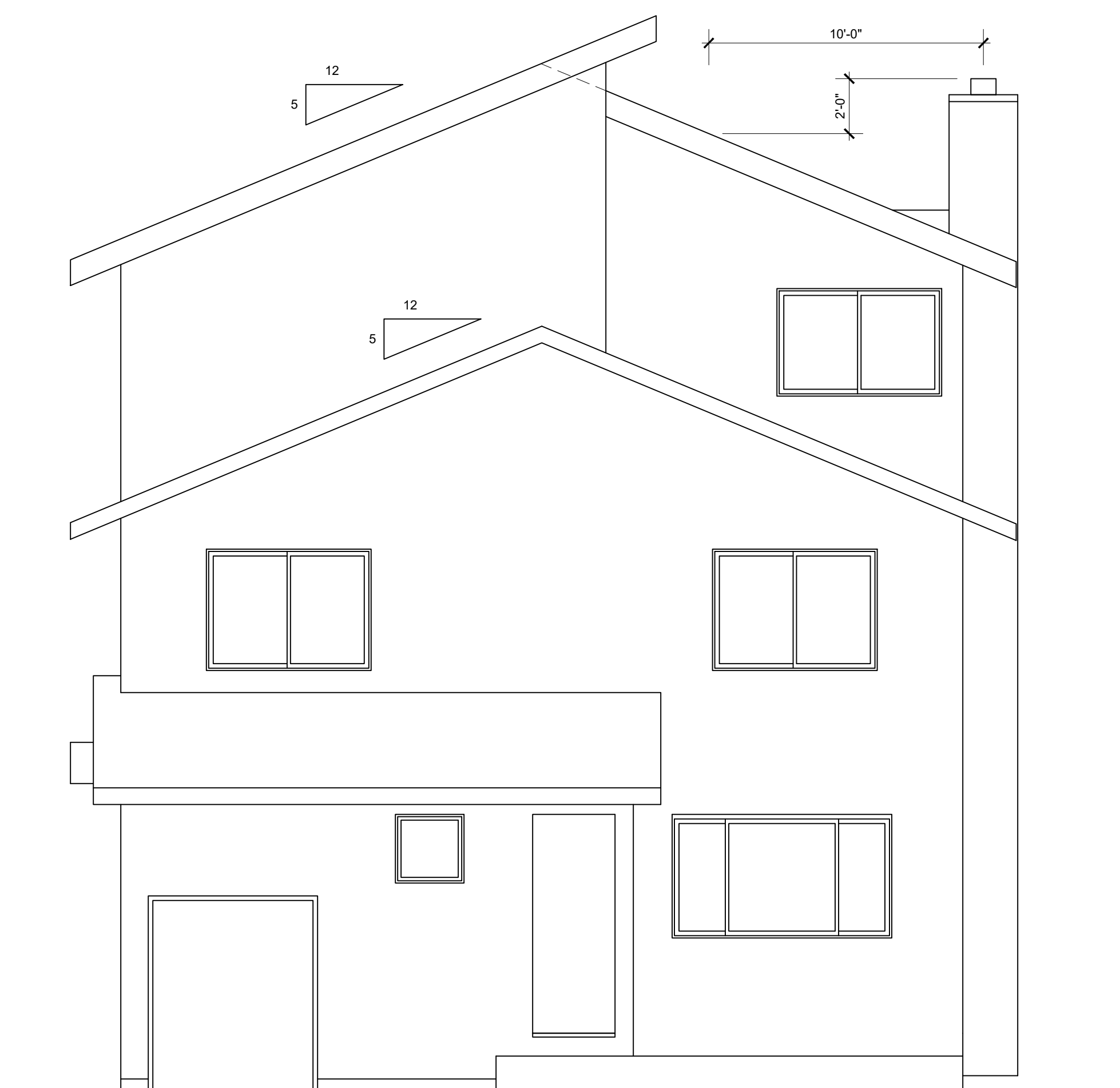
Sincerely,

Susan Hebert Welles-Project Designer

On behalf of Tammy and Mike Hilliard, owners of 4815 Lake Ave., White Bear Lake, MN

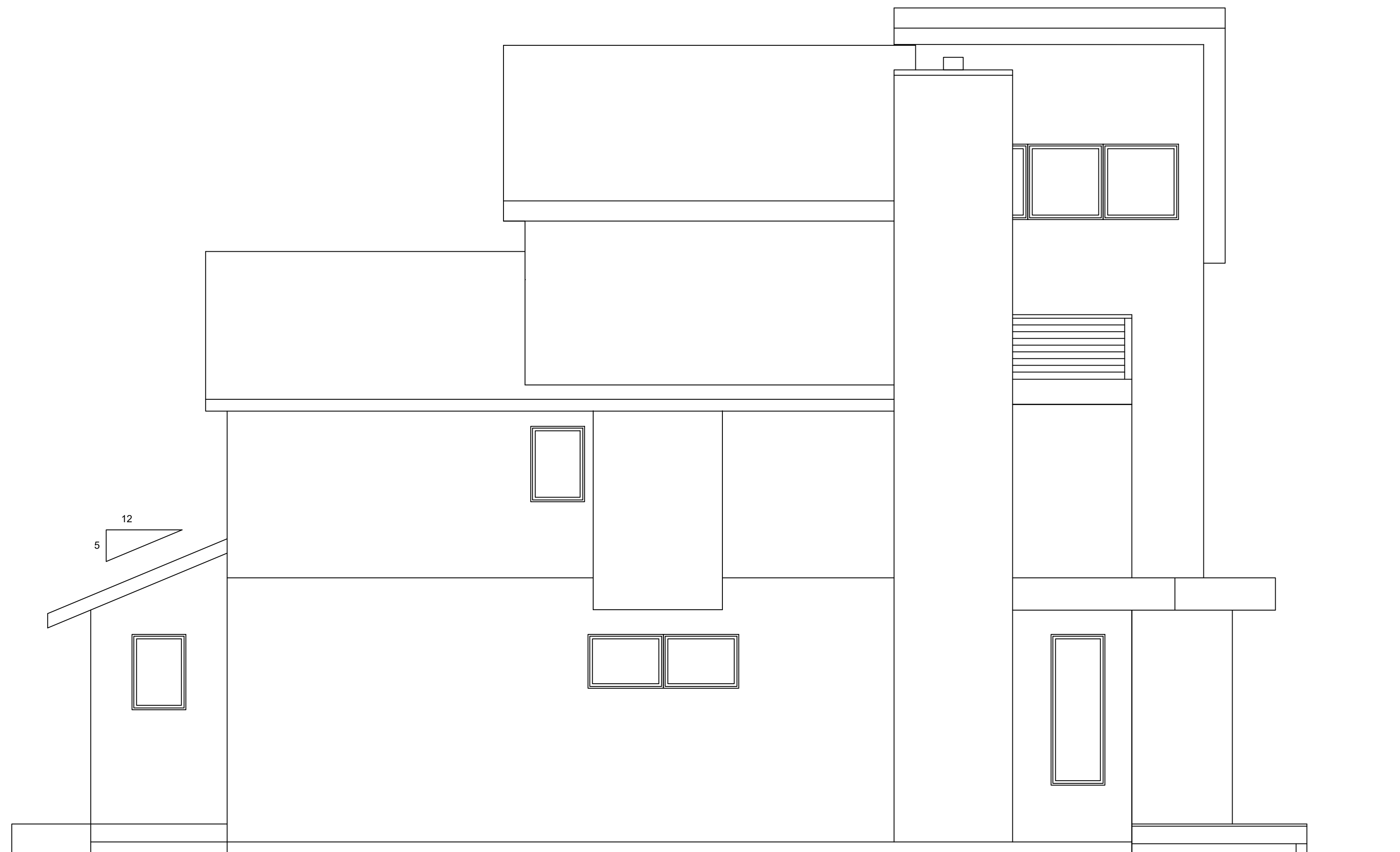


1 FRONT ELEVATION
A1 1/4" = 1'-0"



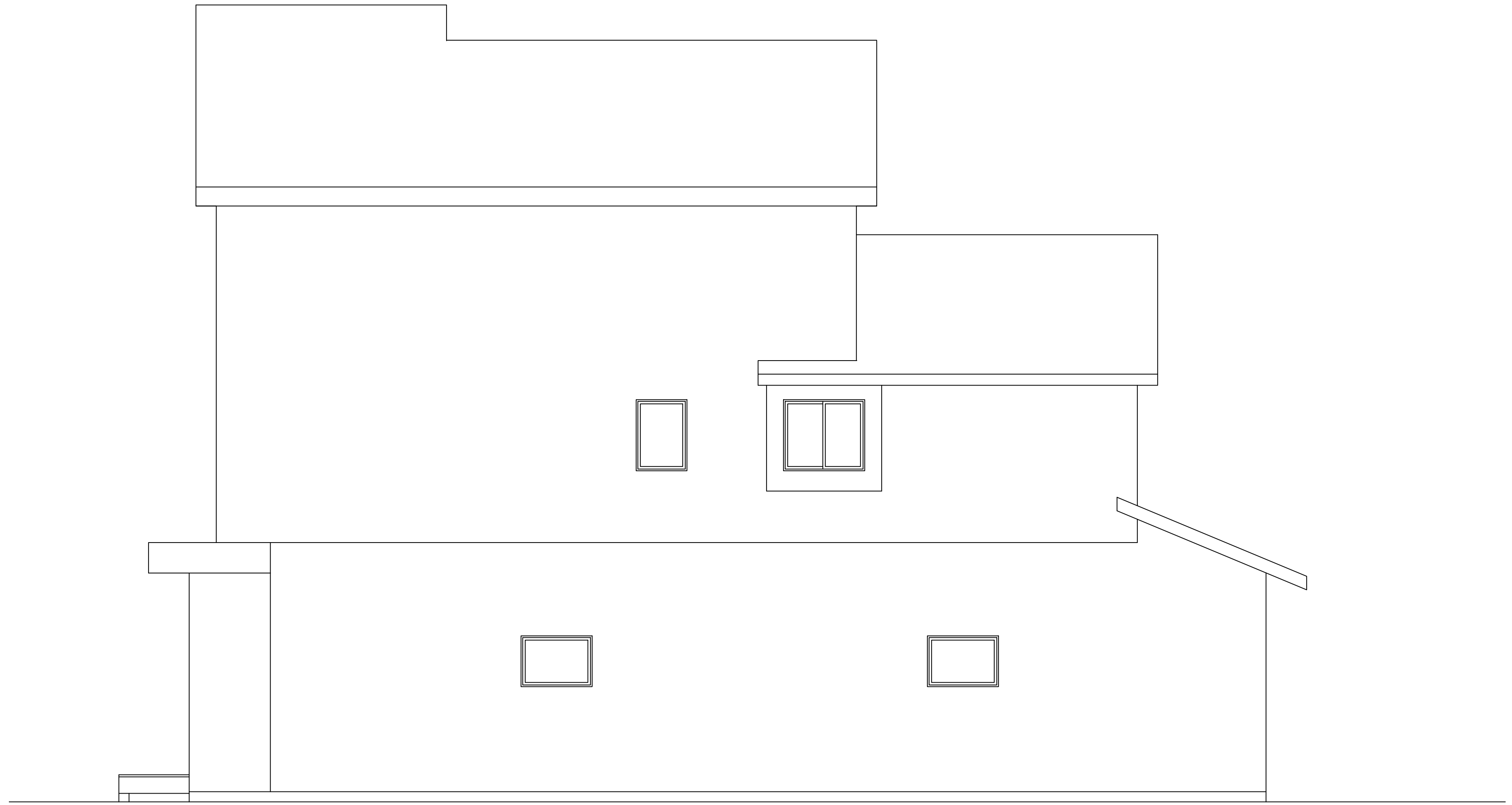
2 REAR ELEVATION
A1 1/4" = 1'-0"

PRELIMINARY



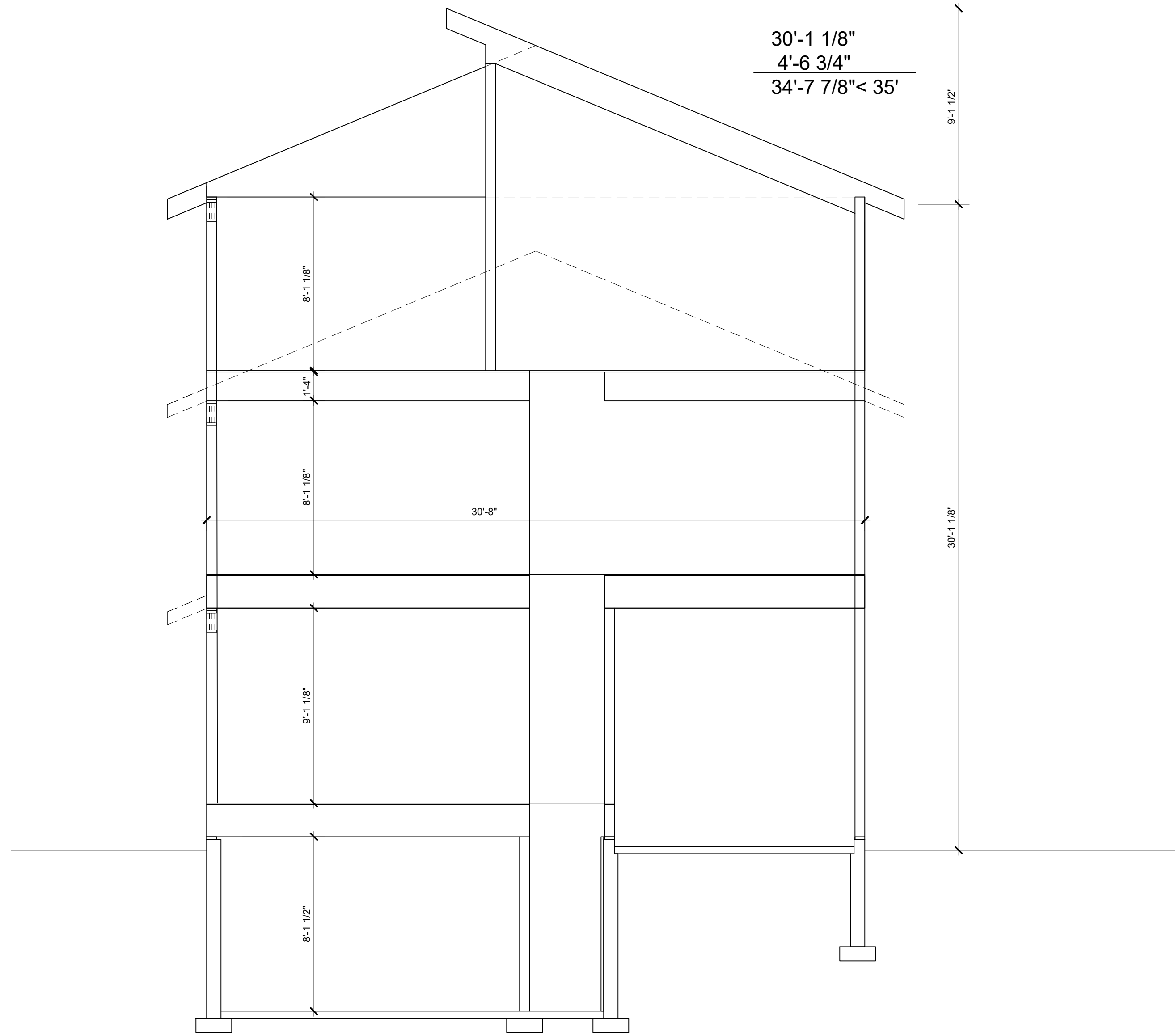
2 RIGHT ELEVATION
A2 1/4" = 1'-0"

