



AGENDA
PLANNING COMMISSION OF THE
CITY OF WHITE BEAR LAKE, MINNESOTA
MONDAY, MAY 22ND, 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 April 24, 2023

4. PUBLIC HEARING

- A. **Case No. 23-15-V:** A request by **Bunker Investments LLC** for a seven foot variance from the 25 foot setback required along a side abutting a public right-of-way, per code section 1303.060 Subd.5.c.2 in order to construct a single family home 18 feet from the eastern lot line at the property located at 18XX Clarence Street.

5. DISCUSSION ITEMS

- A. **Case No. 23-16-LS:** A request by **Cox Contracting** for a minor subdivision, per code section 1407.030, in order to split one lot into two at the property located at 2241 8th Street.
- B. **Case No. 23-18-C:** A request by **Scooter’s Coffee** for a concept plan review, per code section 1301.100, for a proposed stand-alone drive-thru coffee shop at the property located at 1350 Highway 96.
- C. City Council Meeting Overview

6. ADJOURNMENT

Next Regular City Council Meeting Jun 13, 2023

Next Regular Planning Commission Meeting June 26, 2023



**PLANNING COMMISSION MEETING
OF THE CITY OF WHITE BEAR LAKE, MINNESOTA
MONDAY, APRIL 24, 2023
7:00 P.M. IN THE COUNCIL CHAMBERS**

1. CALL TO ORDER AND ATTENDANCE

- MEMBERS PRESENT:** Erich Reinhardt, Pam Enz, Ken Baltzer, Jim Berry, Andrea West, Mike Amundsen
- MEMBERS ABSENT:** Mark Lynch
- STAFF PRESENT:** Jason Lindahl, Community Development Director; Ashton Miller, City Planner; Shea Lawrence, Planning Technician
- OTHERS PRESENT:** Kim DeFlorin, Mark DeFlorin, Ryan McKilligan, Roberta Kolesar, Bill Kolesar, Bob Miller, Yvonne Miller, Jan Johnson, Joe Pavcovich, JP Houchins, Colleen Chermak, Mark Bigalk, Pat Bigalk, Manne Hansen, Kathy Povolny, Rod Collins, Elaine Collins, Albert Gustaveson, David Ryan, Kathy Rust, John Noll, Diane Noll, William Rust, Erik Fleming, David Espe, Sao Vang, Al Rivard, John Sonnek, Henry Elgersma, Jen Greene, Chris Greene, Lisa LaRock, Mike Hemstad, Laurel Hemstad, Andrea Triplett

2. APPROVAL OF AGENDA

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

Motion carried, 6:0.

3. APPROVAL OF THE MINUTES

- A. Minutes of March 27, 2023

It was moved by Member **Enz** and seconded by Member **Reinhardt** to approve the minutes of March 27, 2023.

Motion carried, 6:0.

4. CASE ITEMS

- A. **Case No. 23-11-LS & V:** A request by **Charles Cudd Co LLC** on behalf of Karen Dalke, for a minor subdivision, per code section 1407.030 and two 30 foot variances from the 80

foot minimum lot width requirement, per section 1303.230, subd.5.a.2, in order to split one lot into two at the property located at 4593 Shady Lane.

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

Member Berry opened the public hearing.

William Rust of 4579 Lake Ave explained that Shady Lane is a narrow street especially in the winter with the snow. He explained that the additional traffic and parking on the street would create a problem. He asked if there was information about lot coverage and what is being proposed for the two lots. Miller explained that they are planning to tear down the existing house and rebuilding. They would be limited to the 30% impervious surface coverage, according to city code. Member Berry added that there is no proposal for building on the new lot, but eventually the owner could build on it.

Rust asked what other variances are being requested by the applicant and what the required setbacks are for driveways. Miller responded there are no other variances being requested by the applicant. The proposed new house meets all the city's zoning standards. Miller added that per city code, a 1 foot setback for driveways is required but can be reduced to zero feet. Rust added that he disagrees that the proposal is consistent with the design on the neighborhood.

John Sonnek, representing the applicant, explained that the owner bought the lot after being told that it was a twin lot that could be subdivided. He added that the proposed new home would fit inside the footprint of the existing home. Sonnek explained that the applicant does not want to build on the empty lot and will likely add more plantings to the lot for privacy. He stated that the proposal would create two new lots that are the same width as the two historic lots. He explained that they intend to keep the mature trees on the lot.

Al Rivard, 3590 Glen Oaks Ave, asked about access for emergency vehicles once the vacant lot is developed. Member Berry responded that the buildings would have to meet code.

Sonnek asked if anybody was aware of the easement agreement that allows lake access for the existing lot. David Espe, 4581 Lake Ave, explained that he is the grantor of the easement and he has a copy of the paperwork that reflects the current property has lake access. Espe added that if the lot is split they would likely need to have a lawyer determine how this affects the easement agreement.

Kathy Rust, 4579 Lake Ave, asked if there is any legality to the applicant claiming that they won't be building on the new lot. Member Berry explained that the applicant owns the current property which is currently one parcel and that they don't intend to build on the new lot if the lot split is granted. Lindahl added that the future use of the lot is up to the owner to decide and that staff doesn't want to speculate on how the owner intends to use the lot. He explained if the owner were to decide to build on the lot they would be held to the City's zoning standards

or would be required to get City Council approval for a variance. Sonnek, reiterated that the homeowner's intent is to keep the lot vacant.

Member Berry closed the public hearing.

It was moved by Member **Reinhardt** to recommend approval of Case No. 23-11-LS & V, seconded by Member **Enz**.

Motion carried, 6:0.

- B. Case No. 23-13-PUD:** A request by **Element-Design Build**, for rezoning from B-3, Auto Oriented Business to R-6, Medium Density Residential per code section 1301.040 and both General and Development Stage approvals of a Planned Unit Development, per code section 1301.070, in order to construct a 14 unit apartment building and three townhomes on the property located at 2502 County Road E.

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

Member Amundsen asked if there is any overlap between the people who signed the petition and the people who submitted comments to the planning department. Lindahl responded he was unsure. Member Amundsen also asked if the commission is approving two separate items, the rezoning and the PUD, or if they are a package deal. Lindahl explained they are being presented together, but the Planning Commission has the discretion to offer separate recommendations if they so choose.

Ryan McKilligan, project manager for Element-Design Build explained that they had a lot of interaction with the neighborhood, City Council, Planning Commission, and City Staff throughout this process and that he understands there is friction around this proposal. McKilligan added that Element-Design Build focuses on infill projects and that a feature of the White Bear Lake future land use plan, is the concept of using the existing spaces in the community for development. He explained that throughout the process, they worked to align with the City's regulations while also respecting the character of the neighborhood. While gathering feedback, they learned parking, building height, pedestrian safety and storm water management are important to the community. He addressed these concerns in the revised plan by adding more parking so that each unit is allowed 2 parking stalls, reducing the height of the building, adding a sidewalk and working to properly treat and manage storm water. He pointed out the new design features of the building so it reflects the character of the community. McKilligan noted that the densest housing, the apartments, will be located at the County Rd E and Bellaire intersection, while the townhomes will serve as a transition between the apartments and the single family homes in the neighborhood. The property will have 34 parking spaces that conform to code and then additional parking in front of the townhome garages which were not included in the 34 parking stall count. He added that they redesigned the

parking garage to make it easier to navigate and that the redesign of the parking garage moved some of the apartment units further from the neighborhood to the east. The 3 story section of the building is located nearest the County Rd E and Bellaire intersection while there is one story of living space above the garage. The parking lot will be concealed with landscaping. In reference to the reduced height of the new proposal, McKilligan explained that the current gas station canopy is the same height of the proposed building up to the gables. McKilligan explained that they intend to use landscaping to minimize the appearance of the development and make it look more cohesive with the community. They plan to use a vegetative bio swale which would include multiple lines of bushes and trees to provide more vegetative buffer for storm water management, contingent on approval from the City and Watershed District. He explained that the bio swale is a low spot with vegetative plantings that absorb the storm water that also has a sand layer underneath. The storm water that goes through this system would be clean before it makes its way to the storm drain system or Peppertree Pond. McKilligan added that this is a standard storm water management practice but it would require approval from the watershed district and City Engineer. McKilligan added that currently the property has no storm water management, so developing the property will be an improvement from a storm water management perspective. McKilligan explained that their proposal also includes adding a sidewalk from the intersection of Bellaire and Jansen so people entering and exiting the neighborhood can establish themselves on the sidewalk to enhance their safety. He added that the lot as is, is a hazard, is unattractive and provides no utility to anybody. He expressed that this is a great opportunity to create housing in a place that is otherwise a liability.

McKilligan continued that as part of the County Rd E Corridor Action Plan workshops, there were many ideas for the site but there was no consensus on how these properties should be used, other than the vacant gas station was not working for the neighborhood. He explained that one of the ideas to have a wine bar on the property, which had a few people in agreement, would have had similar issues such as traffic and parking. He added that when the corridor action plan was presented to council, Council Member Edberg explained that there would likely be friction caused by any development on this site due to the differences between the lots opposite corners. One corner is located at a busy intersection while the other is located next to a residential neighborhood. He concluded by expressing his appreciation for the community input from the neighbors, City Council, Planning Commission, and staff throughout the process.

Member Amundsen, asked for clarification regarding the grading on the site. McKilligan explained that the existing topography of the site drops 4 to 5 feet from the south end to the north end—the highest point being at the southwest corner.

Member Enz explained that it appears that this project would result in less storm water runoff than what currently exists on the site. McKilligan confirmed that yes, there is not currently any storm water management in place on the site so none of the water is treated. The bio swale they plan to use is a standard engineering practice used to manage storm water.

Member West asked the applicant to elaborate on their landscaping plan. McKilligan responded that currently there are trees along the south end and southeast corner of the site. Their

current landscaping plan shows that those trees will be removed but they will try to save as many of those trees as they can. They won't know which trees can be saved until they excavate for footings. They intend to plant as much as they can to replace the removed trees.

Kathy Povolny, 3527 Glen Oaks Ave, explained that she believes the storm water on the site is currently being absorbed because of all the trees on the site. She asked for clarification on the size of the bio swale. McKilligan responded that it is approximately 25 feet wide and 150 feet long.

Lisa LaRock, 3525 Glen Oaks Ave, asked about light and noise pollution from the parking lot lights, and air conditioning units, ADA accessibility, who the target market would be and anticipated pricing for the units. She asked if Jansen will become a no parking street. Henry Elgersma, the architect for the project, responded that the parking lot will have down lighting that will be diffused by the property line and will be in compliance with city code. He added that the air conditioning units will be located in closets, and that the unit for the common spaces will likely be above the parking which would be fairly removed from the neighboring properties. Elgersma also added that 3 of the units in the apartment building will have varying levels of ADA accessibility with one being fully accessible. McKilligan added that the units will appeal to a wide demographic including young professionals, single mothers, people looking to downsize and more.

Member Berry asked if the townhomes would be available for rent or sale. McKilligan responded that the townhomes will be for rent. Member West asked what they expect the rent rates to be. McKilligan responded that the units will be market rate, similar to the pricing nearby for new construction apartments such as the Barnum and the Mahtomedi Flats. Member Berry added that the Barnum is basically full and people are on waiting lists for the new units.

Lindahl explained that the City can bring the feedback about parking on Jansen to the City Engineering department for their input.

Lee Branwall, 3583 Glen Oaks Ave, explained that he submitted photos of the intersection for the Planning Commissioners. He added that a nearby 2.5 story apartment building is built into the grade so that it appears shorter from one side, so it isn't comparable to what is being proposed here. Branwall asked for clarification regarding the measurement of roof height. Lindahl responded that the height of the building is measured to the midpoint of a peak roof. Branwall asked for clarification on the tree removal and replacement for the project. Lindahl responded that the applicant will be required to do a tree inventory for the property and that inventory will determine what the tree replacement requirements will be. Branwall asked what types of trees will be used along the road. McKilligan responded that they are limited with some of the trees they can place along County Rd E and Bellaire because of the power lines. Branwall added that building is too large, will tower over the former gas station and doesn't fit with the neighborhood.

John Noll, 2571 Elm Drive, explained that he is happy to hear that the watershed will be involved in the process, but thinks they should be involved before rezoning takes place because he believes impacts to Peppertree Pond may impact other ponds. Member Berry asked staff what the process is for involving the watershed district. Lindahl responded that the watershed district gets involved during the building permitting stage. He added that it would be a condition of approval that the watershed standards be met, so the project would not be able to move forward without watershed approvals.

Diane Noll, 2571 Elm Drive, expressed that she is not supportive of this project and that she did not receive notice for the previous meetings. She added that the developers should be responsible for fixing the pond if it is negatively impacted by the development. She explained that with additional traffic, she also has concerns about the safety of children as they walk to and from school. Lindahl apologized if staff mischaracterized her phone call. He also explained that the developers and the City have been required to notify the properties within 350 feet of the subject property of the neighborhood meeting and planning commission meetings but that the developers and City noticed about three times the amount of area than what was required.

Joe Pavcovich, 3517 Bellaire Ave, expressed his opposition to the proposal. He described his concerns about safety in regards to additional traffic and parking. He added that he thinks the City should buy the land and build a park on it. Member Reinhardt asked Pavcovich if he thinks a park would be a good idea if he has safety concerns about this intersection.

Rod Collins, 3475 Glen Oaks Ave, explained that he is not as concerned with the concept now as he originally was. He asked how the building will be maintained in the future and who will be managing it. He also mentioned that silt has built up in the pond over the years and the City should be responsible for addressing any negative impacts on the pond. McKilligan explained that a drainage and utility easement will likely be required on the site and there will be a maintenance agreement with the City that would be recorded with the County so they will be required to maintain by legal statute.

Member West asked how they plan to maintain the projects. McKilligan explained that they will not be charging additional cost for parking which will be required by covenant for the property. McKilligan added that they intend to keep the property under their ownership and that it will be a high quality building.

Jan Johnson, who owns the business located at 2479 County Rd E, expressed her support of the project. She explained that she was a part of the County Rd E Corridor Action Plan where members of the community were involved in providing input on the vision of the corridor and how to develop with everyone's interests in mind. She extended her thanks to the developer for listening to the community. She added that she has attended the previous neighborhood and planning commission meetings and she can see how much the developer has listened and taken the feedback from the community.

Lindahl provided some information on how the approval process works. Should this project be

approved by City Council a resolution containing information on what exactly is being approved and a list of conditions of approval would be signed. This includes a condition that the applicants adhere to the City's Engineering, Fire and Building department's requirements. He added that there is currently a draft resolution and memos from the City Engineer and Fire Marshal in the Planning Commission Meeting packet. Within the engineering memo the City Engineer states that the proposal meets or exceeds the City's minimum storm water standards and that it is a substantial improvement over existing storm water conditions on the site. Lindahl added that the sediment concerns people have will be addressed if this proposal is approved because the applicant will be required to meet the City's standards.

John Noll, explained that if Peppertree Pond is a spring fed pond they should determine where the spring that feeds the pond is so it won't dry up which would affect homeowners.

Al Rivard, 3590 Glen Oaks Ave, explained that along Jansen Ave is a berm. He added that rain water already flows along his curb and that if this is built it may raise the rain water levels so high he can't leave his house. He asked where the handicap parking stalls are located. Elgersma responded with the location of the handicap stalls. Rivard added that he believes the parking stalls are small and asked where residents will park when the lot is being plowed. Lindahl explained that the parking spaces and driving aisle meet the city's standards. He explained that the City required moving templates showing how drivers will maneuver into the parking spots. McKilligan added that the parking garage will have a drain to a sand trap for treatment of the parking garage water. The surface parking lot will also have a catch basin for water that will drain to the bio swale.

Rivard asked if drivers will be able to see children walking on the sidewalk while drivers are exiting the parking lot. McKilligan responded that yes drivers will be able to see down the street and pedestrians on the sidewalk. Rivard asked who will be responsible for maintaining the sidewalk and Lindahl responded that because it is in the City's right of way the City will be responsible. Rivard explained that he started a petition against this proposal and went to neighbors for signatures adding that the people he encountered were also against this proposal. He also explained that he doesn't agree with the lot being medium density residential. Lindahl explained that staff use the comprehensive plan as a guiding document when reviewing cases. Rivard expressed concerns about pollution at the site. Lindahl added that the phase 1 environmental report the applicant had done came back clean. There is a note in the staff report from the city's engineering department that the applicant would have to produce a clean environmental report and have the Minnesota Pollution Control Agency sign off on it

Mike Hemstad, 2557 Oak Drive, expressed his support for the project. He asked for clarification where the 7 foot setback is measured from. Lindahl responded that it is measured from the property line adjacent to County Rd E not from the street. Hemstad asked how many times a proposal has come up for this property in the 13 years it has been vacant to which Members Enz responded she can remember only one which was a much denser residential development. Hemstad, expressed that this may be the time to get something done at this property. Hemstad explained the vacant gas station is a blight to the neighborhood and he would like to see the

property developed. Hemstad expressed that he understands that neighbors are concerned but that many of the concerns people have brought up don't make sense to him. He explained that because the site currently drains to the north all the trees congregated on the south end of the property don't absorb the rainwater and that what is proposed here will do better. He added he doesn't think it would make sense for the city to buy the property to turn it into a park, as it is a taxable property and this development could create tax revenue for the City.

Brenda Davis, 3576 Glen Oaks Ave, explained that the upgrades made to the proposal were nice but she doesn't think this development should be located here. She emphasized that this is the highest point in Ramsey County and will make the building appear taller. She also added that previous buildings have been more setback from the street. She has safety concerns regarding visibility for drivers and pedestrians. She also questioned where visitors will park. Member Baltzer explained that the applicants meet code for the parking requirements. Member Berry added that there will also be an additional 6 spaces for visitor parking.

Lindahl added that the City has a standard of 2 parking stalls for residences, so that is the standard that the city can legally require for the development. Lindahl also provided information on the city's sight triangle requirements for how close one can build to an intersection without impeding visibility for drivers and pedestrians. Lindahl explained the applicant meets these sight triangle standards.

Branwall, doesn't think that meeting the minimum requirements is a good standard. Member Enz explained that these minimum requirements are deemed by federal, state and local governments to ensure safety. Member Enz added that she appreciates people's concerns about safety but explained that by holding the developers to these standards the government is working to keep people safe. Branwall continued to mention that the neighboring property will lack privacy from this development.

John Noll, asked if the Planning Commission Meeting packet is available to the community. Lindahl responded that the packet is available on the City's website and available for viewing at City Hall during business hours. Lindahl also explained that the developers were required create a website for the project. Noll requested that the variances and rezoning requests occur separately. Lindahl explained that the deviations requested are to push the building further from the abutting single family homes.

Dave Ryan, 2574 Crestline Drive, explained that people typically use the parking lane on Bellaire Ave as a turning lane. He also questioned where residents of the apartment will park while the lot is being plowed. Ryan asked if it would be possible to make Bellaire Ave a no parking street from County Rd E to Jansen.

Kathy Povolny explained her initial concerns were about storm water but after hearing about the proposed bio swale she hopes that will address those concerns. She added that she believes it will be hard to drive onto Jansen with the buildings being close to the street. Member Reinhardt asked if she's referring to sight lines. Povolny stated yes, currently closest to Jansen it is mostly

trees. Lindahl explained that staff can ask that the applicants include sight triangle information for Jansen and Bellaire in addition to the sight triangles for County Rd E and Bellaire.

Andrea Triplett, 3596 Glen Oaks Ave, added that she appreciates that the developers have proposed adding a sidewalk. She explained she is concerned about visibility of pedestrians for the exit and entrance to Jansen Ave. She also expressed concerns about additional traffic on Glen Oaks Ave. She added that she would be interested in getting an additional stop sign or "Slow Children at Play" sign in the neighborhood.

Member Berry closed the public hearing.

Member Amundsen explained that he supports the proposal. He believes that smaller development projects like this are needed in the City of White Bear Lake. He continued that the only way that White Bear Lake can continue to grow is with these small infill developments because White Bear Lake is a fully developed community. He explained that he appreciates the redesign the developer made since the concept plan process and that they have improved parking for the facility. Member Amundsen emphasized the need for housing was a finding of the housing taskforce in 2020-2021 and the County Rd E Corridor action plan. He added that having rentals available provide an opportunity for new people to move into White Bear Lake. He explained that these newer apartments will help create naturally occurring affordable units at older apartment buildings. He also added that development at this lot could spark more development in the area.

Member **Amundsen** moved to approve Case No. 23-13-PUD.

Member Enz expressed that she understands that change is difficult but people are being priced out of living in White Bear Lake. She added that infill developments like this are the future and they will help keep White Bear Lake alive. She continued that she has never seen a developer be as responsive as Element-Design Build has been. She explained that it would be difficult to find another developer who would work to address the concerns of the community like they have.

Member **Enz** seconded the approval.

Member Berry explained that he has been a resident of White Bear Lake since 1959 and that a lot has changed since then which is bound to happen. He expressed that he likes the proposal and understands some of the concerns people have about traffic, but that the sight lines are good.

Member Baltzer added that he has heard arguments like these many times and that often assumptions are worse than reality. He explained that people get used to the way they live, but people adapt. He expressed that he likes the proposal.

Member West explained that she agrees with the statements of the other planning commissioners. She has lived in White Bear Lake for 29 years. She explained that development is

bound to happen. For example, as when she first moved into her house, behind her lot was a large green space, but it has since been developed. She added that the fears people have about change don't always become reality.

