

**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, October 28, 2019, 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 October 28, 2019 agenda.
3. Approval of the September 30, 2019 Planning Commission meeting minutes.
4. **CASE ITEMS:**
Unless continued, all cases will go to the City Council meeting on Tuesday, November 12, 2019. Items C & D requires two readings and will also be heard at the City Council meeting on Tuesday, December 10, 2019.
 - A. **Case No. 19-2-LS:** A request by the **Lightfoot and Larrive Families** for a recombination subdivision to convey 4,206 square feet of land from 4701 Bald Eagle Avenue to 1985 Birch Lake Avenue, per Code Section 1407.040.
 - B. **Case No. 19-9-V:** A request by **Bruggeman Builders LLC** for a five foot variance from the 15 foot side yard setback requirement, per Code Section 1303.080, Subd.5.c.2.b, in order to build a triplex 10 feet from the west property line on the portion of the property located north of County Road D at 2687 County Road D.
 - C. **Case No. 19-6-Z & 19-5-CUP:** A request by **Lotus Recovery** for a text amendment to Code Section 1302.140, "Day Care Facilities" to allow a Group Care Facility with 7 or more individuals as a Conditional Use in residential zoning districts, and a Conditional Use Permit, per the amended code, to operate a 16-bed residential treatment center for chemically dependent individuals at the property located at 3561 White Bear Avenue.
 - D. **Case No. 19-7-Z:** A **City-Initiated** text amendment to Sign Code at Section 1202.040, Subd.2 to allow Drive-Thru Signs to utilize dynamic display style sign faces.
5. **DISCUSSION ITEMS:**
 - A. City Council Meeting Summary from October 8, 2019.
 - B. Park Advisory Commission Meeting Minutes from August 15, 2019.
6. **ADJOURNMENT**

Next Regular City Council Meeting November 12, 2019
Next Regular Planning Commission Meeting..... November 25, 2019

**MINUTES
PLANNING COMMISSION MEETING
CITY OF WHITE BEAR LAKE
SEPTEMBER 30, 2019**

The regular monthly meeting of the White Bear Lake Planning Commission was called to order on Monday, September 30, 2019, beginning at 7:00 p.m. in the White Bear Lake City Hall Council Chambers, 4701 Highway 61, White Bear Lake, Minnesota by Chair Marvin Reed.

1. CALL TO ORDER/ROLL CALL:

MEMBERS PRESENT: Ken Baltzer, Jim Berry, Mark Lynch, Marvin Reed, and Erich Reinhardt.

MEMBERS EXCUSED: Mary Alice Divine and Peter Reis.

MEMBERS UNEXCUSED: None.

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

OTHERS PRESENT: Mike Belz, Janet Holtz, Jay Isenberg, Mike Carr, Carl Zitzer, Terry Honsa, Mark Christenson, Pam Exiz, Dan Wachtler & Kathy Wachtler.

2. APPROVAL OF THE SEPTEMBER 30, 2019 AGENDA:

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

3. APPROVAL OF THE AUGUST 26, 2019 PLANNING COMMISSION MEETING MINUTES:

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

4. CASE ITEMS:

A. **Case No. 19-7-V:** A request by **Mark Christenson** for a three foot variance from the four foot height limit for an existing stone wall abutting a public right-of-way, per Code Section 1302.030, Subd.6.h.4, in order to allow the wall to remain along 10th Street for the property located at 4955 Lake Avenue.

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

Member Lynch asked if the pillars on their own would need a variance. Crosby replied that they are still a part of the fence, so need a variance to deviate from code. Member Lynch noted how two projects on the agenda have already been completed, and that at some point in the future, the Planning Commission is going to recommend removal. He wondered what steps can be taken to inform the public to ask for approval before projects are complete. He added that he is happy to see people making investments into their property.

Crosby described ongoing efforts to educate the public through the City's newsletter. There was an article about signage this fall and the spring newsletter will provide information on driveways.

Member Reed commented on the importance of fostering an environment where people are able to walk into City Hall and ask questions.

Kane added that, along with handouts, the City provides a lot of information on its website regarding land use regulations.

Reed opened the public hearing. There being no comments from the public, Reed closed the public hearing.

Member Baltzer moved to recommend approval of Case No. 19-7-V. Member Berry seconded the motion. The motion passed by a vote of 5-0.