PRELIMINARY



1 LEFT ELEVATION
A3 1/4" = 1'-0"

PRELIMINARY



$30'-1 \frac{1}{8}''$
 $4'-6 \frac{3}{4}''$
 $34'-7 \frac{7}{8}'' < 35'$

1 SECTION THROUGH HOUSE-GARAGE
 A8 1/4" = 1'-0"

PRELIMINARY

CERTIFICATE OF SURVEY

~for~ TAMMY AND MIKE HILLIARD
 ~of~ 4815 Lake Avenue
 White Bear Lake, MN

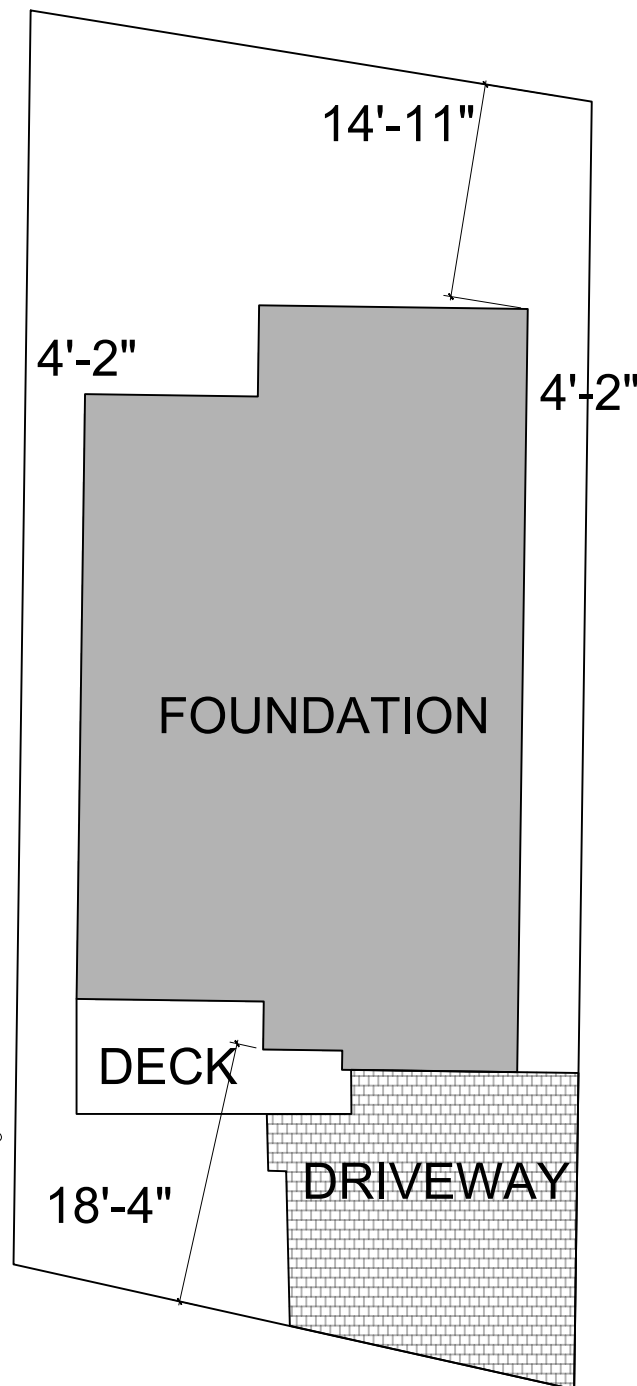
EXISTING LEGAL DESCRIPTION

(PER RAMSEY COUNTY DOCUMENT NO. 3508061)

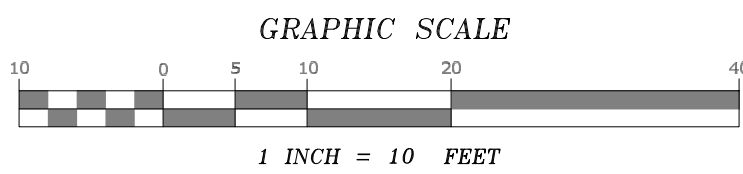
The North 40 feet of the East Half of Lot 4, STEWARTS SUBDIVISION OF BLOCK 46 OF WHITE BEAR, Ramsey County, Minnesota.

Also including 7.5 feet lying West of Lot 3, being the East Half of the alley running North and South in rear of said Lot.

DESCRIPTION OF PARCEL SURVEYED

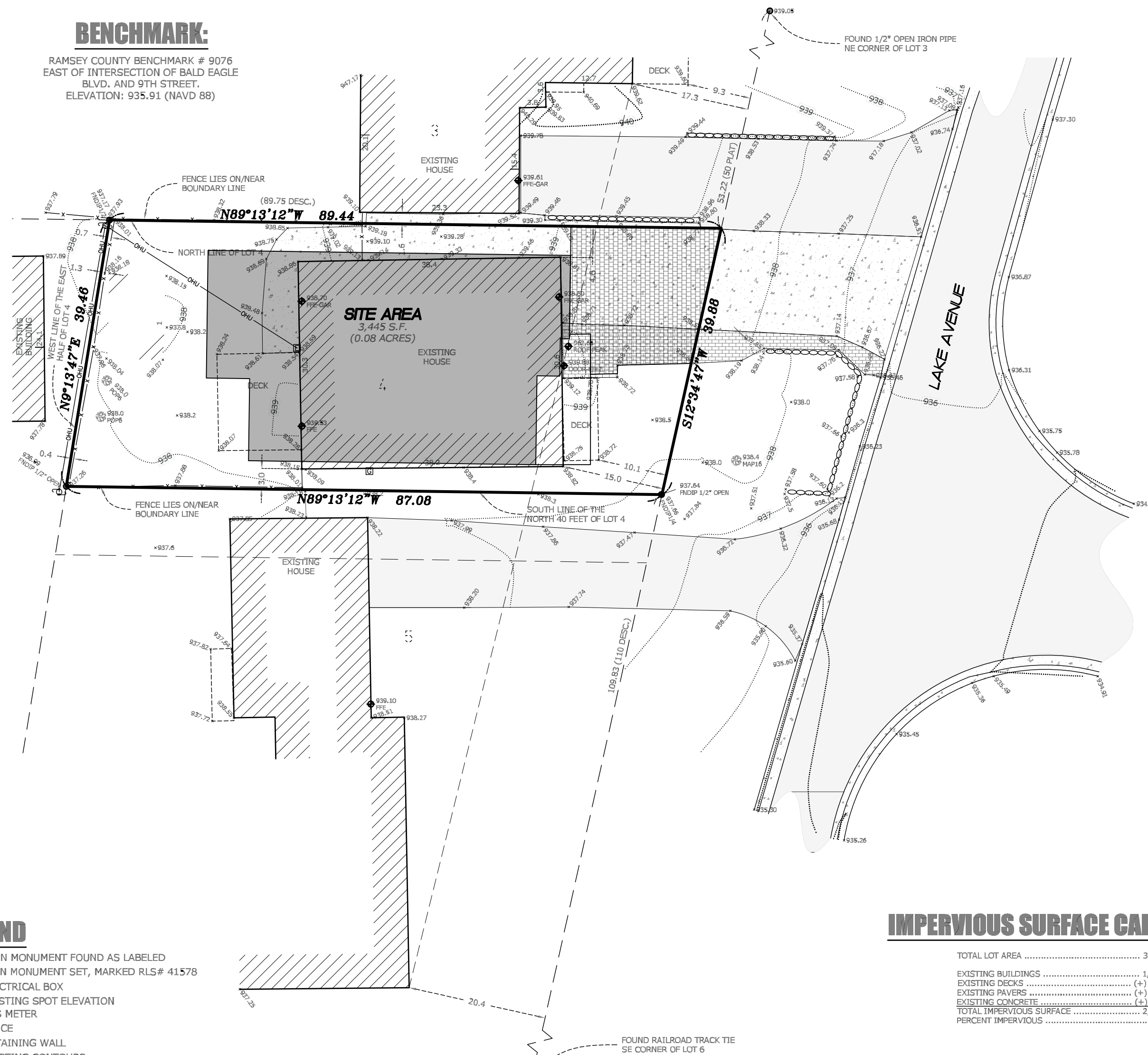


NORTH



BENCHMARK:

RAMSEY COUNTY BENCHMARK # 9076
 EAST OF INTERSECTION OF BALD EAGLE
 BLVD. AND 9TH STREET.
 ELEVATION: 935.91 (NAVD 88)



LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 41578
- DENOTES ELECTRICAL BOX
- DENOTES EXISTING SPOT ELEVATION
- DENOTES GAS METER
- DENOTES FENCE
- DENOTES RETAINING WALL
- DENOTES EXISTING CONTOURS
- DENOTES OVERHEAD UTILITY
- DENOTES BITUMINOUS SURFACE
- DENOTES CONCRETE SURFACE
- DENOTES PAVER SURFACE

TREE DETAIL

- DENOTES ELEVATION
- DENOTES TREE QUANTITY
- DENOTES TREE SIZE IN INCHES
- DENOTES TREE TYPE

PROPOSED:

FOUNDATION 1481 SQ. FT.
 DRIVEWAY 391 SQ. FT

HOUSE IS 30'-8" WIDE AND WILL
 BE CENTERED ON LOT WITH
 APPROX. 4'-2" SIDE SETBACKS

HOUSE REAR SETBACK WILL BE
 14'-11" FROM NEAREST NW
 CORNER

HOUSE FRONT SETBACK WILL
 BE THE AVERAGE OF
 ADJACENT NEIGHBORS-18'-4"

IMPERVIOUS SURFACE CALCULATIONS

TOTAL LOT AREA	3,445 SQ. FT.
EXISTING BUILDINGS	1,269 SQ. FT.
EXISTING DECKS	(+) 232 SQ. FT.
EXISTING PAVERS	(+) 124 SQ. FT.
EXISTING CONCRETE	(+) 589 SQ. FT.
TOTAL IMPERVIOUS SURFACE	2,215 SQ. FT.
PERCENT IMPERVIOUS	64.3%

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

JASON E. RUD
 Date: 8/22/2022 License No. 41578

DRAWN BY: CMB	JOB NO: 22081081	DATE: 08/02/22
CHECK BY: JER	FIELD CREW: CB / MR	
1	8-22-22	ADD IMPERVIOUS CALCULATIONS
2	11-08-22	ADD SOUTHERLY BLDG DIMENSION
3		
NO.	DATE	DESCRIPTION

E. G. RUD & SONS, INC.
 Professional Land Surveyors
 6776 Lake Drive NE, Suite 110
 Lino Lakes, MN 55014
 Tel. (651) 361-8200 Fax (651) 361-8701

S:\RUD\CAD\22PROJ\22081081\22081081.DWG

22081

Susan Hebert Welles
 Residential Design & Consulting

P. 612.998.8404
 e-mail: hebertwelles@gmail.com

NEW HOME FOR:

TAMMY AND MIKE HILLIARD
 4815 LAKE AVE.
 WHITE BEAR LAKE, MINNESOTA

ISSUE DATE
 JANUARY 17, 2023
 REVISIONS

JOB #2023001

SHEET
A10
 OF

1
 A10 PROPOSED SITE PLAN
 N.T.S.



City of White Bear Lake
Community Development Department

MEMORANDUM

TO: The Planning Commission
FROM: Ashton Miller, City Planner
DATE: February 27th, 2023
SUBJECT: **A New Hope Preschool Conditional Use Permit, 955 Wildwood Road, Case No. 23-7-CUP**

SUMMARY

The applicant, Elisheba Churchill, is requesting a conditional use permit in order to operate a day care facility out of tenant space at the Wildwood Shopping Center located at 955 Wildwood Road. Based on the findings made in this report, staff finds that the standards for conditional use permits laid out in City Code Section 1302.140 have been satisfied and recommends approval of the request.

GENERAL INFORMATION

Applicant/Owner: Elisheba Churchill / Chung Dang

Existing Land Use / Zoning: Shopping Center; zoned B-4: General Business

Surrounding Land Use / Zoning: North: Bank; zoned B-4: General Business
 South: Commercial buildings; zoned B-4: General Business & Pet Store; zoned B-4 General Business (Mahtomedi)
 East: Senior Housing & Drug Store; zoned B-4: General Business
 West: Restaurants & Auto Repair Store; zoned B-4: General Business

Comprehensive Plan: Neighborhood Mixed Use

Lot Size & Width: Code: None & 100 feet
 Site: 169,652 sq. ft. & 400 feet

BACKGROUND INFORMATION

The subject site is located on the northeast quadrant of County Road E and Century Avenue/East County Line Road in Washington County. The Wildwood Shopping Center is roughly 30,000 square feet in size. The building was expanded from a grocery store into a “strip mall” in 1958. In 2008, the east end of the strip mall was sold off to Walgreen’s, reducing the size of the property and building. The proposed day care will move into a tenant space on the

north side of the shopping center that fronts East County Line Road.

Community Comment

Under state law and the City's zoning regulations, conditional use permit applications require a public hearing. Accordingly, the City published notice of this request in the White Bear Press and mailed notice directly to all property owners within 350 feet. That notice directed all interested parties to send questions or comments to the Planning Department by mail, phone, or email or to attend the public hearing where they could learn about the request, ask questions, and provide feedback. As of the writing of this report, city staff has not received any comments from the public. During the public hearing, staff will provide an update if any public comments are received prior to the Planning Commission meeting.

ANALYSIS

Conditional Use Permit Review

City review authority for conditional use permits are considered a Quasi-Judicial action. This means the city acts like a judge in evaluating the facts against the applicable review standards. The city's role is limited to applying the review standards to the facts presented by the application. Generally, if the application meets the review standards, it should be approved. The standards for reviewing conditional use permits are detailed in City Code Section 1301.050.

According to City Code Section 1301.050, the City shall consider possible adverse effects of a proposed conditional use, in this case a day care facility. This review shall be based upon (but not limited to) the factors listed below. Based on the findings made in this review, staff recommends approval of the requested conditional use permit.

1. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official City Comprehensive Land Use Plan and all other plans and controls.

Finding: The 2040 Comprehensive Plan Future Land Use Map guides the subject property Neighborhood Mixed Use. Neighborhood Mixed Use is intended to be for commercial retail or service businesses and offices serving the local community, and medium to high-density housing. The proposed day care is a service business that will serve the local community and is therefore consistent with the Comprehensive Land Use Plan.

Additionally, one of the guiding principles in the Comprehensive Plan is "complete community," which aims to enhance the complete community concept to create and enhance opportunities for residents to conveniently meet daily needs without having to make long trips. A day care in a neighborhood commercial hub provides the opportunity for parents/guardians to have childcare that is close to home or close to work.

2. The proposed use is or will be compatible with present and future land uses of the area.

Finding: The proposed use is compatible with present and future land uses of the area. All of

the surrounding properties are zoned B-4: General Business and are comprised of various businesses and high-density residential that enhance the commercial, high-density residential, and neighborhood mixed use designations for the area as guided in the 2040 Comprehensive Plan. While in Mahtomedi, there are a number of apartment buildings in the immediate area whose residents may benefit from and utilize a day care facility within walking distance.