Member Reinhardt added that this developer has been very responsive to the comments they have received throughout the process and that they have made quite a few changes to the design because of this. He explained that the developer has addressed all the concerns he had during the Concept Plan review phase. He explained that this is the best option he has seen for this lot and that it would not be viable to build a park here. He believes this is a good way to keep White Bear Lake moving forward.

Motion carried, 6:0.

5. DISCUSSION ITEMS

A. Downtown Mobility and Parking Study Steering Committee

Member Berry asked if anyone will be interested in serving as a part of Downtown Mobility and Parking Study Steering Committee.

Member Enz volunteered.

Member Reinhardt added that his term is up in June and he will not be renewing, so he will not be able to.

B. City Council Meeting Overview

Lindahl updated the Planning Commissioners that the City Council approved the conditional use permit for White Bear Lake Area Schools to expand their bleacher capacity at the athletic stadium at North Campus.

Lindahl added that City Council expressed support for the variance for the McNeely Music Center sign. They have asked staff to write a resolution of approval for the City Council to consider during the April 25th meeting.

6. ADJOURNMENT

There being no further business before the Commission, it was moved by Member **West** seconded by Member **Enz** to adjourn the meeting at 10:30 p.m. Motion carried, 6:0.



City of White Bear Lake
Community Development Department

MEMORANDUM

TO: The Planning Commission
FROM: Shea Lawrence, Planning Technician
DATE: May 22, 2023
SUBJECT: Clarence St Variance – 18XX Clarence St – Case No. 23-15-V

SUMMARY

The applicant, Bunker Investments LLC is requesting a seven foot variance from the 25 foot setback required along a side abutting a public right-of-way, per code section 1303.060 Subd.5.c.2 in order to construct a single family home 18 feet from the eastern lot line on the property located at 18XX Clarence Street.

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: Bunker Investments LLC

Existing Land Use / Zoning: Vacant; zoned R-4: Single Family – Two Family Residential

Surrounding Land All directions: R-4: Single Family – Two Family Residential

Comprehensive Plan: Low Density Residential

Lot Size & Width: Code: 7,200 square feet; 60 feet wide
 Site: 7,384 square feet; 50.04 feet wide

BACKGROUND

The subject site is located on the northwest corner of Clarence Street and 4th Avenue. The property is currently vacant with a dense number of trees on the lot. The property was platted in 1883 as part of the Ramaley's Park Subdivision. The property was granted the same variance in 2021 however the home was never constructed and approvals have since expired. Per code section 1301.060 Subd. 3 if within one year of granting a variance, it has not been utilized the variance becomes null and void. The applicant has the right to apply for an extension through writing at least 30 days before the expiration of the original variance, however this was never

done, so the variance approvals lapsed.

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 adjacent property owners 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. Staff received one phone call from an interested party, asking for more information on the proposal and how it will affect the surrounding neighborhood. Specifically, they asked if the house could be closer to the road and if a two story home would negatively impact the house directly to the west. 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-4: Single Family – Two Family Residential. The purpose of the R-4 zoning district is to “provide for low and moderate density one and two unit dwellings and directly related, complementary uses.” Numerous nearby lots are the same size with the same lot dimensions and have single family homes on them. Some of these lots have principal structures setback from 6 ft. to 10 ft. from the side property lines. This corner lot has a larger setback requirement because the side yard abuts a public right-of-way. Granting this variance for the construction of a single family house to meet the minimum 22 foot width requirement listed in section 1303.060 Subd 6.b. of the Zoning Code, would be in harmony with the purpose and intent of the zoning district.

Sewer and water is available on the site, however there is no storm sewer in the neighborhood. The Engineering department recommends a 10 foot easement be established on the west side of the property, either fully in the subject site's lot, or 5 feet on the 1831 Clarence St property and 5 feet on the subject site, in anticipation of the installation of a storm sewer sometime in the next 5-10 years. Additionally, a neighbor informed staff in April 2023 of drainage issues on the site. The neighbor explained that water tends to pool in the lot. Staff visited the site and observed the pooling water on the lot.

2. Is the variance consistent with the comprehensive plan?

Finding: The Future Land Use Map in the 2040 Comprehensive Plan guides the property as Low Density Residential. According to the Comprehensive Plan this category allows densities of 3 to 9 units per acre. Typical housing includes single family detached. The property is at a density of 5.9 units per acre which falls within the density range. Constructing a single family home on this lot will not significantly change the neighborhood's density. Therefore the proposed variance is not inconsistent with the 2040 Comprehensive Plan.

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

Finding: This proposal puts the subject property to use in a reasonable manner. Both the R-4 zoning district and the Comprehensive Plan's Low Density Residential Future Land Use category allow for single unit dwelling units, so the request to construct a single unit dwelling on the lot is reasonable.

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

Finding: There are unique circumstances to the property not created by the landowner. The property is only 50.04 feet wide. The setback on the east side of the lot, abutting the right-of-way is 25 feet from the property line. The setback on the west side of the lot is 10 feet from the property line. This leaves only 15.04 feet of buildable area. The minimum width for a home required by code is 22 feet wide, therefore a seven foot variance is needed to meet this requirement. Additionally, the minimum width of a lot in the R-4 district is 60 feet wide, so this is a substandard lot, given that that the lot is 50.04 feet in width. Due to the constraints of the lot, staff finds that the request for a seven foot variance is 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. When the Ramaley's Park neighborhood was platted, almost every lot was 50 feet wide. Properties have been combined and subdivided over time, but 5 other lots within the same city block, including the 3 properties just to the west of the subject property, are the same size with the same substandard width. These lots all contain single family homes.

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.
6. A tree preservation plan shall be submitted for review and approval prior to the issuance of a building permit for new construction.
7. Water and sewer hook-up fees shall be collected at the time when a building permit is issued.
8. Metropolitan Council SAC (Sewer Availability Charge) and WAC (Water Availability Charge) and City SAC and WAC shall be due at the time of building permit.
9. The park dedication fee shall be collected when a building permit is issued.

Attachments:

Resolution

Zoning/Location Map

Applicant's Narrative & Plans

RESOLUTION NO.

**RESOLUTION GRANTING A SETBACK VARIANCE FOR
18XX CLARENCE STREET WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, Bunker Investments LLC has requested a 7 foot variance from the required 25 foot setback along a side abutting a public right-of-way, per code section 1303.060 Subd.5.c.2 in order to construct a single family home 18 feet from the eastern lot line at the property located at the following location:

LEGAL DESCRIPTION: Lot 14, Block 24, RAMALEY'S PARK, Ramsey County, Minnesota.

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on May 22, 2023; and

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

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

1. The requested variance is in harmony with purposes and intent of the ordinance.
2. The requested variance is consistent with the 2040 Comprehensive Plan.
3. Granting the requested variance 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 variance 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 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.

RESOLUTION NO.

5. Gutters shall be installed and runoff directed away from adjacent properties.
6. A tree preservation plan shall be submitted for review and approval prior to the issuance of a building permit for new construction.
7. Water and sewer hook-up fees shall be collected at the time when a building permit is issued.
8. Metropolitan Council SAC (Sewer Availability Charge) and WAC (Water Availability Charge) and City SAC and WAC shall be due at the time of building permit.
9. The park dedication fee shall be collected when a building permit is issued.

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

Ayes:
Nays:
Passed:

Dan Louismet, Mayor

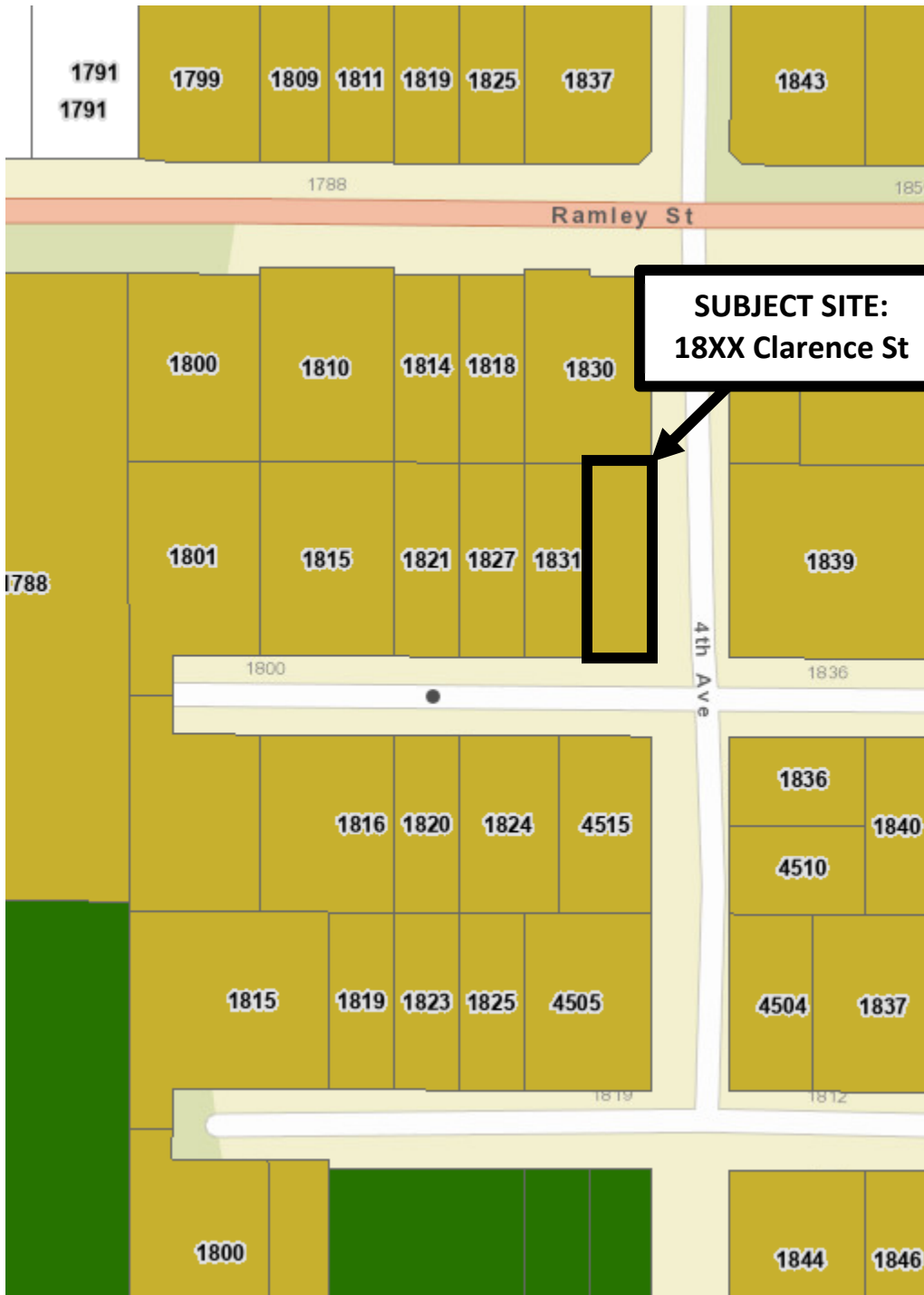
ATTEST:

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



ZONING

- B-1: Neighborhood Business
- B-2: Limited Business
- B-3: Auto Oriented Business
- B-4: General Business
- B-5: Central Business
- BW: Business Warehouse
- DBD: Diversified Business Development
- DCB: Diversified Central Business
- I-1: Limited Industry
- I-2: General Industry
- LVMU: Lake Village Mixed Use
- O: Open Space
- P: Public
- PZ: Performance Zone
- PZR: Performance Zone Residential
- R-2: Single Family Residential
- R-3: Single Family Residential
- R-4: Single Family - Two Family Residential
- R-5: Single Family - Two Family Medium Density Residential
- R-6: Medium Density Residential
- R-7: High Density Residential
- R-B: Residential Business Transition
- R1-I: Low Density Single Family - Island
- R1-S: Low Density Single Family - Shoreland



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

CASE NO. : 23-15-V

CASE NAME : Clarence Street Setback Variance

DATE : 5-22-2023

Variance Request

To the City and Planning authorities of White Bear Lake.

Hanson Builders has a single-family lot under contract located at 18XX Clarence St and 4th Avenue (lot 14, Block 24, Ramaley's Park)r. In order to build a single family home on this lot, a variance on the street side setback against 4th Avenue will be necessary. Recently a variance for the street side set-back on this lot the was granted (the variance given by the city was 18 feet for the side sent back from 4th Avenue), but it has expired prior to a home being built. It will be necessary to receive a renewal of the 18 foot variance in order to get a permit to build a house on this lot.

The lot is zoned for single-family low density, and the proposed two-story home (finished square footage, 2540 ft.²) fits that designation. The proposed new home will fit nicely in with the existing neighborhood homes, both in style and in size.

It should also be noted that the lot is very flat, and potentially a full basement home could have some water issues. As a result, the home that we will be building on that site will be built as a slab on grade foundation. This type of construction will eliminate any potential basement water issues.

Thank you for your consideration.

Sincerely,
Dean Hanson
Hanson Builders, Inc.



CERTIFICATE OF SURVEY

~for~ HANSON BUILDERS
 ~of~ 18XX CLARENCE STREET
 WHITE BEAR LAKE, MN 55110

PROPERTY DESCRIPTION

Lot 14, Block 24, RAMALEY'S PARK, Ramsey County, Minnesota.

NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 1/10/2022.
- Bearings shown are on Ramsey County datum.
- Parcel ID Number: 23.30.22.22.0022.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Due to field work being completed during the winter season there may be improvements in addition to those shown that were not visible due to snow and ice conditions characteristic of Minnesota winters.
- Builder to verify house dimensions, sewer depth and foundation depth.
- Driveways are shown for graphic purposes only. Final driveway design and location to be determined by contractor.
- Finished grade adjacent to home shall be 0.5 feet below top of block except at driveway and patio.

LEGEND

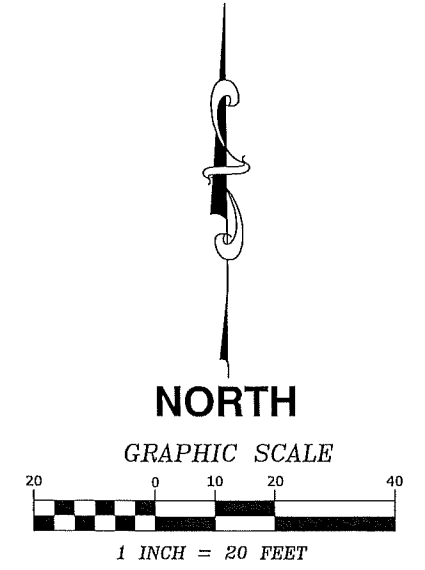
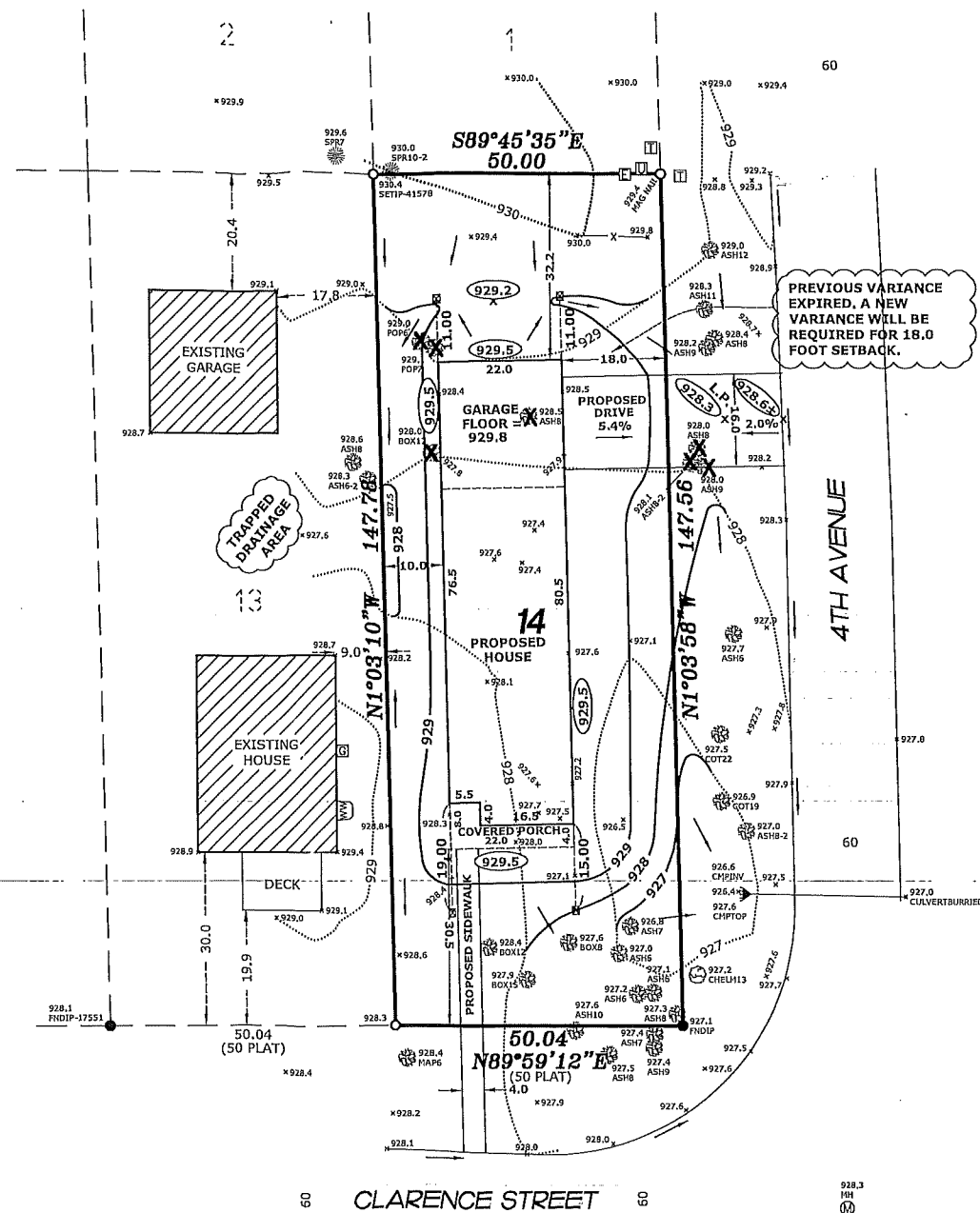
- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES MONUMENT SET, AS LABELED FROM PREVIOUS SURVEY WORK BY E.G. RUD & SONS, INC.
- DENOTES ELECTRICAL BOX
- DENOTES TELEPHONE PEDESTAL
- DENOTES GAS METER
- DENOTES UTILITY BOX
- ⊙ DENOTES MISCELLANEOUS MANHOLE
- ⊙ DENOTES EXISTING SPOT ELEVATION
- ⊙ DENOTES PROPOSED SPOT ELEVATION
- ⊙ DENOTES EXISTING CONTOURS
- ⊙ DENOTES PROPOSED CONTOURS
- - - DENOTES FENCE
- - - DENOTES BITUMINOUS SURFACE
- DENOTES DRAINAGE ARROW
- ⊗ DENOTES HUB/SPIKE AT OFFSET NOTED

TREE DETAIL

- ⊙ DENOTES ELEVATION
- ⊙ DENOTES TREE QUANTITY
- ⊙ DENOTES TREE SIZE IN INCHES
- ⊙ DENOTES TREE TYPE
- ⊙ DENOTES TREE TO BE REMOVED

E. G. RUD & SONS, INC.
 EST. 1977 Professional Land Surveyors
 6776 Lake Drive NE, Suite 110
 Lino Lakes, MN 55014
 Tel. (651) 361-8200 Fax (651) 361-8701

www.egrud.com



PROPOSED ELEVATIONS

(SLAB ON GRADE)

TOP OF WALL = 930.2
 GARAGE FLOOR = 929.8
 HOUSE SLAB = 930.2

DIAGONAL: 22.00 X 106.50 = 108.75

IMPERVIOUS SURFACE

TOTAL LOT AREA = 7,384 SF

PROPOSED HOUSE,
 GARAGE & PORCH = 1,859 SF
 PROPOSED DRIVEWAY = 288 SF
 PROPOSED SIDEWALK = 122 SF

TOTAL IMPERVIOUS AREA = 2,269 SF (30.7%)

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.