- B. **Case No. 75-13-Sa:** A request by **Docks of White Bear Lake** for a conditional use permit amendment for a 50-slip expansion of the Docks of White Bear Lake Marina, per Code Section 1303.227, Subd.4.f, at the property located at 4424 Lake Avenue South. (Withdrawn at applicant's request.)
- C. **Case No. 19-4-CUP:** A request by **White Bear Lake Event Center** for a conditional use permit for an event center in the Lake Village Mixed Use District, per Code Section 1303.227, Subd.4, and a conditional use permit for joint parking, per Code Section 1302.050, Subd.10.a, at the property located at 4431 Lake Avenue South. (Withdrawn at applicant's request.)
- D. **Case No. 19-4-Z:** A City-initiated text amendment to Zoning Code Section 1303.227, Subd.4.f.2, to delete the slip density limit of not more than one slip for every four feet of shoreline. (Withdrawn at staff's request.)
- E. **Case No. 19-5-Z, 19-1-LS & 19-10-V:** A request by **Mike Belz** for a rezoning from B-4: General Business to R-4: Single Family – Two Family Residential, per Code Section 1301.040, a minor subdivision, per Code Section 1407.030, and variances from the minimum lot area and width, per Code Section 1303.060, Subd.5, in order to split one lot into two for the purpose of constructing a new single-family residence at the property located at 2105 1st Street.

Kane discussed the case. Staff recommended approval with a number of conditions laid out in the staff report.

Member Baltzer asked who owned the parking lot to the west of the property. Kane responded that it is owned by the person who owns the neighboring restaurant, Don Julio's. The business owner had expressed interest in expanding parking, so staff put him in touch with the applicant, but there was not follow through.

Member Reed opened the public hearing.

As no one came forward, Member Reed closed the public hearing.

In response to Member Lynch's inquiry, Kane stated that the rezoning will require two City Council hearings, the first on October 8 and the second on November 12.

Member Berry moved to recommend approval of Case No. 19-5-Z, 19-1-LS & 19-10-V. Member Reinhardt seconded the motion. The motion passed by a vote of 5-0.

- F. **Case No. 19-8-V:** A request by **Dan Wachtler** for a variance to allow a third accessory structure, per Code Section 1302.030, Subd.4.i, in order to construct a screened gazebo at the property located at 4859 Lake Avenue.

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

Member Reed opened the public hearing.

As no one came forward, Reed closed the public hearing.

Member Baltzer moved to recommend approval of Case No. 19-8-V. Member Berry seconded the motion. The motion passed by a vote of 5-0.

- G. **Case No. 93-15-Sa2:** A request by **Honsa Family Funeral Home** for a conditional use permit amendment, per Code Section 1303.130, Subd.4.e, to allow for the installation of three windows along the south building wall at the property located at 2460 East County Road E.

Miller discussed the case. Staff recommended approval of the amendment to an existing Conditional Use Permit subject to conditions.

Member Berry sought clarification on the original reasoning for denying the windows. Kane responded that one of the neighbors to the south of the property had expressed serious objections to the installation of the windows, so they were removed from the elevations to allow the project to continue.

Member Lynch asked if the fence was there when the windows were requested last time. Kane stated that both the fence and the trees were required with the original construction.

Member Reed opened the public hearing.

Terry Honsa, applicant. She provided more detail regarding the last window denial, explaining that, at the time, the residential owner to the south ran a day care at the time and believed the windows would be detrimental to her business. Honsa has reached out to the new owner of the home several times and has not received any comments.

Member Reed asked if there will be window coverings available and if the location of the easternmost window will be behind the A/C unit. Honsa replied that there will be curtains and the window will be offset slightly from the air conditioner.

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

Member Lynch moved to recommend approval of Case No. 93-15-Sa2. Member Baltzer seconded the motion. The motion passed by a vote of 5-0.

- H. **Case No. 02-9-Sa2:** A request by **Sheet Metal Union #10** for a conditional use permit amendment for an educational facility in the P: Public zoning district, per Code Section 1303.245,

Subd.2.c.3, in order to construct a 2,416 square foot building addition and 1,344 square foot training “courtyard” at the property located at 3554 White Bear Avenue.

Kane presented the case. She pointed out a tree that had been removed prior to an approved permit. Staff recommended approval of the conditional use permit amendment with conditions laid out in the staff report.

Member Berry wondered if the applicants were okay with staff’s conditions. Kane replied that she believes staff and the applicants to be in agreement over the conditions.

Reed opened the public hearing.

Carl Zitzer, Building Facilities Manager and Training Representative, Sheet Metal Union #10. He described that there is very little room to practice inside the building. The outside training area will provide students a year-round, real-weather experience. Their intent is to install the outside paneling first to make it as nice as possible and then move to the inside.