3. The proposed use conforms with all performance standards contained herein.

Finding: The zoning code permits day care facilities as a conditional use in all zoning districts. City code section 1302.140 outlines the requirements for day care facilities and each requirement is detailed below.

Lot Requirements and Setbacks. There is not a minimum lot size requirement in the B-4 zoning district. The minimum lot width is 100 feet, which the property exceeds. The day care is proposed to move into existing tenant space and there are no changes proposed to the exterior of the building. The building meets the street side setback, the rear yard setback and the side yard setback requirements.

Municipal Sanitary Sewer and Water. The shopping center is connected to city sewer and water. All new commercial businesses must submit to the Metropolitan Council for a Sewer Availability Charge (SAC) and Water Availability Charge (WAC) determination. A determination letter will need to be submitted and all applicable fees paid to the city prior to issuance of any building permits.

Parking. The zoning code does not have specific parking standards for day care facilities. When a standard does not exist, the code allows for “other” standards to be used, subject to City Council approval. Staff has applied the parking requirements for elementary schools in the past, which require one stall per classroom, plus one stall for every 50 students, and then required additional stalls for staff. The proposed floor plan has four unique spaces for different age groups and two staff are proposed for each room, so 11 parking stalls would be required on-site. Other communities in the Twin Cities metro require one parking stall per every six children at child care facilities. If this standard were applied, with 47 children, eight stalls would be required for the exclusive use of the day care.

Parking requirements for the whole shopping center are based on the type of tenant. Retail and service require one stall for every 200 square feet of gross floor area, while restaurants require one stall for every 2.5 seats. The applicant is working with the owner of the shopping center to provide the tenant breakdown to determine how much parking is required on site. There are approximately 190 parking stalls on site. If every tenant space of the 30,000 square foot building were retail/service, 135 stalls would be required.

Most of the occupied tenant spaces are retail/service that operate during normal business hours. However, there is a restaurant on the north end of the shopping center that is generally busiest in the evening and on weekends when the day care is closed, so peak parking demands

are offset.

Screening. The shopping center has vegetative screening between the property and the abutting senior living facility as well as along the right-of-way.

Loading. One-off street loading space is required on site. There is existing loading space in the rear of the building that complies with section 1302.060 of the zoning code.

Signage. A wall sign is permitted in the B-4 zoning district and there is a freestanding sign on site for the tenants of the shopping center. Separate permits are required for signage.

Day Care or Group Care Facility. There are no plans to alter the exterior of the building. An interior remodel of the space is proposed and plans will be reviewed and approved by the Building Department before issuance of a permit.

Primary Space. A minimum of 35 square feet of useable floor space is required per child. Excluding hallways, bathrooms, kitchens and lockers, the tenant space is roughly 3,000 square feet. The proposal shows the facility will have 8 infants, 14 toddlers, 20 preschoolers, and 5 school age children, for a total of 47 students. At this rate, the floor space per child greatly exceeds the requirement. The Minnesota Department of Human Services has issued a license for the day care at a program capacity of 82 children, which would be the greatest number of children allowed and still have the business meet the city's space requirements.

Bathroom Facilities. The applicant's plans call for the space to include two restrooms, two additional toilets for young children and four sinks. One toilet per every 15 children is required, so with 47 children attending the day care, the applicant is exceeding the city's requirements.

Day Care Facility Sick Room. The code requires space for a sick child to be separated from the group. The space need not be permanent, but be equipped with a child's cot and be used for compatible purposes, such as an office. The floor plan shows the main office that will have a cot available for a sick child. The space allows separation from the main activity area, but also keeps the child within sight and hearing of an adult.

Day Care Facility Sleeping Area. The code requires a cot or crib to be provided for each child taking a nap in a program that includes a rest. As denoted on the floor plan, cots and cribs will be provided in each of the classrooms where a rest is part of the day program and each room has adequate space for napping children.

Day Care Facility Outdoor Play Area. The zoning code requires that outdoor play space is provided for children. This requirement can be fulfilled if the proposed day care is within 1,000 feet of a park or more than 1,000 feet away if daily transportation is provided. The applicant is proposing to use the neighboring Wedgewood Park in Mahtomedi to fulfill this requirement. The park facility is approximately 2,100 feet from the day care tenant space as measured along the most direct pedestrian route. As a result, staff recommends a condition of approval require

the applicant to provide daily transportation to and from the park.

4. The proposed day care use will not tend to or actually depreciate the area in which it is proposed.

Finding: The use of tenant space will not depreciate the area in which it is proposed. The tenant space is currently vacant and a new business moving in is an asset to the community. The applicant's investment in the space will appreciate the shopping center.

5. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity.

Finding: As noted above, the property is served by city water and sewer and the utilities have the capacity to serve the proposed use.

6. Traffic generation by the proposed use is within capabilities of streets serving the property.

Finding: Traffic generated by the proposed day care is within the capabilities of the streets serving the property. Both County Road E and Century Avenue/East County Line Road are arterial roads, which as defined by the Metropolitan Council are meant to "provide interconnection of major traffic generators within the metro centers". The roads are designed to accommodate higher levels of traffic, so there is the capacity to accommodate the 47 to 82 pick-up and drop off trips the day care will generate on a daily basis. Further, there are multiple entrances into the shopping center, which allow the use of both streets to access the lot. Each entrance has dedicated turn lanes, so those visiting the day care will not impede through traffic.

RECOMMENDATION

The standards outlined in the zoning ordinances have been met, therefore, 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 1301.050, Subd.4, if within one (1) year after approving the Conditional Use Permit, the use as allowed by the permit shall not have been completed or utilized, the CUP shall become null and void unless a petition for an extension of time in which to complete or utilize the use has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
3. The Conditional Use Permit shall become effective upon the applicant tendering proof (ie: a receipt) to the City of having filed a certified copy of the signed resolution of approval with the County Recorder pursuant to Minnesota State, Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. A building permit shall be obtained before any work begins.
5. All signage will be in compliance with city code and applicant will submit for signage permit as needed.

6. The applicant shall provide a Sewer Availability Charge (SAC) and Water Availability Charge (WAC) determination from the Metropolitan Council and pay all applicable fees prior to the issuance of a building permit.
7. The applicant shall comply with the applicable zoning and building codes and with the Fire Department memo, dated January 31, 2023.
8. The applicant shall continue to be licensed by the Minnesota Department of Human Services.
9. Based on the distance from the day care tenant space to the nearest park facility (Wedgewood Park in Mahtomedi), the applicant shall be required to provide daily transportation to and from the park.

Attachments:

Draft Resolution of Approval

Zoning/Location Map

Fire Review Memo, dated 01/31/23

Applicant's Narrative (4 pages) & Plans (4 pages)

RESOLUTION NO.

**RESOLUTION GRANTING A CONDITIONAL USE PERMIT
FOR 955 WILDWOOD ROAD WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, A New Hope Preschool (Case No. 23-7-CUP) has requested a conditional use permit, per code section 1302.140, in order to operate a daycare facility at the property located at:

LOCATION: Attached as Exhibit A (PID # 3003021330073)

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on February 27, 2023; and

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

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

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

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

1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
2. Per Section 1301.050, Subd.4, if within one (1) year after approving the Conditional Use Permit, the use as allowed by the permit shall not have been completed or utilized, the CUP shall become null and void unless a petition for an extension of time in which to complete or utilize the use has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
3. The Conditional Use Permit shall become effective upon the applicant tendering proof (i.e. a receipt) to the City of having filed a certified copy of the signed resolution of approval with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. A building permit shall be obtained before any work begins.
5. All signage will be in compliance with city code and applicant will submit for signage

RESOLUTION NO.

**EXHIBIT A
LEGAL DESCRIPTION**

Parcel A:

Parcel I: (Abstract)

Lot 5, Block 1, Alla-Bar City Second Addition, Washington County, Minnesota.

Parcel II: (Torrens)

Lot 4, Block 1, Alla-Bar City Second Addition, according to the recorded plat thereof on file and of record in the office of the Registrar of Titles, Washington County, Minnesota, except that part described as follows:

Beginning at the Southeast corner of said Lot 4, thence South 90 degrees 00 minutes 00 seconds West, assumed bearing, along the South line of said Lot 4, a distance of 254.50 feet; thence North 00 degrees 04 minutes 40 seconds East, a distance of 37.57 feet; thence South 89 degrees 55 minutes 20 seconds East, a distance of 22.50 feet; thence North 00 degrees 04 minutes 40 seconds East, a distance of 47.50 feet; thence South 89 degrees 55 minutes 20 seconds East, a distance of 30.50 feet; thence North 00 degrees 04 minutes 40 seconds East, a distance of 219.00 feet to the North line of said Lot 4; thence South 90 degrees 00 minutes 00 seconds East along the North line of said Lot 4, a distance of 201.50 feet to the East line of said Lot 4; thence South 00 degrees 04 minutes 40 seconds West, along the East line of said Lot 4; a distance of 304.00 feet to the point of beginning.

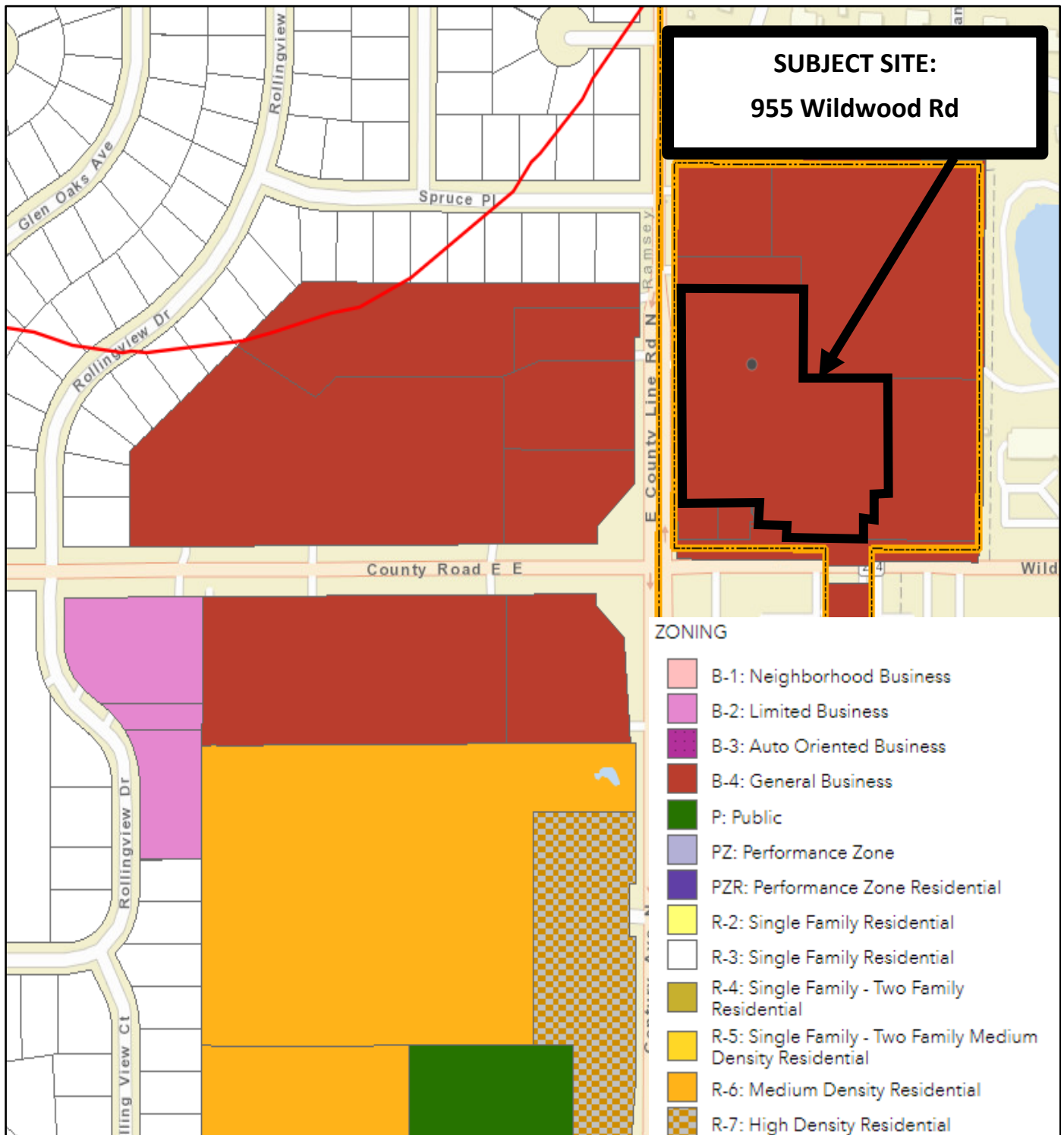
Parcel B: (Abstract)

Outlot B, Alla-Bar City Second Addition, Washington County, Minnesota.

EXCEPT that part of Outlot B, Alla-Bar City Second Addition, Washington County, Minnesota described as follows: Commencing at the northwest corner of said Outlot B; thence on an assumed bearing of South 00 degrees 16 minutes 21 seconds West along the west line of said Outlot B a distance of 0.74 feet to the Point of Beginning; thence South 89 degrees 43 minutes 39 seconds East a distance of 3.85 feet; thence South 00 degrees 16 minutes 21 seconds West a distance of 12.20 feet; thence South 89 degrees 43 minutes 39 seconds East a distance of 1.51 feet; thence South 00 degrees 16 minutes 21 seconds West a distance of 1.52 feet; thence South 89 degrees 43 minutes 39 seconds East a distance of 3.99 feet; thence South 00 degrees 16 minutes 21 seconds West a distance of 15.11 feet; thence North 89 degrees 43 minutes 39 seconds West a distance of 9.35 feet to the said west line of Outlot B; thence North 00 degrees 16 minutes 21 seconds East a distance of 28.83 feet to the point of beginning.

Parcel C: (Abstract)

Outlot A, Alla-Bar City Second Addition, Washington County, Minnesota.



City of
White Bear Lake
Planning & Zoning
651-429-8561

CASE NO. : 23-7-CUP

CASE NAME : A New Hope Preschool

DATE : 2-27-2023



City of White Bear Lake Fire Department

4701 Highway 61 N.
White Bear Lake, Minnesota 55110
651-429-8568 | www.whitebearlake.org



January 31, 2023

A New Hope Childcare
955 Wildwood Rd
White Bear Lake, MN 55110

Dear Elisheba:

Thank you for submitting documents for Fire Department review. The plans for the above project located at 955 Wildwood Rd. 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

Encl.



City of White Bear Lake Fire Department

4701 Highway 61 N.
White Bear Lake, Minnesota 55110
651-429-8568 | www.whitebearlake.org



General Comments

1. All State daycare licensing requirements shall be met including a fire / life safety inspection and licensing inspection.
2. The fire sprinkler system shall be installed compliant with provisions of 2016 NFPA Standard 13, Installation of Sprinkler Systems. The alterations of this location will require a City permit **prior** to initiation of work.
3. The sprinkler system shall be current on annual inspection and testing. Any deficiencies noted during those reports shall be corrected.
4. A fire alarm system, shall be installed compliant with provisions of 2016 NFPA Standard 72, National Fire Alarm Code for an I-4 occupancy. A City permit is required **prior** to initiation of work. Carbon Monoxide detection is required and shall be monitored by the fire alarm system.
5. Address number shall be plainly visible from the street fronting the property and shall contrasting color from the background.
6. Provide keys for emergency access into and throughout the occupancy as required. The White Bear Lake Fire Department will secure the keys within the fire department lock box.
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.