PRELIMINARY

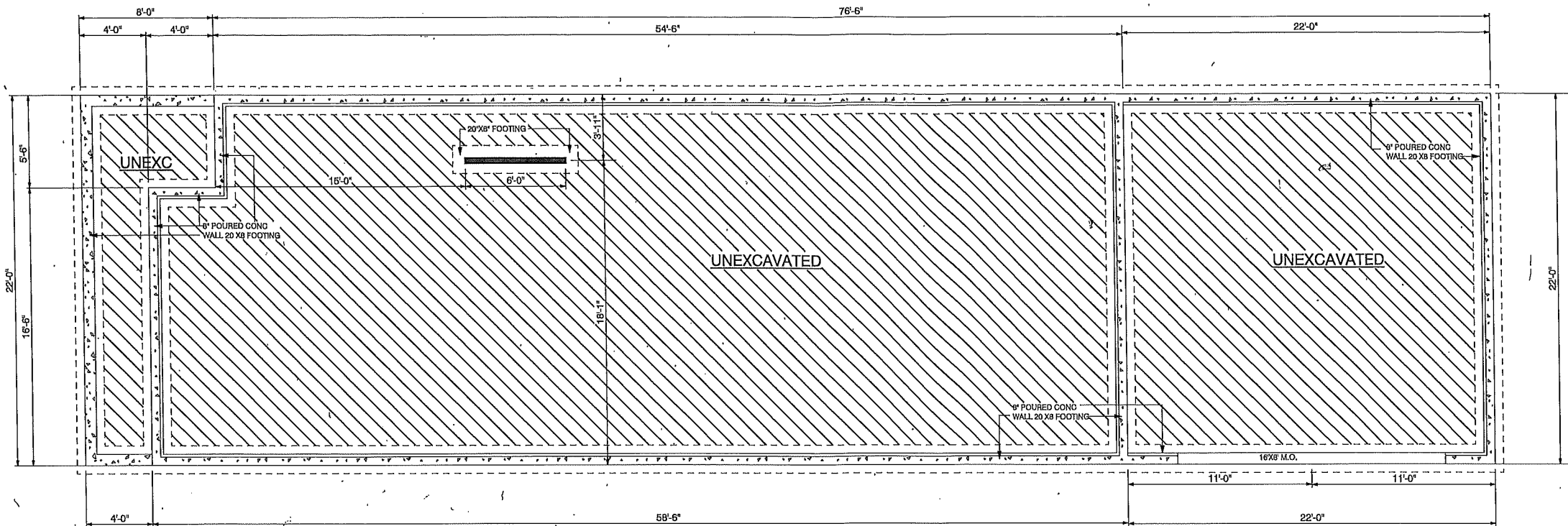
JAMES E. NAPIER

Date: 3/27/2022 License No. 25343

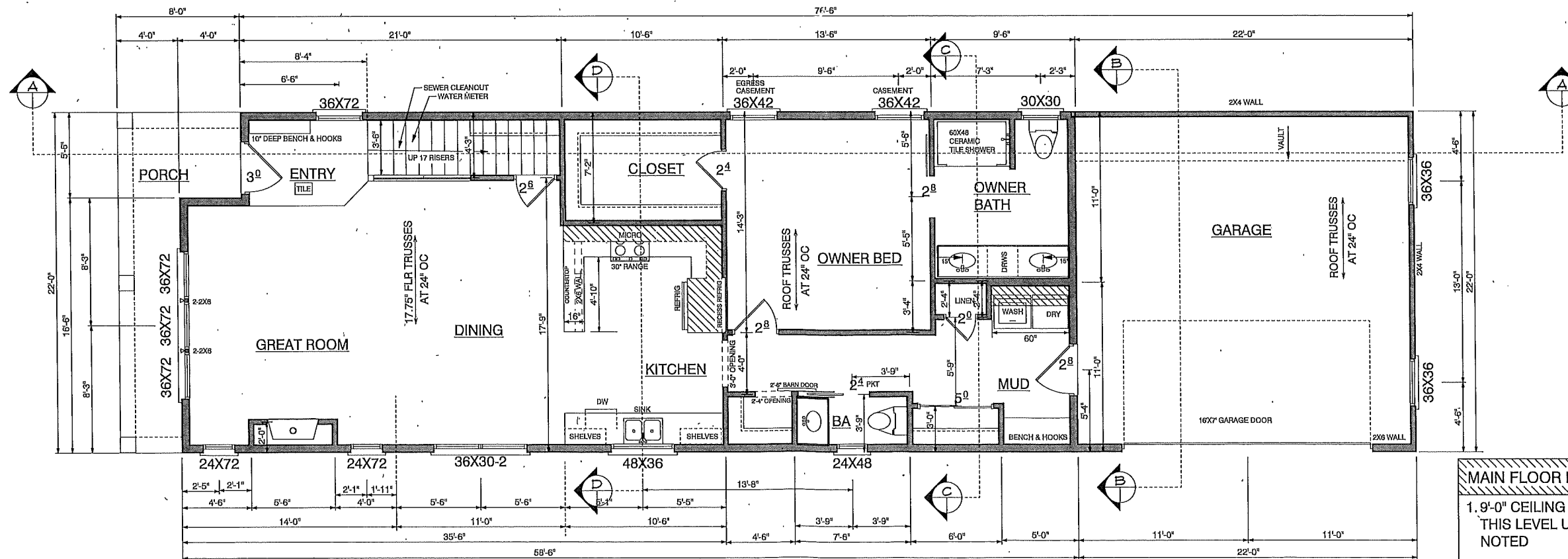
BENCHMARK

MNDOT CONTROL POINT: NAPA
 ELEVATION = 941.86
 DATUM = NAVD 88

DRAWN BY: BAB	JOB NO: 230163HS	DATE: 1/12/2022	
CHECK BY: JER	FIELD CREW: DT/CT		
1	2/3/22	ADD HOUSE STAKING INFO	BAB
2	3/23/23	DIFFERENT HOUSE AND CLIENT	JEN
3	3/27/23	REV. TREES	JEN
NO.	DATE	DESCRIPTION	BY



FOUNDATION 1/4" = 1'-0"



1265 SQ FT MAIN FLOOR

MAIN FLOOR 1/4" = 1'-0"

MAIN FLOOR PLAN NOTES

1. 9'-0" CEILING HGT. AT THIS LEVEL UNLESS NOTED
2. CABINET DIMS. ARE FROM FACE-FACE OF CABINETS

PRELIM DATE	3/28/2023
REVISIONS	

PRELIM. REVISIONS	
REVISIONS	

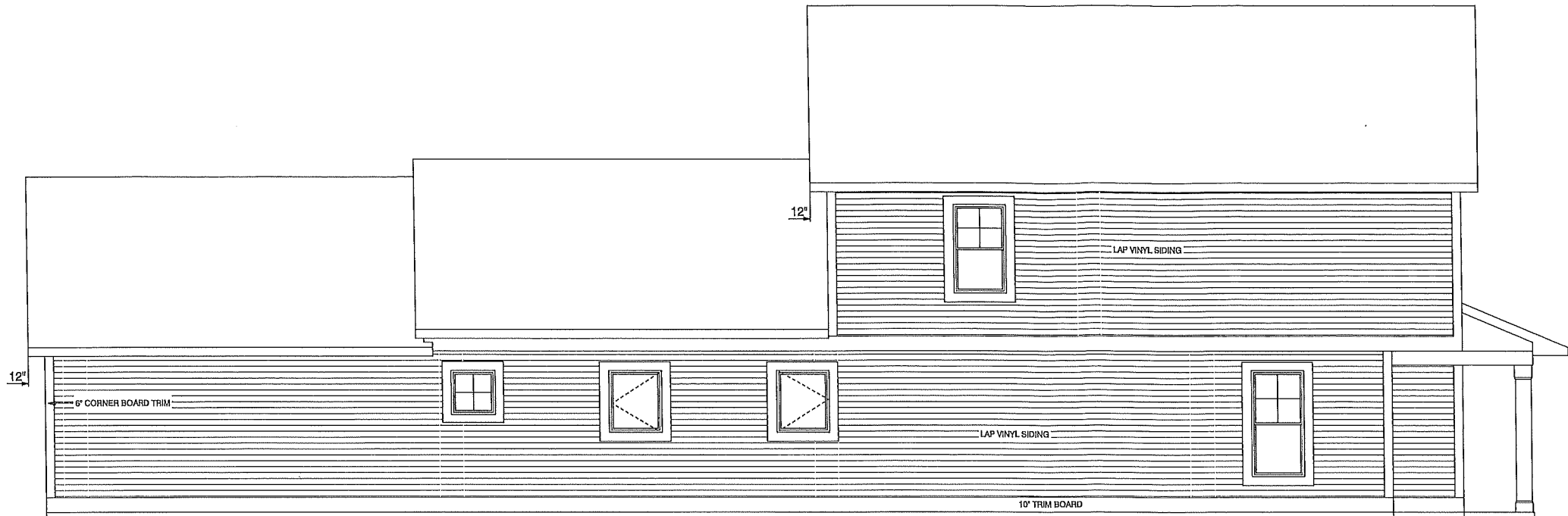
ALL MEASUREMENTS AND LOCATIONS OF ALL OBJECTS HAVE BEEN PLACED AS ACCURATELY AS POSSIBLE. SOME ADJUSTMENTS MAY BE NECESSARY IN THE ACTUAL CONSTRUCTION DUE TO STRUCTURAL FRAMING AND OTHER FIELD CONSIDERATIONS.

COPYRIGHT NOTICE
THE FLOOR PLANS AND ELEVATIONS OF ALL HANSON BUILDERS, INC. HOMES ARE COPYRIGHTED. OUR COPYRIGHTS HAVE BEEN ENFORCED AND WILL CONTINUE TO BE ENFORCED. THESE PLANS MAY NOT BE GIVEN TO OR USED BY ANY OTHER PERSON OR COMPANY WITHOUT WRITTEN PERMISSION.

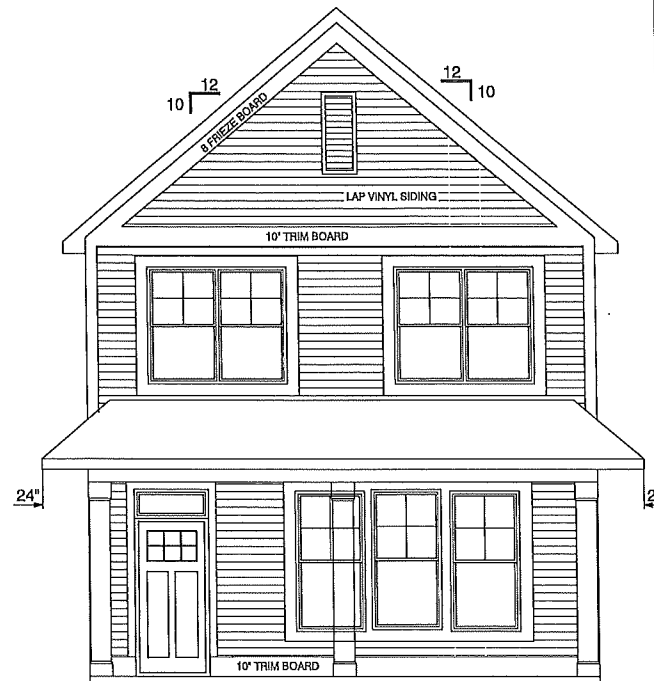
RESIDENCE FOR:
ADDRESS
NARROW HOUSE



13432 HANSON BLVD.
ANDOVER, MN 55304
763-421-5435
LIC. # BC004568

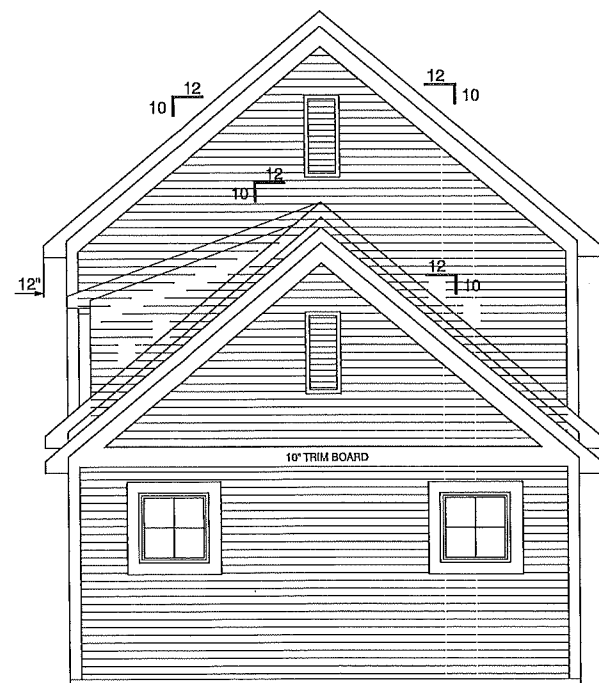


SIDE ELEVATION 1/4" = 1'-0"



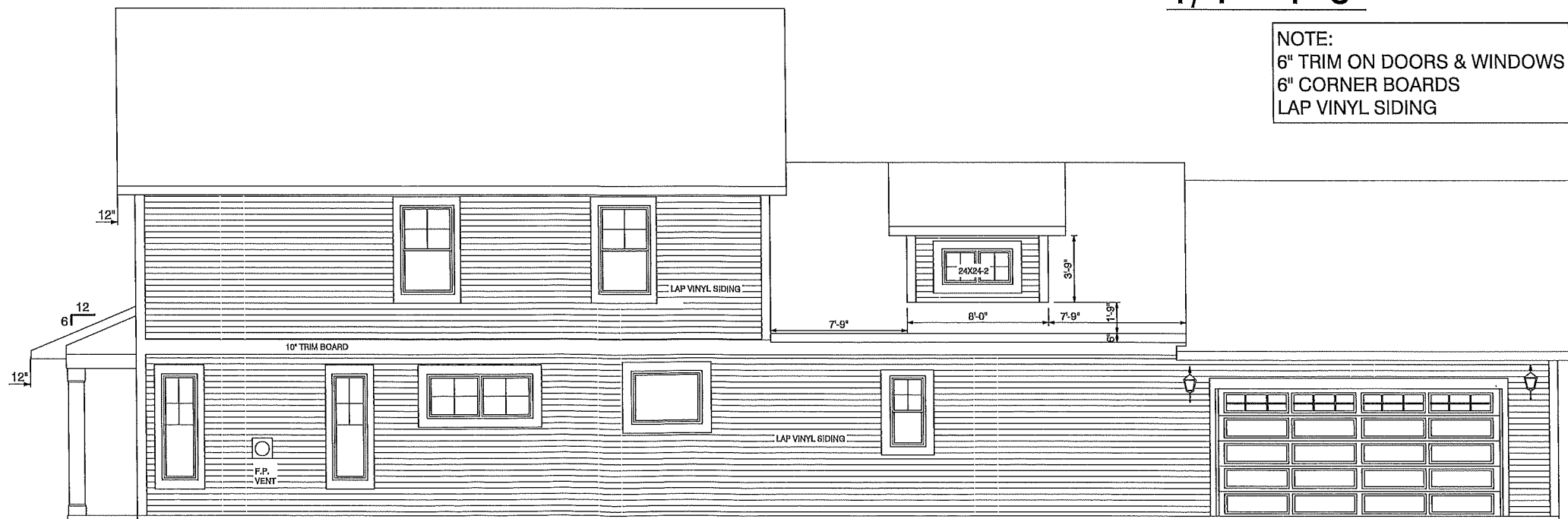
FRONT ELEVATION

1/4" = 1'-0"



REAR ELEVATION

1/4" = 1'-0"



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

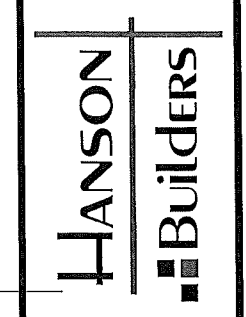
NOTE:
6" TRIM ON DOORS & WINDOWS
6" CORNER BOARDS
LAP VINYL SIDING

PRELIM DATE	3/28/2023
REVISIONS	

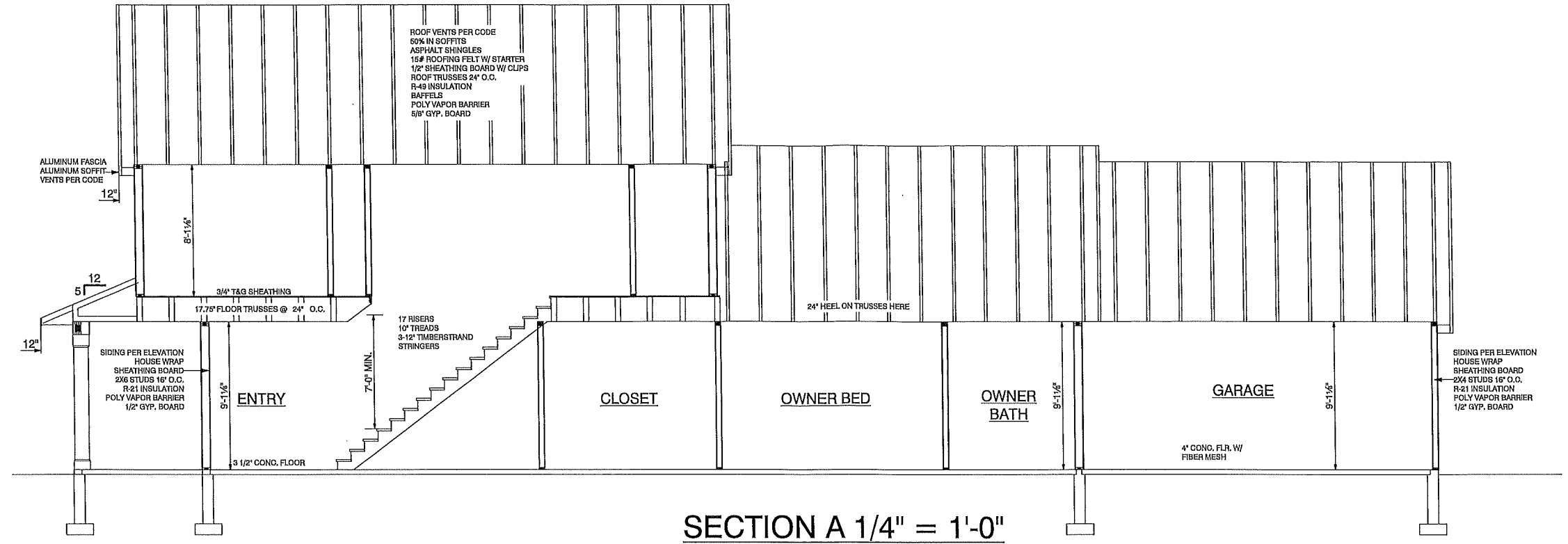
ALL MEASUREMENTS AND LOCATIONS OF ALL OBJECTS HAVE BEEN PLACED AS ACCURATELY AS POSSIBLE. SOME ADJUSTMENTS MAY BE NECESSARY IN THE ACTUAL CONSTRUCTION DUE TO STRUCTURAL FRAMING AND OTHER FIELD CONSIDERATIONS.

COPYRIGHT NOTICE
THE FLOOR PLANS AND ELEVATIONS OF ALL HANSON BUILDERS, INC. HOMES ARE COPYRIGHTED. OUR COPYRIGHTS HAVE BEEN ENFORCED AND WILL CONTINUE TO BE ENFORCED. THESE PLANS MAY NOT BE GIVEN TO OR USED BY ANY OTHER PERSON OR COMPANY WITHOUT WRITTEN PERMISSION.

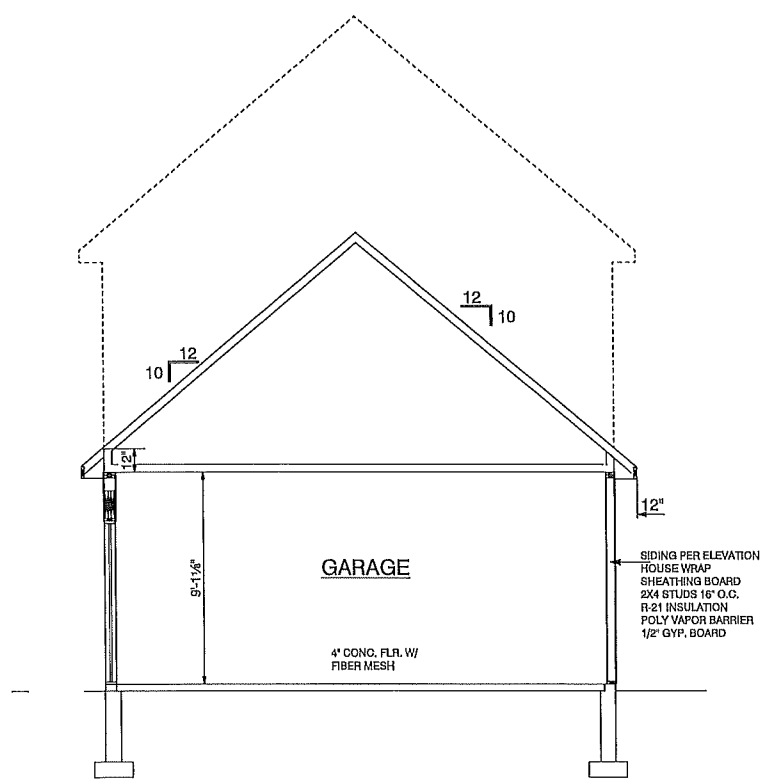
RESIDENCE FOR:
ADDRESS
NARROW HOUSE



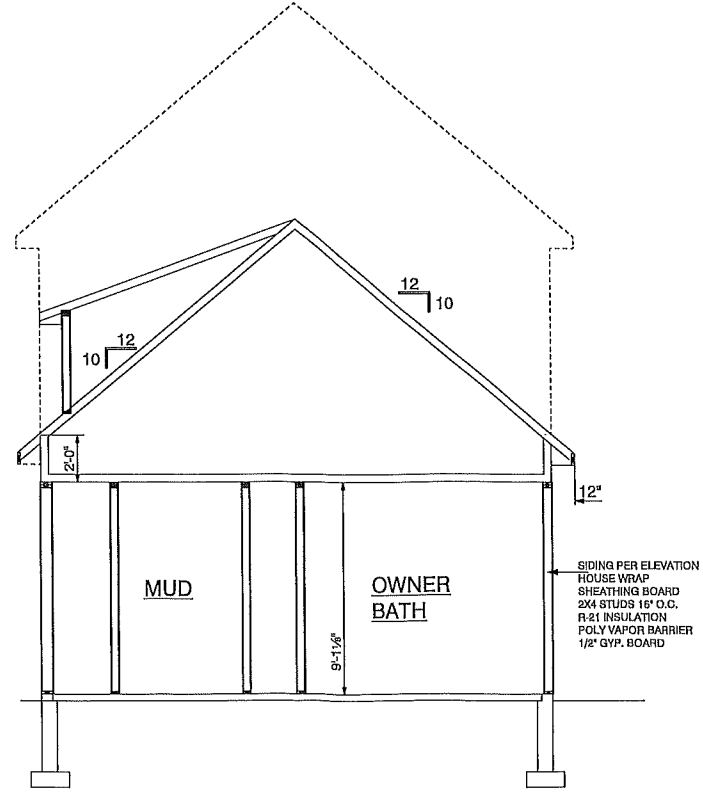
13432 HANSON BLVD.
ANDOVER, MN 55304
763-421-5435
LIC. # BC004568



