

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

The City of White Bear Lake Planning Commission will hold its regular monthly meeting on Monday, August 27, 2018, beginning at 7:00 p.m. in the White Bear Lake City Hall Council Chambers, 4701 Highway 61.

1. Call to order and roll call.
2. Approval of the August 27, 2018 agenda.
3. Approval of the July 30, 2018 Planning Commission meeting minutes.
4. **CASE ITEMS:**
Unless continued, all cases will go to the City Council meeting on Tuesday, September 11, 2018
 - A. **Case No. 18-9-V:** A request by **BCD Homes** for a 7 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, and a 10 foot variance from the 30 setback required from the rear property line for an attached garage, per Code Section 1302.030, Subd.4.e, for the property located at 4820 Stewart Avenue. (Continued to October 29 meeting at applicant's request.)
 - B. **Case No. 18-2-LS & 18-12-V:** A request by **Robert, Susan and Dave Bonne** for a lot split and five variances, including a 2,625 square foot variance from the 15,000 square foot lot size minimum for parcel A and an 85 square foot variance from the 15,000 square foot lot size minimum for parcel B, both per Code Section 1303.040 Subd.5.a; A 13 foot variance from the 80 foot minimum lot width at the OHWL for parcel A and a 12 foot variance from the 80 foot minimum lot width at the OHWL for parcel B, both per Code Section 1303.230, Subd.5.a.2; and A 2.92 foot variance from the 100 foot minimum lot width at the street setback for parcel A, per Code Section 1303.040, Subd.5.b, in order to subdivide a property located at 4320 Cottage Park Road into two lots.
 - C. **Case No. 18-5-CUP:** A request by **Brian Hanson** for a Conditional Use Permit for three curb cuts, per Code Section 1302.050, Subd.4.h.9, in order to build a U-shaped driveway on the property located at 4779 Lake Avenue North. (Withdrawn at applicant's request.)
 - D. **Case No. 18-6-CUP & 18-13-V:** A request by **Barbara Mundis** for a Conditional Use Permit for a kennel and a 6 foot variance from the 50 foot setback from the west property line for an existing building, both per Code Section 1302.130 Subd.3, in order to operate a pet hotel and daycare in the B-4 zoning district at the property located at 1340 Highway 96.
 - E. **Case No. 18-1-LS:** A request by **Shawn Petry and Dolores Welch** to transfer a 7.6 foot strip of land between neighbors, per Code Section 1407.040, at the properties located at 4777 Wood Avenue and 1891 4th Street.
5. **DISCUSSION ITEMS:**

- A. City Council Meeting Summary from August 15, 2018
- B. Park Advisory Commission Meeting Minutes from August 16, 2018 – not available.

6. ADJOURNMENT

Next Regular City Council Meeting August 28, 2018

Next Regular Planning Commission Meeting..... September 24, 2018

**MINUTES
PLANNING COMMISSION MEETING
CITY OF WHITE BEAR LAKE
July 30, 2018**

The regular monthly meeting of the White Bear Lake Planning Commission was called to order on Monday, July 30, 2018, beginning at 7:00 p.m. in the White Bear Lake City Hall Council Chambers, 4701 Highway 61, White Bear Lake, Minnesota by Chair Jim Berry.

1. CALL TO ORDER/ROLL CALL:

MEMBERS PRESENT: Jim Berry, Ken Baltzer, Mary Alice Divine, Mark Lynch, Erich Reinhardt, and Peter Reis

MEMBERS EXCUSED: Marvin Reed.

MEMBERS UNEXCUSED: None.

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

OTHERS PRESENT: Bob Adamson, Ron Christy, Pat Christy, Paul Corcoran, Tammy Corcoran, Tracey Montgomery, Jim Froehle, Barb Froehle, Tim Boucher, Nicole Boucher, Tom Fredericks, Emily Fredericks, Paula Miller, Sister Mary Xavier, Sister Mana Rosaria, Greg Pariseau, Mary Pariseau, Paul Husnik, Peggy Specker, Christopher Hughes and Tim Sullivan.

2. APPROVAL OF THE MONTH JULY 30, 2018 AGENDA:

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

3. APPROVAL OF THE MONTH JUNE 25, 2018 PLANNING COMMISSION MEETING MINUTES:

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

4. CASE ITEMS:

A. **Case No. 18-5-V:** A request by **Leah Nicholson** for an 8 foot variance from the 30 foot rear yard setback requirement, per Code Section 1303.060, Subd.5.c.3; a 5 foot 3 inch variance from the 30 foot setback requirement required along a side abutting a public right-of-way, per Code Section 1303.230, Subd.5.a.4; and a 1 foot variance from the 2 foot maximum encroachment for an eave, per Code Section 1302.040, Subd.4.a.1; all in order

to construct a 733 square foot attached garage with a second floor addition above for the property located at 2309 10th Street. Withdrawn at the request of the applicant.

- B. **Case No. 18-3-CUP & 18-11-V:** A request by **Tracey Montgomery** for a Conditional Use Permit for a Home Accessory Apartment, and a variance to allow the habitable area of the accessory unit be 51% of the habitable area of the principal unit, both per Code Section 1302.125, in order to construct an accessory dwelling unit in the basement of the property located at 22XX 11th Street.

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

Member Divine asked for further explanation as to why the number of occupants allowed in the accessory unit would be capped at one, despite the square footage of the unit allowing for more. Crosby explained that the driveway was small and parking would be tight with an increased number of tenants. This condition would not apply to guests.

Berry opened the public hearing.

Christopher Hughes, 4984 Stewart Ave. He asked if an Airbnb is considered rental property and noted that this unit appears to be tailor made for such a situation.

As no one else came forward, Berry closed the public hearing.

Member Reinhardt asked if rentals are inspected by the City. Crosby acknowledged that they are licensed and inspected bi-annually.

Member Reis moved to recommend approval of Case No. 18-3-CUP and 18-11-V. Member Lynch seconded the motion. The motion passed by a vote of 6-0.

- C. **Case No. 18-9-V:** A request by **BCD Homes** for a 7 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, and a 10 foot variance from the 30 setback required from the rear property line for an attached garage, per Code Section 1302.030, Subd.4.e, allowing the applicant to un-unify the two underlying lots of record the for the purpose of constructing two new single-family residences on the former Lakeshore Players property (4820 Stewart Avenue). (Continued at the request of the applicant.)

Crosby discussed the case.

Berry opened the public hearing.

Jim and Barb Froehle, 2277 5th Street. The pair thanked City staff for not allowing an oversized house on the lot. Jim asked if the City had been in contact with the White Bear Lake historical society. The Froehles expressed sorrow over the loss of an old building and felt it important to preserve in some way.

Jim Froehle also questioned how two houses on such small lots would affect the neighborhood.

As no one else came forward, Berry closed the public hearing.

Crosby noted that the Historical Society had been working with Lakeshore Players prior to the sale of the property. Crosby requested the Commission continue this item to the August Planning Commission meeting at the request of the applicant.

The Planning Commission agreed to continue the item to the August 27, 2018 Planning Commission meeting.

- D. **Case No. 18-8-V:** A request by **Greg & Mary Pariseau** for a 15-foot variance from the 30-foot setback required along a side abutting a public right-of-way, per Code Section 1303.230, Subd.5.a.4, in order to demo the existing single family residence and build a new single family residence at 4895 Morehead Avenue.

Crosby discussed the case. Staff recommended approval of the variance subject to conditions in the staff report.

Member Lynch asked if the City had a policy addressing teardown and rebuilds. He wondered if this is becoming more common and if there is a way to both retain and improve the City's housing stock. Crosby noted that this is something City staff may want to address in next year's zoning code overhaul.

Berry opened the public hearing.

Christopher Hughes, 4984 Stewart Avenue. He asked if the current house on the property was also non-conforming. Crosby responded that it was, and that the proposed house is an improvement over the existing conditions.

As no one else came forward, Berry closed the public hearing.

Member Reinhardt wondered if any of the existing corner lot homes meet current zoning regulations. Kane stated that there are probably not many in this neighborhood and that this is an area the City would like to study further.

Member Reis moved to recommend approval of Case No. 18-8-V. Member Baltzer seconded the motion. The motion passed by a vote of 6-0.

- E. **Case No. 18-4-CUP & 18-10-V:** A request by **St. Ann's Chapel Inc.** for a Conditional Use Permit to establish a Convent in an R-3 Single Family Residential zoning district, per Code Section 1303.030, Subd.4.a, in order to expand the existing residence to accommodate 10 nuns and a variance to reduce the side yard setbacks from 20 feet to 10 feet at 2436 Spruce Place.

Kane discussed the case. Staff recommended approval of the request.

Member Divine asked for clarification on the 20 foot setback. Kane stated that because the applicants were requesting a permit for a convent in the R-3 zoning district, the required side yard setbacks double.

Berry opened the public hearing.

Ron Christy, 2422 Spruce Place. He offered a history of the house.

Sister Mary Xavier, 2436 Spruce Place. She thanked staff and the planning commission for working with the Sisters on the project.

Peggy Specker, 2416 Spruce Place. She expressed several concerns with the expansion. She stated that drainage may be an issue and asked how it would be addressed. She was also worried about the increase in noise and light pollution as the congregation expands. Lastly, she wondered how the convent would affect property values in the surrounding neighborhood.

Kane responded that she would ask the engineering department to look into the drainage of the area and how flooding can be mitigated. She noted that noise levels are regulated by the state, that the lighting can be reviewed, and that she was unsure of the effect on property values.

Member Lynch asked about impervious surface and whether rear yard coverage was an issue. Kane responded that due to the great depth of the lot, impervious surface coverage was not a factor.

Paul Corcoran, 2444 Spruce Place. He reiterated that drainage is an issue in this area. Ron Christy concurred and proclaimed this neighborhood to be the lowest spot in White Bear Lake.

As no one else came forward, Berry closed the public hearing.

Member Reinhardt asked if the abutting hill would need to be cut into in order to build the addition.

Tim Sullivan, Architect. He stated that a study would need to be done to determine where the water should go.

Tom Fredericks, 3354 Bellaire Avenue. He commented that work has been done to address the drainage issues in the neighborhood, including the installation of a drain tile and a curb and gutter around the church parking lot.

Member Reis moved to recommend approval of Case No. 18-4-CUP and 18-10-V with the additional condition that engineering staff work with neighbors to resolve drainage concerns. Member Baltzer seconded the motion.

The motion passed by a vote of 6-0.

5. DISCUSSION ITEMS:

A. City Council Meeting Minutes of July 10, 2018.

No discussion.

B. Park Advisory Commission Meeting Minutes of July 19, 2018 – not available.

6. ADJOURNMENT:

Member Baltzer moved to adjourn, seconded by Member Reis. The motion passed unanimously (6-0), and the July 30, 2018 Planning Commission meeting was adjourned at 8:09 p.m.



City of White Bear Lake
COMMUNITY DEVELOPMENT
DEPARTMENT

MEMORANDUM

TO: The Planning Commission

FROM: Samantha Crosby, Planning & Zoning Coordinator

DATE: August 16, 2018 for the August 27, 2018 Planning Commission Meeting

SUBJECT: BCD Homes, 4820 Stewart Avenue (Case No. 18-9-V)

The applicant has requested a continuation of this matter to the October 29th Planning Commission meeting. He is busy with construction projects and would like to wait until the seasons has slowed so that he can give this project sufficient attention. Staff requests that the Planning Commission continue the public hearing to said date. Additional notice need not be published but a courtesy reminder will be mailed to surrounding property owners in October.

Attached: E-mail dated August 14, 2018

From: Doug Johnson <doug@bcdhomes.com>
Sent: Tuesday, August 14, 2018 9:09 AM
To: Samantha Crosby <scrosby@whitebearlake.org>
Subject: Re: Revised Plans – 4820 Stewart Ave.

Sam,

I request a further extension of the review period. I would like to be put back on the planning commission in October and the City Council November 13th.



City of White Bear Lake
COMMUNITY DEVELOPMENT
DEPARTMENT

MEMORANDUM

TO: The Planning Commission

FROM: Samantha Crosby, Planning & Zoning Coordinator

DATE: August 17, 2018 for the August 27, 2018 Planning Commission Meeting

SUBJECT: **Bonne Family, 4320 Cottage Park Road - Case No. 18-2-LS & 18-12-V**

REQUEST

The applicants are three siblings – Susan, Dave and Bob Bonne. They are requesting approval of 5 variances in order to subdivide a riparian parcel into two:

- A 2,625 square foot variance from the 15,000 square foot lot size minimum for parcel A,
- An 85 square foot variance from the 15,000 square foot lot size minimum for parcel B,
- A 13 foot variance from the 80 foot minimum lot width at the Ordinary High Water Level (OHWL) for parcel A,
- A 12 foot variance from the 80 foot minimum lot width at the OHWL for parcel B, and
- A 2.92 foot variance from the 100 foot minimum lot width at the street setback for parcel A.

See applicant's narrative.