Member Reed remarked that many of the pieces in the school were quite stunning. He asked about the trash enclosure. Zitzer confirmed the dumpster will be tucked alongside the building and the organization is willing to create more of an enclosure if need be.

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

Member Berry moved to recommend approval of Case No. 02-9-Sa2. Member Lynch seconded the motion. The motion passed by a vote of 5-0.

5. DISCUSSION ITEMS:

A. Acknowledgement of Marvin Reed’s Resignation.

B. City Council Meeting Minutes of September 10, 2019.

No discussion

C. Park Advisory Commission Meeting Minutes of July 18, 2019.

No discussion

6. ADJOURNMENT:

Member Baltzer moved to adjourn, seconded by Member Reinhardt. The motion passed unanimously (5-0), and the September 30, 2019 Planning Commission meeting was adjourned at 7:49 p.m.



City of White Bear Lake
COMMUNITY DEVELOPMENT
DEPARTMENT

MEMORANDUM

TO: The Planning Commission

FROM: Ashton Miller, Planning Technician

DATE: October 21 for the October 28, 2019 Planning Commission Meeting

SUBJECT: **Lightfoot & Larrive Lot Recombination, 1985 Birch Lake Avenue & 4701 Bald Eagle Avenue - Case No. 19-2-LS**

REQUEST

The applicants, Anthony and Jennifer Lightfoot, are requesting a recombination subdivision in order to convey a 4,206 square foot tract of land from Dave and Terri Larrive's property, 4701 Bald Eagle Avenue, to the Lightfoot's property at 1985 Birch Lake Avenue.

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

SITE CHARACTERISTICS

The subject sites are located northwest of the Bald Eagle Avenue and Birch Lake Avenue intersection. The properties have frontage along different streets and their yards abut in the rear.

ZONING

The subject sites are zoned R-3, Single Family Residential, as are the properties to the north and west. The properties south of Birch Lake Avenue are zoned R-4, Single Family-Two Family residential and the properties east of Bald Eagle Avenue are zoned DCB, Diversified Central Business. Both properties conform to the lot size requirement. The Larrive's property conforms to the 80 foot lot width requirement, while the Lightfoot's property is slightly substandard at 60 feet wide.

BACKGROUND

Both lots were platted in 1911 and, according to Ramsey County, the single-family homes were each built that same year. Both properties have recently reconstructed detached garages.

ANALYSIS

The attached site plan shows that the proposed recombination subdivision will transfer land between the rear yards of the two properties. The Larrive property, which is currently 32,108 square feet, will be reduced to 27,902 square feet, still well above the 10,500 square foot lot area

requirement. The Lightfoot property will increase from 10,680 to 14,886 square feet, which will provide more space for the family as described in their narrative.

Rear yard cover is limited to 25 percent for both properties. The Larrive property will continue to comply with this requirement, increasing from about 8 percent to roughly 10 percent with the lot recombination. With a 768 square foot garage, a patio and a portion of the driveway in the rear yard of the Lightfoot property, staff estimates that the coverage is around 29 percent. The additional land will bring the rear yard cover into conformity with approximately 16 percent coverage.

All structures will continue to meet setback requirements.

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 along with the instruments of conveyance with the County Land Records Office or the subdivision shall become null and void.
3. The resolution of approval shall be recorded against both properties and notice of these conditions shall be provided as condition of the sale of either lot.
4. The applicants shall provide the City with proof of recording (receipt) as evidence of compliance with conditions #2 and #3. Within 120 days after the date of recording, the applicant shall provide the City Planner with two final, recorded copies of the Certificate of Survey.
5. The applicants shall agree to reapportion any pending or actual assessments on the original parcel or lot of recoding in accordance with the original assessment formula on the newly approved parcels, as per the City of White Bear Lake finance office schedules.
6. Durable iron monuments shall be set at the intersection points of the new lot line with the existing lot lines. The applicant shall have one year from the date of Council approval in which to set the monuments.

Attachments:

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

DRAFT RESOLUTION NO. _____

**RESOLUTION APPROVING A LOT RECOMBINATION FOR
1985 BIRCH LAKE AVENUE & 4701 BALD EAGLE AVENUE
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (19-2-LS) has been submitted by the Lightfoot and Larrive families to the City Council requesting approval of a lot recombination per the City of White Bear Lake Subdivision Code at the following location:

LOCATION: 1985 Birch Lake Avenue & 4701 Bald Eagle Avenue

EXISTING LEGAL DESCRIPTION: See Attached.