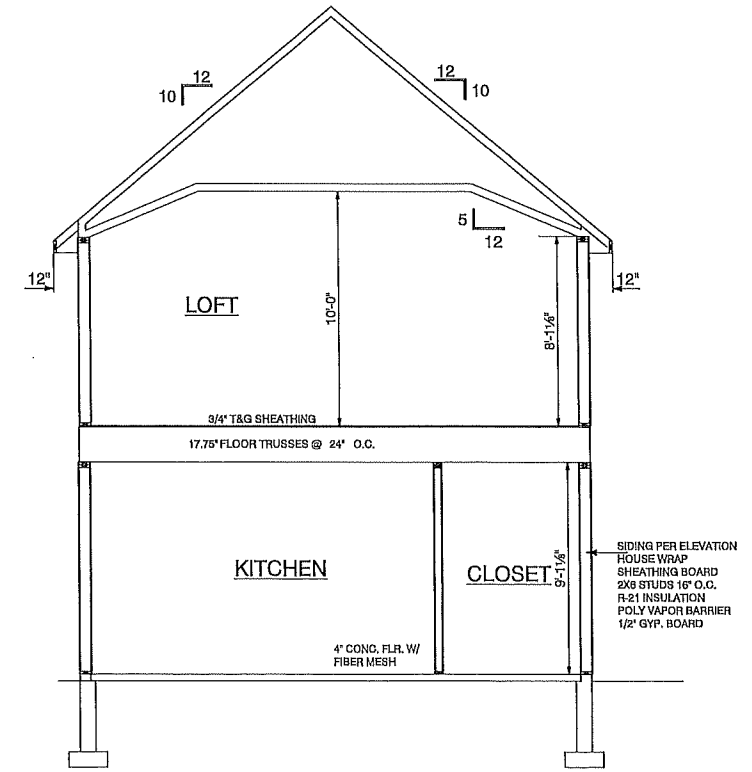
SECTION A 1/4" = 1'-0"



SECTION B 1/4" = 1'-0"



SECTION C 1/4" = 1'-0"



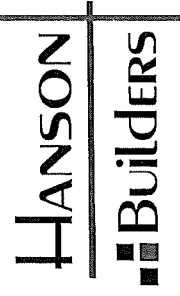
SECTION D 1/4" = 1'-0"

PLOT DATE	3/28/2023
PRELIM DATE	
REVISIONS	
PRELIM. REVISIONS	

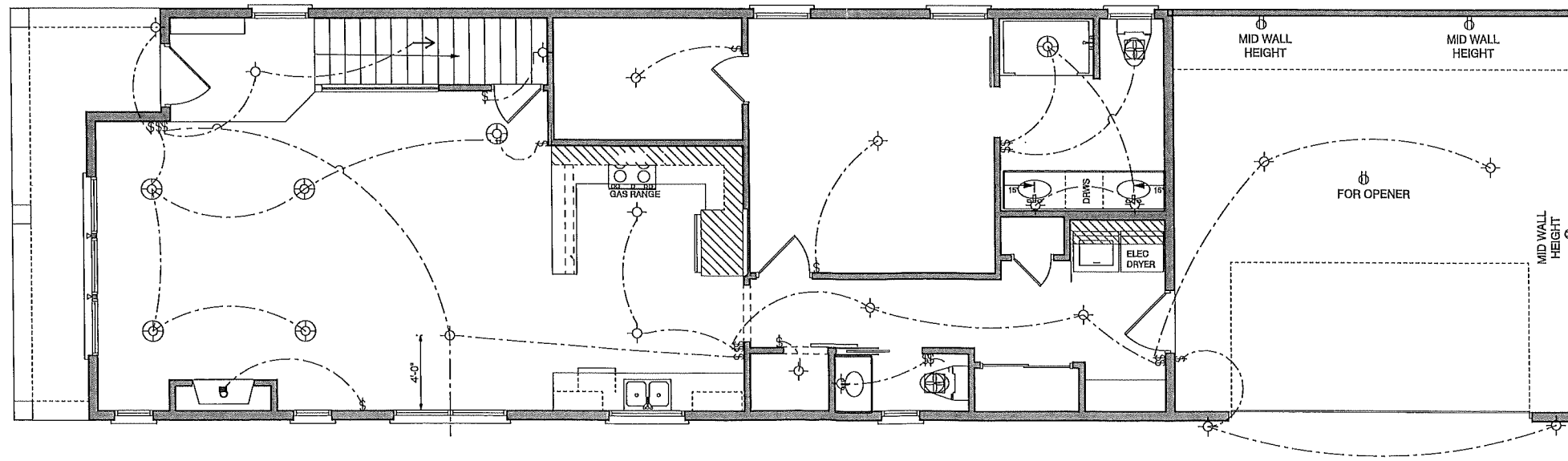
ALL MEASUREMENTS AND LOCATIONS OF ALL OBJECTS HAVE BEEN PLACED AS ACCURATELY AS POSSIBLE. SOME ADJUSTMENTS MAY BE NECESSARY IN THE ACTUAL CONSTRUCTION DUE TO STRUCTURAL FRAMING AND OTHER FIELD CONSIDERATIONS.

COPYRIGHT NOTICE
THE FLOOR PLANS AND ELEVATIONS OF ALL HANSON BUILDERS, INC. HOMES ARE COPYRIGHTED. OUR COPYRIGHTS HAVE BEEN ENFORCED AND WILL CONTINUE TO BE ENFORCED. THESE PLANS MAY NOT BE GIVEN TO OR USED BY ANY OTHER PERSON OR COMPANY WITHOUT WRITTEN PERMISSION.

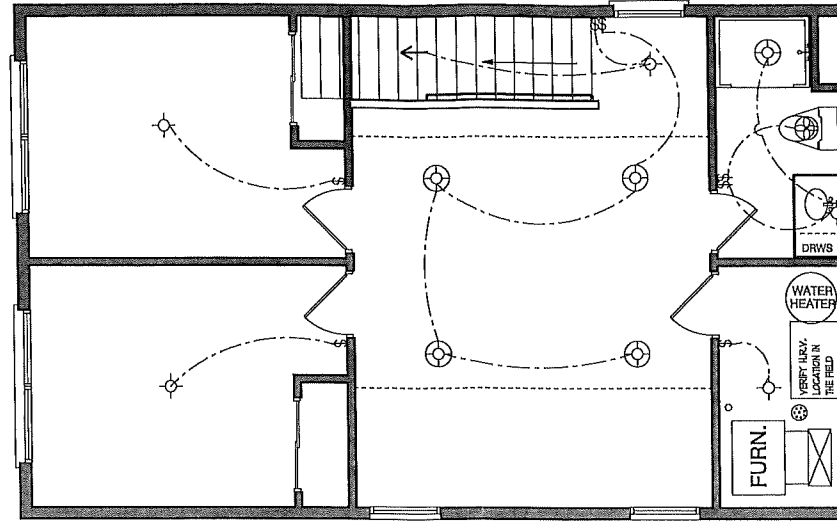
RESIDENCE FOR:
ADDRESS
NARROW HOUSE



13432 HANSON BLVD.
ANDOVER, MN 55304
763-421-5435
LIC. # BC004568



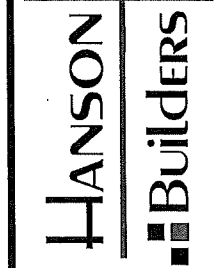
MAIN ELECTRIC 1/4" = 1'-0"



UPPER ELECTRIC 1/4" = 1'-0"

Symbol Legend	
	Bath Fan
	Light
	LED Disc Light
	Outlet
	Fan
	Switch

RESIDENCE FOR:
ADDRESS
NARROW HOUSE



13432 HANSON BLVD.
ANDOVER, MN 55304
763-421-5435
LIC. # BC004568

5 SHEET OF 5

COPYRIGHT NOTICE
THE FLOOR PLANS AND ELEVATIONS OF ALL HANSON BUILDERS, INC. HOMES ARE COPYRIGHTED. OUR COPYRIGHTS HAVE BEEN ENFORCED AND WILL CONTINUE TO BE ENFORCED. THESE PLANS MAY NOT BE GIVEN TO OR USED BY ANY OTHER PERSON OR COMPANY WITHOUT WRITTEN PERMISSION.

ALL MEASUREMENTS AND LOCATIONS OF ALL OBJECTS HAVE BEEN PLACED AS ACCURATELY AS POSSIBLE. SOME ADJUSTMENTS MAY BE NECESSARY IN THE ACTUAL CONSTRUCTION DUE TO STRUCTURAL FRAMING AND OTHER FIELD CONSIDERATIONS.

PRELIM DATE	PLOT DATE
	3/28/2023
PRELIM. REVISIONS	REVISIONS



City of White Bear Lake
Community Development Department

MEMORANDUM

TO: The Planning Commission
FROM: Shea Lawrence, Planning Technician
DATE: May 22, 2023
SUBJECT: Cox Contracting Minor Subdivision, 2241 8th Street, Case No. 23-16-LS

SUMMARY

The applicant, Cox Contracting, is requesting a minor subdivision, per code section 1407.030, in order to split one lot into two at the property located at 2241 8th Street. Should the City approve the lot split as proposed, the applicant intends to market Lot A for a duplex and Lot B for a single unit dwelling. Based on the findings made in this report, staff finds that the request meets the City's subdivision regulations and recommends approval of this request.

GENERAL INFORMATION

Applicant / Owner:	Cox Contracting
Existing Land Use / Zoning:	Vacant R-4: Single Family – Two Family Residential
Surrounding Land Use / Zoning:	North and West: B-4 General Business East and South: R-4 Single Family Two Family Residential
Comprehensive Plan:	Medium Density Residential
Lot Size & Width:	Code: R-4 Single Family: 7,000 sq. ft., 60 ft. wide Code: R-4 Two Family: 5,000 sq. ft. per unit, 80 ft. wide Existing Site: 18,213 sq. ft., 180.07 ft. wide Proposed Site A: 10,048 sq. ft., 120.01 ft. wide Proposed Site B: 8,165 sq. ft., 60.06 ft. wide

BACKGROUND

The property consists of two historic lots of record that were platted in 1886 as part of Auerbach's rearrangement of part of White Bear. The lot used to contain a single family home prior to its demolition in 2015.

Community Comment

A public hearing is not required for a minor subdivision when all aspects of the code are met.

ANALYSIS

Review Authority. City review authority for subdivision applications is considered a Quasi-Judicial action. As such, the City is acting as a judge to determine if the regulations within the Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance are being followed. Generally, if the application meets these requirements, the subdivision application should be approved. The City also has the authority to add conditions to an approval that are directly related to the application.

Minor Subdivision Review. The standards for reviewing subdivision requests are detailed in Subdivision Code Section 1407 of the City Code. Section 1407.030 includes the following standards in order for a property to qualify for a minor subdivision and be exempt from the more formal platting requirements:

- The subdivision results in fewer than three lots;
- Public utilities and street right-of-ways serve the parcel;
- The new legal description does not rely on metes and bounds and is not overly complicated; and
- The newly created property lines will not cause any resulting lot to be in violation of these regulations or the Zoning Code.

Staff has reviewed the lot split request against the standards utilized for other land use requests and provided responses to each as outlined below.

1. Is the proposal consistent with the City's Comprehensive Plan?

Finding: The Future Land Use Map in the 2040 Comprehensive Plan guides the property as Medium Density Residential which is characterized by a density range of 8-14 units per acre. Typical housing types includes multi-unit townhomes, four-plexes, and smaller-scale apartment and senior living facilities. By splitting the lot and constructing a duplex on site A and a single family home site B, the density would be at 7.2 units/acre. This would put the density below the medium density range of 8-14 units/acre. The use of this lot for a single family home, results in a density of 2.4 units/acre on the site. Adding three residential units to the currently vacant lot will move the property closer to the goal in the 2040 comprehensive plan.

2. Is the proposal consistent with the existing and future land uses in the area?

Finding: The proposal is consistent with the existing and future land uses in the area. The existing uses of the surrounding properties varies. To the south and to the east of the site, the properties are single family homes and zoned R-4. To the north and west of the site the properties are zoned B-4 General Business including a city owned parking lot and a hotel and restaurant. Constructing a duplex on the proposed west lot and a single family home on the proposed east lot would be consistent with the existing use. The duplex would serve as a transition between the commercial lots to the single family homes in the neighborhood. In the 2040 Comprehensive Plan, the abutting properties to the north and west are guided as Downtown. Residential is a characteristic of the Downtown district so constructing a duplex on the neighboring property would be consistent with the area. The properties to the south and

east are guided medium density residential and move towards low density residential.

3. Does the proposal conform to the Zoning Code requirements?

Finding: The proposed subdivision meets the zoning code requirements of the R-4 district.

Use: The R-4 district permits single and two unit dwellings. The proposal is consistent with the R-4 district.

Lot Width: The R-4 district requires a minimum lot wide of 60 feet for a single unit residence and a minimum of 80 feet for a two unit dwelling. Proposed Site A where the applicant intends to construct a duplex is 120.01 feet wide. Proposed Site B where the applicant intends to build a single unit dwelling is 60.06 feet wide. Both proposed lots meet the minimum requirement.

Lot Size: The R-4 district requires a minimum lot size of 7,200 square feet for a single unit lot and 5,000 square feet per unit for a two unit lot. Proposed Site A, intended for the duplex is 10,048 sq ft. Proposed Site B, intended for the single unit dwelling, is 8,165 sq. ft. Both the proposed lots meet the minimum lot size requirements.

Setbacks: The resulting properties will provide a large enough buildable area to meet the required setbacks without a variance. The applicant is requesting a 7 foot variance for the side yard abutting the right-of-way, therefore the lot could accommodate a building envelope that meets all other setback requirements of the R-4 district. The setbacks in the R-4 district are as follows:

Front: Average or 25 feet
Side: 10 feet
Rear: 30 feet

Parking: A two car garage is required for the single family lot, and two fully enclosed parking spaces per unit for the duplex lot is required. The applicant will be required to meet these standards for the building permit process.

The proposed lots meet the above criteria; therefore can be subdivided through the minor subdivision process.

4. Will the proposal depreciate values in the area?

Finding: The proposal is not anticipated to depreciate values in the area. Recent infill projects of single unit and two unit dwellings throughout the city have not resulted in depreciation of the surrounding neighborhood, and staff finds that trend should continue in this neighborhood.

5. Will the proposal overburden the existing public services or the capacity of the service area?

Finding: The property is served by city water and sewer and the utilities have the capacity to serve the two lots. The newly created parcels will need to connect to services when the site is

developed. At that time, the developer will also need to pay Metropolitan Council and City SAC (Sewer Availability Charge) and WAC (Water Availability Charge) fees.

6. Will traffic generation be within the capabilities of the streets serving the site?

Finding: Traffic generation will be within the capabilities of the street serving the site. The number of trips generated by three additional households is minimal and not anticipated to negatively impact the traffic.

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. Within 6 months after the approval of the survey by the City, the applicant shall record the survey, along with the instruments of conveyance with the County Land Records Office, or the subdivision shall become null and void.
3. The resolution of approval shall be recorded against both properties and notice of these conditions shall be provided as condition of the sale of any lot.
4. The applicant shall provide the City with proof of recording (receipt) as evidence of compliance with conditions #2 and #3. Within 120 days after the date of recording, the applicant shall provide the City Planner with a final recorded copy of the Certificate of Survey.
5. The applicant shall agree to reapportion any pending or actual assessments on the original parcel or lot of recording in accordance with the original assessment formula on the newly approved parcels, as per the City of White Bear Lake finance office schedules.
6. Durable iron monuments shall be set at the intersection points of the new lot lines with existing lot lines. The applicant shall have one year from the date of Council approval in which to set the monuments.
7. The park dedication fee shall be collected for Parcel A at the time when a building permit is issued.
8. Metropolitan Council SAC (Sewer Availability Charge) and WAC (Water Availability Charge) and City SAC and WAC shall be due at the time of building permit for Parcel A.
9. Water and sewer hook-up fees shall be collected at the time when a building permit is issued for Parcel A.
10. A tree preservation plan shall be submitted for review and approval prior to the issuance of a building permit for new construction on either parcel.

Attachments:

Resolution

Zoning/Location Map

Applicant's Narrative & Plans

RESOLUTION NO.

**RESOLUTION GRANTING A MINOR SUBDIVISION FOR
2241 8TH STREET WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, Cox Contracting has requested a minor subdivision, per section 1407.030, in order to split one lot into two at the following location:

LEGAL DESCRIPTION: Attached as Exhibit A.

WHEREAS, the Planning Commission held a public hearing as required by the Zoning Code on May 22, 2023; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, Minnesota that, in relation to the minor subdivision, 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 the existing and future land uses in the area.
3. The proposal conforms to the Zoning Code requirements.
4. The proposal will not depreciate values in the area.
5. The proposal will not overburden the existing public services nor the capacity of the City to service the area.
6. Traffic generation will be within the capabilities of the streets serving the site.

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

1. All application materials, maps, drawings, and descriptive information submitted in this application shall become part of the permit.
2. Within 6 months after the approval of the survey by the City, the applicant shall record the survey, along with the instruments of conveyance with the County Land Records Office, or the subdivision shall become null and void.
3. The resolution of approval shall be recorded against both properties and notice of these conditions shall be provided as condition of the sale of any lot.
4. The applicant shall provide the City with proof of recording (receipt) as evidence of compliance with conditions #2 and #3. Within 120 days after the date of recording, the applicant shall provide the City Planner with a final recorded copy of the Certificate of Survey.

RESOLUTION NO.

5. The applicant shall agree to reapportion any pending or actual assessments on the original parcel or lot of recording in accordance with the original assessment formula on the newly approved parcels, as per the City of White Bear Lake finance office schedules.
6. Durable iron monuments shall be set at the intersection points of the new lot lines with existing lot lines. The applicant shall have one year from the date of Council approval in which to set the monuments.
7. The park dedication fee shall be collected for Parcel A at the time when a building permit is issued.
8. Metropolitan Council SAC (Sewer Availability Charge) and WAC (Water Availability Charge) and City SAC and WAC shall be due at the time of building permit for Parcel A.
9. Water and sewer hook-up fees shall be collected at the time when a building permit is issued for Parcel A.
10. A tree preservation plan shall be submitted for review and approval prior to the issuance of a building permit for new construction on either parcel.

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

RESOLUTION NO.

EXHIBIT A

EXISTING LEGAL DESCRIPTION

Lot 7, Block 22, Auerbach's Rearrangement of part of White Bear, Ramsey County, Minnesota, except the East 4 feet thereof. -----

Lot 8, Block 22, Auerbach's Rearrangement of part of White Bear, Ramsey County, Minnesota, together with that portion of the adjacent vacated Cook Avenue that accrued thereto by reason of the vacation thereof. -----

AND

That part of Lot 1, Block 23, White Bear, Ramsey County, Minnesota, which lies southeasterly of the Stillwater and St. Paul Railroad right of way, together with that portion of the adjacent vacated Cook Avenue that accrued thereto by reason of the vacation thereof.

PROPOSED LEGAL DESCRIPTIONS

LOT 1

Parcel A

That part of the following described property:

Lot 7, Block 22, Auerbach's Rearrangement of part of White Bear, Ramsey County, Minnesota, except the East 4 feet thereof.

Lot 8, Block 22, Auerbach's Rearrangement of part of White Bear, Ramsey County, Minnesota, together with that portion of the adjacent vacated Cook Avenue that accrued thereto by reason of the vacation thereof.

AND

That part of Lot 1, Block 23, White Bear, Ramsey County, Minnesota, which lies southeasterly of the Stillwater and St. Paul Railroad right of way, together with that portion of the adjacent vacated Cook Avenue that accrued thereto by reason of the vacation thereof.

Which lies westerly, northwesterly, and northerly of the following described line and its southerly and easterly extensions:

Commencing at the Southwest corner of said East 4.00 feet of Lot 7, Block 22; thence South 89 degrees 47 minutes 44 seconds West, assumed bearing, along the South line of said Lots 7 and 8, Block 22, a distance of 60.06 feet to the point of beginning of said line to be described; thence North 00 degrees 02 minutes 22 seconds West, a distance of 99.35 feet; thence North 38 degrees 52 minutes 13 seconds East, a distance of 85.50 feet; thence North 89 degrees 47 minutes 44 seconds East, a distance of 6.28 feet to the West line of said East 4.00 feet of Lot 7, Block 22 and said line there terminating.

RESOLUTION NO.

LOT 2

Parcel B

That part of the following described property:

Lot 7, Block 22, Auerbach's Rearrangement of part of White Bear, Ramsey County, Minnesota, except the East 4 feet thereof.