SITE CHARACTERISTICS

The property is located on the east side of Cottage Park Road, at the south end of Circle Drive. The 27,290 square foot parcel is an irregular-shaped lot that contains a two-story residence, a two-car detached garage, a boathouse, a fenced-in tennis court, and a handful of mature trees.

ZONING/BACKGROUND

The subject site is zoned R-2 - Single Family-Residential, and lies within the Shoreland Overlay District of White Bear Lake. The properties to the north and south are also zoned R-2 & S, and the properties across the street are zoned R-3 - Single Family Residential & S. According to the applicants, the home was built in 1886 and their family has owned the property since 1973.

The Shoreland Overlay District requires that a riparian lot meet the lot width standard at both the Ordinary High Water Level (OHWL) and at the building line. White Bear Lake is classified as a General Development type of water body. As such, the lot width requirement for a sewered lot is 80 feet. Due in part to the pie-shape of the subject site, each lot is shy of meeting the 80 foot width at the OHWL.

ANALYSIS

The 70% rule, which allows two historic lots of record to be “untied” when they meet 70% of current size and width standards, does not apply to properties in the shoreland overlay district. When the 70% rule is used for comparative purposes, both lots would meet the threshold: 70% of the R-2 requirements is 10,500 square feet size and 56 feet in width along the OHWL. Parcel A will be 12,375 square feet in size and 67 feet at the OHWL. Parcel B will be 14,915 square feet in size and 68 feet at the OHWL.

Exceeding the 70% rule alone is not a sufficient basis upon which to grant the request. The newly created parcels should also have a building pad large enough to support principal and accessory structures without variance. This speaks to being in harmony with the general purpose and intent of the ordinance. If the new lots are so substandard that setbacks cannot be met, then they are too small. The Cottage Park neighborhood is old and complicated. The survey shows the south side of the lot extending past the middle of the street. Engineering staff has requested that a transportation, drainage and utility easement be dedicated with this subdivision, and that the easement extend from the west property line to 5 feet east of the edge of road. Knowing that this portion of the lot is reserved for public use, staff asked the surveyor to remove the road from the lot sizes, setbacks and buildable area calculations. The lot size for Parcel A is reduced to 12,226 square feet and for Parcel B to 13,153 square feet. The buildable area for Parcel A is 1,891 square feet and for Parcel B is 2,262 square feet. The buildable areas are not a consistent width or length, so maximizing the use of the buildable areas will require some creativity, but in short, sufficient buildable area exists even after the easement is dedicated. See staff’s graphic.

The newly created parcels should not create “creep” - meaning they should not bring down the average size (or widths) of the neighborhood. The lots to the north of the subject site average approximately 10,000 square feet in size, and the properties to the south are even smaller. So the proposed lot sizes are both consistent with the character of the neighborhood and will not erode the neighborhood average. The only other lot in the Cottage Park neighborhood that is similarly sized is 4264 Cottage Park Road, which is 32,670 square feet in size, but only has about 77 feet of lot width on the lake side, so it would not meet the 70% threshold.

Finally, the easiest test to pass is that the parcels should comply with the Comprehensive Plan. The Land Use section of the plan identifies the Cottage Park neighborhood as “Low Density Residential”, which allows 1.1 to 4.2 units per acre. The proposed split would result in roughly 3 units per acre.

Impervious area is not a significant consideration in analyzing the lot split, as 30% of one 27,290 square foot lot is the same as 30% of two small lots that add up to the same size. Given the location of the existing impervious area on site, though, Parcel A will become 32% impervious and staff has included a condition that the 2% be mitigated per code. All existing impervious area will be removed from Parcel B, so any new owner will be starting with a clean slate. Staff is also recommending, and the applicant has agreed to, remove the retaining wall near the OHWL, and “restore” the area. The shoreline is the most sensitive and ecologically important part of the lake. This improvement will help to off-set any potential adverse impacts of the reduced lot area requirements.

SUMMARY

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

RECOMMENDATION

For reasons explained above, staff recommends approval of the proposed subdivision, subject to the following conditions:

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the permit.
2. The requirement for a hard-shell plat is waived.
3. Existing overhead service lines shall be buried.
4. 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.
5. Prior to the recording of the Survey, the applicant shall revise the survey to include a transportation, drainage and utility easement from the west property line up to 5 feet off the edge of the existing roadway pavement.
6. Within 60 days after the City Council approval of the sketch plan, the applicant shall supply to the City Planner a revised Certificate of Survey for both lots, including updated legal descriptions, dimensions, and easements/dedications.
7. Within 90 days after the approval of the revised 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.
8. The resolution of approval shall be recorded against both properties and notice of these conditions shall be provided as condition of the sale of either lot.
9. The applicants shall provide the City with proof of recording (receipt) as evidence of compliance with conditions #7 and #8.
10. The applicants shall provide the City Planner with two final, approved and recorded copies of the Certificate of Survey within 120 days after the date of recording.
11. No construction permits may be issued for improvements on Parcel B prior to approval and recording of the survey and approving resolution by the County.

12. Setbacks for Parcel B shall be measured from the edge of roadway, not the west property line.
13. The applicants shall agree to reapportion any pending or actual assessments on the original parcel or lot of recording accordance with the original assessment formula on the newly approved parcels as per the City of White Bear Lake finance office schedules.
14. The park dedication fee shall be collected for each lot at the time when a building permit for a new residence is issued.
15. Water and sewer hook-up fees shall be collected for Parcel B at the time when a building permit is issued.
16. Durable iron monuments shall be set at the intersection points of the new lot line with the existing lot lines. The applicant shall have one year in which to set the monuments.

Prior to the issuance of a building permit for either lot,

17. All impervious area above 30% on Parcel A shall be mitigated according to code.
18. The boat house shall be removed or relocated to comply with code.
19. The applicant shall naturalize the shoreline by removing the retaining wall, restoring the grade to a natural slope, seeding with native vegetation where necessary and providing erosion control where necessary until the seed is established. Restoration "plan" to be approved by Engineering prior to start of work.
20. The applicant shall remove the fence and ALL impervious area from Parcel B. Doing so shall require a demolition permit with an approved construction entrance and approved tree protection fencing installed and inspected.
21. No trees may be removed on Parcel B prior to the review and approval of a tree preservation plan and calculations by City staff.

Attachments:

1. Draft Resolution of Approval
2. Location/Zoning Map
3. Applicant's Narrative
4. Survey
5. Staff's Graphic

RESOLUTION NO. _____

**RESOLUTION APPROVING A MINOR SUBDIVISION & VARIANCES
FOR 4320 COTTAGE PARK ROAD
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (18-2-LS & 18-12-V) has been submitted by The Bonne Family to the City Council requesting approval of a Minor Subdivision and five Variances per the City of White Bear Lake Subdivision Code at the following site:

ADDRESS: 4320 Cottage Park Road

EXISTING & PROPOSED LEGAL DESCRIPTIONS: Attached.

WHEREAS THE APPLICANTS SEEK THE FOLLOWING: Approval of a minor subdivision to split one lot into two, per Code Section 1407.030; and

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF:

- A 2,625 square foot variance from the 15,000 square foot lot size minimum for parcel A, and
- An 85 square foot variance from the 15,000 square foot lot size minimum for parcel B,
 - both per Code Section 1303.040 Subd.5.a; and
- A 13 foot variance from the 80 foot minimum lot width at the OHWL for parcel A, and
- A 12 foot variance from the 80 foot minimum lot width at the OHWL for parcel B,
 - both per Code Section 1303.230, Subd.5a.2; and
- A 2.92 foot variance from the 100 foot minimum lot width at the street setback for parcel A,
 - per Code Section 1303.040, Subd.5.b; and

WHEREAS, the Planning Commission has reviewed this proposal on August 27, 2018; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake after reviewing the proposal, that the City Council accepts and adopts the following findings of the Planning Commission for the Minor Subdivision:

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

5. The proposal will not overburden the existing public services nor the capacity of the City to service the area.
6. Traffic generation will be within the capabilities of the streets serving the site.
7. That the special conditions attached in the form of a conditional use permit are hereby approved.

FURTHER BE IT RESOLVED by the City Council of the City of White Bear Lake that the City Council accepts and adopts the following findings of the Planning Commission for the Variances:

1. The requested variances will not:
 - a. Impair an adequate supply of light and air to adjacent property.
 - b. Unreasonably increase the congestion in the public street.
 - c. Increase the danger of fire or endanger the public safety.
2. Because the proposed lots have a buildable area that does not require setback variances, the proposed lot size variances will be in harmony with the general purpose and intent of the City Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
3. Because the proposed lot sizes will not diminish the average lot size for the neighborhood, the requested variance will not unreasonably diminish or impair established property values within the neighborhood.
4. The non-conforming uses of neighboring lands, structures, or buildings in the same district are not the sole grounds for issuance of the variances.

FURTHER, BE IT RESOLVED, that City Council hereby approves the Minor Subdivision and Variances, subject to the following conditions:

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the permit.
2. The requirement for a hard-shell plat is waived.
3. Existing overhead utilities shall be buried.
4. 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.
5. Prior to the recording of the Survey, the applicant shall revise the survey to include a transportation, drainage and utility easement from the west property line up to 5 feet off the

edge of the existing roadway pavement.

6. Within 60 days after the City Council approval of the sketch plan, the applicant shall supply to the City Planner a revised Certificate of Survey for both lots, including updated legal descriptions, dimensions, and easements/dedications.
7. Within 90 days after the approval of the revised 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.
8. The resolution of approval shall be recorded against both properties and notice of these conditions shall be provided as condition of the sale of either lot.
9. The applicants shall provide the City with proof of recording (receipt) as evidence of compliance with conditions #7 and #8.
10. The applicants shall provide the City Planner with two final, approved and recorded copies of the Certificate of Survey within 120 days after the date of recording.
11. No construction permits may be issued for improvements on Parcel B prior to approval and recording of the survey and approving resolution by the County.
12. Setbacks for Parcel B shall be measured from the edge of roadway, not the west property line.
13. The applicants shall agree to reapportion any pending or actual assessments on the original parcel or lot of recording accordance with the original assessment formula on the newly approved parcels as per the City of White Bear Lake finance office schedules.
14. The park dedication fee shall be collected for each lot at the time when a building permit for a new residence is issued.
15. Water and sewer hook-up fees shall be collected for Parcel B at the time when a building permit is issued.
16. Durable iron monuments shall be set at the intersection points of the new lot line with the existing lot lines. The applicant shall have one year in which to set the monuments.

Prior to the issuance of a building permit for either lot,

17. All impervious area above 30% on Parcel A shall be mitigated according to code.
18. The boat house shall be removed or relocated to comply with code.
19. The applicant shall naturalize the shoreline by removing the retaining wall, restoring the

EXISTING LEGAL DESCRIPTION:

Lots 16, 17, and 18, Block2, and those parts of Lots 14 and 15, lying Southwesterly of a line running from a point on the Northwesternly line of and 10 feet from the Southwesterly corner of Lot 14, through a point on the Southwesterly line of and 57 feet from the Southwesterly corner of Lot 14, extended to the lakeshore of White Bear Lake, all in Block 2, COTTAGE PARK, Ramsey County, Minnesota.

PROPOSED LEGAL DESCRIPTIONS:**PARCEL A**

Those parts of Lots 14 and 15, lying Southwesterly of a line running from a point on the Northwesternly line of and 10 feet from the Southwesterly corner of Lot 14, through a point on the Southwesterly line of and 57 feet from the Southwesterly corner of Lot 14 extended to the lakeshore of White Bear Lake, AND those parts of Lots 16 and 17, lying Northeasterly of a line running from a point on the Westerly line of and 5.5 feet Northerly from the Southwesterly corner of Lot 16, through a point on the Southerly line of and 69.2 feet from the Southwesterly corner of Lot 16, extended to the lakeshore of White Bear Lake, all in Block 2, COTTAGE PARK, Ramsey County, Minnesota.

PARCEL B

Lot 18 and those parts of Lots 16 and 17, lying Southwesterly of a line running from a point on the Westerly line of and 5.5 feet Northerly from the Southwesterly corner of Lot 16, through a point on the Southerly line of and 69.2 feet from the Southwesterly corner of Lot 16, extended to the lakeshore of White Bear Lake, all in Block 2, COTTAGE PARK, Ramsey County, Minnesota.