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING RELIEF: Approval of a minor subdivision to convey a 4,206 square feet parcel of land from 4701 Bald Eagle Avenue to 1985 Birch Lake Avenue, per Code Section 1407.030; and

WHEREAS, the Planning Commission has reviewed this proposal on October 28, 2019; 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 compatibility of uses, traffic, property values, light, air, danger of fire, and risk to public safety in the surrounding areas;

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

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

FUTHER, BE IT RESOLVED, that the City Council of the City of White Bear Lake hereby approved 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 be come null and void.
3. The resolution of approval shall be recorded against both properties and notice of these conditions shall be provided as condition of the sale of either lot.
4. The applicants shall provide the City with proof of recording (receipt) as evidence of compliance with conditions #2 and #3. Within 120 days after the date of recording, the applicant shall provide the City Planner with two, final recorded copies of the Certificate of Survey.
5. The applicants shall agree to reapportion any pending or actual assessments on the original parcel or lot of recording in accordance with the original assessment formula on the newly approved parcels, as per the City of White Bear Lake finance office schedules.
6. Durable iron monuments shall be set at the intersection points of the new lot line with the existing lot lines. The applicant shall have one year from the date of Council approval in which to set the monuments.

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.

Anthony Lightfoot

Date

Teresa Larrive

Date

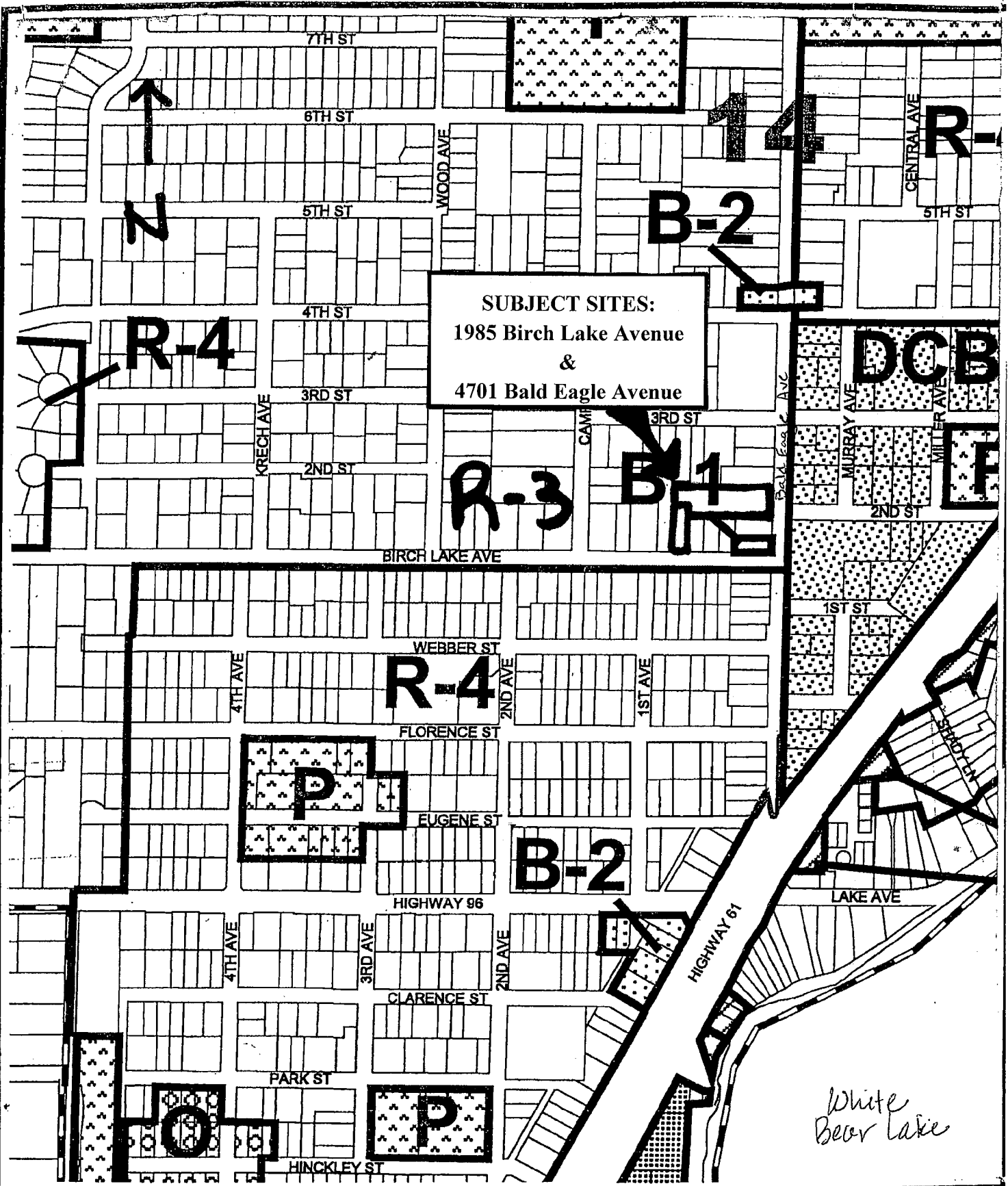
EXISTING LEGAL DESCRIPTION:

(1985 Birch Lake Avenue)

Lot 21, Oakhurst Acres

(4701 Bald Eagle Avenue)

Lot 19, Oakhurst Acres



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

CASE NO. : 19-2-LS
 CASE NAME : Lightfoot / Larrive
 DATE : October 28, 2019

We are writing to describe our request to purchase a portion of land from 4701 Bald Eagle Ave. We have resided in our home since 1997. We raised our son who is now 26 years old, married and expecting their first child. Our son has since moved out and we were once empty nesters. Upon returning from vacation 6 years ago, we found out we were no longer going to be empty nesters. On August 2, 2014, we were blessed with identical twin boys. Our home is a story and a half with 1300 sqft. It has been accommodating to our family but each day the home gets a little smaller. We started looking for a larger house five years ago but have not been able to settle on one. Our location is what really keeps us where we are at. My wife has lived on the same block since she was born, and grandparents still live on the same block as well.

We have decided to expand our current home to help everyone have a little more breathing room while maintaining our proximity to all the amenities. Our boys are a half block from school, ice cream and grandparents. Dave and Terri our neighbors, have been kind enough to honor our request to purchase the piece of land that adjoins our property to the north. This new addition will provide our family with added outdoor space making the lot much more amenable for our two boys to run, play, and stay safe while they grow. It also allows for the expansion that the parents will greatly need.

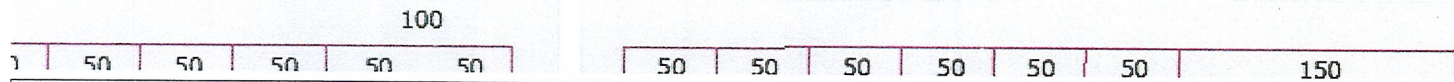
Thank you for your consideration of our request and hopefully you see why this would be a great addition to our space.

Sincerely,
Anthony & Jennifer Lightfoot



1985 -
 old SqFt = 10,734
 New SqFt = 14,934

4701 -
 old SqFt = 41,195
 New SqFt = 36,995



NAD_1983_HARN_Adj_MN_Ramsey_Feet
 © Ramsey County Enterprise GIS Division

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes
 1985 Birch Lake Avenue



City of White Bear Lake
COMMUNITY DEVELOPMENT
DEPARTMENT

MEMORANDUM

TO: The Planning Commission

FROM: Anne Kane, Community Development Director

DATE: October 24, 2019 for the October 28, 2019 Planning Commission Meeting

SUBJECT: Bruggeman Builders LLC, 2687 County Road D - Case No. 19-9-V

REQUEST

The applicant, Bruggeman Builders LLC, is requesting a five foot variance from the fifteen foot side yard setback requirement in order to construct a triplex ten feet from the west side of the property.

SITE CHARACTERISTICS

The undeveloped property is located on the north side of County Road D, approximately 550 feet west of Century Avenue North. The parcel is 35,215 square feet, much of which is sloped to a degree that it is unbuildable. A wetland covers the northwest portion of the property.

ZONING / BACKGROUND

The northern portion of the property was rezoned from R-3 – Single Family Residential to R-6 – Medium Density Residential earlier this year. The southern portion remains zoned B-2 – Limited Business. The adjacent properties to the west are also zoned R-6 and are home to the Lakewood Place Apartments and Lakewood Village Townhomes. The properties to the east are zoned R-3 – Single Family Residential, although it contains a 14-unit townhome development approved through a Planned Unit Development in 2001.

APPLICANT'S PRACTICAL DIFFICULTY

See applicant's narrative, attached.

ANALYSIS

Staff finds the requested variance to be reasonable. Many of the surrounding townhomes and quadraminiums range from 22.5 feet to 29 feet wide, so the proposed 25 foot wide units are proportional to what is found in the surrounding neighborhood. The applicant has also indicated that the width is a standard size for a two-car garage and three-bedroom unit.