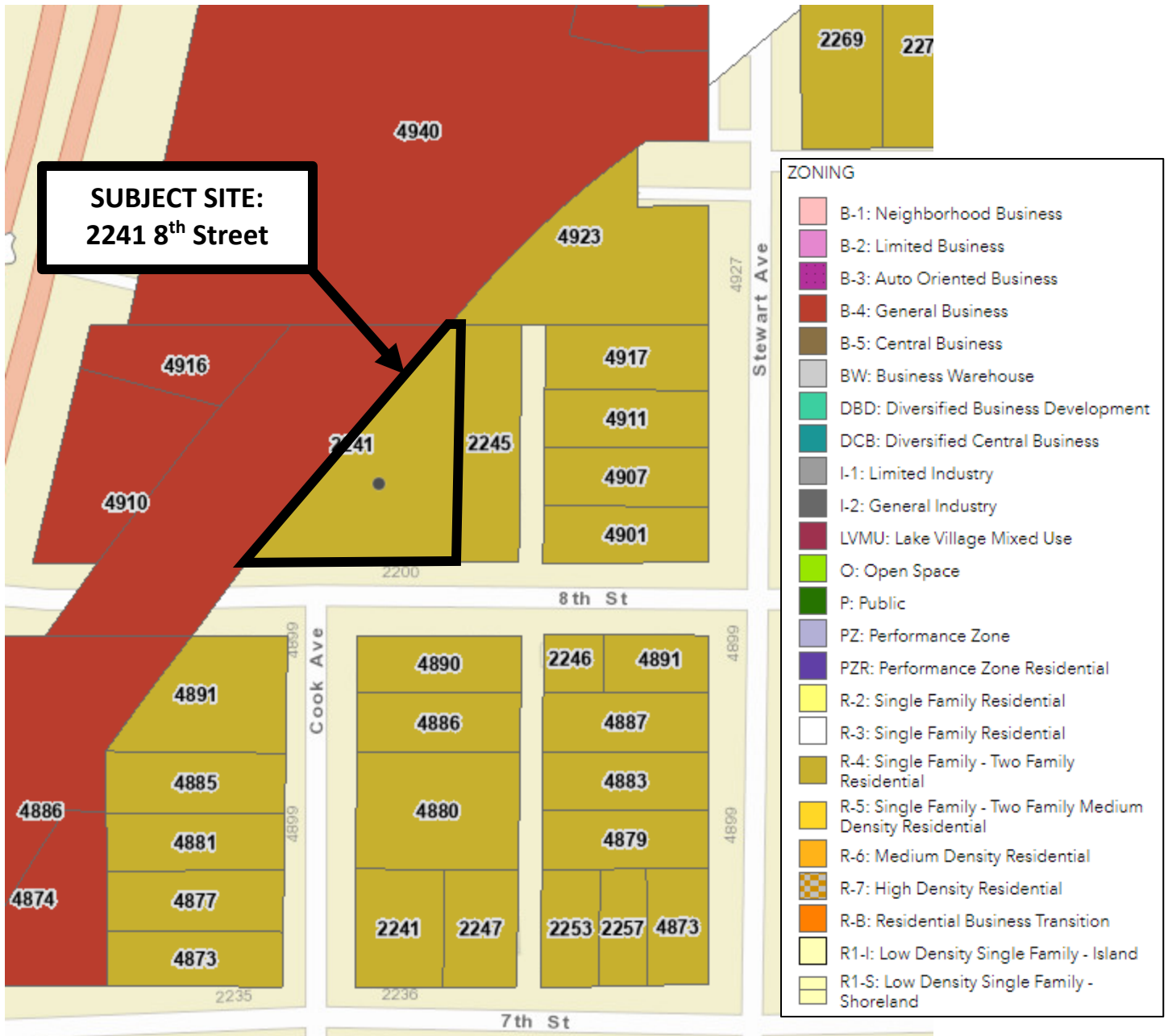
Lot 8, Block 22, Auerbach's Rearrangement of part of White Bear, Ramsey County, Minnesota, together with that portion of the adjacent vacated Cook Avenue that accrued thereto by reason of the vacation thereof.


AND

That part of Lot 1, Block 23, White Bear, Ramsey County, Minnesota, which lies southeasterly of the Stillwater and St. Paul Railroad right of way, together with that portion of the adjacent vacated Cook Avenue that accrued thereto by reason of the vacation thereof.

Which lies easterly, southeasterly, and southerly of the following described line and its southerly and easterly extensions:

Commencing at the Southwest corner of said East 4.00 feet of Lot 7, Block 22; thence South 89 degrees 47 minutes 44 seconds West, assumed bearing, along the South line of said Lots 7 and 8, Block 22, a distance of 60.06 feet to the point of beginning of said line to be described; thence North 00 degrees 02 minutes 22 seconds West, a distance of 99.35 feet; thence North 38 degrees 52 minutes 13 seconds East, a distance of 85.50 feet; thence North 89 degrees 47 minutes 44 seconds East, a distance of 6.28 feet to the West line of said East 4.00 feet of Lot 7, Block 22 and said line there terminating.



 <p>City of White Bear Lake Planning & Zoning 651-429-8561</p>	<p>CASE NO. : <u>23-16-LS</u></p>
	<p>CASE NAME : <u>8th Street Lot Split</u></p>
	<p>DATE : <u>5-22-2023</u></p>

April 13, 2023

City of WBL Planning Commission

Dear Planning Commission,

Our company, Cox Contracting, has made an offer to purchase the property at 2241 8th St. White Bear Lake MN. We have been conducting business in the White Bear Lake area since 1995. We have bought, sold, remodeled and built many houses in the area, particularly in the "triangle" area. We have been working with the current owners to split the lot in question to make the mini sub-division in order to build one single family home and have one larger lot for a future twin-home/duplex (as per acceptable code already). Please consider this minor lot subdivision and we can build and add to the housing market that is so tight in White Bear Lake.

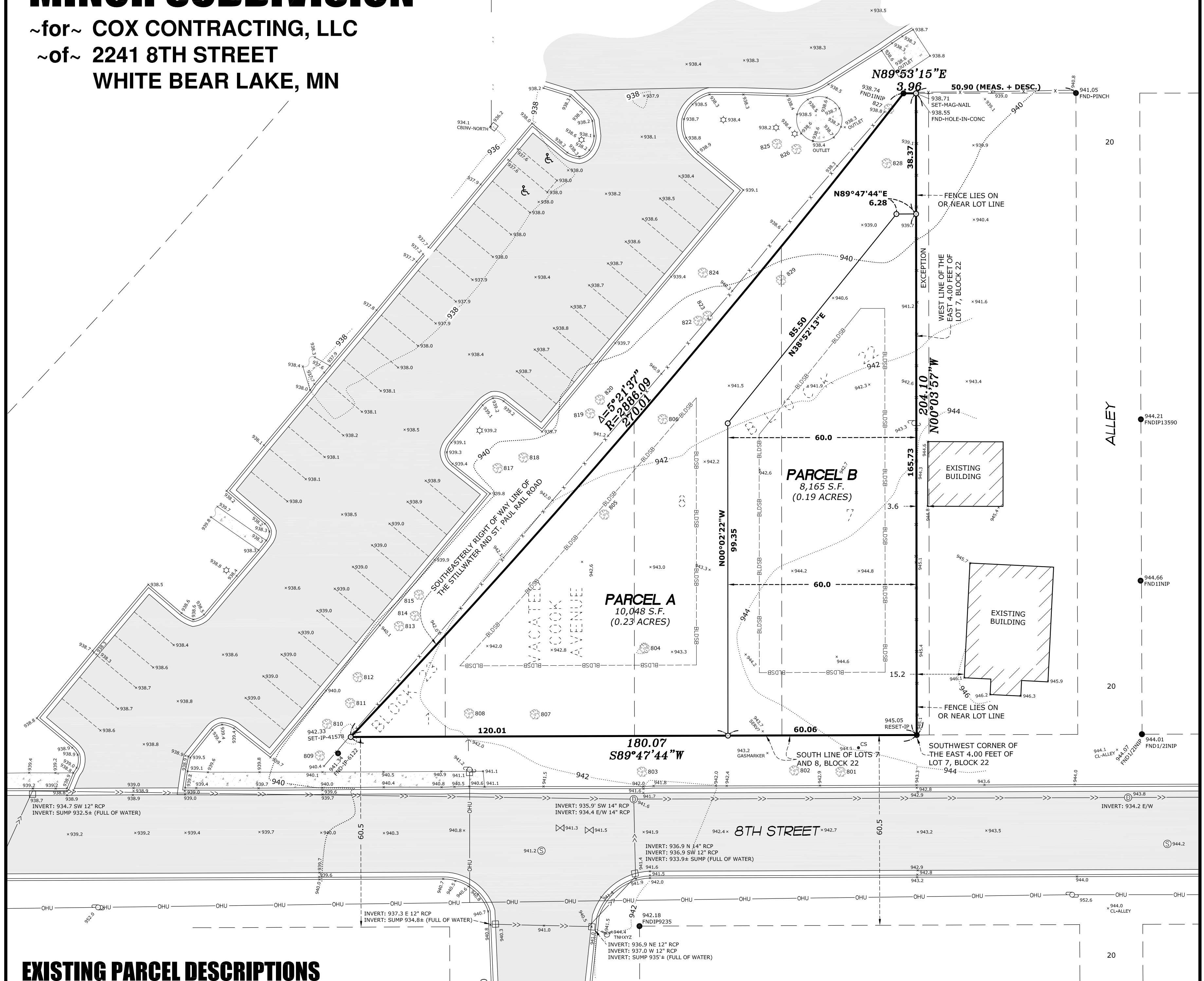
Sincerely,

Handwritten signatures of Ed and Emily Cox in cursive script.

Ed and Emily Cox
Cox Contracting LLC
651-653-7744

MINOR SUBDIVISION

~for~ COX CONTRACTING, LLC
 ~of~ 2241 8TH STREET
 WHITE BEAR LAKE, MN



EXISTING PARCEL DESCRIPTIONS

Lot 7, Block 22, Auerbach's Rearrangement of part of White Bear, Ramsey County, Minnesota, except the East 4 feet thereof.

Lot 8, Block 22, Auerbach's Rearrangement of part of White Bear, Ramsey County, Minnesota, together with that portion of the adjacent vacated Cook Avenue that accrued thereto by reason of the vacation thereof.

AND

That part of Lot 1, Block 23, White Bear, Ramsey County, Minnesota, which lies southeasterly of the Stillwater and St. Paul Railroad right of way, together with that portion of the adjacent vacated Cook Avenue that accrued thereto by reason of the vacation thereof.

PROPOSED PARCEL A DESCRIPTION

That part of the following described property:

Lot 7, Block 22, Auerbach's Rearrangement of part of White Bear, Ramsey County, Minnesota, except the East 4 feet thereof.

Lot 8, Block 22, Auerbach's Rearrangement of part of White Bear, Ramsey County, Minnesota, together with that portion of the adjacent vacated Cook Avenue that accrued thereto by reason of the vacation thereof.

AND

That part of Lot 1, Block 23, White Bear, Ramsey County, Minnesota, which lies southeasterly of the Stillwater and St. Paul Railroad right of way, together with that portion of the adjacent vacated Cook Avenue that accrued thereto by reason of the vacation thereof.

Which lies westerly, northwesterly, and northerly of the following described line and its southerly and easterly extensions:

Commencing at the Southwest corner of said East 4.00 feet of Lot 7, Block 22; thence South 89 degrees 47 minutes 44 seconds West, assumed bearing, along the South line of said Lots 7 and 8, Block 22, a distance of 60.06 feet to the point of beginning of said line to be described; thence North 00 degrees 02 minutes 22 seconds West, a distance of 99.35 feet; thence North 38 degrees 52 minutes 13 seconds East, a distance of 85.50 feet; thence North 89 degrees 47 minutes 44 seconds East, a distance of 6.28 feet to the West line of said East 4.00 feet of Lot 7, Block 22 and said line there terminating.

PROPOSED PARCEL B DESCRIPTION

That part of the following described property:

Lot 7, Block 22, Auerbach's Rearrangement of part of White Bear, Ramsey County, Minnesota, except the East 4 feet thereof.

Lot 8, Block 22, Auerbach's Rearrangement of part of White Bear, Ramsey County, Minnesota, together with that portion of the adjacent vacated Cook Avenue that accrued thereto by reason of the vacation thereof.

AND

That part of Lot 1, Block 23, White Bear, Ramsey County, Minnesota, which lies southeasterly of the Stillwater and St. Paul Railroad right of way, together with that portion of the adjacent vacated Cook Avenue that accrued thereto by reason of the vacation thereof.

Which lies easterly, southeasterly, and southerly of the following described line and its southerly and easterly extensions:

Commencing at the Southwest corner of said East 4.00 feet of Lot 7, Block 22; thence South 89 degrees 47 minutes 44 seconds West, assumed bearing, along the South line of said Lots 7 and 8, Block 22, a distance of 60.06 feet to the point of beginning of said line to be described; thence North 00 degrees 02 minutes 22 seconds West, a distance of 99.35 feet; thence North 38 degrees 52 minutes 13 seconds East, a distance of 85.50 feet; thence North 89 degrees 47 minutes 44 seconds East, a distance of 6.28 feet to the West line of said East 4.00 feet of Lot 7, Block 22 and said line there terminating.

LEGEND

- DENOTES IRON MONUMENT FOUND AS LABELED
- DENOTES IRON MONUMENT SET, MARKED RLS# 41578
- DENOTES CATCH BASIN
- CS DENOTES CURB STOP
- 850 DENOTES TREE WITH TAG NUMBER
- x 952.36 DENOTES EXISTING SPOT ELEVATION
- ⊙ DENOTES HYDRANT
- ⊛ DENOTES LIGHT POLE
- ⊕ DENOTES STORM SEWER MANHOLE
- ⊖ DENOTES POWER POLE
- ⊗ DENOTES SANITARY SEWER MANHOLE
- ⊘ DENOTES TELEPHONE PEDESTAL
- ⊙ DENOTES WATER VALVE
- ⊚ DENOTES FENCE
- ⊛ DENOTES EXISTING CONTOURS
- ⊜ DENOTES EXISTING SANITARY SEWER
- ⊝ DENOTES EXISTING STORM SEWER
- OHU DENOTES OVERHEAD UTILITY
- ⊞ DENOTES BITUMINOUS SURFACE
- ⊟ DENOTES CONCRETE SURFACE

PARCEL A

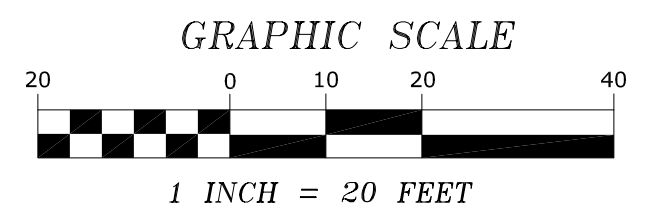
PROPOSED SETBACK DATA:

- FRONT: 22.5 FEET
- SIDE: 10 FEET
- REAR: 30 FEET
- MAXIMUM 30% IMPERVIOUS COVERAGE

PARCEL B

PROPOSED SETBACK DATA:

- FRONT: 20 FEET
- SIDE: 10 FEET
- REAR: 30 FEET
- MAXIMUM 30% IMPERVIOUS COVERAGE



BENCHMARK:

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

NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 10/04/21.
- Bearings shown are on Ramsey County datum.
- Curb shots are taken at the top and back of curb.
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.
- Total parcel area = 18,213 s.f. (0.42 Acres)

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

Jason E. Rud
 JASON E. RUD

Date: 4/27/2023 License No. 41578

TAG NUMBER	TREE TYPE	CALIPER
801	ELM	42.00
802	ELM	26.00
803	ELM	26.00
804	ELM	32.00
805	OAK	46.00
806	CEDAR	15.00
807	ELM	20.00
808	ELM	16.00
809	ASH	10.00
810	PINE	9.00
811	PINE	6.00
812	PINE	8.00
813	ELM	12.00
814	ELM	9.00
815	ELM	16.00
816	PINE	8.00
817	OAK	10.00
818	OAK	18.00
819	ASH	8.00
820	ASH	15.00
821	OAK	11.00
822	ELM	12.00
823	ELM	6-6
824	ASH	11.00
825	ASH	16.00
826	OAK	20.00
827	OAK	36.00
828	ELM	11.00
829	ELM	10.00

DRAWN BY: BCD	JOB NO: 230197PP	DATE: 04/26/23	
CHECK BY: JER	FIELD CREW: JR		
1			
2			
3			
NO.	DATE	DESCRIPTION	BY



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



City of White Bear Lake
Community Development Department

M E M O R A N D U M

TO: The Planning Commission
FROM: Ashton Miller, City Planner
DATE: May 22, 2023
SUBJECT: 1350 Highway 96 Concept Plan Review - Case No. 23-18-C

SUMMARY

The Planning Commission will review and comment on the concept plan for 1350 Highway 96. This concept proposes to construct a drive-thru coffee kiosk in the northeast corner of the property that contains the Birch Lake Shopping Center and All Star Pet Hotel. Following the Planning Commission meeting, this item is scheduled for review and comment by the City Council on June 13th.

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 to be considered binding upon the City regarding any future, formal application.

GENERAL INFORMATION

Applicant/Owner: Kris Daniels / Joseph Hughes

Existing Land Use / Zoning: Shopping Center / B-4: General Business & S: Shoreland Overlay

Surrounding Land Use /Zoning: North: Single Family Homes / R-2: Single Family Residential & S
 South: Sports Center / P: Public & S
 Single Family Homes (White Bear Township) / R-1 Suburban Residential
 East: Bank / B-4: General Business & S
 West: Office Building / B-4: General Business & S

Comprehensive Plan: Commercial

Lot Size & Width: None & 100 feet

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 and influence future plans if the developer chooses to proceed with a formal development application. Concept Plan review is a required step for all applications that may include a rezoning or Planned Unit Development. The concept plan review process follows 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 located on the south side of Highway 96 between Sports Center Drive and Birch Lake Boulevard South. In 1985, a conditional use permit was approved for a 19,400 square foot shopping center, 3,000 square foot gas/convenience food center and future plans for an office building/restaurant. In 1987, a conditional use permit for a 6,250 square foot retail outlet and a tire shop was approved. The canopy and gas tanks associated with the gas station, which were located in the northeast portion of the lot where Scooter’s Coffee is proposing to locate, were removed in 2015.

Originally, the site was reviewed and approved through a conditional use permit because that was the zoning standard in 1985. The planned unit development standards were added in 2010 and apply to properties that develop with more than one building on an individual parcel. They apply in this case because the applicant is proposing to add a separate drive-thru coffee use to the site without seeking to subdivide their own distinct parcel.

It should be noted that the property owner has recently submitted a building permit for the empty endcap directly behind the proposed Scooter’s location. Should the city approve this permit, it proposes to build out the existing empty endcap with a 6,000 square foot concierge solan with 35 individual salon suites.

Concept Proposal. The applicant's concept plan proposes to construct a drive-through coffee shop with one drive-through lane and no seating inside the building. The building is proposed to be constructed in the northeast corner of the property in an area currently used for parking directly south of the main vehicle entrance off of Highway 96. According to the applicant, the proposed location will employ approximately 30 barista team members.

As noted above, the property owner recently applied for a building permit for the empty endcap directly behind the proposed Scooter's location. Should the city approve this permit, it proposes to build out the existing empty endcap with a 6,000 square foot concierge solan with 35 individual salon suites.

According to the applicant's narrative, Scooter's Coffee was founded in the Omaha area in 1998 and is rapidly growing across the country. Scooter's is a drive-thru only concept with no interior seating, patio, or public access. The business serves specialty coffee drinks, smoothies, energy drinks and breakfast food. Currently there are 600 stores nation wide and 16 stores in Minnesota. The applicant currently operates the Ham Lake location and White Bear Lake residents may be familiar with the Maplewood store located along Highway 61 just south of Highway 36.

The applicant's narrative goes on to state "another major focus of our business model is moving customers through our line as fast as possible." The narrative states Scooter's Coffee locations are expected to draw 250-300 vehicles per day with approximately 50 percent of these being between 7 and 10 AM. More specific to this location, the applicant notes there existing Ham Lake location has the ability to serve over 100 customers every hour.

Neighborhood Meeting. The applicant held their neighborhood meeting on May 15, 2023 at Carbone's Pizza, which is one of the tenants of the shopping center. Five people signed the sign-in sheet and staff estimates there were about six others in attendance. The applicants, Kris and Louise Daniels were present, along with the project engineer, Jack Ammerman. City Planner Ashton Miller also attended the meeting.

Applicant Kris Daniels presented the proposal. Meeting attendees expressed concerns about traffic along Highway 96, impacts on vehicles at Hedman Way, and stacking in the parking lot of vehicles trying to make a left turn. There were also questions about number of employees, number of deliveries, whether the location is viable for a coffee shop, and impacts on the endcap tenant. A summary of the meeting is attached.

ANALYSIS

Based on the concept plan, staff anticipates the applicant will request a Planned Unit Development (PUD) for an additional principal structure on one property. The zoning code allows for only one principal building on a property unless granted a PUD.

Land Use. The 2040 Comprehensive Plan Future Land Use Map guides the subject property as Commercial. According to the Comprehensive Plan, commercial include a wide range of general commercial uses, such as retail, office, automobile-oriented businesses, and personal service

establishments. The proposed concept plan of a drive-through coffee shop meets the use standards of the commercial future land use category.

Zoning. The subject property is zoned B-4: General Business. The purpose of the B-4 zoning district is to provide for the establishment of commercial and service activities which draw from and serve customers from the entire community or region and are located in areas which are well served by collector or arterial street facilities. The 2040 Comprehensive Plan transportation chapter designates Highway 96 as an arterial street, so the coffee shop is located along an appropriate road.

Use. Retail services are permitted uses in the B-4 zoning district. A conditional use permit is required for drive-through facilities in the B-4 zoning district, subject to the conditions listed below. The concept plan review requirements do not provide enough information to fully evaluate each of these items. Should the applicant choose to move forward with this project, staff will review each of these items in detail to ensure compliance.