LVMU

WHITE BEAR LAKE

**SUBJECT SITE:
4320 COTTAGE PARK ROAD**

P

R-3

R-2

23

GOOSE LAKE

P

WHITE BEAR AVE

LAKEVIEW AVE

SOUTH SHORE BLVD

HAZEL ST

LILAC LN

GARDENETTE DR N

DOUGLAS LN

GARDENETTE DR S

R-3

FLORAL DR

RISHWORTH LN

B-2

WHITE BEAR AVE

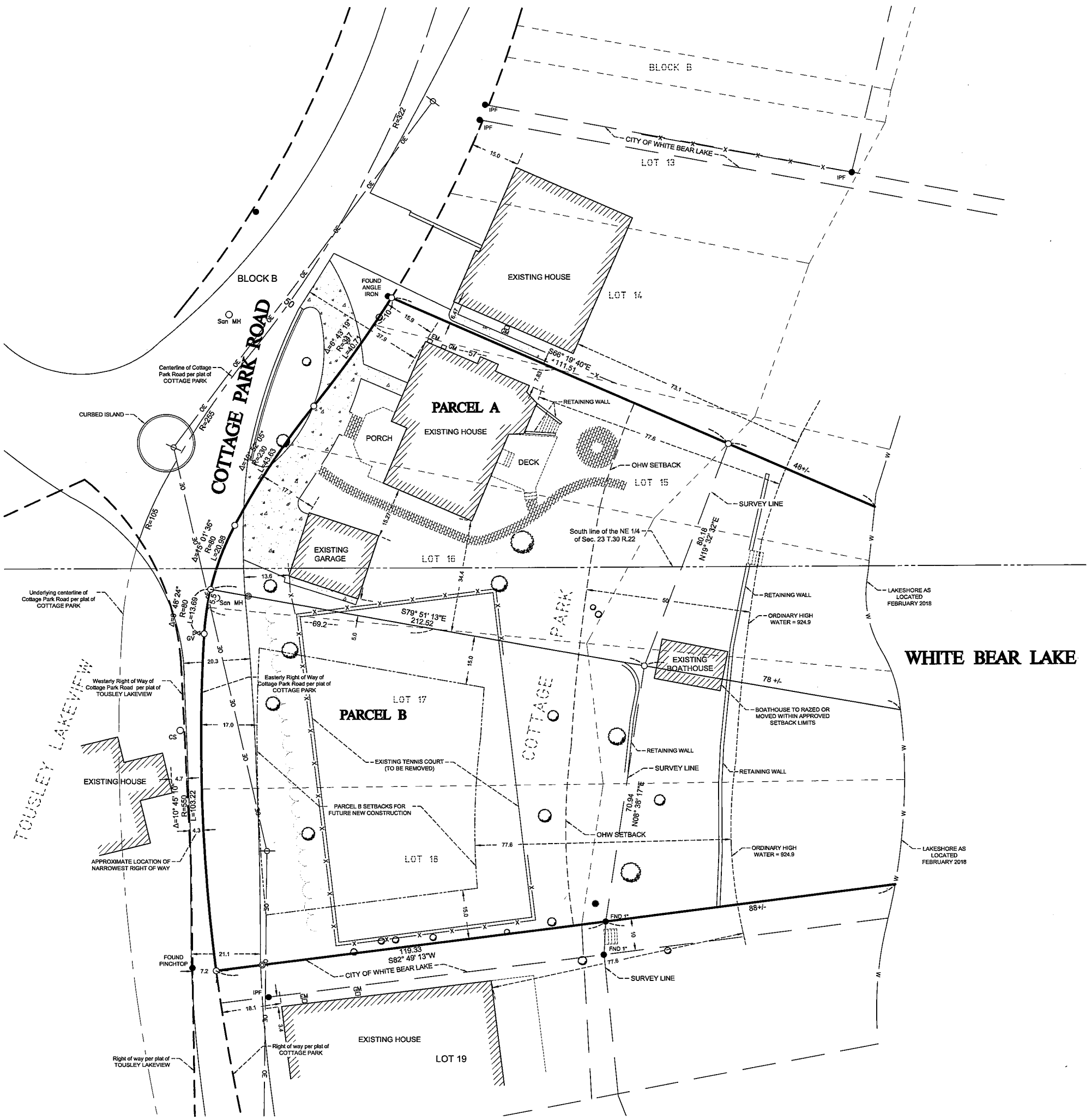
MCKNIGHT RD

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

CASE NO. : 18-2-LS & 18-12-V

CASE NAME : Bonne lot split

DATE : August 27, 2018



ZONING:

District: R-2/Shoreland Overlay
 Minimum Lot Area: 15,000 s.f.
 Minimum Width: 100 ft.

Setbacks

Principle Structure
 Lakeshore: Average of adjacent dwellings w/in 100 ft.
 Streetside: Average of adjacent dwellings w/in 100 ft.
 Side: 15 ft.

Accessory Structure
 Side: 5 ft.

Coverages

Impervious surface maximum: 35%
 Rear yard coverage maximum: 25%

AREA CALCULATIONS:

PARCEL A

Lot Area: 12,375 s.f. +/- (ROW to OHW)
 Lot Width: 105 ft.

Setbacks

Principle Structure
 Lakeshore: 77.6 ft. (Adjacent dwelling w/in 100 ft.:73.1 ft.)
 Streetside: 15.9 ft. (Adjacent dwelling w/in 100 ft.: 15.0 ft.)
 Side: North = 7.83 ft., South = 37.0 ft.

Garage

Front: 15 ft. (Same as Principle Dwelling)
 Side: 5 ft.

Coverages

Impervious surface: 32%
 Rear yard coverage: 9%

PARCEL B

Lot Area: 14,915 s.f. +/- (ROW to OHW)
 Lot Width: 117 ft.

Setbacks

Principle Structure (For Future New Construction)
 Lakeshore: 77.6 ft. Adj. dwellings both at 77.6 ft.
 Streetside: 15.9 ft. Adj. dwelling avg. (18.1+15.9)/2=17 ft.
 Side: 15 ft.

Garage (For Future New Construction)

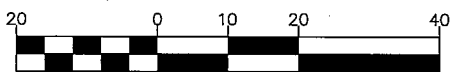
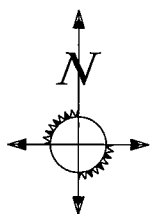
Front: 17 ft. (Same as Principle Dwelling)
 Side: 5 ft.

Coverages (As a vacant lot)

Impervious surface: 12% (from Cottage Park Rd.)
 Rear yard coverage: 0%

LEGEND:

- Iron monument found
- Iron monument set #21292
- Powerpole
- GM Gas Meter
- EM Electric Meter
- San MH Sanitary Manhole
- Stm MH Storm Manhole
- OE— Overhead Electric
- X— Fence



Scale: 1 Inch = 20 Feet

EXISTING PARCEL

Lots 16, 17, and 18, Block 2, and those parts of Lots 14 and 15, lying Southwesterly of a line running from a point on the Northwesterly line of and 10 feet from the Southwesterly corner of Lot 14, through a point on the Southwesterly line of and 57 feet from the Southwesterly corner of Lot 14, extended to the lakeshore of White Bear Lake, all in Block 2, COTTAGE PARK, Ramsey County, Minnesota.

PROPOSED PROPERTY DESCRIPTIONS:

PARCEL A

Those parts of Lots 14 and 15, lying Southwesterly of a line running from a point on the Northwesterly line of and 10 feet from the Southwesterly corner of Lot 14, through a point on the Southwesterly line of and 57 feet from the Southwesterly corner of Lot 14 extended to the lakeshore of White Bear Lake, AND those parts of Lots 16 and 17, lying Northeasterly of a line running from a point on the Westerly line of and 5.5 feet Northerly from the Southwesterly corner of Lot 16, through a point on the Southerly line of and 69.2 feet from the Southwesterly corner of Lot 16, extended to the lakeshore of White Bear Lake, all in Block 2, COTTAGE PARK, Ramsey County, Minnesota.

PARCEL B

Lot 18 and those parts of Lots 16 and 17, lying Southwesterly of a line running from a point on the Westerly line of and 5.5 feet Northerly from the Southwesterly corner of Lot 16, through a point on the Southerly line of and 69.2 feet from the Southwesterly corner of Lot 16, extended to the lakeshore of White Bear Lake, all in Block 2, COTTAGE PARK, Ramsey County, Minnesota.

SURVEYOR'S NARRATIVE

The survey of the parcel Lots 14-18, Block 2, COTTAGE PARK, Ramsey Co., MN required extensive document research and field work to verify the location of the underling lot lines, which were required to define existing parcel boundaries north and south of the surveyed parcel at 4320 Cottage Park Road, White Bear Lake, MN.

1. RIGHT-OF-WAY

The plat was fit into Sec.23, T.30, R.22 then recreated using the given information. Centerline, as dedicated, was recreated using the published radii and adjacent right-of-way (ROW) was offset 25 feet right and left of centerline. The easterly ROW was then slightly moved along with the centerline to fit the 6 found irons while holding to the radius of 477.5 feet. With the ROW established north of the parcel, the centerline needed to be extended further south to define the ROW in front of the surveyed parcel. Using original plat graphically overlaid onto the ROW, radius points were located and remainder of the curves were fit together by slightly adjusting the point of curvatures along the alignment. With a complete centerline alignment best fit using found field evidence in combination with the original plat, a ROW in front of the surveyed parcel could be defined.

2. SOUTHERLY PROPERTY LINE

The southerly line was defined using found two found irons along the rear 'survey line' with additional information from a survey of Lot 19, Block 2 of COTTAGE PARK (8/6/15) by Peter Hawkinson L.S. #42299 of Pioneer Engineering, P.A. Using the field data from the Pioneer survey and matching it to the same monuments found by M&P, a bearing of the north line of Lot 19 was defined. With that, the south line of Lot 18 was set 10 feet northerly and parallel to the north line of Lot 18 then extended westerly to the ROW to define the southwesterly corner of the survey parcel.

3. NORTHERLY PROPERTY LINE

The northerly line of the parcel references the original lot lines from the plat, but does not lie on one, or is parallel to one. North of Lot 15, 12 iron monuments were found. Using a combination of property descriptions and field evidence, the original lot lines were re-established for 5 existing parcels north of Lot 15. Any lot frontage distances used from current property descriptions, or the plat, were measured on a chord to locate the original front lot corners as closely as possible. Using occupation, the bearing of the north line was assumed to be parallel to both adjacent dwellings, which are parallel to each other and over 100 years old. A final search for any evidence at the computed northwest corner was performed and an angle iron was found about a foot from the computed location as described above. The angle iron was accepted as evidence of occupation, and used to define the north-south position of the north line which was extended easterly towards the lakeshore. The previously defined ROW was measured to be 1.2 feet easterly of the found angle iron, a new iron will be set at the computed location.

4. THE PLAT OF TOUSLEY LAKEVIEW

Two irons west of Lot 19, Block 2 were found along the ROW and used to show the proximity of those parcels across the street from Lots 17 & 18, Block 2. According to the original plat of TOUSLEY LAKEVIEW (4-22-1969), the existing westerly edge of road as traveled was used to define the easterly boundary of said plat. At one point there is less than 5 feet of ROW between the TOUSLEY plat and Lot 18, Block 2 of COTTAGE PARK. As of the date of this document, no record of ROW vacation with respect to COTTAGE PARK, or road easement documents adjacent to Lots 16-19, Block 2 have been found.

5. VARIABLE RIGHT-OF-WAY

As shown on the drawing, the ROW narrows down to less than 5 feet west of Lot 18, Block 2 COTTAGE PARK. As shown on the drawing, the original centerline alignment as defined on the plat goes through an existing dwelling. The dwelling pre-dates the plat of COTTAGE PARK by 30 years. Historical documents show that re-arrangements were performed more than once on Block 4 of COTTAGE PARK, and the westerly ROW of Cottage Park Road was redefined from said re-arrangements. It also appears that no consideration was made on behalf of the lots on Block 2 of COTTAGE PARK to show proximity of the westerly ROW of Cottage Park Road. Documents show the lakeshore lots relative to Block 4 with no updated survey information given.