Based on data collected from City's annual apartment rent survey, there are 138 three-bedroom units available for rent, not including senior housing, which is about six percent of the total number of non-senior housing in the City. Three more three-bedroom units will aid in providing a housing option that is not widely available in the community.

Staff finds that the proposed variance does not adversely affect the neighboring properties since there is a large open space and wetland that serves as a buffer between the proposed triplex and the apartment to the west. Further, if the applicant chose to build a duplex or single-family home on the property, the required setback would be 10 feet, so the request is not encroaching beyond what would otherwise be allowed.

Finally, the proposed triplex is in line with the current comprehensive plan (2030), which guides the property and surrounding area for medium density residential.

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, is consistent with the Comprehensive Plan, and is in harmony with the intent of the zoning code) then the criteria have been met.

RECOMMENDATION

The requested variance does not adversely affect the neighboring properties; the triplex fits in with the surrounding neighborhood and provides an increase in housing stock in the City, and the variance is in harmony with the general intent of the Zoning Code; consequently, staff recommends approval 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 1301.060, 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 prior to construction.

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

4. Submit tree preservation calculations and a replacement plan, subject to staff approval.
5. Obtain any necessary permits from Valley Branch Watershed District; provide a copy of each to the City.

Attachments:

1. Draft Resolution of Approval
2. Location/Zoning Map
3. Applicant's Narrative (2 pages)
4. Survey & Plans (5 pages)

DRAFT RESOLUTION NO. _____

**RESOLUTION GRANTING A VARIANCE FOR
2687 COUNTY ROAD D
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (19-9-V) has been submitted by Bruggeman Builders LLC to the City Council requesting approval of a variance from the Zoning Code of the City of White Bear Lake for the following location:

LOCATION: 2687 County Road D

LEGAL DESCRIPTION: The West 100 feet of the East 663 feet of the South 613 feet of the Southeast ¼ of the Southeast ¼ (SE1/4 of SE1/4) of Section 36, Township 30, Range 22, lying northerly of the centerline of County Road D, subject to the rights of the public for County Road “D”, in the County of Ramsey and State of Minnesota.

WHEREAS, THE APPLICANT SEEKS THE FOLLOWING: A five foot variance from the fifteen foot side yard setback, per Code Section 1303.080, Subd.5.c.2.b, in order to build a triplex ten feet from the west property line; and

WHEREAS, the Planning Commission has held a public hearing as required by the city Zoning Code on October 28, 2019; and

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

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

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

4. The variance will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
5. The non-conforming uses of neighboring lands, structures, or buildings in the same district are not the sole grounds for issuance of the variance.

FUTHER, BE IT RESOLVED, that the City Council of the City of White Bear Lake hereby approved 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 1302.120, 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 prior to construction.

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

4. Submit tree preservation calculations and a replacement plan, subject to staff approval.
5. Obtain any necessary permits from Valley Branch Watershed District; provide a copy of each to the City.

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

Ayes:
Nays:
Passed:

Jo Emerson, Mayor

ATTEST:

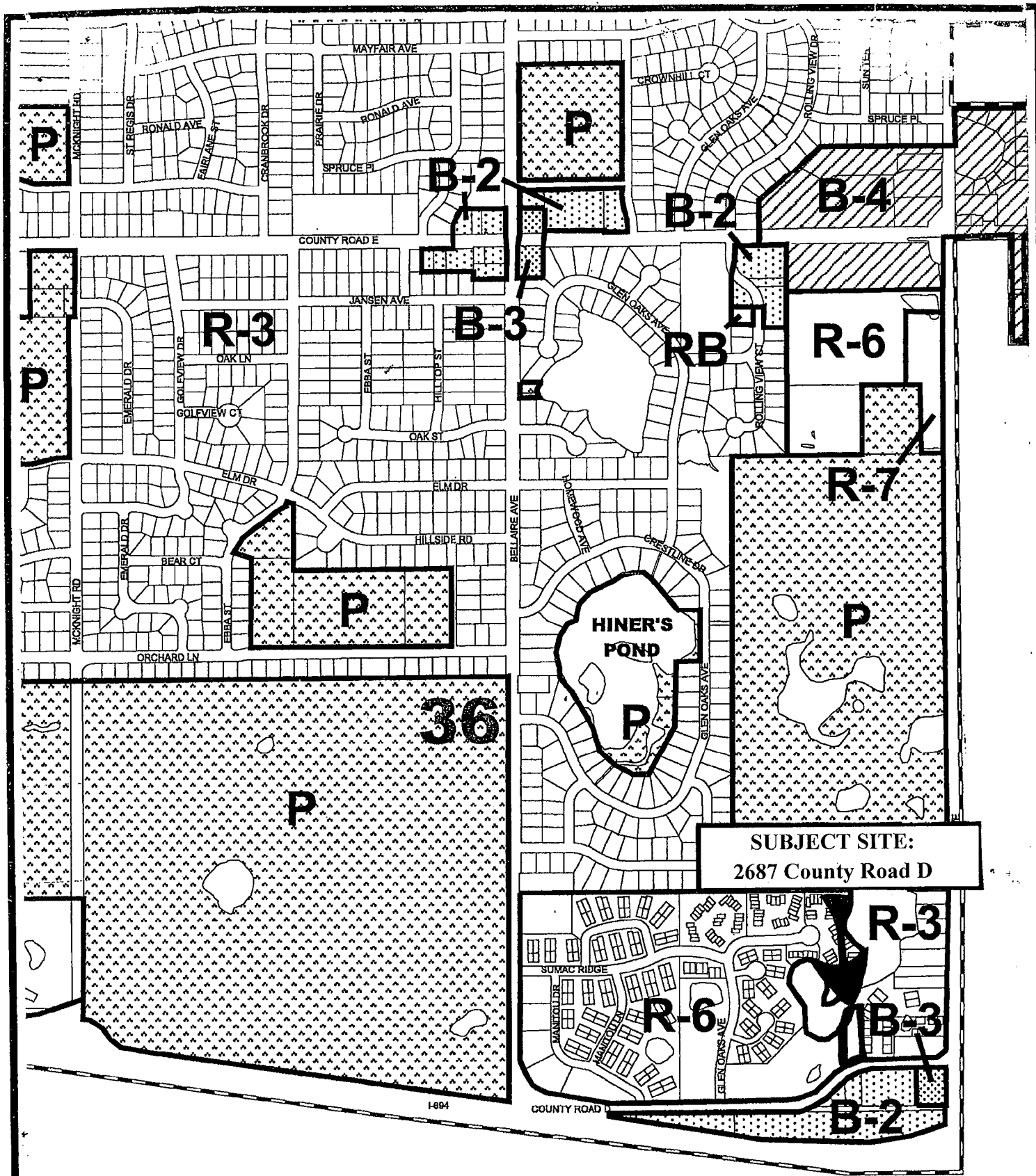
Kara Coustry, City Clerk

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.

Paul Bruggeman
Bruggeman Builders LLC

Date



SUBJECT SITE:
2687 County Road D

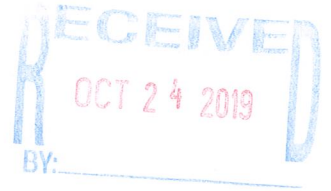
City of
White Bear Lake
Planning and Zoning Office
(612)-429-8561

CASE NO. : 19-9-V
CASE NAME : Bruggeman Builders
DATE : October 28, 2019



October 23, 2019

Dear Planning Commission:



I am Pastor Gary Schulz, chairman of the White Bear Commons Townhome Association. I write to you on behalf of 14 home owners who live on the north side of Country Road D, east of Hidden Lake, where Mr. Bruggeman proposes to build a triplex adjacent to our property line. Many of us were at the planning commission meeting when Mr. Bruggeman proposed to rezone our neighborhood to high density. At that meeting, we explained that this piece of land that Mr. Bruggeman was planning to develop, was not big enough for a quad or a triplex. Mr. Bruggeman tried to make it look like there was a lot of land to develop. But we argued that this piece of land was so small that all the city would be doing is "spot zoning". That's exactly what has happened because all there is really room for is either a single family home or a twin home. There is indeed not room for a quad and they need a five foot variance even to put in a triplex.

If you recommend to the city that Mr. Bruggeman can have his variance of 5 ft., our house values will go down drastically, according to realtors that we have talked to. This drop in value will happen because all the houses on the east side of the lake are single family homes and twin homes. I thought zoning was to keep neighborhoods looking uniform. If Mr. Bruggeman is allowed to build a high density building, with a variance, it affects all 14 owners on the east side of the lake. Please don't grant a variance to Mr. Bruggeman just so that he can make a few more dollars, and the fourteen owners in our association will each lose thousands of dollars on the resale of our homes. There is a reason for the rules on variances, protecting people like us, on the east side of the lake. Please don't take away our protection, according to the law, by granting Mr. Bruggeman a variance. If Mr. Bruggeman wants to build a single or twin home, we would be in agreement with that.