It should be noted that, based on the information available, staff has concerns with the concept plan and its ability to meet several of the standards listed below. Staff's concerns related to items 4 – vehicle access, 6 – drainage, 7 – signage, 8 – drive thru stacking and 9 – tree preservation. Prior to submission of this concept plan, staff had several conversations relaying these concerns to the applicant and discouraging the proposed location. While staff can generally envision adding the proposed use to the Birch Lake Shopping Center site, we believe the proposed location is inherently problematic and the shopping center could better accommodate the proposed use in a more centralized location within the existing parking lot.

1. The architectural appearance and functional plan of the building and site shall not be so dissimilar to the existing buildings or area so as to cause impairment in property values or constitute a blighting influence within a reasonable distance of the lot.
2. At the boundaries of a residential district, a strip of not less than twenty (20) feet shall be landscaped and screened.
3. Parking areas shall be screened from view of abutting residential districts.
4. Vehicular access points shall be limited, shall create a minimum of conflict with through traffic movements, and shall be subject to the approval of the City Engineer.
5. All lighting shall be hooded and so directed that the light source is not visible from the public right-of-way or from an abutting residence.
6. The entire area shall have a drainage system which is subject to the approval of the City Engineer.
7. All signing and information or visual communication devices shall be in compliance with the White Bear Lake Sign Ordinance.
8. Stacking space and on-site circulation shall be sufficient to accommodate the demand.
9. Provisions are made to control and reduce noise.
10. Additional trees to offset the carbon impact of idling cars may be required subject to the approval of the Zoning Administrator.
11. All conditions pertaining to a specific site are subject to change when the Council, upon investigation in relation to a formal request, finds that the general welfare and public betterment can be served as well or better by modifying the conditions.

Height. The maximum height in the B-4 district is thirty-five (35) feet. The prototype elevations indicate the building will be approximately nineteen (19) feet tall, so will be within code.

Setback. The required setbacks in the B-4 zoning district are thirty (30) feet from the front, ten (10) feet from the side, and twenty (20) feet from the rear. Parking lots are required to be set back fifteen (15) feet from the right-of-way and maintain a five (5) foot setback from any interior lot line. The proposed building and drive aisle meet the required setbacks.

Parking. Service establishments are required to have one parking stall for every two hundred (200) square feet of floor area. At roughly six hundred eighty (680) square feet, the business is required to provide at least three (3) parking stalls on site. An informal parking analysis was recently completed for another tenant moving into the building and based on those numbers two hundred (200) stalls are required and one hundred ninety four (194) are provided. That analysis assumed the Scooter's Coffee shop to be seven hundred thirty (730) square feet, which would require four (4) parking spaces and was based on an older concept that depicted two (2) drive through lanes, so staff is unsure whether the number of parking stalls required and provided are accurate. An analysis of the whole site will be required should the applicant submit for a PUD.

Exterior Materials. Permitted exterior materials in the B-4 zoning district include face or modular brick, natural stone, decorative concrete block, concrete panels colored by pigment, stucco, EIFS, wood, glass, and curtain wall panels that do not exceed 50% of the wall area. The building should also match the existing shopping center. The shopping center has recently undergone extensive exterior renovations, so the proposed coffee kiosk will need to incorporate design elements that are similar to the existing building.

Traffic/Stacking/Circulation. Drive-through lanes are required to have three (3) stacking spaces at each menu or window per lane. The proposed drive-through has staking space for ten (10) vehicles total, with six (6) of those between the menu board and the window. The applicants state that, on average, wait time for a vehicle from the menu to the drive-up window is 2:25 minutes, which allows them to serve over one hundred (100) customers an hour. Staff is concerned that vehicles may queue beyond the ten (10) stacking spaces provided and block the circulation of vehicles leaving the coffee shop and those visiting other tenants in the shopping center.

There are three access points to the shopping center, two of which are on the west side of the property and one along Highway 96. Staff anticipates a majority of the the vehicles visiting the site will enter through the Highway 96 access point, which is directly west of the proposed drive-through. Traffic on Highway 96 is unregulated at this intersection. Staff is concerned that due to the amount of traffic on Highway 96, vehicles attempting to turn left both into and out of the shopping center will stack and spill into the drive aisles, especially during the peak morning commute. Overall, staff anticipates the proposed location and configuration of the automobile-oriented business to negatively impact traffic in the area and increase safety concerns.

Signage. Properties in the B-4 zoning district are permitted one monument sign up to thirty-five (35) square feet in size. The shopping center already has two (2) monument signs, approved as part of the original conditional use permit granted for development of the site. The signs were permitted to be

one hundred fifty (150) square feet and fifty-six (56) square feet in size. The applicant's narrative indicates they would like to include a freestanding sign in their proposal. An additional freestanding sign would increase the nonconformity on the lot.

Further, the narrative states that a typical Scooter's Coffee has two hundred (200) square feet of signage. The city's sign code permits up to eighty (80) square feet of wall signage on the building, not to exceed ten percent (10%) of the main/front wall and five percent (5%) of the side and rear walls.

One menu sign is permitted per drive-through lane not to exceed six (6) feet in height and thirty-two (32) square feet in area. The sign must be set back ten (10) feet from all property lines.

Tree Preservation. The city's tree preservation standards are triggered when new construction is proposed on a commercial property. Based on the aerials of the property, a number of trees have been removed from this corner of the property within the last year and a half. Staff is unsure whether the trees were significant, which is defined as, "any healthy, living deciduous trees larger than eight (8) inches in caliper (excepting Box Elder and Chinese Elm) and any healthy living evergreen tree at least six (6) inches in diameter." If not significant, the removal would not trigger the tree preservation requirements. The preservation standards would also not be triggered if the trees were removed due to disease or as part of maintenance of the stormwater pond. Trees removed for any other reason are removed illegally and are required to be replaced at a rate of twice the caliper inches. Should the applicant submit for the PUD, staff would require a tree survey of the lot to be submitted and replacement inches incorporated into the proposal if needed.

Utilities. Sanitary sewer and water facilities are available to the property, but are located on the western portion of the property or north of Highway 96, so bringing utilities to the site may be difficult.

Stormwater Management. The property is in the shoreland overlay district and already exceeds the thirty percent (30%) impervious surface coverage allowed by right. Based on measurements using Ramsey County GIS, staff estimates that roughly 70% of the lot is currently covered by impervious surface. The applicant notes in the narrative that the intention is to reduce the amount of impervious on the site, but the site plan shows the building and drive-through lane to be constructed on what is now green space, so staff is unsure how the impervious will be reduced. Should the applicant submit for the PUD, impervious surface calculations for the whole site will be required. If there is an increase in the amount of impervious surface, this would be one of the deviations from code that would be requested through the PUD.

The Engineering Department has done a preliminary review of the proposal and flagged several areas of concern with the proposal in terms of stormwater management (comments attached). Among the concerns, there is evidence that in its proposed location, the building would be on top of an existing storm sewer pipe. Further, the building has the potential to block drainage from the parking lot to an existing stormwater pond. The building is proposed to be constructed partially in this stormwater pond and Engineering notes that, "any lost volume in the pond from the proposed project must be replaced within the same drainage area."

Potential Review Process. As noted above, because the applicant is requesting to construct another

principal structure on the property, a planned unit development (PUD) is required. PUDs are considered legislative decisions in that there is discretion in determining if a proposed use qualifies for flexibility. In addition to multiple principal buildings on one lot, the applicant's concept plan may also need deviations from parking, signage, impervious surface coverage and stormwater management standards. It is the consensus conclusion of both the Planning and Engineering staff that the city should not entertain impervious surface or stormwater management deviation should they be necessary.

Overall, staff is also skeptical of the use of a planned unit development to allow this concept in the proposed location. 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. Based on the concept proposal, its proposed location and general concerns with parking, access conflicts, drive-thru traffic and stacking management, impervious surface coverage, and stormwater management, staff does not see an offering from the applicant that could mitigate these issues or offer a higher quality development.

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.

- Planned Unit Development (PUD)
- Execution of a Planned Unit Development (PUD) Agreement

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 the proposed concept plan for 1350 Highway 96 and provide feedback to the developer.

Attachments:

Site Map

Applicant's Narrative

Concept Plans

Engineering Department Preliminary Comments

Neighborhood Meeting Invitation/Meeting Summary



Neighbors of Birch Lake Square and the White Bear Lake Community-

Please accept this as our introduction and narrative for the Concept Plan Phase/Review for the to-be-proposed Scooter's Coffee at Birch Lake Square in the City of White Bear Lake.

Scooter's Coffee, Happy Beans WBL LLC (Kris & Louise Daniels, from Mahtomedi MN) and Union Park Management are very excited to work with the City of White Bear Lake and we are looking forward to building a long-term relationship while becoming part of the local community.

Scooter's Coffee Background:

- Scooter's Coffee was founded in the Omaha area in 1998 and is rapidly growing across the country. To date, Scooter's Coffee has 550+ stores open and operating! The Owners Don & Linda Eckels are still involved with the company, ensuring that they remain a loyal and committed privately held company where everyone is considered family.
- Scooter's Coffee is fairly new to Minnesota; there are 600 stores nationwide and 16 stores in MN and Happy Beans LLC currently operates the Ham Lake location - opened 12-30-22, with more to come in 2023. We are a drive-thru concept serving specialty coffee drinks, real-fruit smoothies, energy drinks and breakfast food, including hand-made from scratch cinnamon rolls direct from their facility in Omaha. Scooter's works directly with the growers to single source only the 10% highest quality beans available anywhere in the world!
- Scooter's Coffee's roots are in the drive-thru model, with no interior seating, patio, or public access. This not only helps with quality and speed, but it reduces waste and provides a cleaner site environment as well.

Why Would Scooter's Coffee (operated by Happy Beans WBL LLC) Be a Great Fit?

The Scooter's Coffee motto is "Amazing People, Amazing Drinks, Amazingly Fast". We are all about building an Amazing team of baristas who align with our core values and will have positive interactions with our customers.

Another major focus of our business model is moving customers through our line as fast as possible. At our Ham Lake location (which opened on 12-30-22), our average lane time from arriving at the menu to leaving the drive-up window with drink-in-hand is 2 minutes and 25 seconds (and that includes busy times). This results in the ability to have over 100 customers come through our drive through in one hour. Our business priorities are amazing customer service, quality, speed, and having smiles on the inside and outside of our drive-thru window.



At Happy Beans WBL LLC, we share the same core values with Scooter's Coffee and it's what makes this franchise-franchisee relationship so special. These values are *Integrity, Love, Humility, & Courage*. These values are our foundation as a business. Each person who joins our team understands these values are non-negotiable as they are and will be the core of our culture.

This location at Birch Lake will employ approximately 30 barista team members. Louise and I believe in helping develop our staff in many different ways that hopefully impact their future success in life - being a supportive teammate, trying/accomplishing new skills (and it being okay to "fail"), social/soft skills, leadership opportunities and learning how to work with others from a variety of backgrounds.

Site/Building:

- This kiosk is approximately 680 sq ft and serves pre-packaged breakfast items so there is no hood, gas, or dish machine; it also has no fire alarm or sprinklers.
- With Scooter's Coffee being a secondary primary building, we understand our application will be for a PUD (Planned Unit Development). With that, we intend and hope to work with the city on determining mutually beneficial values above the minimum standards we can bring to the property, the city and our neighbors.
- The general scope for this project includes site work on the existing land/lot, construction of the building (site design included in this package), new parking and curbing, a shared pre-existing trash enclosure, and landscaping based on city code requirements.
- The Scooter's Coffee kiosk and drive lane will be proposed to be built in an area currently used for parking north of the east end cap of the shopping center. Newly striped parking spaces and curbing will be built to facilitate an upgraded look and parking experience for center customers.
- The site design is just over 9900 square feet.
- Building the kiosk along the northeastern corner of the Center allows for kiosk visibility while not blocking the eastern end-cap. We feel it also keeps Scooter's Coffee traffic in its own area, away from the general Center traffic and parking.

Appearance:

- Examples of a Scooter's Coffee kiosk are attached, as well as our specific store in Ham Lake, MN.
- For this location, our plan would be to adhere to the exterior finishes per the local design ordinances while further enhancing the overall visual appearance of the center as a



whole. The current owners have recently made improvements to the center's appearance, so it is important for the owners (and we hope the tenants, neighbors and the community) that we build on that.

Trash:

- Services will be shared with the landlord and our trash will be accessed on the southeast side of the eastern end-cap.

Signage:

- Per current zoning, if we were our "own lot" (i.e. sub-divided) we understand the maximum allowable would be 80 sq ft with no additional monument signage along Hwy 96. We feel this may reduce the business opportunity, so would like to try and work with the city, the center and neighbors to allow for a slight increase in signage. A "standard" kiosk has ~200 sq ft of signage (including monument, directional, framed signage on building sides). While we would not need to request that amount, we hope to find a happy middle ground.
- Examples of "standard" Scooter's Coffee signage are attached.

Access:

- The Center currently has two access points off of Hwy 96 and three entry/exit points into the center (two off of the west access and one east, just west of where the proposed kiosk would be located). The eastern access has a directional divider and two lanes onto Hwy 96.
- We assume most of the Scooter's Coffee traffic would enter and exit from the eastern access.

Stacking/Traffic:

- Our proposed site design would allow for 10 vehicles to stack before entering into the Center's common parking area.
- Scooter's Coffee locations can expect to draw ~250-300 vehicles a day with ~50% of those being between 7am - 10am

Employee Parking:

- Per the agreement with the landlord, our employees will park amongst the general parking lot of the center.



Landscaping/Impervious:

- Landscaping plays a big role in a Scooter's Coffee site and all plants/shrubs will meet city requirements, with a focus on making that portion of the center much more "green" than its current state.
- We anticipate our project will reduce the impervious surface percentage of this existing area.

Timeframe:

- We would be ready to start construction as soon as possible after receiving the permit; earth work should take approximately two weeks, the building construction ten weeks, weather conditions considering. We then have an approximate 2-3-week stocking/training period before opening the store.

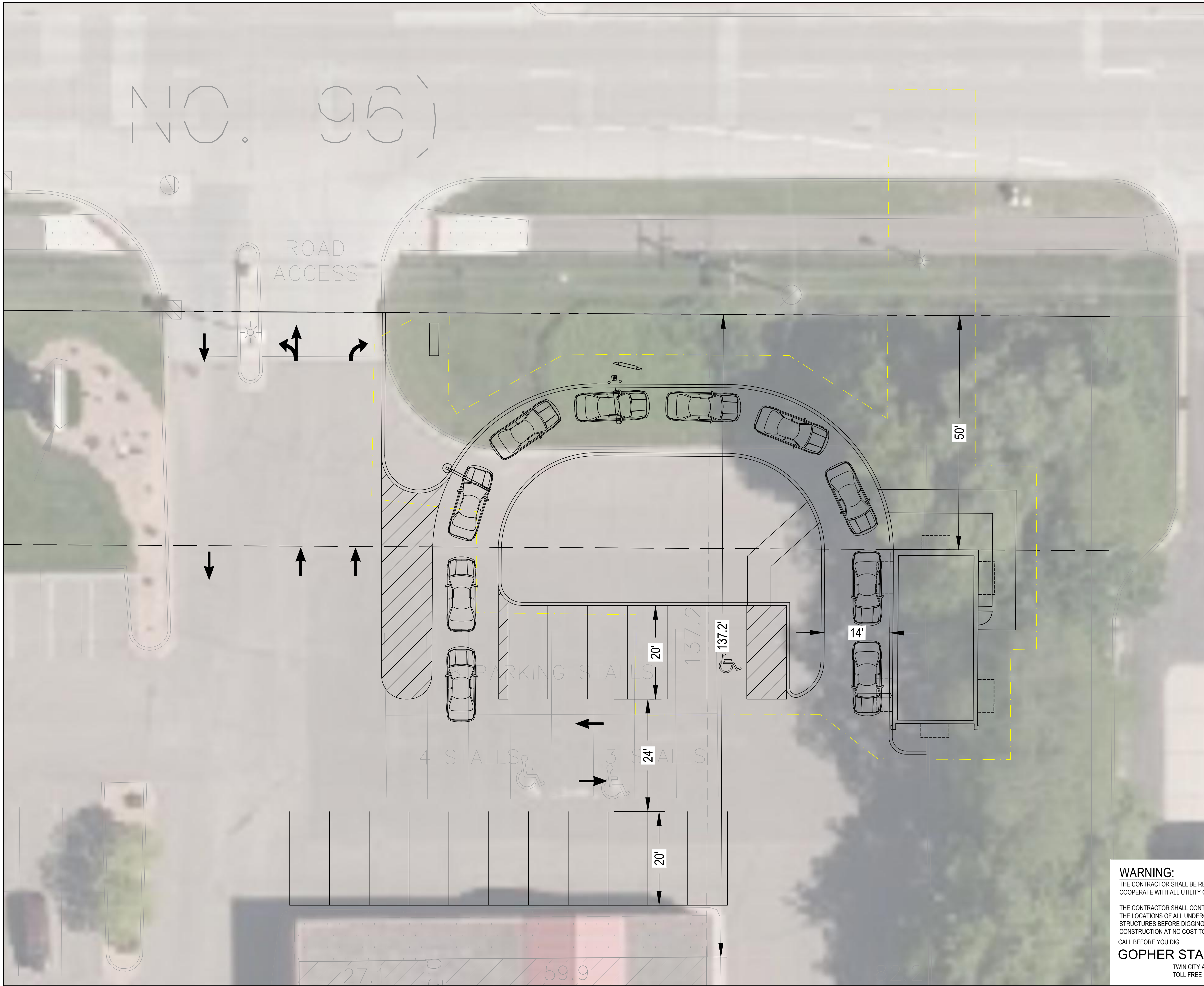
Happy Beans WBL LLC and Scooter's Coffee look forward to your feedback and input, and we are grateful for the opportunity to be considered to join the White Bear Lake community!

Kris & Louise Daniels
Owners
Happy Beans WBL LLC

Joe Hughes
Andy Wilhoit
Union Park Management

4/17/2023 4:04:24 PM

D:\19380617\LDWG_DESIGN\1_CADD\3_PLANSHEET\SC-101 SITE PLAN 08171.dwg



733 MARQUETTE AVE
SUITE 1000
MINNEAPOLIS, MN 55402
PHONE: 612-712-2000
WWW.STANTEC.COM

CLIENT:



SCOOTER'S COFFEE
WHITE BEAR LAKE, MN
1350 HWY 96 E,
WHITE BEAR LAKE, MINNESOTA 55110

PROJECT TITLE

ISSUE NO.:

1
2

DESCRIPTION:

CONCEPT PLAN
CONCEPT PLAN

DATE:

03/31/2023
04/17/2023

CERTIFICATION:

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

DATE:

PROJECT NO.:

193806171

DWN BY:

CHKD BY:

APPD BY:

HKK JRA JRA

ISSUE DATE:

04/17/2023

ISSUE NO.:

2

SHEET TITLE:

SITE PLAN

SHEET NO.:

C-101

WARNING:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

CALL BEFORE YOU DIG

GOPHER STATE ONE CALL

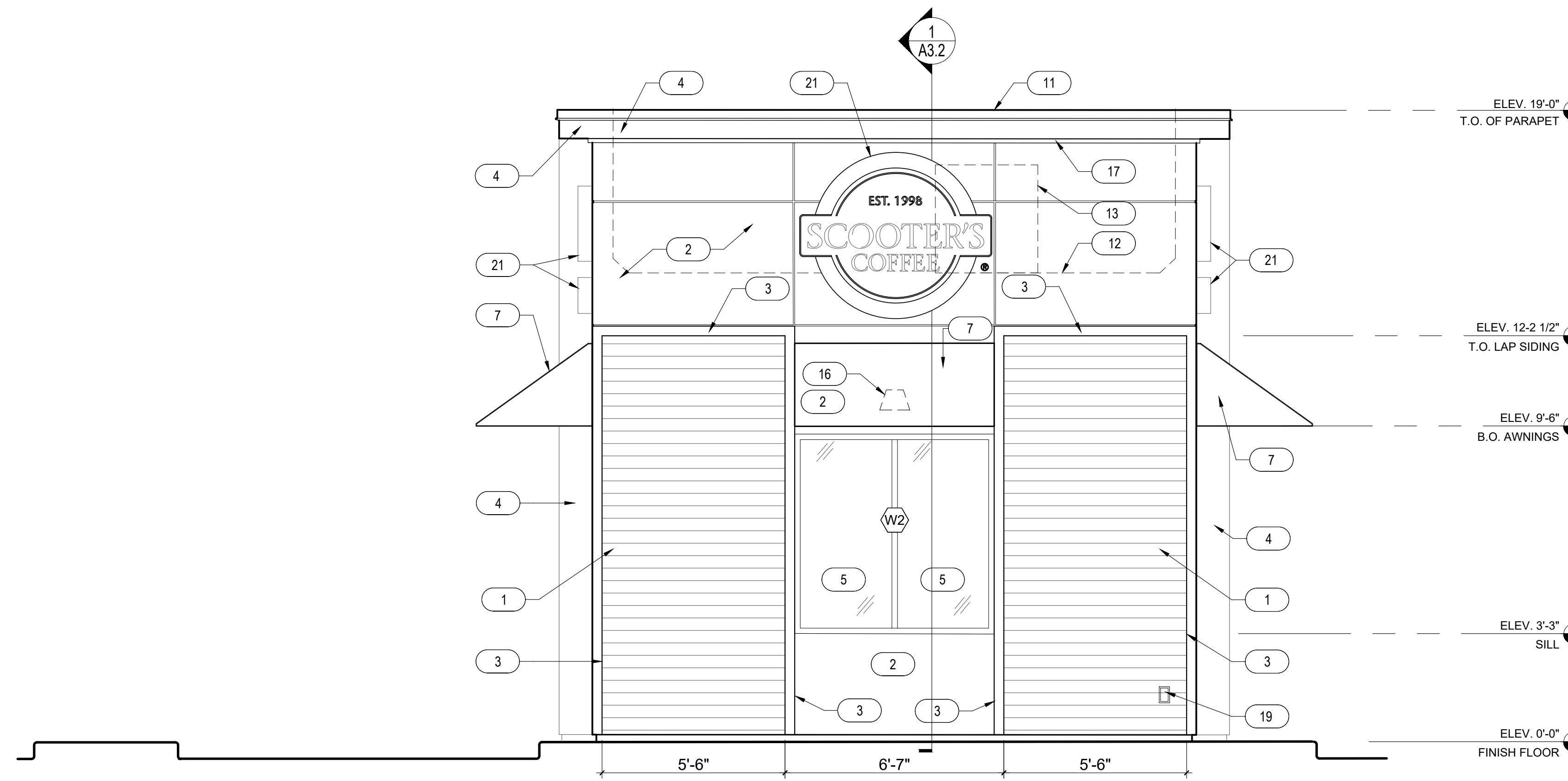
TWIN CITY AREA: 651-454-0002
TOLL FREE 1-800-252-1166