1440 Arcade St, Suite 250
 Saint Paul, MN 55106
 Phone: 651-766-0112
 Fax: 651-776-0206
 E-mail: info@mpasso.com



I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.
 Allen C. Schlipp *Allen Schlipp*
 DATE 7/2/2018 LIC. NO. 21292

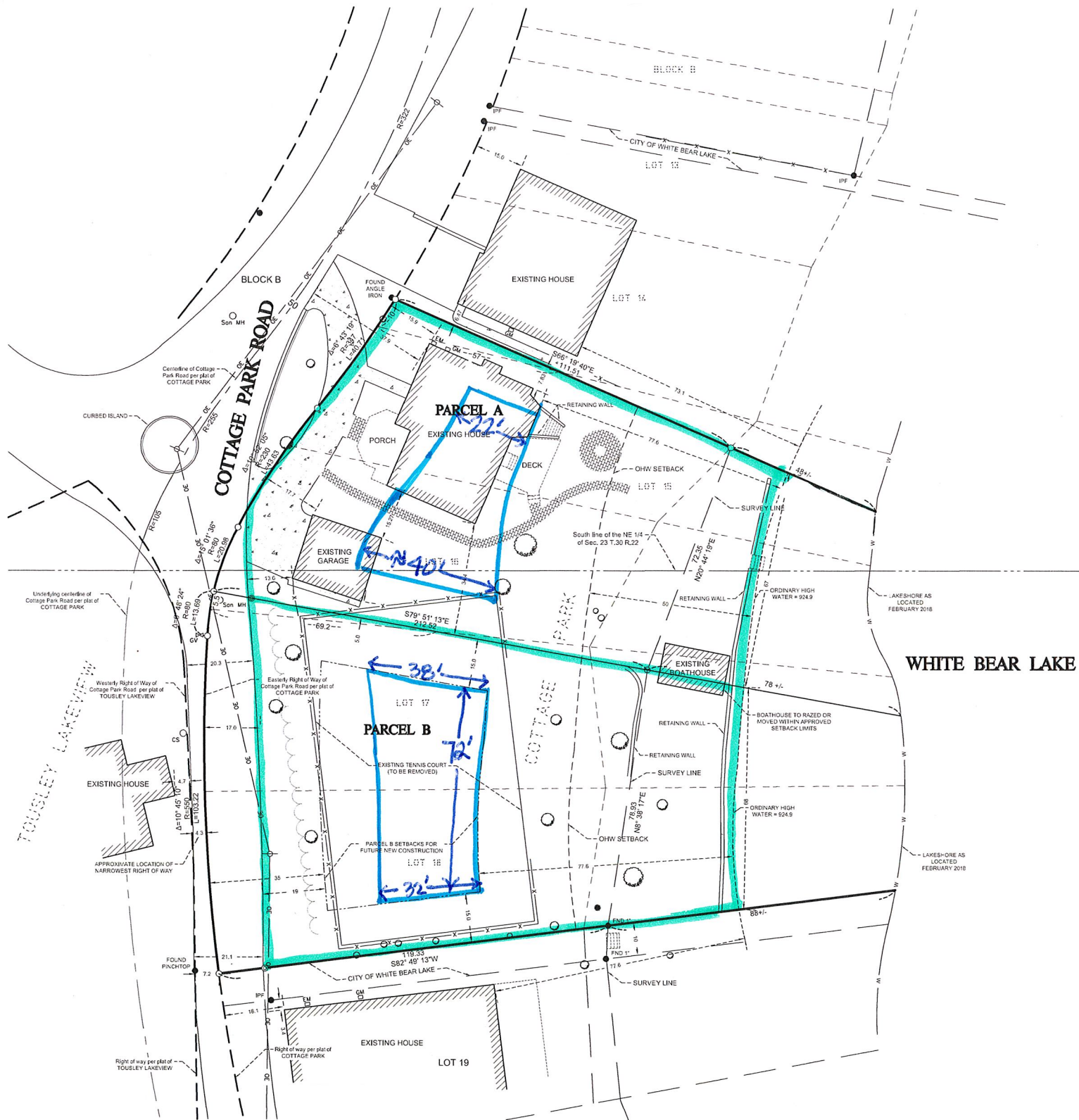
DATE	REVISIONS
7/2/18	Adjusted lot line

OWNER
BOB BONNE
 1600 NILES AVE.
 ST. PAUL, MN 55116

LOT SPLIT
 BONNE
 4320 COTTAGE PARK RD.
 WHITE BEAR LAKE, MN

DRAWN MPK	CHECKED ACS
PROJECT # 3993.001	
DATE 6/5/18	
SHEET # S1	

Staff's Graphic





City of White Bear Lake
COMMUNITY DEVELOPMENT
DEPARTMENT

MEMORANDUM

TO: The Planning Commission

FROM: Samantha Crosby, Planning & Zoning Coordinator

DATE: August 22, 2018 for the August 27, 2018 Planning Commission Meeting

SUBJECT: **Brian Hanson, 4779 Lake Avenue - Case No. 18-5-CUP**

The applicant has withdrawn the request. See attached letter dated August 17, 2018.

August 17, 2018

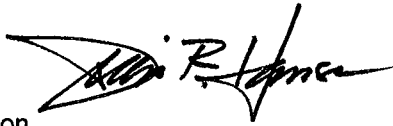
Ms. Samantha Crosby
WBL Planning Coordinator
4701 Hwy 61
White Bear Lake, MN 55110

Re: Conditional Use Permit Application – **Request to Withdraw Application**

Dear Ms. Crosby,

Thank you for all of your time assisting us on the CUP Application, however we are withdrawing our application by this letter of Request. Please cancel this matter on the agenda for the upcoming Planning Commission meeting and consequent City Council meeting. Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian R. Hanson", with a stylized flourish at the end.

Brian Hanson
Jean Kreger
4779 Lake Avenue
White Bear Lake, MN 55110
651-653-0334
Kreger-Hanson@a.com

Cc: City Clerk (for records)
Returned: 1-orange City Notice sign



City of White Bear Lake
COMMUNITY DEVELOPMENT
DEPARTMENT

MEMORANDUM

TO: The Planning Commission

FROM: Samantha Crosby, Planning & Zoning Coordinator

DATE: August 22, 2018 for the August 27, 2018 Planning Commission Meeting

SUBJECT: All Star Pet Hotel, 4095 Highway 61 - Case No. 18-6-CUP & 18-13-V

REQUEST

The applicant, Barbara Mundis, is requesting a conditional use permit and a variance in order to start a business “All Star Pet Hotel and Day Care” in the existing building at 1340 Highway 96. The conditional use permit is for a “dog kennel” and the variance is a 6 foot variance from the 50-foot setback requirement. See applicant’s narrative.

SITE CHARACTERISTICS

The Birch Lake Square Shopping Center is 6.15 acres in size and is located on the south side of Highway 96 at Sports Center Drive. The site is quite flat, almost fully paved, and contains a roughly 35,000 square foot principal building with a 6,000 square foot stand-alone building.

ZONING

The subject site is zoned B-4 – General Business, and it is located within the Shoreland Overlay district of Birch Lake, as are the properties to the west and east. The properties to the south include the City’s Sports Center, zoned P - Public Facility, and some residences across Birch Lake Boulevard South in White Bear Township zoned R-1 - Suburban Residential. The residences to the north, across Highway 96, are zoned R-2 – Single Family Residential and S.

BACKGROUND

The land was platted and the shopping center was built in 1985. The stand alone building is not located on a separate outlot, but is accessory to the principal shopping center building. This accessory building was originally envisioned to be a restaurant, and has been occupied by Lake Area Bank, Huntington Learning Center and most recently TriFitness.

Over the years, the shopping center has been granted Conditional Use Permits for:

- A gas station and food sales (1985)
- A tires/battery operation and retail outlet (1987),
- A drive-up facility for a bank (1989), and
- An animal hospital (1989)

ANALYSIS

CUP

The conditional use permit is for a “dog kennel”, which is defined as any place where four or more dogs over six months of age are kept, boarded, bred and/or offered for sale (except a veterinary clinic). To clarify, no animals will not be bred or sold at this location, only overnight boarding and day care. Staff considers the stand alone building to be a good site for the proposed use, as it is in a commercial area with no nearby residences, so noise should not be a concern. The applicant’s narrative says that the facility will have the ability to accommodate 50 dogs overnight and 97 dogs per day in the day care, but that number assumes that half the dogs staying overnight will also participate in the day care, so the maximum number of dogs at one time would be 122. The facility would also have the ability to accept 10 cats for a grand total of 132 animals. The facility will not be staffed 24 hours, but there will be an alarm system on the heating and cooling unit as well as a security system on the building.

Outdoor Play Area:

The outdoor area is proposed along the south side of the building. The plan is only concept at this point, but is expected to reduce the available parking by 9 stalls. Staff worked with the management company to prepare an updated parking analysis. Assuming a retail demand for the vacant tenant spaces, the center has 199 stalls when only 183 are required; an excess of 16 stalls. As mentioned in the “Points Considered” supplemental narrative, the applicant and management company have agreed to surround the play yard with raised concrete curb and to set the fence back from the curb by 3 to 4 feet to allow room for landscaping between the fence and curb. The curb will protect the fence from cars circulating in the lot and the landscaping will soften the appearance of the fence. Final details will be submitted for staff review and approval prior to construction.

The applicant has indicated that the maximum number of dogs allowed outside at one time will be 15 and that the outdoor area will be supervised at all times. The desire is to have the outdoor area available the same as the hours of operation, which are proposed to be 6:30 am to 8:30 pm Monday thru Friday, 7:00 am to 7:00 pm Saturday, and 9:00 am to 6:00 pm Sunday. The reason for needing the outdoor area at 6:30 am in the morning is to allow the hotel guests to relieve themselves fairly promptly upon staff arriving. The area is not intended for play at 6:30 am. There will also be an indoor relief area that will help off-set the need for all guests to go outside. This will be especially helpful during the winter months and for young dogs in training.

An artificial turf specifically designed for pet waste will be used outside. At least once per day, the entire surface will be washed (hosed-off) and sanitized. The shopping center does not appear to have stormwater catch basins. Therefore, staff anticipates that the run-off will sheet drain over the parking lot in the warmer months. During the first few years, while the new business is still building its client base, this may be acceptable. However, as the number of animals increase over the years, the liquid waste should be directed to the sanitary sewer or another solution found subject to staff approval.

Dumpster Enclosure:

The very first CUP granted to the shopping center included a condition “all trash receptacles for the entire complex shall be enclosed with solid walls and screened from visual access”. The existing dumpster at the southwest corner of the building is neither. Staff has included a condition that either the trash be stored internal to the building and the dumpster removed, or an enclosure that matches the building shall be constructed. Once the enclosure is constructed and the solid waste is stored outside, hot days may become an issue. Staff has included a generic condition regarding noise and odor.

Other:

The foundation plantings around the perimeter of the building have waned over time. Staff has included a condition that the grounds be refreshed. There are no changes to lighting or drainage proposed or anticipated.

Variance

The code requires that dog kennel buildings be no closer than 50 feet from any lot line. The existing building is only 44 feet from the west lot line, therefore, the requested variance is a 6 foot variance. The applicant’s rationale is the significant practical difficulty of moving the entire structure or “slicing” off the western six feet. There are no proposed expansions or extensions of the building. The only exterior modifications to the building proposed are on the south side of the building and the exterior maintenance items that are recommended as conditions of approval. There is a 60-wide drive that functions as a shared access road (Sports Center Drive) to the west that helps mitigate any negative impact the variance might create. Staff finds the request reasonable.

DISCRETION

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

The City’s discretion in approving or denying a Conditional Use Permit amendment is limited to whether or not the changes meet the standards outlined in the Zoning Ordinance. If it meets these standards, the City must approve the Conditional Use Permit. Additional conditions may be imposed as the Council deems fit.

RECOMMENDATION

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

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the permit.
2. Per Section 1301.050, Subd.4, if within one (1) year after approving the Conditional Use Permit, the use as allowed by the permit shall not have been completed or utilized, the CUP shall become null and void unless a petition for an extension of time in which to

complete or utilize the use has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.

3. This Conditional Use Permit shall become effective upon the applicant tendering proof (ie: a receipt) to the City of having filed a certified copy of the sign resolution of approval with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. Trash shall be stored internal to the building and the dumpster removed, or an enclosure that matches the building shall be constructed. Enclosure details to be reviewed and approved by staff prior to construction.
5. All pets must be kept on a leash during drop-off or pick-up. If any dogs are walked outside the play area, they must also be leashed.
6. Any solid elimination shall be picked up immediately and excessively barking dogs will not be allowed in the outdoor play area. The owner of the business shall work with staff to resolve any complaints about noise or odors that may arise. Solutions may vary, but could include adjustments such as increasing the frequency of trash pick up, or limiting the hours of the outdoor area. Solution shall be implemented to the satisfaction of the city staff.
7. All liquid waste shall be directed to the sanitary sewer system, or some other solution, design subject to engineering staff review and approval. A permit for the installation of such solution shall be pulled within 90 day of written notice from the City. Installation shall be complete within 4 month of permit issuance.
8. The applicant shall obtain a building permit prior to beginning any work.

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

9. Provide final plan and details for the play area, including raised concrete curb, landscaping and fence.
10. Provide a SAC (Sewer Availability Charge) determination letter from the Metropolitan Council.

Prior to the issuance of a Certificate of Occupancy, the applicant shall:

11. Replace the missing foundation plants.

Attachments:

- | | |
|------------------------|-----------------------------------|
| 1. Resolution Approval | 5. Fence placement graphic |
| 2. Location/Zoning Map | 6. "Points Considered" supplement |
| 3. Narrative (6 pages) | 7. Fence info sheet |
| 4. Floor plan | |

RESOLUTION NO. _____

**RESOLUTION APPROVING
A CONDITIONAL USE PERMIT FOR DOG KENNEL
AND A SETBACK VARIANCE
FOR 1340 HIGHWAY 96, EAST
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (18-6-CUP & 18-13-V) has been submitted by Barbara Mundis requesting approval of a Conditional Use Permit & Variance from the City of White Bear Lake at the following site:

ADDRESS: 1340 Highway 96 East

LEGAL DESCRIPTION: Attached. (PID # 223022220050)

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING PERMIT: A Conditional Use Permit for a pet hotel and day care in the B-4 zoning district, per Code Section 1302.130, Subd.3; and

WHEREAS THE APPLICANT SEEKS THE RELIEF: A 6 foot variance from the 50 foot setback required for a dog kennel building, per Code Section 1302.130, Subd.3.c; and

WHEREAS, the Planning Commission has held a public hearing as required by the City Zoning Code on August 27, 2018; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake, that the City Council accepts and adopts the following findings of the Planning Commission in relation to the Conditional Use Permit:

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

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

1. The requested variance will not:
 - a. Impair an adequate supply of light and air to adjacent property.
 - b. Unreasonably increase the congestion in the public street.
 - c. Increase the danger of fire or endanger the public safety.
 - d. Unreasonably diminish or impair established property values within the neighborhood or in any way be contrary to the intent of this Code.
2. The variance is a reasonable use of the land or building and the variance is the minimum required to accomplish this purpose.
3. The variance will be in harmony with the general purpose and intent of the City Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
4. The special conditions and circumstances are not the result of actions of the owner or a predecessor in title.
5. The non-conforming uses of neighboring lands, structures, or buildings in the same district are not the sole grounds for issuance of the variances.