City of White Bear Lake Fire Department

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11. The required fire-resistance rating of rated construction shall be maintained. Openings through rated construction for the passage of wiring, sleeves, conduit, piping, etc. shall be protected by repair with approved materials which maintains the rating of the construction damaged, altered, breeched or penetrated.
12. Rooms containing controls for air-conditioning systems, sprinkler risers and valves, or other fire detection, suppression or control elements shall be identified for the use of the fire department. Approved signs required to identify fire protection equipment and equipment location, shall be constructed of durable materials, permanently installed and readily visible.

Codes and Standards Used for this Review

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

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



A NEW HOPE

Preschool and ECE Program

To Whom it May Concern.

My name is Elisheba Churchill, and I am requesting the use of 955 Wildwood Rd. for a Child Care Program. A New Hope Preschool and ECE Program is currently licensed with the State of MN for the capacity of 4 infants, 14 toddlers, and 14 preschoolers. Moving to the new location would increase childcare for the community this would include adding school age care. This transition would also create employment opportunities for the community.

Congress activities, Accomplishments and Vision:

- Currently, I am working with State Representative Jim Nash and Legislative Assistant Sam Moyer, regarding financial issues on a County and State level child care providers face.
- I have worked with Ramsey County, District 1, Commissioner Nicole Frethem who supported me through adversities I personally faced while opening my program. Once the program is settled, at Commissioner Nicole's request, I look forward to the opportunity to speak before committees and other boards regarding child care issues providers continue struggling to navigate.

My hope is to represent and roll model for other professional child care providers the courage to embraces partnerships and knowledge of the city, the county, the state, and the government. To show these providers results of what working together can lead to for the child care community. Understanding that without trust and relationships between all parties, there will not be a truly long lasting and effective solutions for the child care challenges we as a nation continue to face.

A New Hope Preschool and ECE Program was the first licensed commercial rule 2 program in Ramsey County. We transitioned to rule 3 to provide more support to the community.



A NEW HOPE

Preschool and ECE Program

Commitment to the Community:

Our program has supported the community thus far by volunteering our time, skill set, and resources to TWIN CITIES OUTREACH and provided them with child entertainment for their event in August 2022. I cannot give you an exact number of children and families that came through, but we did completely empty 27 cans of hairspray colors! It was extremely successful and a joy to be able to serve the community in this way!

A New Hope Preschool successfully collected and fulfilled the requested items needed for FRESH THREADS EXPRESS! Fresh Threads Express is a community bus transformed into a high-end clothing store for low-income families. Families receive tickets or dollars to enjoy the shopping experience and the opportunity to possess quality clothing for their children and families!

Thank you all for your time and consideration to support the continuing efforts of providing high quality child care so desperately needed for all communities.

We are grateful for our current and future opportunities to serve the amazing families of this community and surrounding areas!

I have attached the current and possible architectural floor plan for your review, along with our program's introduction. Looking forward to teaming up with the city! Have a great day!

Elisheba Churchill

anewhopepreschool@gmail.com

651-493-2833



A NEW HOPE

Preschool and ECE Program

Current Physical Space:

955 Wildwood Rd currently has 5 doors leading directly outside and a sprinkler system. the location is also equipped with 2 toilets and 2 hand sinks, this will allow for 30 children over the age of 2.5yrs of age. Our program has 2 potty chairs that are high quality, costing 120 apiece, ensuring the health and safety of the 30 children under age 2.5 we can serve with these potty chairs. To confirm, infants have no legal requirements for toilet and the program has 3 non-plumbing hand washing sinks. All items listed above have been discussed and approved by our DHS Program Licensor, pending appropriate approvals and inspections need of course.

The only change needed immediately would the need to bring running water into the soon to be kitchen area and I did have a licensed Plummer come out to the location. The Plummer stated no ground digging would be needed to achieve this. We would need to connect into the current water supply that is extremely accessible as it runs up the wall in the utility room. We will later make changes to the floor plan ensuring not to spike tuition rates for the families we will and currently serve.

I will be working with the following companies/ Licensed persons:

Platinum Finishes Inc. for wall placement

Innovative Fire Systems, LLC to meet the I-4 building requirements

Tim Grace and Frank Saunby for pluming needs

I would also like to request placing a long and narrow play space in the back parking lot area, ensuring not to block any driving space needed. If this would not be approved the location still meets the legal requirements of a child care center by having a park within 1500 feet of the program.



A NEW HOPE

Preschool and ECE Program

Introduction

A New Hope Preschool ECE Program is a place that provides child care for families who are wanting their children to learn at an age-appropriate level academically, socially, and emotionally. In addition to providing a loving, healthy, and safe environment. We ensure this to our families by transparent teachers with adequate experience teaming up with families and supporting, with guidance, your children on their own unique path. At A New Hope Preschool ECE Program your child's academic needs will be met by providing a curriculum that includes Literacy, STEAM, Sensory, Social / Emotional, Dramatic Play and Geography. A large piece of this curriculum is Social Emotional. Too often the importance of this is overlooked. People may have all the Cognitive skills down however, without the confidence, boundaries, respecting boundaries, labeling their own emotions, and empathy for others that is all they will be Cognitive skills. Without the social / emotional piece they will never learn how to apply the wonderful cognitive skills properly and successfully they have and will continue to learn. When you place your child(ren) in our care we believe it is our priority to ensure your child develops a whole solid foundation that will continue to be built on as they grow and continue their journey down their own unique path of life. Our hope is to help ensure your child has the confidence and the know how to be exactly who they are as they face trials and tribulations this world offers us all and they will learn to grow from these experiences and not be defined by them.

ANNOTATION SYMBOLS	
	DRAWING NUMBER
	DRAWING TITLE / NAME
	1/4"=1'-0" (SCALE)
	REVISION CLOUD & TRIANGLE
	NORTH ARROW
Room name 101 150 SF	ROOM TAG # NUMBER
	SECTION & DETAIL MARKS
	ELEVATION TAGS
	EXISTING WALL
	WALL TO BE REMOVED
	NEW WALL
	WALL TYPE TAG
	DOOR WITH DOOR NUMBER
	WINDOW WITH WINDOW NUMBER
	ELEVATION CALLOUTS WITH FINISH DESIGNATION
	PLAN FINISH DESIGNATION

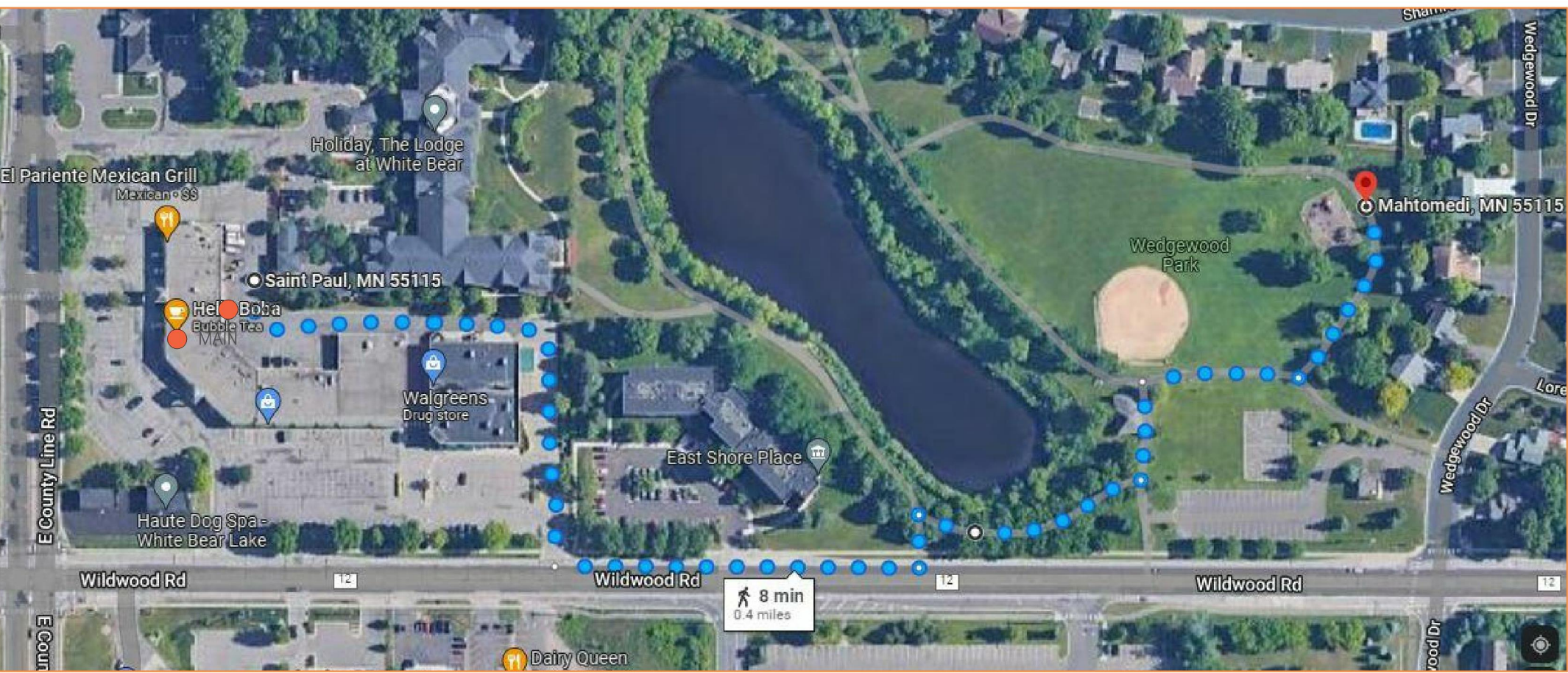
ABBREVIATIONS	
AFF	ABOVE FINISHED FLOOR
ACC	ACCESS
ACT	ACOUSTICAL
AGG	AGGREGATE
AC	AIR CONDITIONING
ALT	ALTERNATE
AL	ALUMINUM
ARCH	ARCHITECT
AUTO	AUTOMATIC
BD	BOARD
BRS	BEARING
BM	BENCHMARK
BIT	BITUMINOUS
BLK	BLOCK
BO	BY OWNER
BOT	BOTTOM
CPT	CARPETED
CASMT	CASEMENT
CK	CAULKING
CLG	CEILING
CER	CERAMIC
CT	CERAMIC TILE
CIR	CIRCLE
CL	CENTERLINE
CLR	CLEAR
COL	COLUMN
CONC	CONCRETE
CMU	CONCRETE MASONRY UNIT
CTR	CONTROL JOINT
CJ	CORRUGATED
CORR	DEMOLISHED, DEMOLITION
DEMO	DETAIL
DIA	DIAMETER
DIM	DIMENSION
DN	DOWN
DR	DOOR
DH	DOUBLE HUNG
DT	DRAIN TILE
DWR	DRAWER
DWG	DRAWING
DW	DRAIN WASH
E	EAST
EFIS	EXTERIOR INSULATION FINISH SYSTEM
ELC	ELECTRICAL
ELEV	ELEVATION
EMER	EMERGENCY
EQ	EQUAL
EOP	EQUIPMENT
EXIST	EXISTING
EXP	EXPOSED
EXT	EXTERIOR
FOC	FACE OF CONCRETE
FOF	FACE OF FINISH
FOM	FACE OF MASONRY
FOS	FACE OF STUDS
FIN	FINISHED
FLR	FLOOR
FFE	FURNISHINGS, FIXTURES & EQUIPMENT
FE	FIRE EXTINGUISHER
FEC	FIRE EXTINGUISHER CABINET
FLG	FLASHING
FD	FLOOR DRAIN
FLUR	FLUORESCENT
FTG	FOOTING
FND	FOUNDATION
FUR	FURRED (ING)
FUT	FUTURE
GA	GAUGE
GC	GENERAL CONTRACTOR
GL	GLASS, GLAZING
GB	GRAB BAR
GRD	GRADE
GYP BD	GYPSPUM BOARD
HDW	HARDWARE
HDR	HEADER
HTG	HEATING
HVAC	HEATING/VENTILATING/AC
HD	HEAVY DUTY
HT	HEIGHT
HC	HOLLOW CORE
HM	HOLLOW METAL
HOR	HORIZONTAL
HR	HAND RAIL
HB	HOSE BIB
INCL	INCLUDE (D) (ING)
ID	INSIDE DIAMETER
INS	INSULATE (D) (ING)
INT	INTERIOR
INV	INVERT
KIT	KITCHEN
KO	KNOCK OUT
LAM	LAMINATE (D)
LAV	LAVATORY
LH	LEFT HAND
LL	LIVE LOAD
LVL	LAMINATED VENEER LUMBER
MFR	MANUFACTURE (D) (ER)
MAS	MASONRY
MO	MASONRY OPENING
MECH	MECHANICAL
MED	MEDIUM
MBR	MEMBER
MN	MINIMUM
MISC	MISCELLANEOUS
NOM	NOMINAL
N	NORTH
NIC	NOT IN CONTRACT
NTS	NOT TO SCALE
OC	ON CENTER
OPG	OPENING
OPP	OPPOSITE
OD	OUTSIDE DIAMETER
OH	OVERHEAD
PT	PAINT
PEDESTAL	PEDESTAL
PLYM	PLASTIC LAMINATE
PLY WD	PLYWOOD
PFR	PER MANUFACTURER'S RECOMMENDATIONS
PNT	POINT
PVC	POLYVINYL CHLORIDE
PCF	POUNDS PER CUBIC FOOT
PLF	POUNDS PER LINEAL FOOT
PSF	POUNDS PER SQUARE FOOT
QT	QUARRY TILE
R	REFLECTED CEILING PLAN
RCP	REFERENCE
REF	REFERENCE
REFG	REVISED, REVISION(S)
REV	REVISION
RH	RIGHT HAND
RHW	RIGHT OF WAY
RD	ROOF DRAIN
RM	ROOM
RO	ROUGH OPENING
RO	ROUGH OPENING
S	SOUTH
SCH	SCHEDULE
SEC	SECTION
SHT	SHEET
SH	SHELF, SHELVING
SC	SOLID CORE
SPK	SPEAKER
SPEC	SPECIFICATION(S)
SQ	SQUARE
SS	STAINLESS STEEL
ST	STAIN
STD	STANDARD
STA	STATION
STO	STORAGE
SUS	SUSPENDED
SYS	SYSTEM
TEL	TELEPHONE
TV	TELEVISION
THK	THICKNESS
TPD	TOILET PAPER DISPENSER
T&G	TONGUE AND GROOVE
TOS	TOP OF SLAB, TOP OF STEEL
TR	TRANSOM
TOC	TOP OF CURB
UNO	UNLESS OTHERWISE NOTED
VB	VAPOR BARRIER
VAR	VARNISH
VFR	VERIFY
VIF	VERIFY IN FIELD
VCG	VINYL-COATED GYPSUM BOARD
VERT	VERTICAL
VIN	VINYL
VB	VINYL BASE
VF	VINYL FABRIC
VTL	VINYL TILE
WH	WALL HUNG
WC	WATER CLOSET
WR	WELDED WIRE FABRIC
W	WEST
WI	WITH
WIN	WINDOW
WM	WIRE MESH
WO	WITHOUT
WD	WOOD
WPT	WORKING POINT