NOT FOR CONSTRUCTION

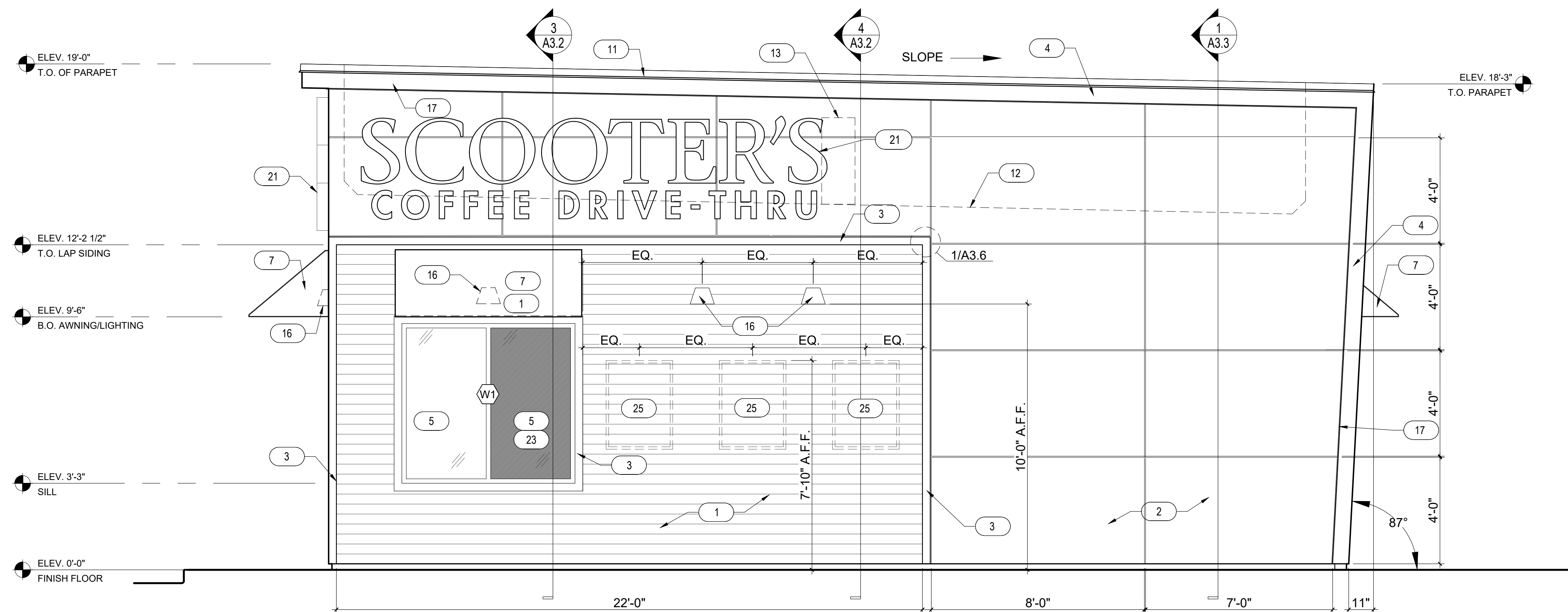
THIS DRAWING AND ITS CONTENTS ARE THE COPYRIGHTED PROPERTY OF GHA ARCHITECTS. USE THEREOF IS LIMITED TO THE SPECIFIC PROJECT AND SITE SET FORTH ABOVE, AND MAY NOT BE OTHERWISE USED OR REPRODUCED, IN WHOLE OR IN PART, WITHOUT THE WRITTEN PERMISSION OF GHA ARCHITECTS. THE ARCHITECT, THIS DRAWING IS TO BE RETURNED UPON REQUEST.

KEYNOTES

1. HARDIE PLANK HZ10 LAP SIDING CEDARMILL 6-1/4". SEE HARDIE DETAIL SHEET A3.6 - COLOR: SHERWIN WILLIAMS SW6992 INKWELL EGG SHELL FINISH
2. HARDIE REVEAL PANEL SYSTEM HZ10 - SMOOTH FINISH, SEE HARDIE DETAIL SHEET A3.6 - COLOR: SW 1015 SKYLINE STEEL
3. 1/2" HARDIE TRIM, SEE HARDIE DETAIL SHEET A3.6 - COLOR: SHERWIN WILLIAMS SW6992 INKWELL EGG SHELL FINISH
4. HARDIE BOARD TRIM ACCENTS AND SOFFITS - COLOR: BLACK
5. INSULATED DARK BRONZE ALUMINUM WINDOWS WITH DUAL PANE TEMPERED GLASS
6. QUICKSERVE 48X48 WINDOW - COLOR: DARK BRONZE
7. AWNING BY OTHERS - COLOR: RED
8. INSULATED HOLLOW METAL DOOR AND FRAME - COLOR: SHERWIN WILLIAMS SW6992 INKWELL EGG SHELL FINISH
9. WIDE ANGLE PEEP HOLE, BY DOOR MANUFACTURER
10. NOT USED
11. 22 GAUGE METAL PARAPET CAP
12. LINE OF ROOF BEYOND
13. AIR CONDENSER, SEE MECHANICAL DRAWINGS
14. ROOF SCUPPER AND DOWNSPOUT, SEE DETAIL 8/A6.3
15. MAILBOX BY GC BLACK
16. WALL MOUNTED LIGHT FIXTURE, SEE ELECTRICAL DRAWINGS
17. LED LIGHT BAND, SEE ELECTRICAL DRAWINGS
18. SES PANEL, SEE ELECTRICAL DRAWINGS
19. ELECTRICAL OUTLETS, SEE ELECTRICAL DRAWINGS
20. HOSE BIBB, SEE PLUMBING DRAWINGS
21. PROPOSED SIGNAGE BY OTHERS, UNDER SEPARATE PERMIT
22. CONNECT DOWNSPOUTS TO UNDERGROUND PIPING, REF. CIVIL.
23. SPANDREL GLASS
24. NEW SECURITY CAMERA
25. CUSTOMER PROVIDED SIGN PANELS. PANELS TO BE MOUNTED TO FASCIA BY GC (WHEN PROVIDED) IN CUSTOMER SPECIFIED LOCATION USING PROPER HARDWARE AND FASTENERS (NON-CORROSIVE)



1 FRONT EXTERIOR ELEVATIONS
 SCALE: 3/8" = 1'-0"



2 SIDE EXTERIOR ELEVATIONS
 SCALE: 3/8" = 1'-0"



PROJECT ADDRESS:
 STREET
 CITY, STATE, ZIP

REVISIONS:

TITLE:
 EXTERIOR
 ELEVATIONS

KIOSK PROTOTYPE:
 4.1 PROTOTYPE
 MAY 2022
 DATE:
 XX/XX/2022
 PROJECT NO.
 22XXXX

- PERMIT/BID SUBMITTAL
- CONSTRUCTION ISSUE

SHEET NO.

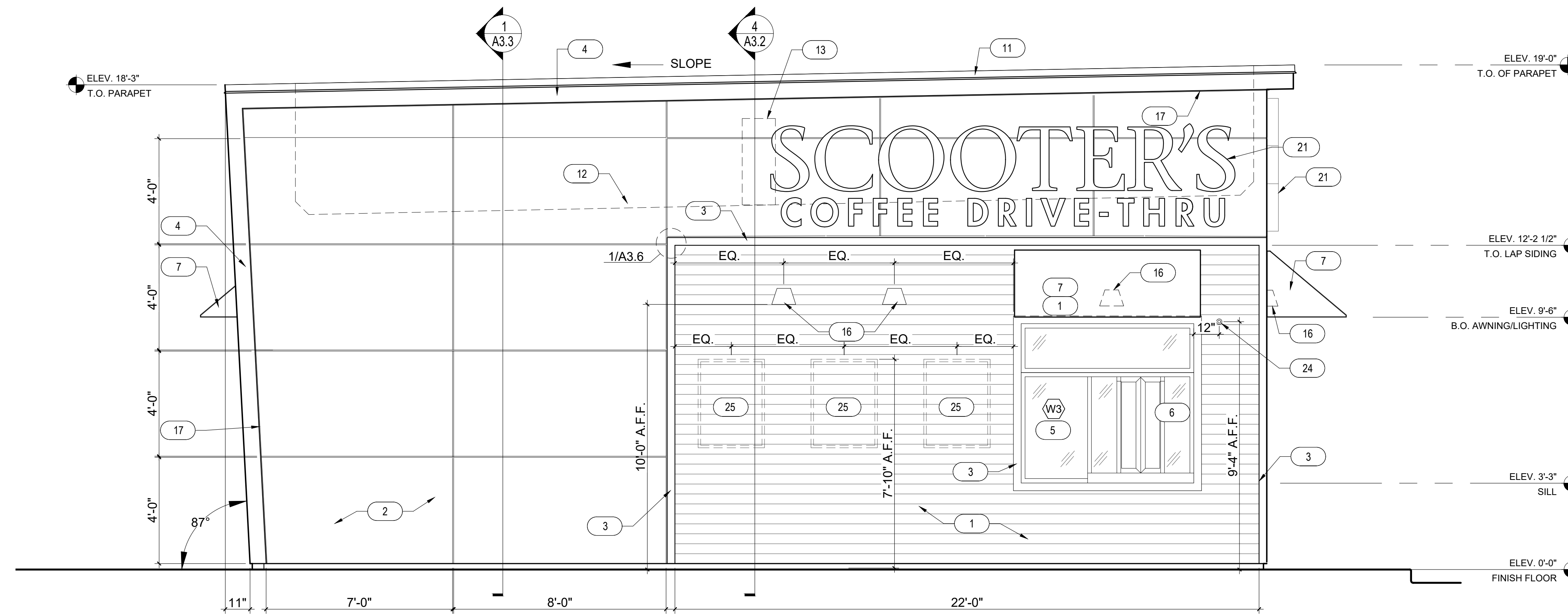
THIS DRAWING AND ITS CONTENTS ARE THE COPYRIGHTED PROPERTY OF GHA ARCHITECTS. USE THEREOF IS LIMITED TO THE SPECIFIC PROJECT AND SITE SET FORTH ABOVE, AND MAY NOT BE OTHERWISE USED OR REPRODUCED, IN WHOLE OR IN PART, WITHOUT THE WRITTEN PERMISSION OF GHA ARCHITECTS. THE ARCHITECT, THIS DRAWING IS TO BE RETURNED UPON REQUEST.



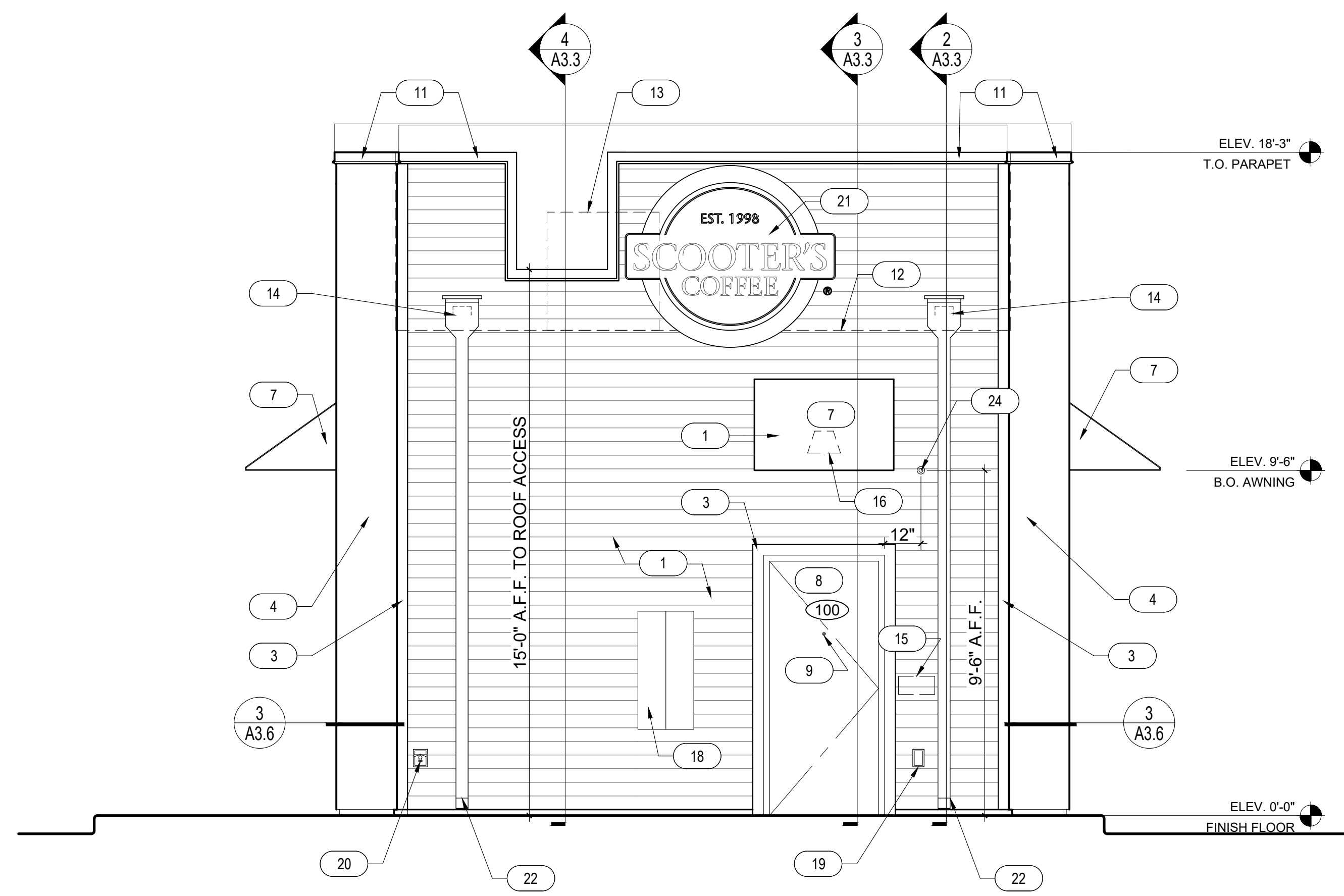
Architecture / Development
 14901 Quorum Drive
 Suite 300
 Dallas Texas 75254
 Ph: (972) 239-8884
 Fax: (972) 239-5054

KEYNOTES

1. HARDIE PLANK HZ10 LAP SIDING CEDARMILL 6-1/4". SEE HARDIE DETAIL SHEET A3.6 - COLOR: SHERWIN WILLIAMS SW6992 INKWELL EGG SHELL FINISH
2. HARDIE REVEAL PANEL SYSTEM WZ10 - SMOOTH FINISH, SEE HARDIE DETAIL SHEET A3.6 - COLOR: SW 1015 SKYLINE STEEL
3. 1/2" HARDIE TRIM, SEE HARDIE DETAIL SHEET A3.6 - COLOR: SHERWIN WILLIAMS SW6992 INKWELL EGG SHELL FINISH
4. HARDIE BOARD TRIM ACCENTS AND SOFFITS - COLOR: BLACK
5. INSULATED DARK BRONZE ALUMINUM WINDOWS WITH DUAL PANE TEMPERED GLASS
6. QUICKSERVE 48X48 WINDOW - COLOR: DARK BRONZE
7. AWNING BY OTHERS - COLOR: RED
8. INSULATED HOLLOW METAL DOOR AND FRAME - COLOR: SHERWIN WILLIAMS SW6992 INKWELL EGG SHELL FINISH
9. WIDE ANGLE PEEP HOLE, BY DOOR MANUFACTURER
10. NOT USED
11. 22 GAUGE METAL PARAPET CAP
12. LINE OF ROOF BEYOND
13. AIR CONDENSER, SEE MECHANICAL DRAWINGS
14. ROOF SCUPPER AND DOWNSPOUT, SEE DETAIL 8/A3.4
15. MAILBOX BY GC BLACK
16. WALL MOUNTED LIGHT FIXTURE, SEE ELECTRICAL DRAWINGS
17. LED LIGHT BAND, SEE ELECTRICAL DRAWINGS
18. SES PANEL, SEE ELECTRICAL DRAWINGS
19. ELECTRICAL OUTLETS, SEE ELECTRICAL DRAWINGS
20. HOSE BIBB, SEE PLUMBING DRAWINGS
21. PROPOSED SIGNAGE BY OTHERS, UNDER SEPARATE PERMIT
22. CONNECT DOWNSPOUTS TO UNDERGROUND PIPING, REF. CIVIL.
23. SPANDREL GLASS
24. NEW SECURITY CAMERA
25. CUSTOMER PROVIDED SIGN PANELS. PANELS TO BE MOUNTED TO FASCIA BY GC (WHEN PROVIDED) IN CUSTOMER SPECIFIED LOCATION USING PROPER HARDWARE AND FASTENERS (NON-CORROSIVE)



1 EXTERIOR ELEVATIONS
 SCALE: 3/8" = 1'-0"



2 EXTERIOR ELEVATIONS
 SCALE: 3/8" = 1'-0"



PROJECT ADDRESS:
 STREET
 CITY, STATE, ZIP

REVISIONS:

TITLE:
 EXTERIOR
 ELEVATIONS

KIOSK PROTOTYPE:
 4.1 PROTOTYPE
 MAY 2022
 DATE:
 XX/XX/2022
 PROJECT NO.
 22XXXX

- PERMIT/BID SUBMITTAL
- CONSTRUCTION ISSUE

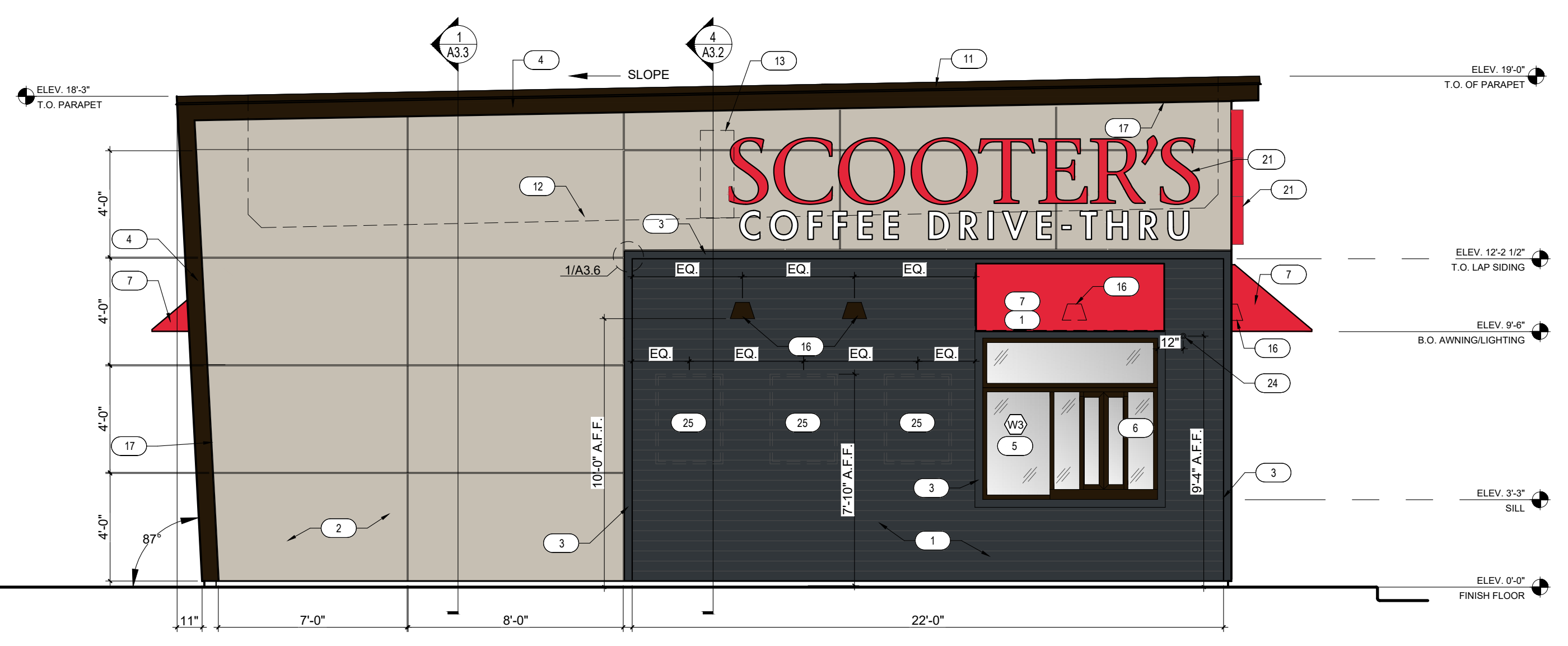
SHEET NO.