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

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the permit.
2. Per Section 1301.050, Subd.4, if within one (1) year after approving the Conditional Use Permit, the use as allowed by the permit shall not have been completed or utilized, the CUP shall become null and void unless a petition for an extension of time in which to complete or utilize the use has been granted by the City Council. Such petition shall be requested in writing and shall be submitted at least 30 days prior to expiration.
3. This Conditional Use Permit shall become effective upon the applicant tendering proof (ie: a receipt) to the City of having filed a certified copy of the sign resolution of approval with the County Recorder pursuant to Minnesota State Statute 462.3595 to ensure the compliance of the herein-stated conditions.
4. Trash shall be stored internal to the building and the dumpster removed, or an enclosure that matches the building shall be constructed. Enclosure details to be reviewed and approved by staff prior to construction.
5. All pets must be kept on a leash during drop-off or pick-up. If any dogs are walked outside the play area, they must also be leashed.

- 6. Any solid elimination shall be picked up immediately and excessively barking dogs will not be allowed in the outdoor play area. The owner of the business shall work with staff to resolve any complaints about noise or odors that may arise. Solutions may vary, but could include adjustments such as increasing the frequency of trash pick up, or limiting the hours of the outdoor area. Solution shall be implemented to the satisfaction of the city staff.
- 7. All liquid waste shall be directed to the sanitary sewer system, or some other solution, design subject to engineering staff review and approval. A permit for the installation of such solution shall be pulled within 90 day of written notice from the City. Installation shall be complete within 4 month of permit issuance.
- 8. The applicant shall obtain a building permit prior to beginning any work.

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

- 9. Provide final plan and details for the play area, including raised concrete curb, landscaping and fence.
- 10. Provide a SAC (Sewer Availability Charge) determination letter from the Metropolitan Council.

Prior to the issuance of a Certificate of Occupancy, the applicant shall:

- 11. Replace the missing foundation plants.

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

Ayes:
 Nays:
 Passed:

 Jo Emerson, Mayor

ATTEST:

 Kara Coustry, City Clerk

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

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

Property Owner's Signature

Date

Printed Name and Title

Legal Description

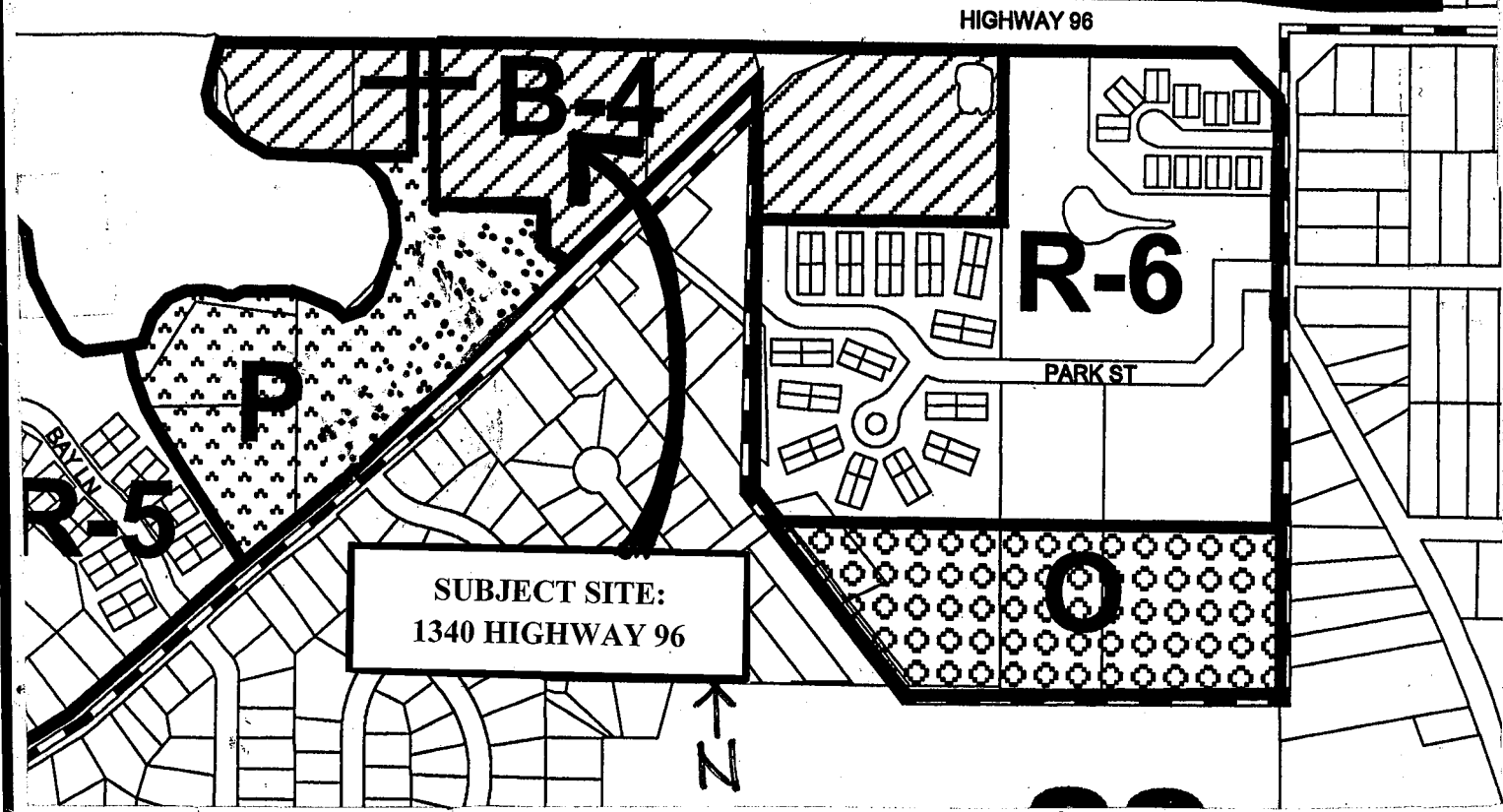
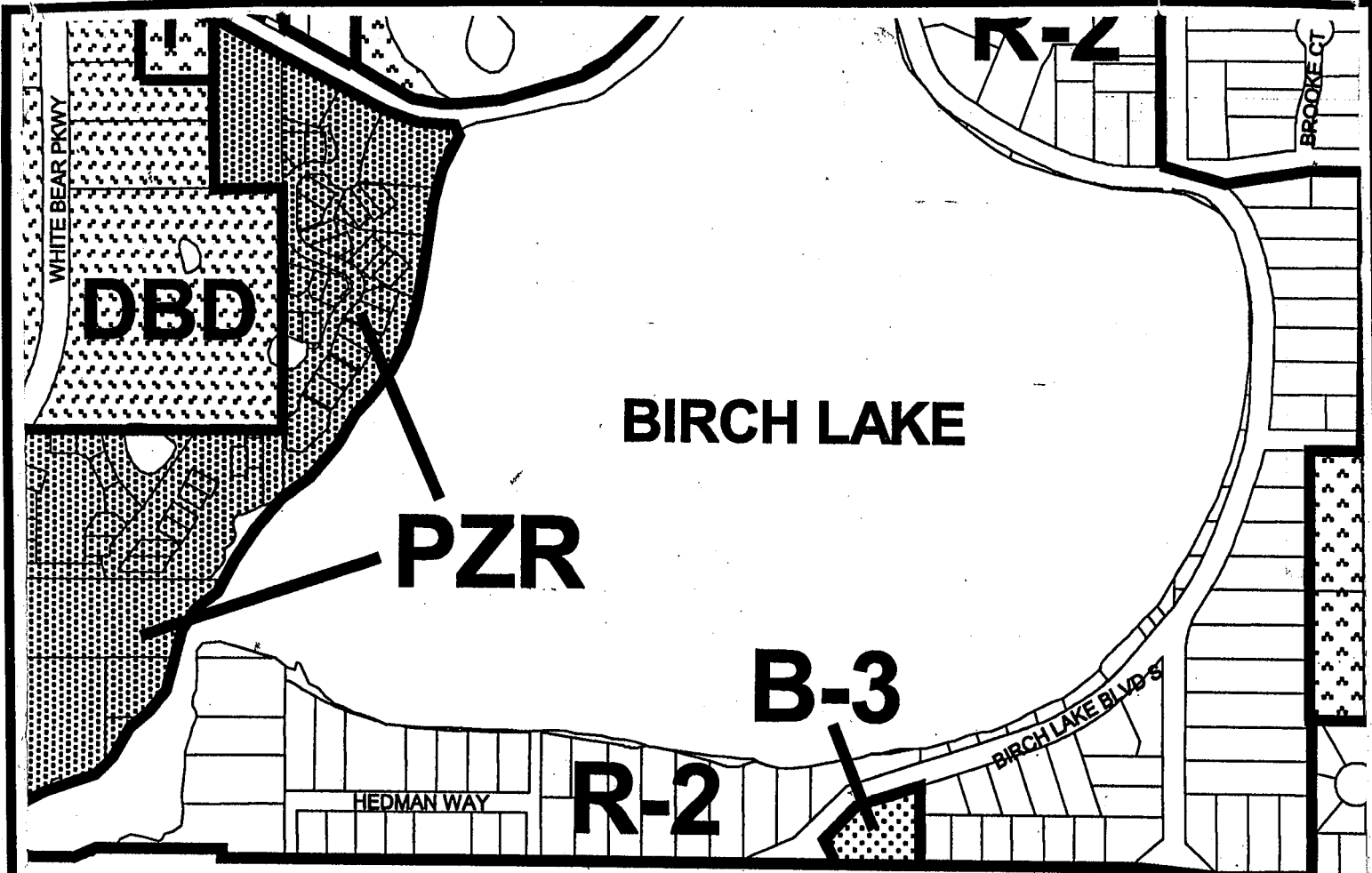
That part Lot 1, Block 1, Birch Lake Square lying Northerly of the following described line:

Commencing at the Northwest corner of said Lot 1; thence on an assumed bearing of South along the West line of said Lot 1 a distance of 423.50 feet to the point of beginning of the line to be described; thence South 89 degrees 42 minutes 15 seconds East a distance of 284.00 feet; thence South 0 degrees 17 minutes 45 seconds West a distance of 95.00 feet; thence South 32 degrees 51 minutes 41 seconds East a distance of 91.28 feet to the Southeast line of said Lot 1 and said line there terminating, lying West of the underlying East line of Tract A, Registered Land Survey No. 355.

Together with the non-exclusive easement as contained in Easement Agreement, Document No. 888862.

together with all hereditaments and appurtenances.

Ramsey County, Minnesota.



<p>City of White Bear Lake Planning and Zoning Office (612)-429-8561</p>	<p>CASE NO. : <u>18-6-CUP & 18-13-V</u> CASE NAME : <u>All Star Pet Hotel</u> DATE : <u>August 27, 2018</u></p>
--	---

ESTD



2017

ALL STAR

**PET HOTEL
& DAY CARE**

We are requesting a Conditional Use Permit so that we may be allowed to bring our amazing Pet Hotel & Day Care to White Bear Lake. After an over six-month search for just the right location, we have opted for 1338-40 East Highway 96. It was not enough to just have the “right” physical structure in an accessible location, it was also important to be in an area with a strong sense of community. We believe we have found that in White Bear Lake!

WHY A PET HOTEL AND DAY CARE?

A survey done by the American Pet Products Association in 2015, states that 59% of pet owners see their pet as a family member, even as a child. This has brought about the increased need for pet accommodations that provide more than isolated, cement and chain link “runs”. All Star Pet Hotel & Day Care will provide over night stays to pets based on their size, disposition, special needs and desired comfort. As a boutique hotel, you will find no ugly cement, block walls at All Star.

Our rooms are not cages piled on top of each other. We will have standard rooms, similar to those pictured, and we will also provide a couple of suites for those pooches with extremely discriminating tastes in their accommodations.