GENERAL PROJECT NOTES

- SUBMITTAL OF A BID CERTIFIES THAT THE CONTRACTOR, SUBCONTRACTOR, VENDOR, PERSON, OR CORPORATION, ISSUING THE BID HAS REVIEWED THE ENTIRE SET OF DRAWINGS AND HAS VISITED THE SITE OF CONSTRUCTION. SAID PERSON(S) IS RESPONSIBLE FOR ALL ITEMS NORMALLY INCLUDED IN THEIR WORK UNLESS OTHERWISE NOTED IN THESE DOCUMENTS.
- CONTRACTOR SHALL CAREFULLY STUDY AND COMPARE ALL DRAWINGS DURING THE BIDDING PERIOD AND BEFORE COMMENCEMENT OF THEIR WORK. ANY INCONSISTENCIES IN THE DRAWINGS SHALL BE REPORTED PROMPTLY TO THE ARCHITECT FOR CLARIFICATION.
- INFORMATION IN THESE DOCUMENTS IS COMMUNICATED IN THE FORM OF DATUMS, NOTES, SYMBOLS, ETC. THE PRODUCERS OF THESE DRAWINGS ARE NOT HELD LIABLE FOR AN MISUSE OF THESE DOCUMENTS. INFORMATION IN THESE DOCUMENTS IS COMMUNICATED IN THE FORM OF DATUMS, NOTES, SYMBOLS, ETC. THE PRODUCERS OF THESE DRAWINGS ARE NOT HELD LIABLE FOR AN MISUSE OF THESE DOCUMENTS.
- THESE DOCUMENTS ARE MEANT TO INDICATE THE GENERAL SCOPE OF THE PROJECT IN TERMS OF ARCHITECTURAL DESIGN CONCEPT, THE DIMENSIONS OF THE BUILDING, THE MAJOR ARCHITECTURAL ELEMENTS. THE DIMENSIONS DO NOT NECESSARILY INDICATE OR DESCRIBE ALL WORK REQUIRED FOR FULL PERFORMANCE AND COMPLETION OF THE REQUIREMENTS OF THE CONTRACT RELATING TO THE BASIS OF THE GENERAL SCOPE. INDICATED OR DESCRIBED, THE TRADE CONTRACTOR SHALL FURNISH ALL ITEMS REQUIRED FOR THE PROPER EXECUTION AND COMPLETION OF THE WORK.
- AIA DOCUMENT A201, 1997 EDITION IS HEREBY INCORPORATED INTO THESE DOCUMENTS BY THIS REFERENCE. A COPY OF THE AIA DOCUMENT A201 IS ON FILE AT THE ARCHITECT'S OFFICE AND WILL BE MADE AVAILABLE UPON REQUEST.
- THE GC SHALL FILE ALL DRAWINGS FOR PERMIT APPLICATION OR OTHER MATERIALS, INCLUDING LICENSES REQUIRED TO SECURE ANY AND ALL NECESSARY BUILDING PERMITS AS MIGHT BE REQUIRED. THE GC SHALL FILE ALL DRAWINGS FOR PERMIT APPLICATION OR OTHER MATERIALS, INCLUDING LICENSES REQUIRED TO SECURE ANY AND ALL NECESSARY BUILDING PERMITS AS MIGHT BE REQUIRED.
- THE GC SHALL MAINTAIN A CURRENT AND COMPLETE SET OF CONSTRUCTION DRAWINGS ON THE SITE DURING ALL PHASES OF CONSTRUCTION FOR USE OF ALL TRADES.
- THE GC'S WORK SHALL INCLUDE SUPERVISION AND COORDINATION OF ALL SUBCONTRACTORS WORK, AND WORK PERFORMED BY OTHERS.
- ALL DIMENSIONS ARE GIVEN FACE OF STUD TO FACE OF STUD. WALL AND/OR PARTITION THICKNESS DIMENSIONS ARE NOMINAL. SEE WALL SECTIONS AND/OR PARTITION TYPES FOR EXACT CONSTRUCTION.
- ADDITIONS, ALTERATIONS, AND REPAIRS TO EXISTING BUILDINGS SHALL BE SO CONSTRUCTED THAT NO EXISTING BUILDING, STRUCTURAL, ELECTRICAL, PLUMBING, OR MECHANICAL SYSTEM BECOMES UNSAFE OR OVERLOADED.
- ALL CONSTRUCTION SHALL CONFORM TO ALL APPLICABLE CODES. IF SUCH RULES AND REGULATIONS ARE IN CONFLICT WITH ANY PORTION OF THESE DOCUMENTS, THE ARCHITECT SHALL BE INFORMED BEFORE PROCEEDING.
- THE GC'S WORK SHALL INCLUDE CLEAN-UP OF ALL CONSTRUCTION DEBRIS AND DIRT FROM THE SITE, ADJACENT AREAS OR PROPERTIES. CLEANING SHALL BE PER MANUFACTURER'S INSTRUCTIONS ON ALL FINISH SURFACES.
- UPON COMPLETION OF PROJECT, THE GC SHALL OBTAIN ALL FINAL INSPECTIONS AS REQUIRED BY LOCAL JURISDICTIONS AND FURNISH OWNER WITH EVIDENCE OF ALL SUCH INSPECTIONS AND CERTIFICATES OF OCCUPANCY.
- UPON COMPLETION OF PROJECT, THE GC SHALL PROVIDE OWNER WITH ALL INSTRUCTION MANUALS, WARRANTIES OR OTHER DOCUMENTS REQUIRED FOR OPERATION OR MAINTENANCE OF ANY ITEM IN THE CONTRACTORS WORK.
- ALL MEANS OF EGRESS AND FIRE PROTECTION SHALL BE MAINTAINED AT ALL TIMES. ANY SHUTDOWN OF LIFE SAFETY OR BUILDING SYSTEMS SHALL BE APPROVED AND COORDINATED IN ADVANCE WITH THE OWNER AND LOCAL BUILDING DEPARTMENT.

SHEET INDEX

SHT NUMBER	SHT NAME	ISSUED FOR	ISSUE DATE	REVISION	REVISION DATE
A0.1	TITLE PAGE	CITY SUBMIT	01.05.2023		
A2.1	FLOOR PLAN	CITY SUBMIT	01.05.2023		
A2.2	RCP # EXITING	CITY SUBMIT	01.05.2023		



SITE MAP TO SHOW OUTDOOR PLAYSAPCE FROM CHILD CARE INTERIOR SPACE.
WEDGEWOOD PARK IS ADJACENT TO CHILD CARE SPACE
 APPROXIMATE 0.4 MILES FROM REAR EXIT.

PROJECT TEAM

OWNER/CLIENT	GENERAL CONTRACTOR
A NEW HOPE PRESCHOOL 3586 LINDEN AVE B2 WHITE BEAR LAKE, MN 55110	TBD - CONTACT OWNER/CLIENT FOR INFORMATION
ELISHEBA CHURCHILL anehopepreschool@gmail.com 651-369-8304	
ARCHITECT	
PROGRESSIVE ARCHITECTURE 4920 OTTER LAKE ROAD WHITE BEAR LAKE, MN 55110	
SCOTT MOWER smower@progressivearch.com	
LANA LARSON larson@progressivearch.com 651-292-1061	

CONSTRUCTION ADMIN

- ONLY REQUIRED SHOP DRAWINGS OR SUBMITTALS ARE TO BE SUBMITTED TO THE ARCHITECT FOR APPROVAL.
- ALL SUBMITTALS TO BE DELIVERED TO ARCHITECT'S OFFICE IN COMPLETION WITH ALL PAPERWORK, SAMPLES AND LITERATURE TO REVIEW SUBMITTED TOGETHER. ARCHITECT TO REVIEW SUBMITTALS WITH OWNER PRIOR TO APPROVAL.

IBC 2020 CODE REVIEW

OCCUPANCY GROUP				SEPARATION REQUIRED BETWEEN OCCUPANCIES				OCCUPANCY CLASSIFICATION																	
CHILD CARE	I-4	LICENSED CHILD CARE FACILITY	CHAPTER 3	1 HR -	SINGLE OCCUPANCY.	NAME	SQ. FT.	FACTOR	LOAD	EXISTS REQ'D	EXISTS GIVEN														
				SPRINKLER		I-4 OCCUPANCY-SEC_308.5	3,788	1/35	108	2"	3														
				TYPE OF CONSTRUCTION		SPRINKLERED BUILDING																			
				II-B		YES																			
OCCUPANCY GENERAL NOTES																									
<ol style="list-style-type: none"> THIS PROJECT REQUIRES MNORBC AND MN DEPARTMENT OF HUMAN SERVICES FOR CODES AND LICENSING CODES. REFER TO NBC TABLE ON A1.1, (2020) AND MN DEPT. OF HEALTH TABLE ON A2.3, (2020) AND: <ol style="list-style-type: none"> PER TABLE 1004.5 OCCUPANCY / FACTOR DAYCARE - 1/35 OFFICE AREAS - 1/150 COMMON PATH IN I-4 = 75 FEET, 2020 NBC TABLE 1006.2.1. MAX DEAD END CORRIDOR IN I-4 = 20 FEET, 2020 NBC SECTION 1020.4 2020 NBC SECTION 907.2.6.4 MANUAL AND AUTOMATIC FIRE ALARM SYSTEM AND, AUTOMATIC SMOKE DETECTION IS REQUIRED. <ol style="list-style-type: none"> 907.2.6.4 GROUP I-4 OCCUPANCIES, GENERAL. <ul style="list-style-type: none"> A MANUAL AND AUTOMATIC FIRE ALARM SYSTEM SHALL BE INSTALLED IN GROUP I-4 OCCUPANCIES IN ACCORDANCE WITH SECTIONS 907.2.6.4.1 THROUGH 907.2.6.4.2. 907.2.6.4. INITIATION. <ul style="list-style-type: none"> INITIATION OF THE FIRE ALARM SYSTEM SHALL BE BY MANUAL AND AUTOMATIC MEANS. APPROVED AUTOMATIC FIRE DETECTORS SHALL BE INSTALLED IN LAUNDRY AND SOLID LINDEN ROOMS, BOILER AND FURNACE ROOMS, MECHANICAL AND ELECTRICAL ROOMS, SHOPS, LABORATORIES, KITCHENS, LOCKER ROOMS, CUSTODIAL CLOSETS, TRASH COLLECTION ROOMS, STORAGE ROOMS, LOUNGES, GIFT SHOPS, AND SIMILAR AREAS. AUTOMATIC SMOKE DETECTORS SHALL BE PROVIDED IN CORRIDORS AND AREAS THAT ARE OPEN TO CORRIDORS. 907.2.6.4.2 NOTIFICATION. <ul style="list-style-type: none"> ACTIVATION OF THE FIRE ALARM SYSTEM OR AUTOMATIC SPRINKLER SYSTEM SHALL INITIATE A GENERAL EVACUATION SIGNAL. IN ADDITION, ACTIVATION OF THE FIRE ALARM SYSTEM SHALL IMMEDIATELY TRANSMIT AN ALARM SIGNAL TO AN APPROVED CENTRAL STATION OR REMOTE STATION SERVICE. TABLE 1006.2.1 - I-4 - SPRINKLER <ol style="list-style-type: none"> MAX TRAVEL DISTANCE SINGLE EXIT = 75' MAX OCCUPANTS / SPACE AREA WITH ONE EXIT = 10 SEE CODE REVIEW PLAN FOR ADDITIONAL EXITING FROM SPACES WITHIN DAYCARE TABLE 1017.2.1-4 - SPRINKLER <ol style="list-style-type: none"> **EXIT TRAVEL DISTANCE - MULTIPLE EXITS = 200' 																									
PLUMBING FIXTURES																									
OCCUP	LOAD	WATER CLOSETS				LAVATORIES				SHOWERS				DRINKING FOUNTAIN		SERVICE SINK									
		REQUIRED	GIVEN			REQUIRED	GIVEN			REQUIRED	GIVEN			REQUIRED	REQ'D	GIVEN	REQ'D	GIVEN							
		FACTOR	MALE	FEMALE	MALE	FEMALE	UNISEX	FACTOR	MALE	FEMALE	MALE	FEMALE	UNISEX	FACTOR	MALE	FEMALE	MALE	FEMALE	UNISEX						
I-4	1/15	1/15					2"	1/15						2"	-	-	-	-	-	1/500	1	1	1	1	1
* REMAINING 6 WATER CLOSETS REQUIRED WILL BE MN HEALTH CARE DEPARTMENT APPROVED PORTABLE WATER CLOSETS (JUVENILE SIZE)														* REMAINING 1 LAVATORY REQUIRED WILL BE MN HEALTH CARE DEPARTMENT APPROVED PORTABLE HAND WASH SINKS (JUVENILE SIZE)											

OTHER CODES INCORPORATED IN THIS PROJECT

2020 MN BUILDING CODE
 2020 NATIONAL ELECTRICAL CODE
 2020 MN MECHANICAL AND FUEL GAS CODE
 2020 MN STATE ACCESSIBILITY CODE CHAPTER 1341 INCLUDING CHAPTER 11 OF THE 2006 IBC
 2020 MN PLUMBING CODE
 2020 MINNESOTA STATE FIRE CODE W/ CITY OF MAHTOMEDI APPLICABLE ORDINANCE

PROGRESSIVE Architecture

4920 OTTER LAKE ROAD, WHITE BEAR LAKE, MN 55110
WWW.PROGRESSIVEARCH.COM 651.292.1061

REVISIONS:

No.	Description	Date

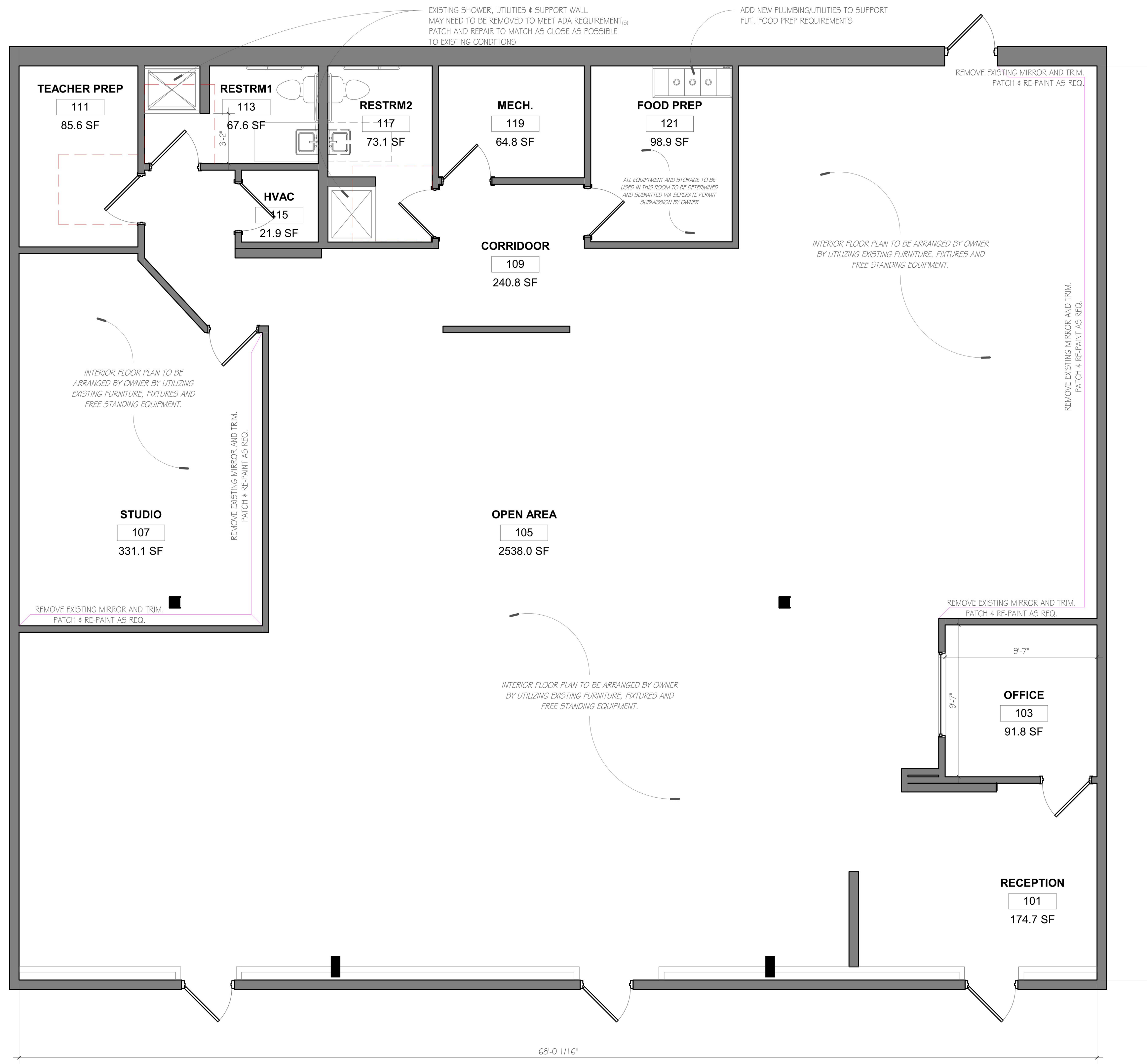
I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