A2.2

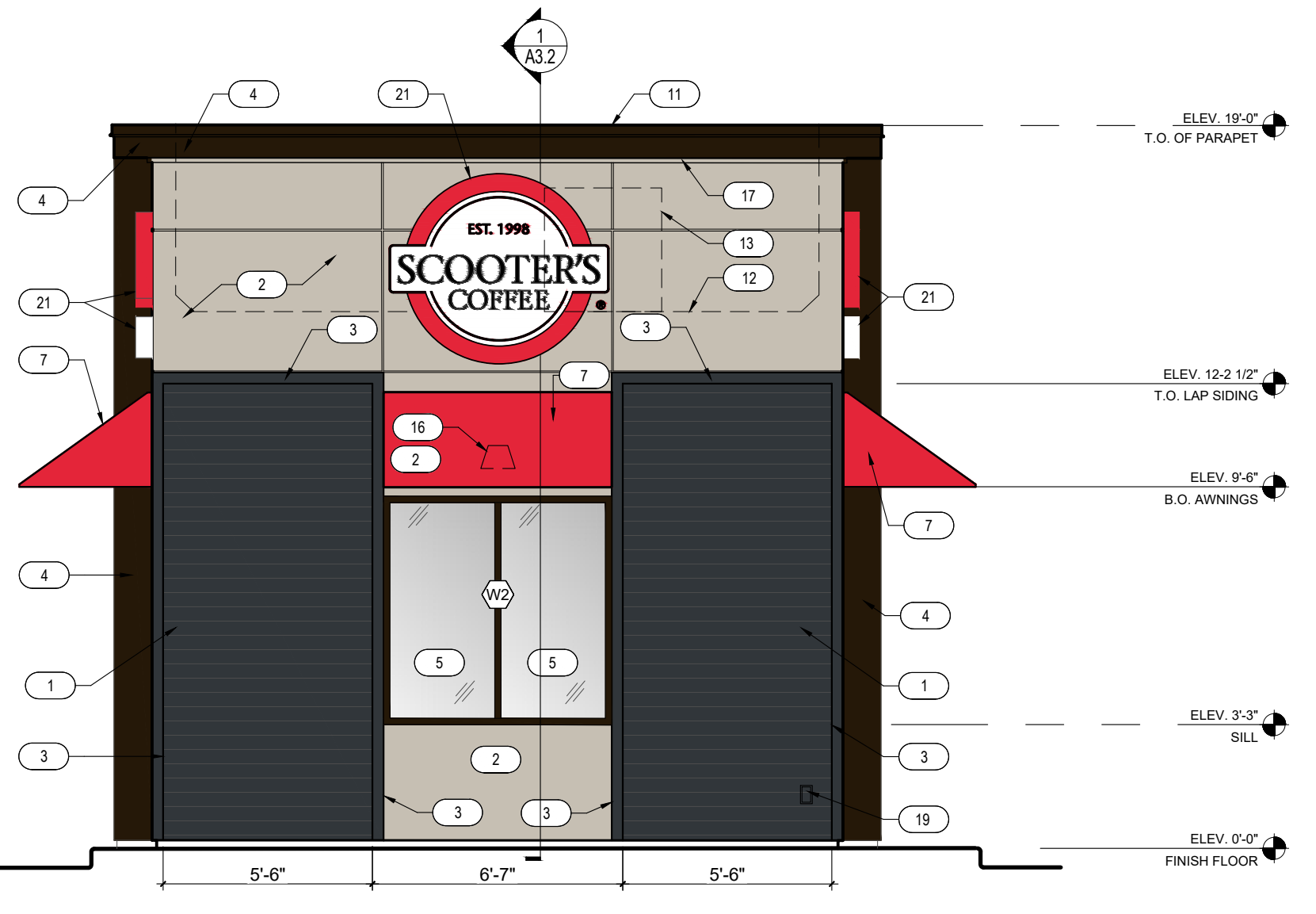
KEYNOTES

X

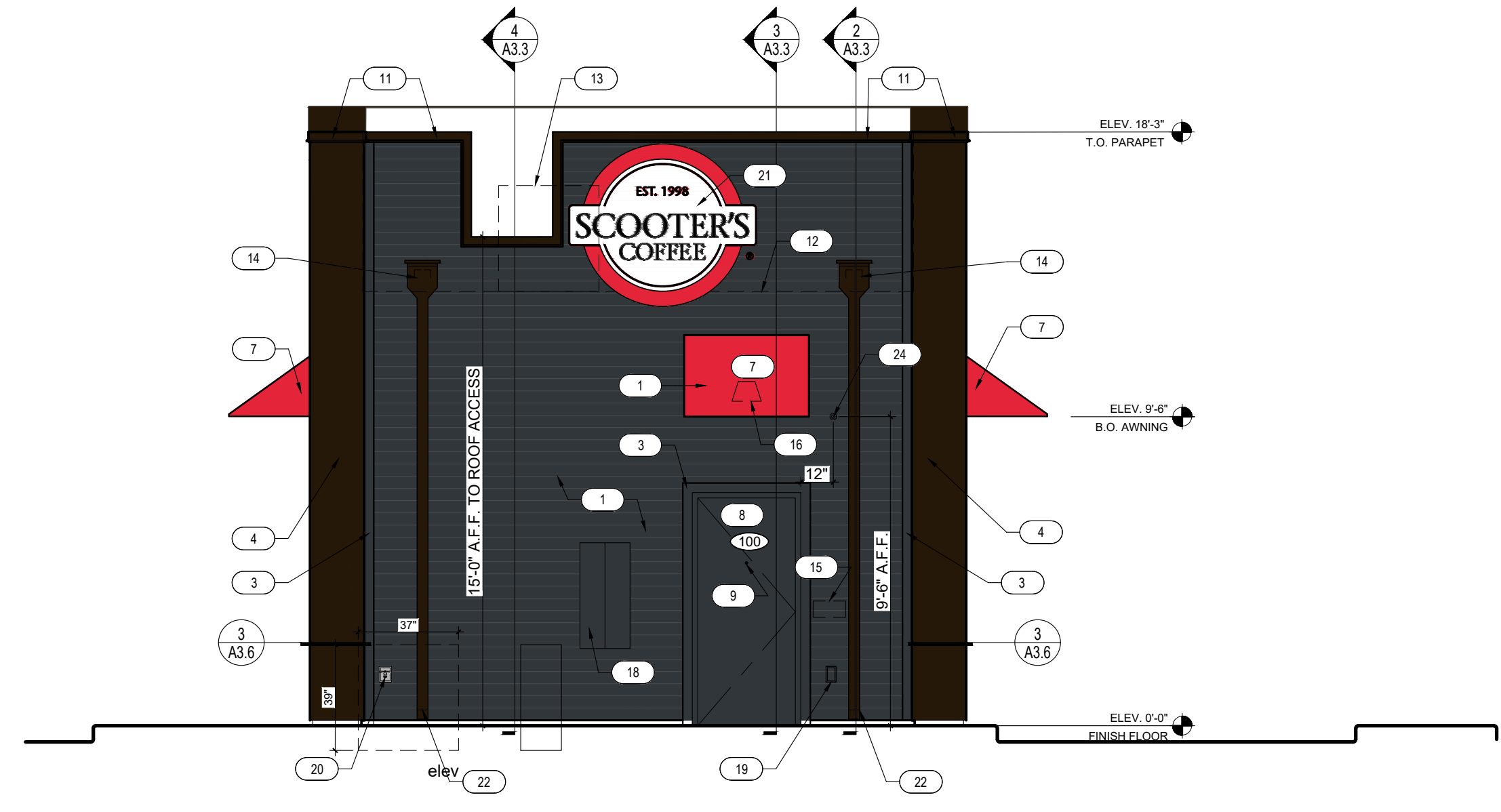
1. HARDIE PLANK HZ10 LAP SIDING CEDARMILL 6-1/4". SEE HARDIE DETAIL SHEET A3.6 - COLOR: SHERWIN WILLIAMS SW6992 INKWELL EGGHELL FINISH
2. HARDIE REVEAL PANEL SYSTEM HZ10 - SMOOTH FINISH. SEE HARDIE DETAIL SHEET A3.6 - COLOR: SW 1015 SKYLINE STEEL
3. 3 1/2" HARDIE TRIM, SEE HARDIE DETAIL SHEET A3.6 - COLOR: SHERWIN WILLIAMS SW6992 INKWELL EGGHELL FINISH
4. HARDIE BOARD TRIM ACCENTS AND SOFFITS - COLOR: BLACK
5. INSULATED DARK BRONZE ALUMINUM WINDOWS WITH DUAL PANE TEMPERED GLASS
6. QUICKSERVE 48X48 WINDOW - COLOR: DARK BRONZE
7. AWNING BY OTHERS - COLOR: RED
8. INSULATED HOLLOW METAL DOOR AND FRAME - COLOR: SHERWIN WILLIAMS SW6992 INKWELL EGGHELL FINISH
9. WIDE ANGLE PEEP HOLE, BY DOOR MANUFACTURER
10. NOT USED
11. 22 GAUGE METAL PARAPET CAP
12. LINE OF ROOF BEYOND
13. AIR CONDENSER, SEE MECHANICAL DRAWINGS
14. ROOF SCUPPER AND DOWNSPOUT, SEE DETAIL 8/A3.4
15. MAILBOX BY GC BLACK
16. WALL MOUNTED LIGHT FIXTURE, SEE ELECTRICAL DRAWINGS
17. LED LIGHT BAND, SEE ELECTRICAL DRAWINGS
18. SES PANEL, SEE ELECTRICAL DRAWINGS
19. ELECTRICAL OUTLETS, SEE ELECTRICAL DRAWINGS
20. HOSE BIBB, SEE PLUMBING DRAWINGS
21. PROPOSED SIGNAGE BY OTHERS, UNDER SEPARATE PERMIT
22. CONNECT DOWNSPOUTS TO UNDERGROUND PIPING, REF. CIVIL.
23. SPANDREL GLASS
24. NEW SECURITY CAMERA
25. CUSTOMER PROVIDED SIGN PANELS. PANELS TO BE MOUNTED TO FASCIA BY GC (WHEN PROVIDED) IN CUSTOMER SPECIFIED LOCATION USING PROPER HARDWARE AND FASTENERS (NON-CORROSIVE)



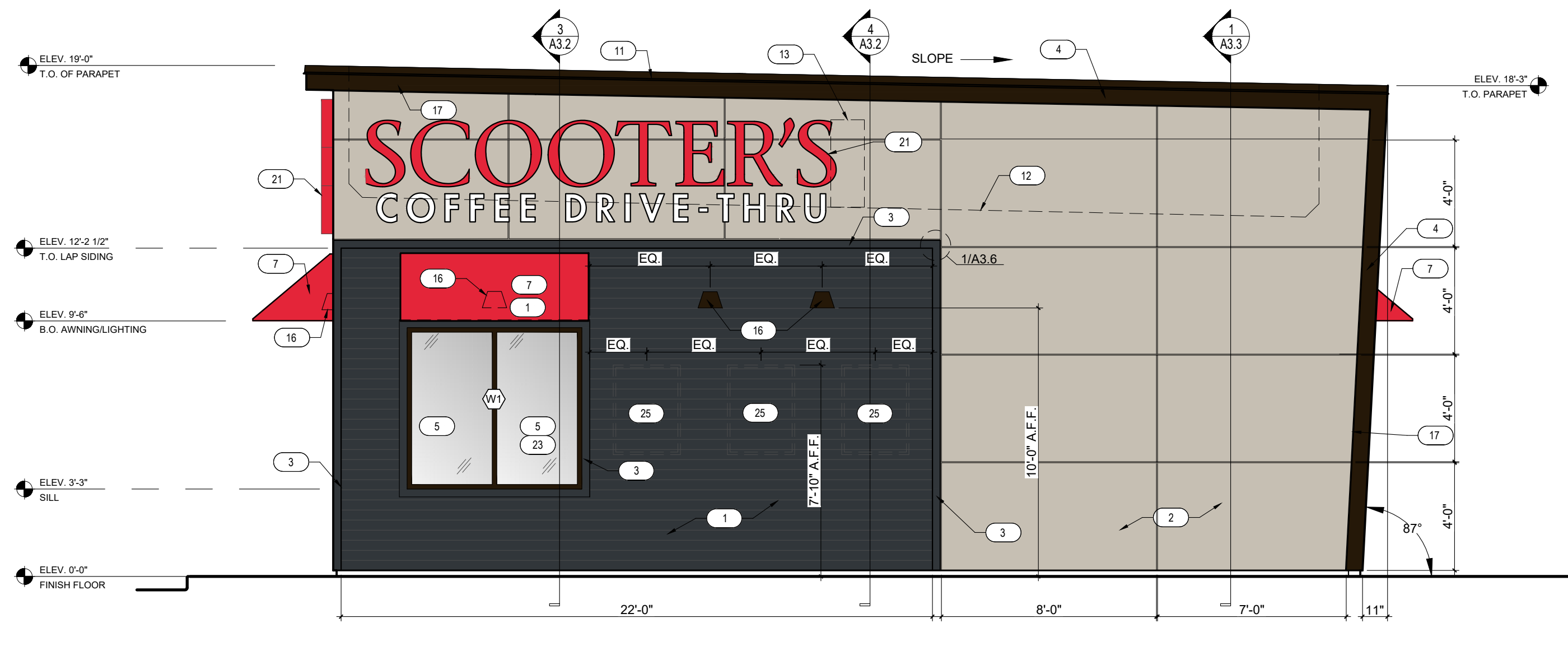
4 EXTERIOR ELEVATIONS
 SCALE: 1/4" = 1'-0"



3 EXTERIOR ELEVATIONS
 SCALE: 1/4" = 1'-0"



2 EXTERIOR ELEVATIONS
 SCALE: 1/4" = 1'-0"



1 EXTERIOR ELEVATIONS
 SCALE: 1/4" = 1'-0"



PROJECT ADDRESS:
 STREET
 CITY, STATE, ZIP

REVISIONS:

TITLE:
 EXTERIOR
 COLOR
 ELEVATIONS

KIOSK PROTOTYPE:
 4.1 PROTOTYPE
 MAY 2022
 DATE:
 XX/XX/2022
 PROJECT NO.
 22XXXX

- PERMIT/BID SUBMITTAL
- CONSTRUCTION ISSUE

SHEET NO.

A2.0

THIS DRAWING AND ITS CONTENTS ARE THE COPYRIGHTED PROPERTY OF GHA ARCHITECTS. THE ARCHITECTS' USE THEREOF IS LIMITED TO THE SPECIFIC PROJECT AND SITE SET FORTH ABOVE, AND MAY NOT BE OTHERWISE USED OR REPRODUCED, IN WHOLE OR IN PART, WITHOUT THE WRITTEN PERMISSION OF GHA ARCHITECTS. THIS DRAWING IS TO BE RETURNED UPON REQUEST.



FINISH LEGEND		
Exterior Finish	HardiePlank HZ10 Cedarmill Lap Siding (6.25" Width)	Painted to match Sherwin Williams "Inkwell" SW 6992, Eggshell Finish
Exterior Finish	Hardie Reveal Panel System WZ10, Smooth Finish	Painted to match Sherwin Williams "Skyline Steel" SW 1015
Exterior Finish	3.5" HardieTrim	Painted to match Sherwin Williams "Inkwell" SW 6992, Eggshell Finish
Window Frames	Dark Bronze Aluminum	
Door Frames	Insulated Hollow Metal Door and Frame	Painted to match Sherwin Williams "Inkwell" SW 6992, Eggshell Finish
Exterior Accents	Black 20 Gauge Metal	





SCOOTER'S
COFFEE DRIVE-THRU



From: [Nathan Christensen](#)
To: [Ashton Miller](#)
Cc: [Connie Taillon](#)
Subject: RE: Land Use Concept Review - Comments due May 5
Date: Thursday, May 04, 2023 4:39:17 PM

Ashton – Below are engineering comments for the Scooter’s Coffee concept plan review. Let us know if you have any questions.

In general, there are numerous potential conflicts at the location of the proposed site, including traffic conflicts with the parking lot entrance/exit to Highway 96, conflicts with the parking lot drainage low point, and conflicts with existing stormwater infrastructure including an existing stormwater pond and storm sewer pipe.

1) Due to the proposed location of the project near a main parking lot entrance/exit to and from Highway 96, there may be potential traffic related conflicts. We have concerns with traffic backing up in the proposed drive-thru lane and blocking the east entrance/exit at Highway 96.

2) Based on the Birch Lake Square Grading and Drainage Plan from 1985, a storm sewer pipe that serves as the outlet of an existing stormwater pond located near the southeast entrance road runs parallel to the east edge of the parking lot. It appears that the proposed building would be on top of this storm sewer pipe. To facilitate future maintenance of the pipe, we recommend that the building be located at least 10 feet away from the centerline of the pipe.

3) Based on the Birch Lake Square Grading and Drainage Plan from 1985, there are two existing low points at the location of the proposed project where runoff from a portion of the parking lot flows through curb cuts to an existing stormwater pond. The proposed project is located at these low points and could potentially block drainage from the parking lot. The proposed project must accommodate this drainage.

4) As per the Birch Lake Square plans from 1985, a stormwater treatment and/or stormwater rate control pond exists on the east side of the NE corner of the property. This project proposes to construct a building partially within the existing pond. The pond must continue to control runoff from this portion of the parking lot, and any lost volume in the pond from the proposed project must be replaced within the same drainage area. The existing design volume of the pond must also be maintained or re-established.

5) The project proposes to increase impervious surfaces and therefore must meet rate control requirements, assuming the existing ponds were constructed for rate control. Current water quality requirements will apply if the project proposes 10,000 square feet or more of new or reconstructed

impervious.

6) Stormwater design will be required for this project to determine the drainage area to the existing pond, 100-year water elevation of the pond, existing and proposed rates, etc.

7) Because of the location of the proposed building at the low point of the parking plot and within a ponding area, flooding may be an issue and therefore the City's freeboard standards will apply.

8) A stormwater management feature/pond may exist between the project area and Highway 96 that would be impacted by the proposed project. A survey will be required to identify all features in this area, including any ponds, utilities, etc.

9) Water and sanitary sewer services for Birch Lake Square are on the south and west sides of the existing building. City water and sewer is also available on the north side of Highway 96. Water and sewer service connections for the proposed building may be challenging.



Nate Christensen, P.E.
Assistant City Engineer

City of White Bear Lake
4701 Highway 61 N.
White Bear Lake, MN 55110

651-762-4812 – Direct

651-429-8531 – Main

nchristensen@whitebearlake.org | www.whitebearlake.org

Follow us on Facebook, Twitter & Instagram

Attendees:

Ashton Miller - City of White Bear Lake
Joe Hughes - Co-Owner, Union Park Management (landlord)
Jack Ammerman - Stantec Engineering
LeeAnna Stinar
Val Weisner
Steve Boleen
Mark Sewartz
Ted Vernon

Meeting Minutes:

6:45pm - 7:10pm - Introductions and group conversations

7:12pm - Joe Hughes introduced himself and the plan for Scooter's Coffee to locate on the Northeast corner of the center.

7:14pm - Kris and Louise Daniels led a presentation on Happy Beans WBL LLC (Scooter's Coffee franchise) Proposed Plan. Main topics discussed were:

- Background on Scooter's Coffee, Happy Beans WBL LCC. Scooter's Coffee has over 600 locations and will have ~20 locations open in MN by year end. This would be Happy Beans LLC 2nd location, with our first location successfully operating in Ham Lake MN since 12-30-22.
- Discussed our excitement to employ and develop a staff of ~25 baristas and the importance of creating a culture founded in our core values: Integrity, Love, Humility and Courage
- Reviewed the size and scope of the building itself - ~680 square feet, ~19' tall, default color and materials.
- Reviewed Scooter's Coffee business model of drive thru only, with "Amazing People, serving Amazing Drinks, Amazingly Fast." At Ham Lake, our average total lane time (even including our busiest hours) is just under 2 minutes 30 seconds.
- Discussed employee parking would be shared in the center parking, shared trash services, and proposed stacking and queue for over 10 vehicles before entering any drive lanes in the shopping center.

7:30pm - Questions and Answers from Attendees:

- How many people will be staffed?
 - During Peak times (weekend mornings) there could be 6-7, but mostly throughout the day there will be 2-3 people.
- What research has been done to know this is a good sight?

- Happy Beans WBL LLC does our own morning traffic counts, and then we consider building visibility, accessibility, and signage visibility. Scooter's Coffee corporate also has a Real Estate Committee that either approves or denies our proposed location and site design.
- What are our price points on products, compared to our competition?
 - We are roughly about the same as Caribou and Starbucks, if anything a smidge cheaper
- Any pollution concerns with Water Gremlin?
 - (Jack from Stantec) We are aware of the concerns and would have a plan to eliminate any concerns regarding water quality.
- What is the delivery schedule for your products? How often would a truck come to the store?
 - Our deliveries come once a week from Harvest Roasting
- Comments from neighbors living on Hedman Way - they voiced concerns about the current difficulty turning to go east on Hwy 96 and fear that additional traffic into the center would make that left turn (going east) longer to make.

8:10pm - Meeting Conclusion