While Dog Day Care has not been around as long as dog “boarding”, it is a proven concept having expanded exponentially across other areas of the metro. More and more pet owners are seeing the benefits of utilizing day care for their pets. Pet owners using day care, recognize they experience less stress and guilt about the lack of time they spend with their pet. Owners also quickly understand that by giving their pet the opportunity to exercise and learn during their time at day care, the demand on the owner’s time for providing that stimulation is less.

Our day care visitors will have the opportunity to play on canine playground equipment and, our enhanced day care students will use physical fitness equipment, along with “toys” designed to challenge them cognitively.



WHY ALL STAR PET HOTEL & DAY CARE?

With essentially no “like” competition in the area, All Star will position itself as a leader because of its prime location and exemplary customer service. 19 months of investigating like businesses in Minnesota and across the country, along with researching successful pet care businesses, has left the owner with a clear vision of how to provide not only outstanding pet care but pet owner customer service and employee satisfaction.

Unique to All Star Pet Hotel & Day Care will be PET PARTIES! Customers will be able to book party space for pet birthdays, holiday parties, or dog play dates. There will also be options to purchase specialty dog bakery products prepared by our commissioned baker.

All Star Pet Hotel & Day Care will also offer community events. Plans include “Singles and Their Pets”, “Yappy Hour”, “Paint with Your Pet” and offering training for Pet CPR. All Star will be choosing area non-profit organizations to benefit from fund raisers held in the facility as well.

SPECIFICS:

Our **operating hours** will be:

Monday-Friday	6:30am-8:30pm
Saturday	7:00am-7:00pm
Sunday	9:00am-6:00pm

These are our public hours. There will be pet care staff in the facility from 5:00am to at least 10:00pm daily.

Our **capacities** are not definite because of our commitment to safety and specialized care.

We could accommodate up to 50 dogs per night in our hotel and 97 dogs in Day Care. (This number includes hotel guests who wish to participate in day care).

Safety is an absolute critical component to the operation of All Star. Unfortunately, the pet service industry is largely unregulated. All Star Pet Hotel & Day Care will operate with premiere safety standards including:

- A training program for all team members specifically designed for off leash play and dog behavior
- Team members will be trained in pet first aid and CPR
- Flexible play spaces and options to accommodate guest population
- Evaluations for all dogs wishing to participate in off leash play
- Current memberships and participation in The Dog Gurus, International Boarding and Pet Services Association and Professional Animal Care Certification Council

We will maintain a low Staff to Dog Ratio which also sets us apart from other similar businesses. Our Enhanced Day Care participants will experience 1:8 and our Standard Day Care participants will have 1:12.

THE ICKY BUT TRUE:

Pets eliminate! There is no way to avoid it, so we choose to deal with it IMMEDIATELY!!!

INDOOR: The flooring will be a non-porous epoxy with just enough grit to prevent the dogs from slipping.

Each play space/common area will have its own receptacle for the disposing of solid waste. All containers will be lined with plastic and covered. They will be emptied several times a day. At least one time per day, the entire receptacle will be washed and sanitized. (this will be a part of the daily maintenance schedule). Any residual waste left after solid waste pickup, will be immediately wiped down AND sanitized. Liquid waste will be immediately wiped up and again, the surface will be sanitized. After all dogs are gone and/or in bed for the evening, the entire floor surface will be vacuumed, washed and sanitized. There will also be a maintenance schedule for machine scrubbing the floor.

OUTDOOR: The outdoor surface will be a professionally installed, specifically designed pet grass, <https://perfectturf.com/product/petgrass-tan-thatch-outdoor/>) Just as in the case of the indoor areas, solid waste on the "grass" will be immediately picked up and disposed of. Liquid waste is eliminated through the drainage system. At least once per day, the entire surface is washed and sanitized.



HOW ABOUT THAT OUTSIDE YARD!!

The yard will be located behind the building (South). It will be approximately 26X56 (approximately 1,400 sq ft). This area will be divided into two sections to accommodate separate play groups. This area will be surrounded by a six-foot, vinyl fence product that resembles wood. It is designed to block 98% of direct sound. ([https://www.certainteed.com/fence/products?f\[0\]=field_fence_brand:8123](https://www.certainteed.com/fence/products?f[0]=field_fence_brand:8123))



There will be a limit to how many dogs are allowed in the yard at one time and no excessively barking dog will be allowed to play in the yard.

WHO WILL BE RUNNING THIS PLACE?

All Star Pet Hotel and Day Care is owned by Barbara and Heather Mundis, with Barbara assuming its operation and management. Ms. Mundis is looking forward to an early retirement from her 30 plus years of service in criminal justice.

Her lifelong passion for animals has led to decades of providing care for those creatures most often discarded by others. This has led to All Star's policy of accepting pets that most other establishments will not host. Ms. Mundis has prepared for this endeavor by reading much, taking notes, and visiting like establishments around the country for years. More specific for the opening of All Star, she has completed the preparation class offered by the St. Thomas Small Business Development Center, completed on-line courses and webinars offered by the Dog Gurus, IBPSA and Raising Canine and continues to scour the internet to secure the best business practices for All Star.

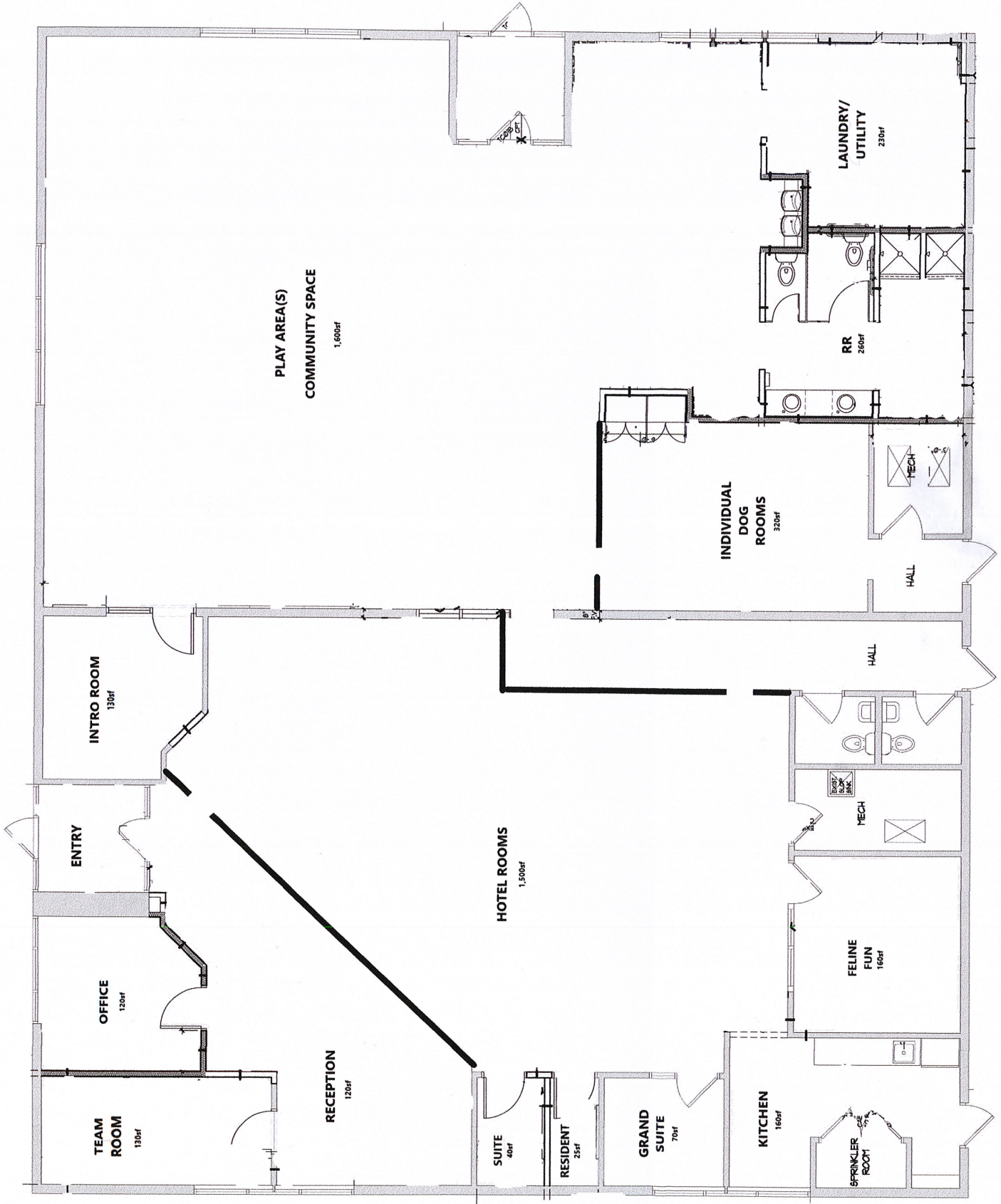
IN CLOSING...

All Star Pet Hotel & Day Care is no ordinary pet care establishment. Research has indicated that pet parents will drive several miles out of their way to reach their favorite pet day care facility. The distance they are willing to drive for over night pet stays (hotel) is even greater. We hope to share our success with the community of White Bear Lake by bringing business to the area as customers utilize our services.

We look forward to answering your questions. Thank you in advance for your time and consideration.

Barbara Mundis

All Star Pet Hotel & Day Care





POINTS CONSIDERED

Items brought to our attention and action taken and/or explanation

1. The current dumpster area was not authorized and is not in compliance with City Code

The current structure will be demolished, and the dumpsters removed. All Star has agreed to store the trash internally for the first couple of months of operation allowing the owners to get estimates for the construction of the proper enclosure.

2. Make the external fence line more esthetically pleasing with landscaping and a curb

We have indeed agreed that the area on the external fence line will be curbed and landscaped with plantings

3. Use a different style of fencing than that proposed in the permit supplement

We have discussed this with Ms. Crosby and strongly believe that the choice we have made is the best both aesthetically and for noise reduction. The material chosen reduces sounds by over 95%. It is extremely durable and guaranteed.

4. Move the play yard to the West side of the building

While we understand the suggestion, as we explained to Ms Crosby, it would be a huge financial undertaking. One of the benefits of this site is the current layout. It allows us to house and exercise dogs that do not play well with others. There is currently a space dividing wall that is placed from the north to the south side of the building with an exit door on each side. Moving the yard to the West side would mean dividing the building with a wall from the east to the west along with adding additional exit doors. This would essentially impact the entire design of the facility.

5. Have a policy that pets must be kept on a leash when being picked up and/or dropped off at the Hotel.

DONE!

Performance

Bufftech's premium features, including high-quality raw materials, reinforced rails, heavyweight pickets, routed rails and fence posts, and concealed fasteners, ensure it will outlast and outperform other vinyl fences.

Backed by CertainTeed's exclusive **WindZone™ performance**, Bufftech fence is engineered for use in high wind and hurricane conditions, as approved by Miami-Dade County NOA #18-0313.01*. Recognized as the most stringent standards in the country, Miami-Dade test protocols include dynamic wind load testing up to 115 mph.



The Bufftech line also meets requirements of the ASTM and includes styles that comply with local codes for **swimming pool** applications. Check with your local building code official as local codes may vary.



*Miami-Dade County-approved NOA #18-0313.01, for exceptional performance in high wind conditions. To comply with WindZone Performance, additional items are needed for installation. Please reference our product catalog. Expires 3/13/2019.



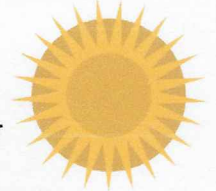
Look for these icons throughout the brochure on products that meet special performance requirements.

Select Cedar



Peace of Mind

CertainTeed stands behind the Bufftech line with an exceptional lifetime limited transferable warranty. SureStart™ protection, an exclusive CertainTeed benefit, covers warranted repair and replacement costs—including labor, for five years after installation.



CertainTeed also guarantees the performance of Bufftech's darker colors and stain blends with our proprietary **ColorLast® fade protection**, a state-of-the-art acrylic formulation that provides superior protection from the harsh rays of the sun.

CertainTeed is actively pursuing strategies to reduce our environmental impact, while increasing the sustainability of our operations and products. (see back cover for complete third-party testing information).

A company you can trust.

For more than 100 years, homeowners and building professionals alike have relied on CertainTeed as a trusted source of innovative, high-quality building products. Bufftech® continues this long-standing tradition with its superior vinyl fencing line, proudly made in the U.S.A.



CertaGrain®





City of White Bear Lake
COMMUNITY DEVELOPMENT
DEPARTMENT

MEMORANDUM

TO: The Planning Commission

FROM: Ashton Miller, Planning Technician

DATE: August 20 for the August 27, 2018 Planning Commission Meeting

SUBJECT: **Petry & Welch Lot Recombination, 4777 Wood Avenue & 1891 4th Street - Case No. 18-1-LS**

REQUEST

The applicants, Shawn Petry and the Welch family, are requesting a recombination subdivision in order to transfer a 7.6 foot strip of land from Bernard and Dolores Welch's property to Mr. Petry's property. The Welch's are represented by Dianne Hofmeister and Michelle Paar.

A public hearing is not required for this type of lot split.