01.05.2023 19826
 SCOTT C. MOWER DATE LICENSE # NHDC
 Project Number
 Date 01.05.2023
 Drawn By PA

A NEW HOPE PRESCHOOL

955 Wildwood Road
Mahtomedi, MN 55115

A0.1
TITLE PAGE
PERMIT SET



1 FIRST FLR PLAN
1/4" = 1'-0"

- GENERAL NOTES**
1. VERIFY CONDITIONS NOTED AS EXIST. AND NOTIFY ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES.
 2. PROTECT EXIST CONSTRUCTION TO REMAIN FROM DAMAGES DUE TO DEMOLITION/CONSTRUCTION ACTIVITIES. PHASE PROJECT TO MINIMIZE CONSTRUCTION DUST AND DISRUPTION TO DAILY WORKINGS OF ADJACENT AREAS.
 3. PATCH EXIST SURFACES DAMAGED OR ALTERED BY THIS WORK WITH MATERIALS TO MATCH EXIST ADJACENT SURFACES. COORDINATE ELECTRICAL, MECHANICAL AND PLUMBING REQUIREMENTS AS REQUIRED. COORDINATE WITH LOW VOLTAGE SUPPLIERS, ON LOCATION OF TELEVISIONS, COMPUTERS AND WIRELESS CHARGING STATIONS. PROVIDE BACKING WHERE REQD TO SUPPORT WALL MOUNTED EQUIPMENT.
 4. AREAS SHOWN IN GRAY ARE EXISTING, TO REMAIN.
 5. ALL DIMENSIONS PROVIDED ARE FROM FACE OF STUD TO FACE OF STUD, SHEATHING OR OTHER STRUCTURAL ELEMENT, UNON.
 6. DIMENSIONS PROVIDED FROM EXISTING BUILDING COMPONENTS ARE FROM FACE OF FINISH, UNLESS OTHERWISE NOTED.
 7. WALLS SHOWN ARE TO REMAIN "AS IS". SPACE HAS BEEN GENERALLY FIELD MEASURED AND EXISTING SPACES NOTED.
 8. INDIVIDUAL SPACES FOR STUDENTS TO BE DESIGNED WITH FREE STANDING FURNITURE, FIXTURES AND EQUIPMENT TO ADHERE TO DHS STATE.MN.US/LICENSING AS REQUIRED BY CODE.

Child Care Center Ratios and Group Sizes, by Age Category

Age Category	Minimum Staff-to-Child Ratio	Maximum Group Size
Infant	1:4	8
Toddler	1:7	14
Preschooler	1:10	20
School-age child	1:15	30

REVISIONS:

No.	Description	Date

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ROOM SCHEDULE

NUMBER	NAME	AREA	WALL FINISH	FLOOR FINISH
101	RECEPTION	174.7 SF	PAINT	MODULAR CPT.
103	OFFICE	91.8 SF	PAINT	MODULAR CPT.
105	OPEN AREA	2538.0 SF	PAINT	MODULAR CPT.
107	STUDIO	331.1 SF	PAINT	MODULAR CPT.
109	CORRIDOOR	240.8 SF	PAINT	MODULAR CPT.
111	TEACHER PREP	85.6 SF	PAINT	MODULAR CPT.
113	RESTRM1	67.6 SF	TILE @48" AFF	FLOOR TILE
115	HVAC	21.9 SF	N/A	EXISTING
117	RESTRM2	73.1 SF	TILE @48" AFF	FLOOR TILE
119	MECH.	64.8 SF	N/A	EXISTING
121	FOOD PREP	98.9 SF	RFP TO 48" AFF	FLOOR TILE

PROGRESSIVE
Architecture

4820 OTTER LAKE ROAD, WHITE BEAR LAKE, MN 55110
WWW.PROGRESSIVEARCH.COM 651.292.1061

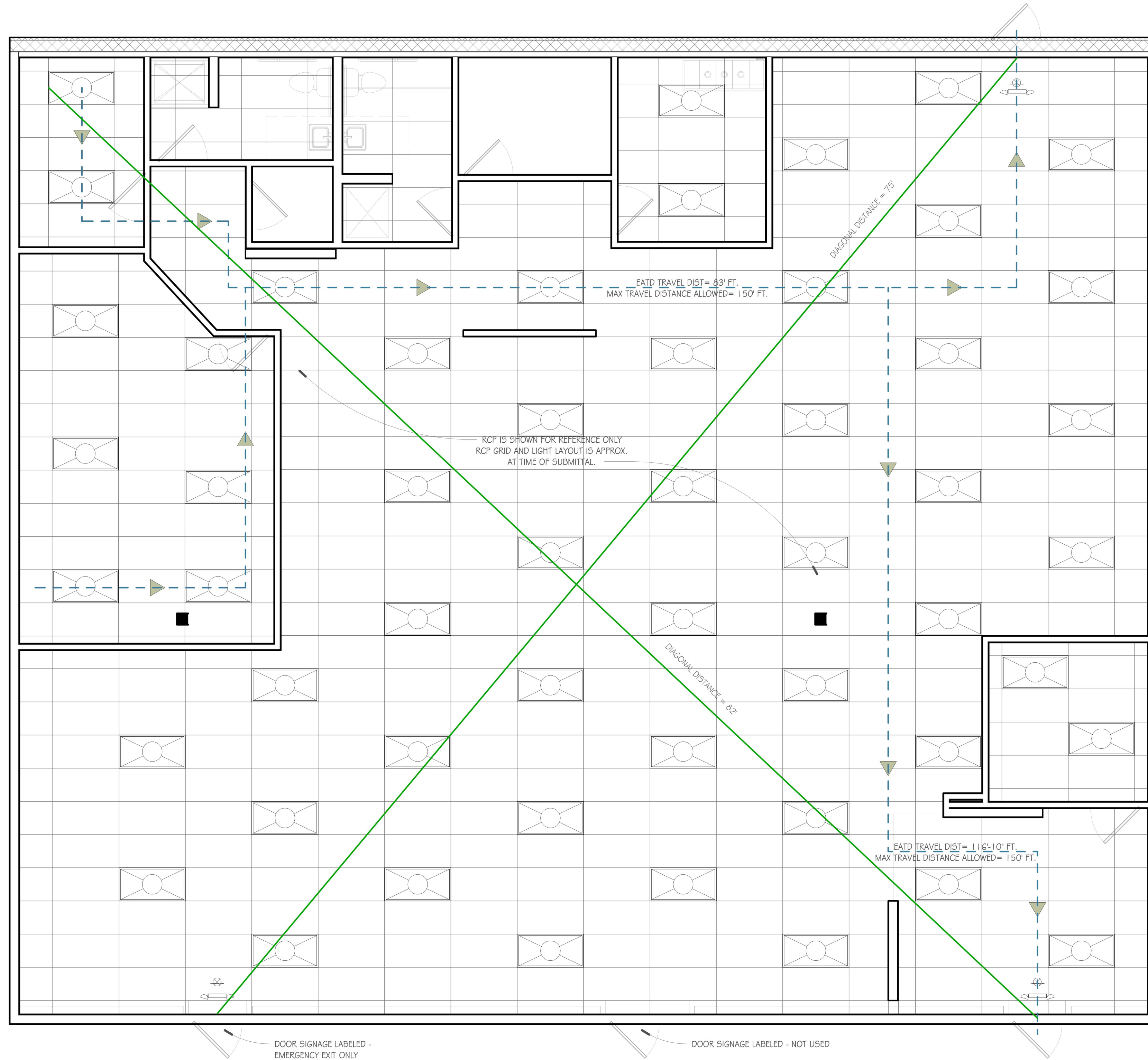
01.05.2023 19826
SCOTT C. MOWER DATE LICENSE #
Project Number NHDC
Date 01.05.2023
Drawn By PA

A NEW HOPE PRESCHOOL

955 Wildwood Road
Mahtomedi, MN
55115

A2.1 FLOOR PLAN

PERMIT SET



TAG	SYMBOL
A EXIT SIGN W/ EMERGENCY LIGHT	
B RECESSED 2x4	

- RCP SPECIFICATION NOTES**
1. FOR ANY FINISH QUESTIONS CONTACT LANA LARSON AT PROGRESSIVE ARCHITECTURE.
 2. CEILING HEIGHTS ARE NOTED ON THE RCP.
 3. CONTRACTOR TO ADJUST LIGHT FIXTURES AS REQUIRED. REPLACE OR REPAIR ANY BROKEN FIXTURES.
 4. LIGHT FIXTURE LOCATIONS ARE APPROXIMATE AND ARE SHOWN FOR REFERENCE ONLY.
 5. EXIT AND EMERGENCY EXIT LIGHTING AS SHOWN ARE EXISTING. REPLACE OR REPAIR AS REQUIRED.
 6. REPAIR OR REPLACE ANY BROKEN, STAINED OR IN GENERAL DISREPAIR (DISCRESSION BY OWNER) CEILING TILE TO MATCH AS CLOSE TO AS POSSIBLE TO EXISTING 2x4 ACOUSTICAL TILE.

REVISIONS:

No.	Description	Date

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME, OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

01.05.2023 19826
SCOTT C. MOWER DATE LICENSE #
Project Number NHDC
Date 01.05.2023
Drawn By PA

A NEW HOPE PRESCHOOL

955 Wildwood Road
Mahtomedi, MN
55115

A2.2

RCP & EXITING

PERMIT SET

① FIRST FLR
1/4" = 1'-0"



ROOM NAME	TOTAL SQ. FT.	INC. FURNITURE (-20%)	STUDENTS ALLOWED	TEACHERS REQ.
INFANT 1	371.2	297.0	8	2
TODDLER 1	618.0	494.4	14	2
PRESCHOOL 1	891.4	713.1	20	2
SCHOOL AGE 1*	187.4	149.9	4	2
Sub-Totals			47	6
* SCHOOL AGE 1 - BEFORE/AFTER CARE (MAY NEED NEED TO DEDUCT -20-25%)				
FIXTURE COUNT	RATIO	# OF TOILETS REQ.		
Students	1 per 15	3		
Adults	1 per 25	1		
AGE CATEGORY	AGE RANGE	MIN. STAFF-to-CHILD RATIO	MAX. GROUP SIZE	
INFANT	6 wks. TO 16 mo.	1:04	8	
TODDLER	16 wks. TO 33 mo.	1:07	14	
PRESCHOOL	33 mo. TO KINDER	1:10	20	

*<http://www.dhs.state.mn.us/licensing>

1 FIRST FLR PLAN
1/4" = 1'-0"

REVISIONS:

No.	Description	Date

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME, OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

09.14.2022 19826
SCOTT C. MOWER DATE LICENSE #
Project Number NHDC
Date 09.14.2022
Drawn By PA

A NEW HOPE DAY CARE

Enter address here

A2.1 FLOOR PLAN

SCH1



City of White Bear Lake
Community Development Department

MEMORANDUM

TO: The Planning Commission
FROM: Jason Lindahl AICP, Community Development Director
DATE: February 27, 2023
SUBJECT: 2502 County Road E Concept Plan Review - Case No. 23-8-C

SUMMARY

The Planning Commission will review and comment on the concept plan for 2502 County Road E. This concept proposes to redevelop the vacant commercial (gas station) use into 18 residential units (15 apartment units and 3 townhomes). Following the Planning Commission meeting, this item is scheduled for review and comment by the City Council on March 14th.

As a concept review, this process does not require formal action to approve or deny the project. Rather, the applicant requests feedback on the proposals so they can work toward preparing a future, formal submittal. While the applicant has already held a neighborhood meeting and this item does not require a public hearing, the public is invited to offer comment during the Planning Commission meeting. Any comments provided are for guidance only and not be considered binding upon the City regarding any future, formal application.

GENERAL INFORMATION

Applicant/Owner: Ryan McKilligan, Element Design-Build

Existing Land Use / Zoning: Neighborhood Mixed Use/B-3, Auto Oriented Business

Surrounding Land Use /Zoning: North and West - Commercial, South & East - Low Density Residential/
North – B-3, Auto Oriented Business, West – B-2, Limited Business, South & East – R-5, Single Family Residential

Comprehensive Plan: North and West - Neighborhood Mixed Use, South & East - Low Density Residential

Lot Size & Width: Current Zoning - B-3, Auto Oriented Business: None/100'
Anticipated Zoning – R-6, Medium Density Residential: 3,600 Sq. Ft./Unit/100'

BACKGROUND INFORMATION

Concept Plan Process. The purpose of the pre-application concept plan review is to help inform and

involve the public in the planning process and allow developers to gain feedback directly from the public, Planning Commission and City Council prior to preparing a full formal application. Feedback and opinions expressed by the city as part of a concept plan review are for guidance only and are not to be considered binding. Comments provided during the concept plan review may help inform/influence future plans if the developer chooses to proceed with a future formal development application. The concept plan review process shall follow the schedule outlined below.

1. **Neighborhood Meeting.** The developer hosts a neighborhood meeting to review a concept plan and solicit community feedback. These meetings shall follow the Neighborhood Meeting requirements contained in Section 1301.110. City officials and/or staff may attend the neighborhood meeting, but only to observe the dialog between the developer and neighborhood and answer “procedure” questions.
2. **Planning Commission.** The Planning Commission review is intended as a follow-up to the neighborhood meeting. The objective of this meeting is to identify major issues and challenges in order to inform subsequent review and discussion. The meeting includes a presentation by the developer of conceptual sketches and ideas, but not detailed engineering or architectural drawings. No staff recommendations are provided, the public is invited to offer comments, and planning commissioners are afforded the opportunity to ask questions and provide feedback without any formal motions or votes.
3. **City Council.** The City Council review is intended as a follow-up to the neighborhood meeting and Planning Commission review and would follow the same format as the Planning Commission review. No staff recommendations are provided, the public is invited to offer comments, and city council members are afforded the opportunity to ask questions and provide feedback without any formal motions or votes.

Current Site Description. The subject property is 0.67-acre (approximately 29,185 square feet) in size and located at 2502 County Road E which is in the southeast quadrant of the County Road E and Bellaire intersection. Building permit data shows the subject property has been used as a gas station since approximately 1971 with the existing gas station build constructed in 1985. City record indicate water service to the property ceased 13 years ago in December of 2009 and the fuel tanks were removed from the site in 2016. The city has no other records indicating an authorized use of the property since 2009.

Concept Proposal. The applicant’s concept plan proposes to redevelop the vacant commercial (gas station) use into 18 residential units. Fifteen of these units would be in an apartment building positioned on the northern half of the site. The three townhome units would be constructed in one rowhouse style building located in the southwest corner of the property. Surface parking is planned for the remaining southeast corner of the property.

According to the applicant, this layout is designed to focus the most intense use of the site along County Road E and Bellaire and then transition to a surface parking lot adjacent to the neighboring single family residential uses to the east and south. The highest portion of the proposed apartment building is three stories which is limited to the portion of the building immediately adjacent to the

corner of County Rd E and Bellaire Ave. From that prominent point of the intersection, the site steps down to a two-story building with low pitched roof along County Rd E and two-story street facing rowhomes along Bellaire. This design was intended to create a natural transition to the surrounding single-family neighborhoods. The plan also retains a 25' vegetated buffer along the neighboring property to the East and will also include a 6' privacy fence to maintain the serenity of neighboring lots.

Neighborhood Meeting. The applicant held their neighborhood meeting on February 2, 2023 at Redeemer Lutheran Church which is located at 3770 Bellaire Avenue just north of the subject property. Attached please find the applicant's sign-in sheet and summary from this meeting. According to the sign-in sheet, 22 people attended the meeting. In addition to those on the sign-in sheet, city staff attending the meeting included City Planner Ashton Miller, Housing and Economic Development Coordinator Tracy Shimek, Planning Technician Shea Lawrence and Community Development Director Jason Lindahl.

Community Development Director Jason Lindahl, began the meeting by welcoming those in attendance, summarizing the concept plan review process and emphasizing the importance of neighborhood feedback at this stage of the process. Next, Ryan McKilligan, Project Manager with Element Design-Build provided a summary of the design and rationale for the proposed concept plan. While there was some support for the project, most in attendance voiced concerns with the number of units, height of the building, parking, stormwater, snow storage and access from Jenson Avenue. Details about the meeting can be found in the attached summary.

In addition to the comments gathered through the neighborhood meeting, three individuals who did not identify themselves reached out by phone to city staff with questions. Of the three, 1 was opposed to the project with the other two stating they like the concept plan review process and opportunity to provide comments and understood the proposed concept plan fit within the Mixed-Use future land use category of the 2040 Comprehensive Plan.

ANALYSIS

As proposed, redevelopment of the site would be guided by the 2040 Comprehensive Plan Future Land Use designation of Neighborhood Mixed-Use. Based on the concept plan and this future land use designation, staff anticipates the applicant will request rezoning the subject property from the current B-3, Auto Oriented Business classification to R-6, Medium Density Residential. As a result, the analysis provided below compares the proposed concept plan with the Neighborhood Mixed-Use land use category and R-6, Medium Density Residential zoning district.

Subdivision. The subject property consists of a single 0.67-acre (approximately 29,185 square feet) property. The concept plan includes one 15-unit apartment building and one 3-unit rowhouse style building. Two separate buildings could be construct on one property through a planned unit development (PUD). However, should it be necessary to create separate parcels for each of the proposed buildings, the applicant would be required to subdivide the property consistent with the requirements of Section 1401 – Subdivision Regulations. As this property is adjacent to County Roads, any subdivision would also require review and approval by Ramsey County.

Land Use. The 2040 Comprehensive Plan Future Land Use Map guides the subject property as

Neighborhood Mixed Use. According to the Comprehensive Plan, the Neighborhood Mixed Use designation is intended to be for commercial retail or service businesses and offices serving the local community, and medium to high-density housing. This district should lean towards residential with an expectation of 75 percent residential but at least 50 percent of development being residential in nature, and recognizing that some sites may be appropriate at 100% residential. Stacked multi-family housing and courtyard apartments will be the predominant use, with townhomes and villas used where appropriate in transitional areas abutting surrounding residential neighborhoods. The desired density for this designation is 16 to 34 dwelling units per net acre. The proposed concept plan with a 15-unit apartment building and 3-unit townhome building meets the use standards of the Mixed-Use future land use category.

The Neighborhood Mixed Use category allows a density range between 16 and 34 dwelling units per acre. Under this standard, the 0.67-acre subject property is allowed between 10 and 22 total units ($0.67 \times 16 = 10$ units and $0.67 \times 34 = 22$ units). With 18 total residential units (15-unit apartment building and 3-unit townhome building), the concept plan confirms with the density standards of the Mixed-Use future land use category.

Zoning. The subject property is currently zoned B-3, Auto Oriented Business; however, based on the Neighborhood Mixed Use future land use designation and the proposed concept plan, the applicant anticipates rezoning the property to R-6, Medium Density Residential. As a result, staff compared the concept plan against the development standards of the R-6 district.

Use. The concept plan conforms to the permitted uses in the R-6 district. The R-6 district allows both townhomes and multiple family dwellings and the concept plan includes both of these use types.

Height. The maximum height in the R-6 district is 35 feet. As proposed, the apartment building would be 33' to the eave and 45' to the highest point of the pitched roof. The townhome building would be 22' to the main eave and 35' to the highest point of the pitched roof. The city measures height to the top of a flat roof or the mid-point of a peaked roof. Generally, the concept plan is close to the height standards of the R-6 district.

Setback. The table below compares the approximate setbacks for both the apartment building and townhome structure with the standards of the R-6 district.

25-2 County Road E Concept Plan Setback Analysis					
Setback	Standard	Apartment		Townhouse	
		Proposed	Deviation	Proposed	Deviation
Front	30'	15'	-15'	20'	-10
Side (Street)	30'	10'	-20'	20'	-10
Side (Interior)	15'	25'	+10	N/A	N/A
Rear	30'	96'	+66	80'	+50

As proposed, the concept plan design would not meet the front or street side yard setbacks but would exceed the interior side yard and rear yard setbacks. According the applicant, this design is intended to

focus the most intense use of the site along County Road E and Bellaire Avenue and provide the greatest possible setback on the sides of the property that abut neighborhood to the south and east.

Parking. The City's residential off-street parking standards require two stalls per unit. In this case, the concept plan includes 18 total units so the zoning standards would require 36 stalls. The concept plan includes 32 total stalls 21 of which would be enclosed in the apartment building or townhomes and 11 would be in the surface parking lot. While this is 4 stalls under the requirement, the applicant intends to allocate parking so that residents of the apartment building would be allowed one stall per bedroom and residents of the townhomes would be allowed two stalls per bedroom. Under this allocation, there would be six remaining spaces in the surface parking lot for guests.

Exterior Materials. The R-6 district does not have specific exterior material standards. According to the applicant, exterior materials on the two building would include a mixture of fiber cement lap siding (Hardie or LP or similar), fiber cement panel siding, and a bit of stone at the more visible sides on the lower level facing County Rd E and Bellaire. Staff recommends the applicant provide enhanced architectural design and exterior materials that are of a higher quality than the surrounding neighborhood and seek to breakup size of the buildings by designate a base, middle and top of the buildings.

Potential Review Process. Based on the applicant's concept plan, staff anticipates this project will need the approvals listed below. The next step for the applicant would be to use feedback from the concept plan review process to prepare these applications.

- Preliminary and Final Plat approval by the City of White Bear Lake and Ramsey County
- Rezoning from B-3, Auto Oriented Business to R-6, Medium Density Residential.
- Planned Unit Development (PUD)
- Execution of a Planned Unit Development (PUD) Agreement
- Approvals from the Ramsey Washington Metro Watershed District

Planned Unit Development. The purpose of a planned unit development (PUD) is to allow flexibility from traditional development standards in return for a higher quality development. Typically, the city looks for a developer to exceed other zoning standards, building code requirements or Comprehensive Plan goals. In exchange for the flexibility offered by the planned unit development, the applicant is expected to detail how they intend to provide a higher quality development or meet other City goals. A list of items to consider when evaluating the use of a planned unit development for this site could include, but are not limited to, the items listed below.

- Enhanced architectural design and building materials
- Natural resource protection and storm water management
- Pedestrian and bicycle facilities
- Affordable housing
- Enhance sustainability or livability elements
- Energy conservation and renewable energy
- Open space preservation
- Enhanced landscaping, streetscape or buffering

- Public art

RECOMMENDATION

Concept review applications allow for applicants to solicit direct feedback from neighbors, the Planning Commission and City Council without a formal recommendation or approvals. As a result, the Planning Commission should review proposed concept plan for 2502 County Road E and provide feedback to the developer.

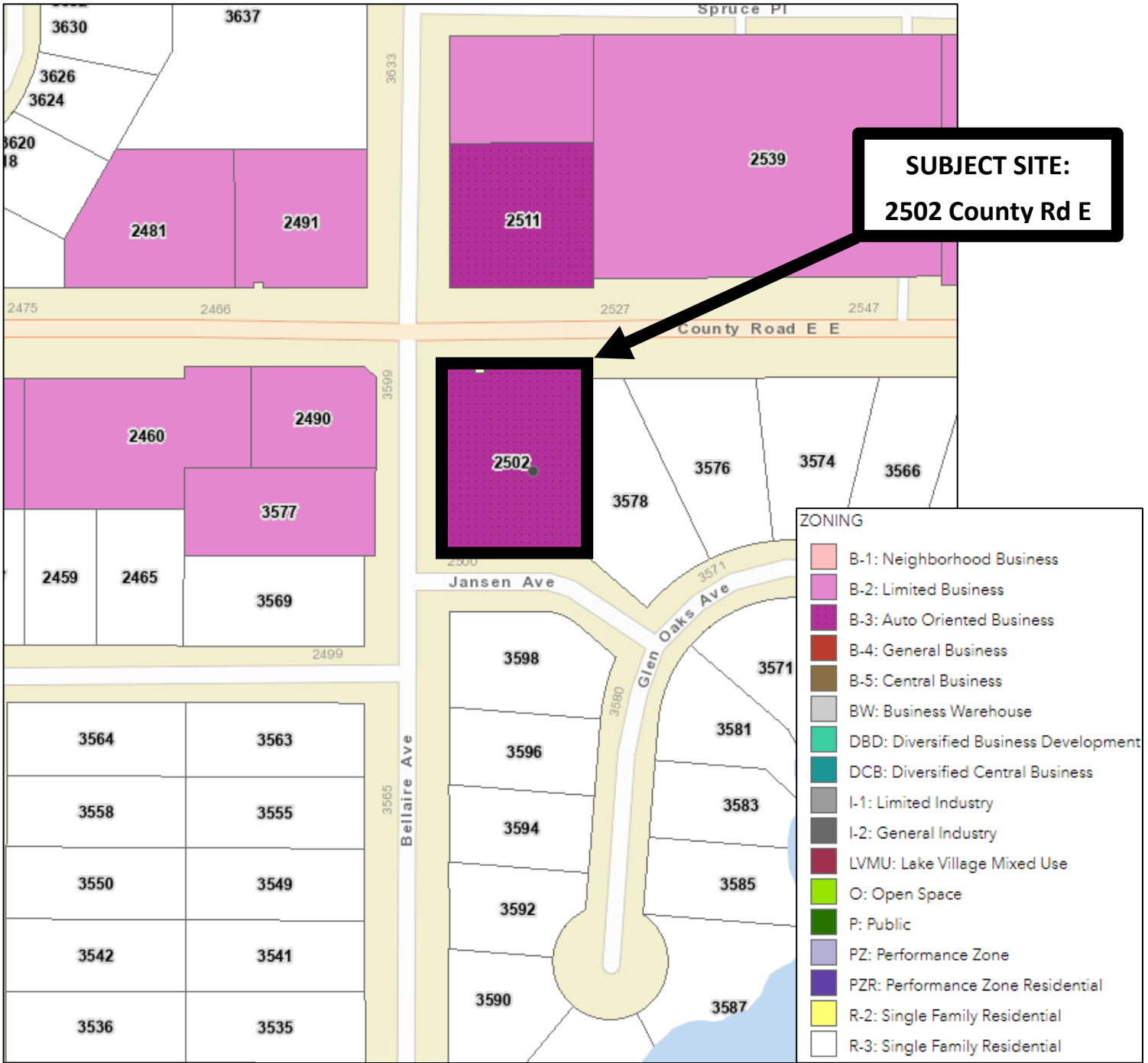
Attachments:


Site Map

Applicant's Narrative

Concept Plans

Neighborhood Meeting Invitation, Sign-In Sheet and Minutes



 <p>City of White Bear Lake Planning & Zoning 651-429-8561</p>	<p>CASE NO. : 23-8-C</p>
	<p>CASE NAME : County Rd E Concept Plan</p>
	<p>DATE : 2-27-2023</p>

Concept Plan

2502 County Rd E

Narrative

This request for concept plan review of a proposed redevelopment at 2502 County Rd E is the first step towards an eventual PUD for a residential infill development to align with the Future Land Use designation for the site which is Neighborhood Mixed Use. Since that land use does not currently exist in the zoning code, Medium Density Residential will be the rezoning placeholder. The PUD will be used to request approval for site design that allows the redevelopment to meet the intent of the Neighborhood Mixed Use in lieu of specific zoning requirements that guide its development.

The concept plan should be considered by decision makers for three reasons: it allows for a high quality transformation of a significant portion of a blighted intersection that has prevented growth in its respective section of the County Rd E corridor for many years, it aligns with and achieves the intent of the future land use designation Neighborhood Mixed Use, and it aligns with and meets the intent of the County Rd E Corridor Action Plan which collected community input to work towards a redevelopment strategy for the County Rd E corridor.