SITE CHARACTERISTICS

The subject sites are located on the west side of Wood Avenue and north of 4th Street. The northern lot, 4777 Wood Avenue, is owned by Shawn Petry, while the corner lot, 1891 4th Street, is owned by the Welch family. An existing garage on Mr. Petry's property is currently 7.4 feet from the property line, while a garage on the Welch property is 19.5 feet away.

BACKGROUND/ZONING

The existing properties were platted in 1958. The home on the Welch property was built in 1914, while the Petry home was built in 1958.

The subject sites are zoned R-3, Single Family Residential, as are the surrounding properties. The Welch's lot conforms to the lot size and width requirements for the district, while Mr. Petry's does not. The proposed lot recombination will bring the Petry property closer to conformity without adversely affecting the Welch property.

ANALYSIS

The attached Certificate of Survey shows the proposed lot line adjustment, shifting the property line 7.6 feet south of its current position. The R-3 zoning district requires a minimum lot area of 10,500 square feet in size. After the 909 square foot transfer of land, the Welch property will be 14,256 square feet in size and the Petry property will be 9,310 square feet. The R-3 district requires a minimum lot width of 80 feet. The Welch property width will be unaffected, because it

is measured along 4th Street, while the Petry property width will increase to 77.6 feet. The rear yard setback for the Welch home will be reduced from 55 feet to 47 feet, which is still in compliance with the 30 foot requirement.

A small fish house in the northwest corner of the Welch property, not shown on the survey, will not conform to accessory structure setbacks after the lot line adjustment, so staff is recommending a condition of approval that the shed be removed or moved to a location where it meets required setbacks.

The current rear yard coverage for the Welch property is approximately 23% and will increase to 25% after the lot line adjustment. A portion of the driveway is gravel, so future plans to pave the driveway must be designed to minimize the rear yard coverage. Staff has included a condition regarding this. On lots greater than 10,000 square feet, rear yard coverage is allowed to reach 33% through a variance granted administratively.

SUMMARY

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

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

RECOMMENDATION

City Staff recommends approval of the requested recombination subdivision subject to the following conditions:

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the permit.
2. Within 6 months after the approval of the Survey by the City, the applicant shall record the Survey and the approving resolution, with the County Land Records Office or the subdivision shall become null and void.
3. The applicant shall provide the City with proof of recording (receipt) as evidence of compliance with condition #2. Within 120 days after the date of recording, the applicant shall provide the City Planner with two final, recorded copies of the Certificate of Survey.
4. Durable iron monuments shall be set at the intersection points of the new lot line with the existing lot lines. The applicant shall have one year from the date of Council approval in which to set the monuments.
5. The applicants shall agree to reapportion any pending or actual assessments on the original parcel or lot of recording accordance with the original assessment formula on the newly approved parcels as per the City of White Bear Lake finance office schedules.
6. Prior to finalizing the transaction, the fish house at 1891 4th Street shall be removed or

relocated to a part of the yard meeting required setbacks.

7. Any future driveway paving at 1891 4th Street shall be done in a manner that keeps rear yard coverage below 25%, or 33% with an administrative variance.

Attachments:

1. Draft Resolution of Approval
2. Location/Zoning Map
3. Applicant's Request Letter
4. Survey
5. Recombination Subdivision Survey

RESOLUTION NO. _____

**RESOLUTION APPROVING A LOT RECOMBINATION FOR
4777 WOOD AVENUE & 1891 4th STREET
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (18-1-LS) has been submitted by Shawn Petry and the Welch Family to the City Council requesting approval of a lot recombination per the City of White Bear Lake Subdivision Code at the following site:

ADDRESS: 4777 Wood Avenue and 1891 4th Street

EXISTING & PROPOSED LEGAL DESCRIPTIONS: Attached.

WHEREAS THE APPLICANTS SEEK THE FOLLOWING: Approval of a minor subdivision to convey a 7.6 foot wide tract of land between neighbors, per Code Section 1407.030; and

WHEREAS, the Planning Commission has reviewed this proposal on August 27, 2018; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of White Bear Lake after reviewing the proposal, that the City Council accepts and adopts the following findings of the Planning Commission for the Minor Subdivision:

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

FURTHER, BE IT RESOLVED, that City Council hereby approves the Recombination Subdivision, subject to the following conditions:

1. All application materials, maps, drawings, and descriptive information submitted with this application shall become part of the permit.

2. Within 6 months after the approval of the Survey by the City, the applicant shall record the Survey along with the instruments of conveyance with the County Land Records Office or the subdivision shall become null and void.
3. The resolution of approval shall be recorded against both properties and notice of these conditions shall be provided as condition of the sale of either lot.
4. The applicants shall provide the City with proof of recording (receipt) as evidence of compliance with conditions #2 and #3.
5. The applicants shall provide the City Planner with two final, approved and recorded copies of the Certificate of Survey within 120 days after the date of recording.
6. The applicants shall agree to reapportion any pending or actual assessments on the original parcel or lot of recording accordance with the original assessment formula on the newly approved parcels as per the City of White Bear Lake finance office schedules.
7. Durable iron monuments shall be set at the intersection points of the new lot line with the existing lot lines. The applicant shall have one year in which to set the monuments.
8. The detached shed at 1891 4th Street shall be removed or relocated to a part of the yard meeting required setbacks.
9. Any future driveway paving at 1891 4th Street shall be done in a manner that keeps rear yard coverage below 25%, or 33% with an administrative variance.

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

Ayes:
 Nays:
 Passed:

 Jo Emerson, Mayor

ATTEST:

 Kara Coustry, City Clerk

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

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

Shawn Petry

Date

Dianne Hofmeister

Date

EXISTING LEGAL DESCRIPTION:

(4777 Wood Avenue)

The South 70 feet of the North 198 feet of Lot 1, Block 1, W.F. KRECH'S ADDITION. Records of Ramsey County, Minnesota.

(1891 Fourth Street)

Lot 1, EXCEPT, the North 198 feet thereof, Block 1, W.F. KRECH'S ADDITION TO WHITE BEAR LAKE, according to the plat thereof on file and of record in the office of the Recorder in and for said County. Ramsey County, Minnesota.

PROPOSED LEGAL DESCRIPTIONS:

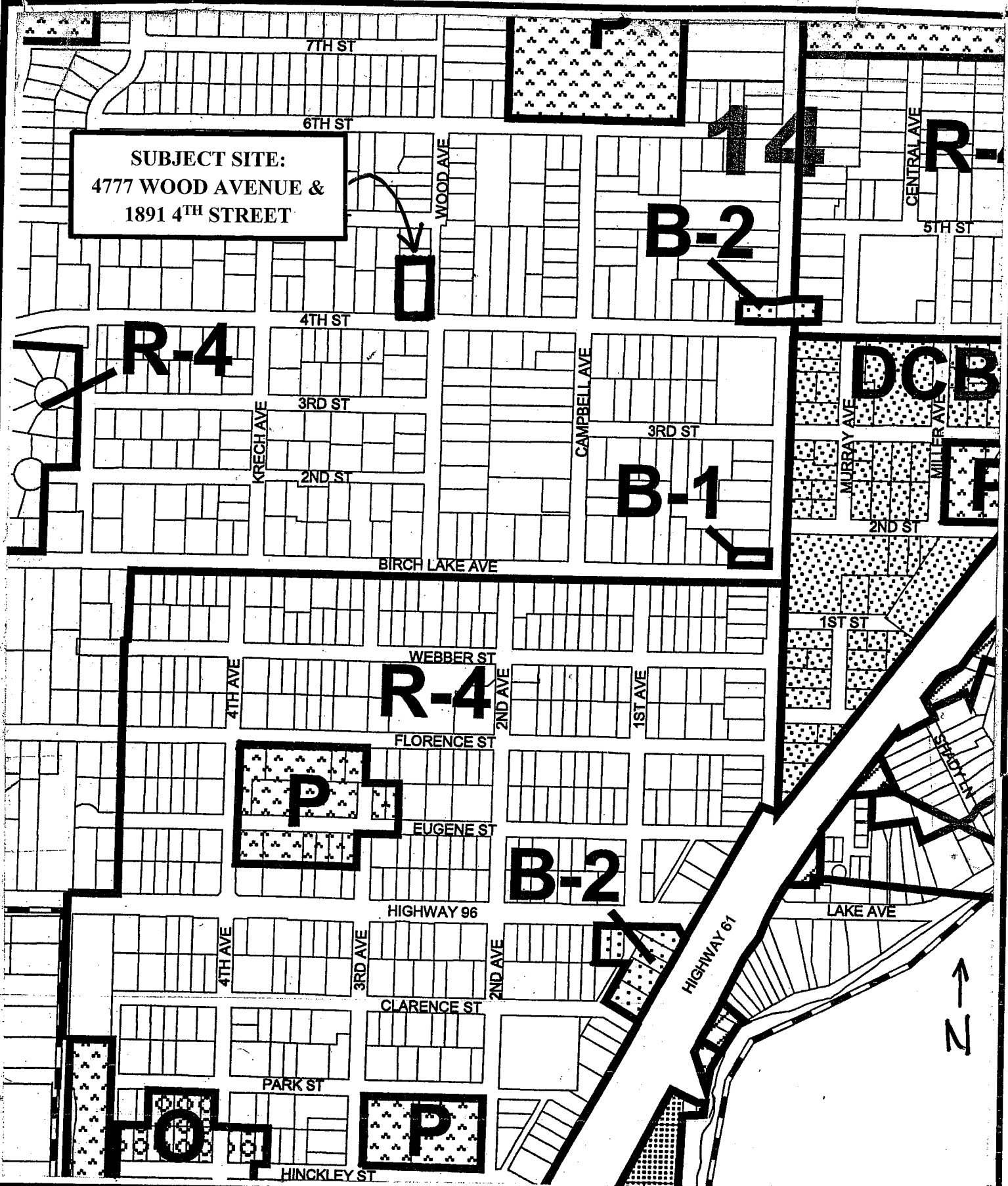
(4777 Wood Avenue)

The South 77.6 feet of the North 205.6 feet of Lot 1, Block 1, W.F. KRECH'S ADDITION, according to the record plat thereof, Ramsey County, Minnesota.

(1891 Fourth Street)

That part of Lot 1, Block 1, W.F. KRECH'S ADDITION TO WHITE BEAR LAKE, according to the plat thereof, Ramsey County, Minnesota, lying South of the North 205.6 feet thereof.

**SUBJECT SITE:
4777 WOOD AVENUE &
1891 4TH STREET**



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

CASE NO. : 18.1.LS
CASE NAME : Petry/Welch Recombo
DATE : August 27, 2018

July 12, 2018

Shawn Petry

4777 Wood Ave

White Bear Lake MN 55110

651-263-9935

To whom it may concern:

I am filing the application requesting a lot line move. Both Delores and Bernard Welch wanted to give me the property as for many years I have handled all of the snow removal and yard upkeep for them.

Thank you for your consideration.