To that end our proposed redevelopment consists of two residential structures with 18 total residential units comprised of 15 apartments and 3 single-family attached residences. The White Bear Lake Future Land Use plan states the following for Neighborhood Mixed Use zones:

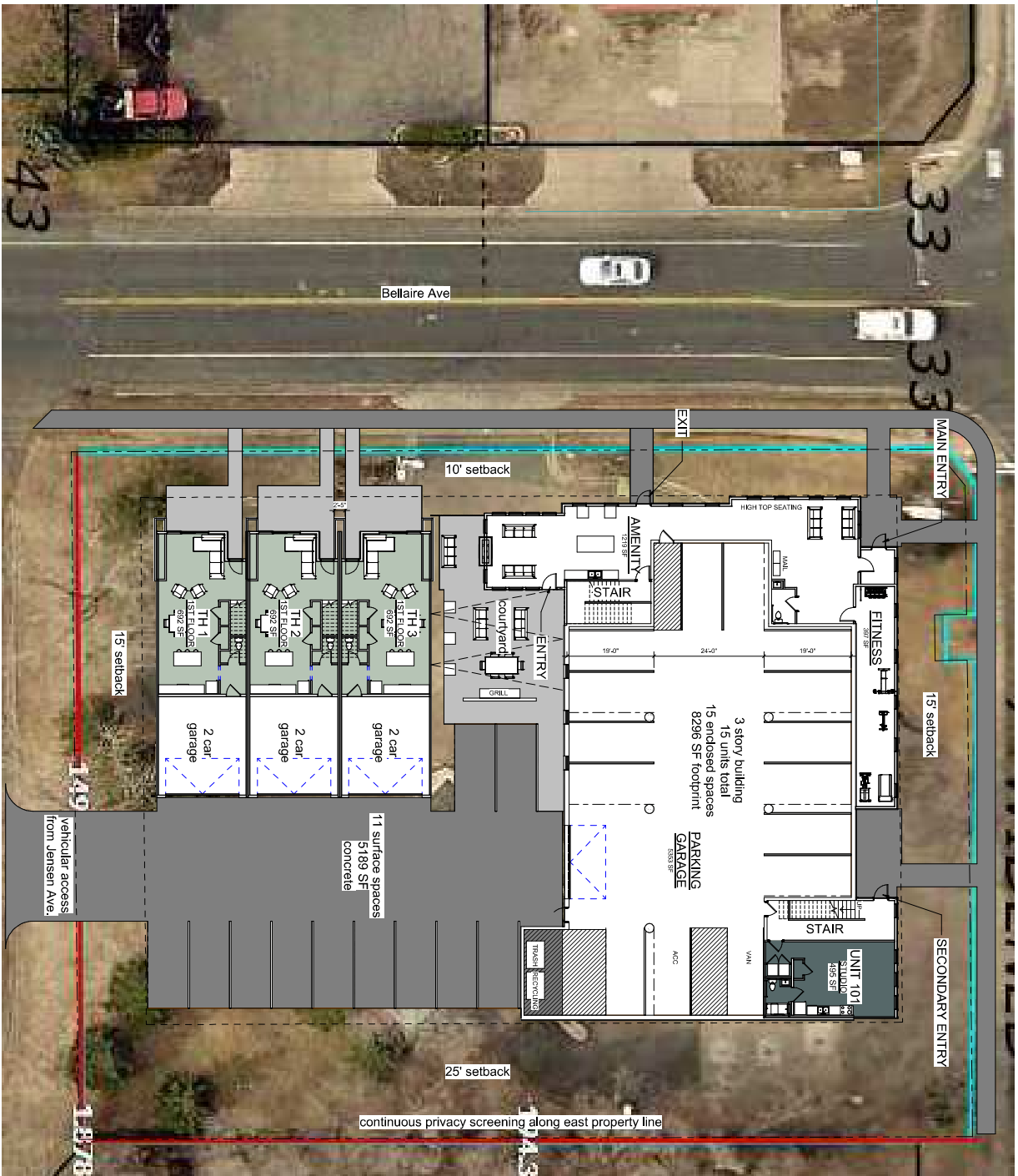
This district should lean towards residential with an expectation of 75 percent residential but at least 50 percent of development being residential in nature, and recognizing that some sites may be appropriate at 100% residential. Stacked multi-family housing and courtyard apartments will be the predominant use, with townhomes and villas used where appropriate in transitional areas abutting surrounding residential neighborhoods.

The plan goes on to say that density should fall between 16 and 34 dwelling units per acre. The proposed development consists of 0.67 acres not including right of way which results in a density range of no more than 22 but no less than 11 dwelling units. We believe a density level comfortably within that range and consisting of multiple dwelling types is the highest and best use of its land use designation.

The design of the property is highly customized to address the opportunities as well as sensitivities of its specific location. All of the street facing elements of the building elevations are meant to provide an attractive activation of the streetscape that allows connection to the nearby coffee shop and future

developments at the intersection. While maximizing attractive use of the streetscape, parking comprises the vast majority of the ground floor behind the street facing elements to facilitate responsible provisions for occupants' vehicles. The highest portion of the building is three stories which is limited to the portion of the apartment building immediately adjacent to the corner of the County Rd E and Bellaire Ave. From that prominent point of the intersection the building steps down to two stories via the street facing rowhomes along Bellaire and to a two-story section with low pitched roofs along County Rd E. This works to create a natural transition down into the surrounding single-family neighborhoods. The plan retains a 25' vegetated buffer along the neighboring property to the East and will also include a 6' privacy fence to maintain the serenity of neighboring lots.

The proposed development is in a prominent location along the County Rd E corridor and draws the attention of many community members as well as visitors of White Bear Lake. We believe this plan addresses to the greatest extent possible the various interests in the property including the future land use plan, the corridor action plan, neighboring businesses, neighboring residents, and the City of White Bear Lake. We sincerely appreciate your consideration of this proposal.

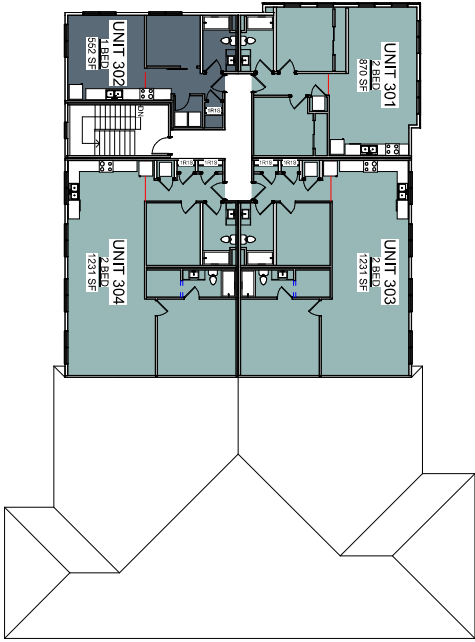


1 SITE PLAN
SCALE: 3/8" = 1'-0"

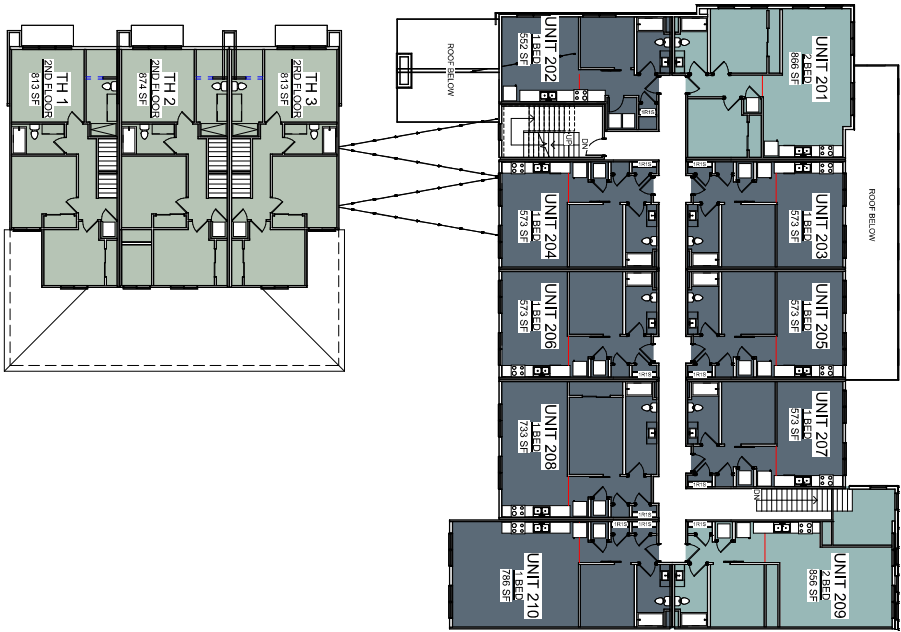
- 1- studio unit
- 9- 1 bed units
- 5- 2 bed units
- 3- 3 bed rowhouses
- 29 total bedrooms, 18 total units, 32 parking spaces
- 29, 155 SF site area
- 11,602 SF building footprints combined
- 1,044 SF common open space (courtyard)
- 1,616 SF enclosed common shared amenity area
- 5,189 SF surface parking and access
- 21 enclosed parking spaces
- 11 surface parking spaces
- 32 total parking spaces

PRELIMINARY- NOT FOR CONSTRUCTION

PROJECT: 2502 County Rd E East White Bear Lake, MN	SHEET NO. A101
	CONTRACT: Site Plan Concept
PROJECT NO.: 01 / 17 / 2023	REVISIONS: _____ _____ _____ _____



2 3RD FLOOR PLAN
SCALE: 3/32" = 1'-0"



1 2ND FLOOR PLAN
SCALE: 3/32" = 1'-0"

PRELIMINARY- NOT FOR CONSTRUCTION

PROJECT:
2502 County Rd E East
White Bear Lake, MN

01 / 17 / 2023
PROJECT NO. 00-000
CONTRACT:
Floor Plans
SHEET NO.
A102



PRELIMINARY- NOT FOR CONSTRUCTION

SHEET NO. A103	PROJECT: 2502 County Rd E East White Bear Lake, MN	DATE: 01/17/2023
		DRAWN BY: 06-000

2023-02-02 – County Road E East Neighborhood Meeting

Redeemer Lutheran Church

Jason Lindahl – Community Development Director – welcomed everyone and mentioned this is the first meeting in new city process – “Concept Plan” review

Planning commission meeting Feb 27

City Council Mar 14

Attendee asked if Jason and Element team were at the “block exercise”, developer mentioned that he was in attendance

Developer presentation - many attendees concerned about parking, number of units, a few about who the end occupant will be

Challenge and opportunity of the site is the NW corner is high intensity, the SE corner is single family context

Developer’s goal for tonight’s meeting is to lay out our thought process on the proposed design and how the solution was arrived at, and get community input

Developer’s goal is to make the 3 story at the most intense part of the site and step down in intensity and density toward the SE

Developer described goal of creating a walkable, pedestrian friendly environment by activating the street with front doors and active uses like amenities and creating parking behind

Attendee asked if all vehicular access was from Jansen, developer responded that is the intent

Attendee asked about vehicular access location being on a slope on Jansen

Attendee mentioned a concern about enclosed parking not being used because of additional fee and parking on the streets in the neighborhood

Developer presented on future land use designation being “Neighborhood Mixed Use”

Developer mentioned three strategies to mitigate parking concerns – parking spaces included in rent, vehicles would be registered, spaces would not be assigned

Attendee voiced concern about guest parking

-Developer mentioned that with an allocation of one car per bedroom for the apartments and two vehicles per townhome there would be six additional spaces for guests

Attendee voiced concern about cars parking on their street

Attendee voiced concern over couples living in a one bedroom with multiple vehicles

-Developer mentioned only allowing one registered vehicle per unit

Attendee voiced concern over developer's parking proposals not being reality

Attendee voiced concerns over apartments looking directly at County Road E

-Architect discussed apartment units being designed to be located 1 story up off the ground or more to create separation along County Road E

Attendee voiced concerns over parking stall size

-Architect stated parking stalls will meet code requirements

Attendee asked why this site compared to the other two vacant sites at this corner?

-Developer discussed that is the one that was on the market and is owned by development group

Attendee asked how will stormwater be managed, will it be funneled into Jansen and Peppertree Pond?

-Developer stated stormwater detention/management will be provided in accordance with requirements which would include rate control, volume control, and filtering that would prevent any contamination of Peppertree pond

Attendee asked how will snow be managed?

-Developer stated it is planned to be plowed into the 25' setback

Attendee asked if any affordable housing is planned?

-Developer responded that it is planned to be market rate, no TIF financing

Attendee advised keeping space between sidewalk and street especially for snow storage

Attendee asked if interior parking will be controlled?

Attendee voiced concern over 3 story building towering over neighbors

Attendee voiced concern over how the power line was depicted in conceptual images

Attendee said she believes this is a positive compromise from what was proposed a few years ago and mentioned other commercial uses as alternatives to this proposal

Attendee asked if underground parking could work instead of 1st floor parking

-Architect stated that a vehicular access ramp down 10' would not fit on the site to get vehicles down to basement level

Attendee asked if other concepts were explored with more townhomes and fewer or no apartments?

-Developer and architect mentioned that many configurations were explored but this was the best solution to transition from high intensity at the NW corner of the site down to low intensity at the SE corner

Attendee voiced concern over curb cut/vehicular access location on Jansen, safety of children in the neighborhood

Attendees asked questions about developing another lot on the corner instead of this one

Attendee asked if developer could just put townhomes here?

-Developer mentioned density issues with future land use plan, only being able to fit 7 units, architect discussed 2nd floor apartments as more desirable along busy County Road E than 1st floor townhome living space adjacent to the busy road

Attendee asked if any variances would be needed? Setback variances?

-Developer and architect briefly described PUD process, Jason Lindahl further explained rezoning and PUD process

Attendee voiced concern about idling cars on driveway, vehicle emissions near their property

Attendee asked about easements on his property along Bellaire

Attendee voiced concerns about snow piled up against building on the County Road E side.

-Developer and architect discussed 15' proposed setback that should allow ample space for snow storage

Attendee voiced concern for children with vehicle access location off Jansen, wondered if access from Bellaire would be possible?

Attendee voiced concern for guest parking

Attendee asked what other projects has developer done?

-Developer stated they are finishing a project in Roseville, have done one in St Paul, and are beginning one in Lake Elmo

Attendee asked if other properties on this corner are for sale?

Attendee mentioned that there are a lot of constraints on the site that have discouraged redevelopment in the past and appreciated that the developer is willing to listen

Attendee asked if developer could do retail on another site?

-Developer spoke to the difficulty of numbers penciling out with new construction commercial

Developer thanked everyone for their input and stated the development team is listening and will work to improve the concept

2502 County Rd E - Neighborhood Meeting

Sign-in Sheet

Name	Address
[Signature]	2520 OAK Court
[Signature]	3583 GLEN OAKS
Ferry Honsa	2460 East County Road E
PAM ENZ - MIKE ENZ	4495 LAKE AVE. S. WBL
Joy Erickson	5094 Kelly Ct, WBL
Shea Lawrence	City of White Bear Lake
Andrea & Ben Tripodi	3594 Glen Oaks Ave
Brenda Davis	3576 Glen Oaks Ave
LEAF memo	WR Gross
Amy Jents	2450 Hillside Rd
Linda Anderson	3541 Glen Oaks Ave.

Neighborhood Meeting Invitation

February 2nd at 7:00 PM at Redeemer Lutheran Church

Dear Neighbor:

My name is Ryan McKilligan and I represent Element Design-Build. Our company has applied to the City of White Bear Lake for concept plan review to redevelop a property near you located at 2502 County Rd E. A site map and brief description of our concept proposal is attached.

We would like to invite you to a neighborhood meeting where we will share our concept plans, answer any questions, and listen to your feedback. The meeting will take place on February 2nd at 7PM at Redeemer Lutheran Church. If this meeting time isn't convenient, you can also review and provide comments on our concept plans through our website 2502e.com.

It is important to note that the concept plan review process for which we have applied allows us to share our plans with the public and the City of White Bear Lake and gather feedback. ***It does not either approve or deny the project.*** We will use this feedback to help further refine our plans and determine if we should move forward with formal city approvals at a future time. Your input at this concept review stage is an important part of our project development process.

As part of the concept plan review process, the City of White Bear Lake will also review and comment on our plans during two upcoming public meetings at City Hall. It is our understanding that the White Bear Lake Planning Commission will review our application on February 27th 2023, starting at 6:30 p.m., and the City Council will review our application on March 14th, 2023 starting at 7:00 p.m. More information about these meetings can be found on the City's website (www.whitebearlake.org).

If you would like to speak with someone regarding our concept plan proposal, or if you would like to request any documentation regarding our plans, you can contact me directly.

Sincerely,

Ryan McKilligan
Lead Project Manager
Element Design-Build
612-208-2551
ryan@element-db.com