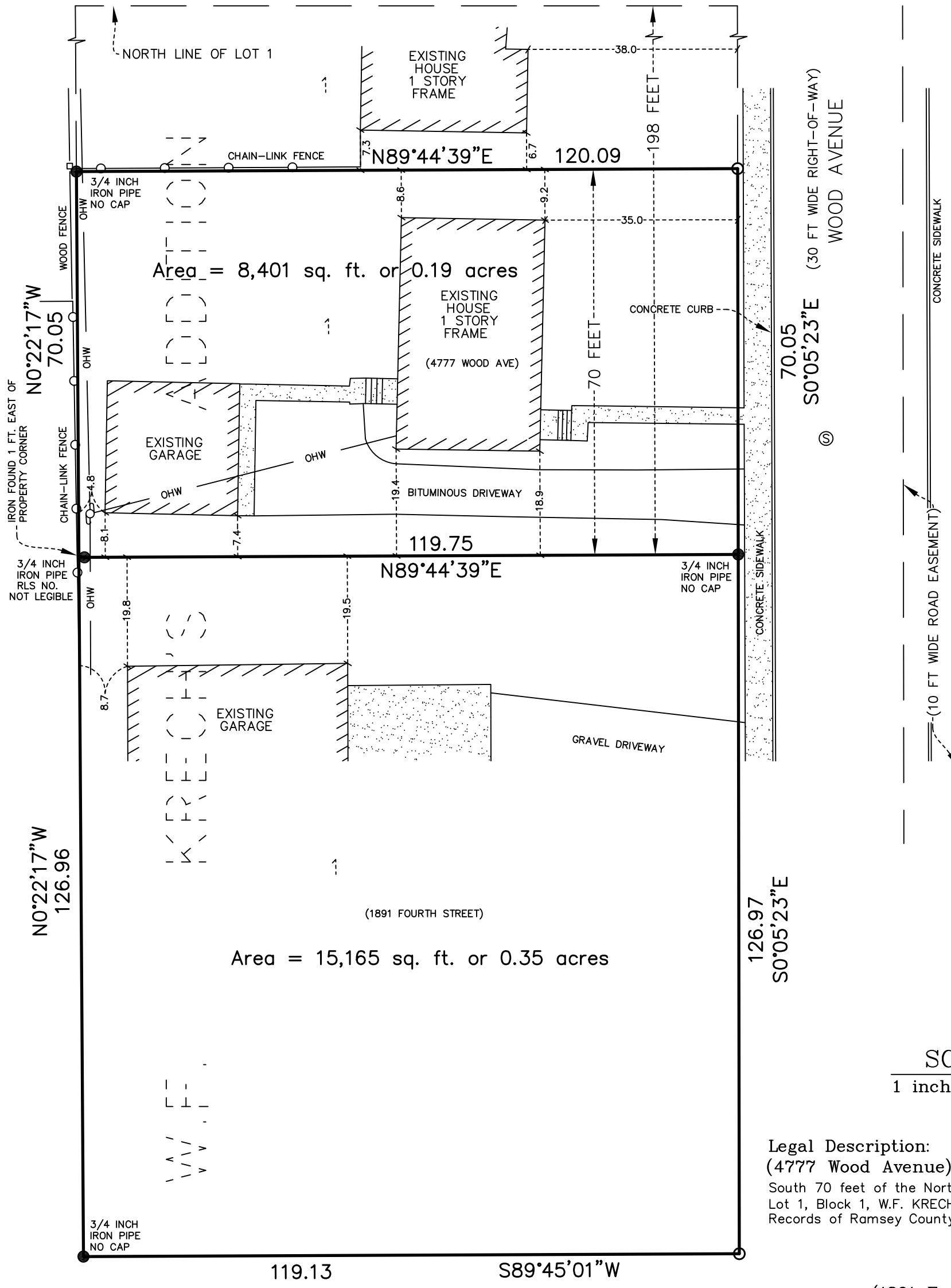
Sincerely,

Shawn Petry

CERTIFICATE OF SURVEY

LAKE AND LAND SURVEYING, INC.
 1200 Centre Pointe Curve, Suite 275
 Mendota Heights, Minnesota 55120
 Phone: 651-776-6211

Survey Made For:
 Mr. Shawn Petry
 4777 Wood Avenue
 White Bear Lake, MN 55110



SCALE
 1 inch = 20 ft.

Legal Description:
 (4777 Wood Avenue)
 South 70 feet of the North 198 feet of
 Lot 1, Block 1, W.F. KRECH'S ADDITION.
 Records of Ramsey County, Minnesota.

Legal Description: (1891 Fourth Street)
 Lot 1, EXCEPT the North 198 feet thereof, Block 1,
 W.F. KRECH'S ADDITION TO WHITE BEAR LAKE,
 according to the plat thereof on file and of record
 in the office of the Recorder in and for said
 County. Ramsey County, Minnesota.

NOTES:

- Denotes 12" long Common Spike Monument set & capped RLS 16464.
- Denotes Iron Monument found size, type, and RLS as noted.
- OHW— Denotes Overhead Utility Wires
- ⊙ Denotes Sanitary Manhole
- ▨ Denotes Concrete Surface

SITE ADDRESS: 4777 Wood Ave, White Bear Lake, MN
 BASIS OF BEARINGS: Ramsey County
 JOB NO: 2018.129

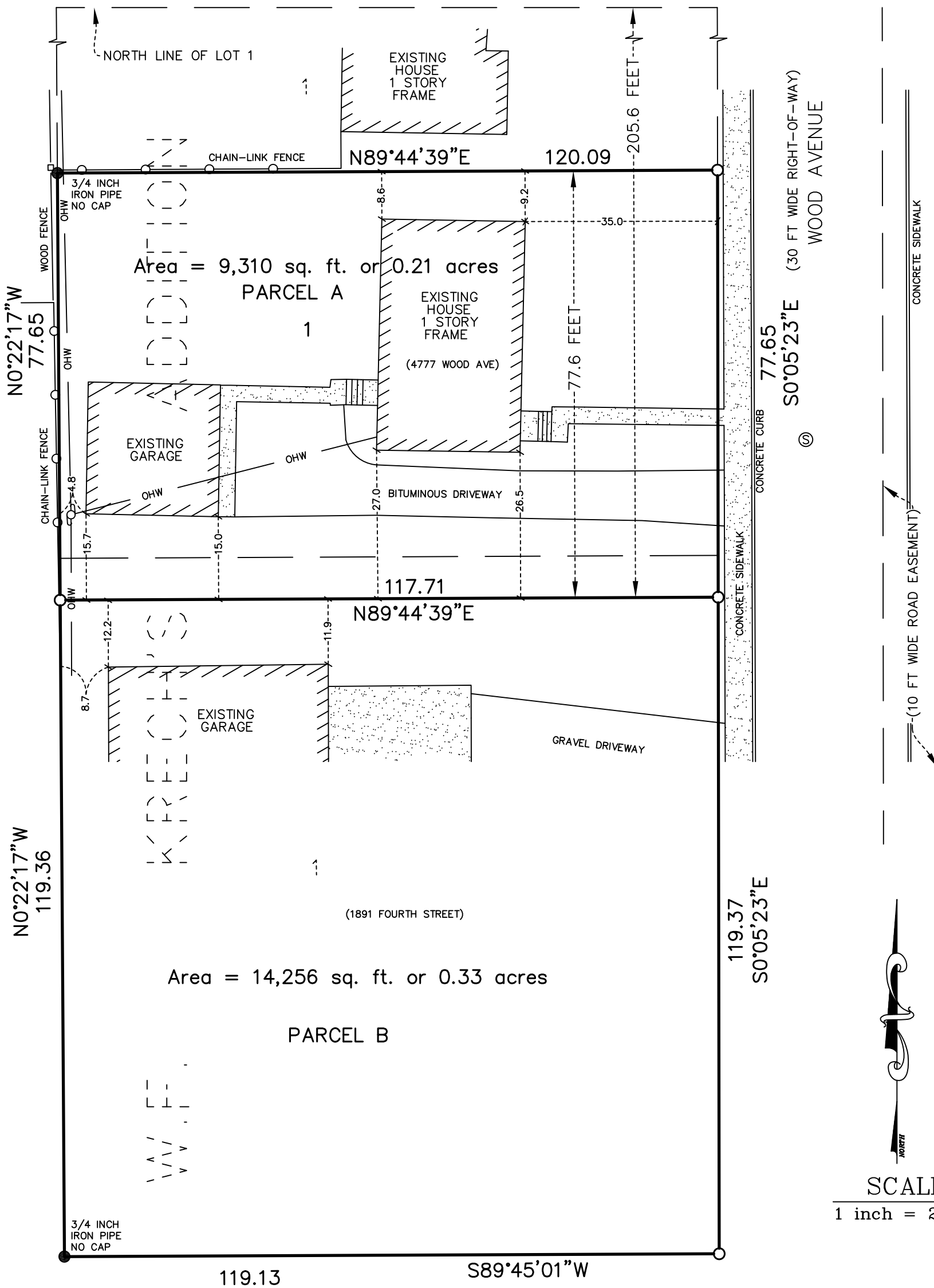
I certify that this survey, plan or report was prepared by me or under my direct supervision, and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

Jonathan L. Faraci
 April 10, 2018
 Jonathan L. Faraci
 Registered Land Surveyor & Registered Engineer
 Minnesota Registration No. 16464

LOT SPLIT

LAKE AND LAND SURVEYING, INC.
 1200 Centre Pointe Curve, Suite 275
 Mendota Heights, Minnesota 55120
 Phone: 651-776-6211

Survey Made For:
 Mr. Shawn Petry
 4777 Wood Avenue
 White Bear Lake, MN 55110



NOTES:

- Denotes 12" long Common Spike Monument set & capped RLS 16464 upon Lot Split approval by City.
- Denotes Iron Monument found size, type, and RLS as noted.
- OHW— Denotes Overhead Utility Wires
- ⊙ Denotes Sanitary Manhole
- ▨ Denotes Concrete Surface

SITE ADDRESS: 4777 Wood Ave, White Bear Lake, MN
 BASIS OF BEARINGS: Ramsey County
 JOB NO: 2018.129

FOURTH STREET
 (60 FT WIDE RIGHT-OF-WAY)

I 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.

Jonathan L. Faraci
 July 10, 2018
 Jonathan L. Faraci
 Registered Land Surveyor & Registered Engineer
 Minnesota Registration No. 16464

LOT SPLIT

LAKE AND LAND SURVEYING, INC.
1200 Centre Pointe Curve, Suite 275
Mendota Heights, Minnesota 55120
Phone: 651-776-6211

**Current Legal Description:
(4777 Wood Avenue)**

South 70 feet of the North 198 feet of Lot 1, Block 1, W.F. KRECH'S ADDITION. Records of Ramsey County, Minnesota.

**Current Legal Description:
(1891 Fourth Street)**

Lot 1, EXCEPT the North 198 feet thereof, Block 1, W.F. KRECH'S ADDITION TO WHITE BEAR LAKE, according to the plat thereof on file and of record in the office of the Recorder in and for said County. Ramsey County, Minnesota.

**Legal Description Proposed Parcel A:
(4777 Wood Avenue)**

The South 77.6 feet of the North 205.6 feet of Lot 1, Block 1, W.F. KRECH'S ADDITION, according to the record plat thereof, Ramsey County, Minnesota.

**Legal Description Proposed Parcel B:
(1891 Fourth Street)**

That part of Lot 1, Block 1, W.F. KRECH'S ADDITION TO WHITE BEAR LAKE, according to the plat thereof, Ramsey County, Minnesota, lying South of the North 205.6 feet thereof.

I 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.



July 10, 2018

Jonathan L. Faraci
Registered Land Surveyor & Registered Engineer
Minnesota Registration No. 16464

SHEET 2 OF 2 SHEETS

CITY COUNCIL MEETING SUMMARY

August 15, 2018

APPROVAL OF MINUTES – Approved

APPROVAL OF AGENDA – Approved

VISITORS AND PRESENTATIONS

- A. Sara Hanson – Time Capsule from Clark Ave. Flagpole
- B. Chief Julie Swanson – Body Camera Demonstration

PUBLIC HEARINGS – Nothing scheduled

LAND USE - Approved

A. Consent

1. Consideration of a Planning Commission recommendation regarding a request by Greg & Mary Pariseau for a setback Variance (Case No. 18-8-V). **Resolution No. 11270**
2. Consideration of a Planning Commission recommendation regarding a request by Tracey Montgomery for a Conditional Use Permit for a Home Accessory Apartment and a Variance (Case No. 18-3-CUP & 18-11-V). **Resolution No. 11271**

UNFINISHED BUSINESS – Approved

- A. Resolution authorizing the addition of four full-time Paramedic/Firefighter positions. **Resolution No. 11272**

ORDINANCES – First Reading

- A. Ordinance adopting the 2018 International Property Maintenance Code and deletion of White Bear Lake City Ordinance, Chapter 804 related to smoke detector requirements

NEW BUSINESS – Approved

- A. Resolution accepting work and authorizing final payment to Park Construction for completion of the 2018 Mill and Overlay Project (City Project No. 18-13). **Resolution No. 11273**
- B. Resolution approving change order No. 1 to the Centerville Road Project for additional work added to the scope of the project (City Project No. 18-16). **Resolution No. 11274**

CONSENT – Approved

- A. Resolution approving temporary liquor license for St. Mary of the Lake's Fall Festival. **Resolution No. 11275**

- B. Resolution approving an application to conduct off-site gambling at the White Bear Sports Center for the White Bear Lake Hockey Association. **Resolution No. 11276**
- C. Resolution approving 3.2 on-sale liquor license for The Waters of White Bear Lake. **Resolution No. 11277**
- D. Resolution approving massage therapist licenses. **Resolution No. 11278**
- E. Acceptance of minutes from May Park Advisory Commission, June White Bear Lake Conservation District; July Planning Commission

DISCUSSION

- A. Solar Energy Presentation – Connie Taillon

COMMUNICATIONS FROM THE CITY MANAGER

Mayor Emerson thanked all the residents and staff who participated in Night to Unite this year. There were 55 parties. These are a lot of work, but they are also a lot of fun.

- Safety Camp for Youth – This first time event was organized by the Police Department with Fire Department participation and assistance from Public Works pulling it together. There were 82 youth in the community who signed up for the cost of a t-shirt. Eight topics were discussed such as safety for babysitters, bike safety, basic first aid and swim safety with assistance from the YMCA. Lifelink’s helicopter was there as well.
- Budget Work Session next Tuesday in the Expansion Room of City Hall at 6:00 pm.
- Engineering updates – Mark Burch
 - Street reconstruction is nearly complete with the first lifts applied to all streets. Sod and restoration work is almost completed.
 - Sports Center is nearing completion with ice anticipated on Sept. 5
- Community Development updates – Anne Kane
 - Rush Line will be back in October to make a presentation on three, possibly four stations that will service White Bear Lake area. Ms. Hiniker mentioned bringing this forward in October’s Work Session

ADJOURNMENT – 8:35 p.m.