Sincerely,

Rev. Gary Schulz

Rev. Gary Schulz, President of White Bear Lake Commons Townhouse Association
3151 Hidden Lake Pointe Drive
White Bear Lake, MN. 55110
507-384-1816



The reason I am requesting this variance is to comply the City of White Bear Lake's ordinance that requires any new home construction to have a two-car garage. To accommodate a private entrance for each home and a two-car garage per unit each home will need to be 25 feet in width for a total of 75 feet. I believe it is reasonable to request this 5-foot variance in order to create a tri-plex unit on this lot for three families to live in. This lot is located in an area with a wide variety of homes built in the 60's and early 70's. This area also includes a 3-story apartment building and 1, 2, and 3 level townhomes built in the 90's and early 2000's. This area is composed of a wide variety of architecture and design including office buildings and even a daycare with a flat roof.

Please consider other nearby townhomes when making your decision. The Hidden Lake Point Townhomes immediately east of my parcel and the Century Avenue Townhomes located just north and east of my parcel are both built with a 15-foot rear yard setback when a 30-foot rear yard setback is usually required. The distance between the townhomes at both Hidden Lake Point and Century Avenue are about 10-15 feet apart, which is much less than the 30 feet you would see between buildings if they used the usual 15-foot side yard setback. Both of these neighborhoods back up to developed or developable land and have been granted significant variances.

I am requesting a five-foot variance on the west property line to construct a tri-plex townhome north of 2687 Country Road D East. This property is zoned R6 which requires 15-foot side yard setback. The east property line that backs up to the existing townhome neighborhood will maintain the required 15-foot side yard setback so there will be no variance required there. However, I am asking for a five-foot variance on the west property line that backs up to open space wetland unbuildable area. The closest structure to the west property line is a 3-story 60-unit apartment building which is approximately 275 feet away through the trees and wetland area. If granted this will put the structure 10 feet off the west property line, which is still greater than either one of the examples I have mentioned above and hundreds of feet away from another structure with unbuildable land in-between.

We believe these homes will fit in to the character of the neighborhood and community creating new homes.

1. The design of this triplex will fit into the design of the of the surrounding neighborhood. It is similar in design and architecture of the neighboring properties while including some craftsmanship design elements.
2. The design of this triplex was designed in a way that will allow for views of the open space and wetland area to the rear while maintaining privacy on the street side.
3. The building is designed as a two-story structure which is similar to the size and massing of the adjacent properties. We've incorporated various siding applications, trim boards and banding to help soften and enhance the appearance of these homes. Gables have been added to the front elevations with board and batten siding to eliminate large expanses of shingles and enhance the front elevations of these homes.
4. Yes, the building in my opinion is proportionally correct.
5. The emphasis of this building is the front gables with board and batten siding to create character and charm to help soften visual appearance. The design and character is one that will fit into the feel of the surrounding neighborhood with craftsman style accents.
6. The colors proposed would be earthy tones. A taupe and with an almond trim and a weathered wood shingle.
7. The builder is Bruggeman Builders which has been building in the White Bear Lake community since 1959 and Paul Bruggeman has his MN state contractor's license for over 25 years.
8. The intent of this triplex is to be a home which fits into the style of the surrounding neighborhood. It is zoned for R6 residential housing. I don't think it could transfer into another use very easily.
9. The idea and concept behind this design is to create a welcoming and functioning home for people to enjoy.

Thank you,

Paul Bruggeman

CERTIFICATE of SURVEY

PROPOSED HOUSE STAKING CITY OF WHITE BEAR LAKE

SURVEY FOR:

Paul Bruggeman
Bruggeman Builders
9260 Jeffrey Blvd. No.
Stillwater, MN 55082

LEGAL DESCRIPTION:

The West 100 feet of the East 663 feet of the South 613 feet of the Southeast 1/4 of the Southeast 1/4 (SE1/4 of SE1/4) of Section 36, Township 30, Range 22, lying northerly of the centerline of County Road D, subject to the rights of the public for County Road "D", in the County of Ramsey and State of Minnesota.

Property Address: 26?? County Road D East
White Bear Lake, MN 55110

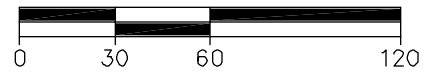
LEGEND

- DENOTES 1/2 IN. IRON PIPE SET WITH PLASTIC CAP INSCRIBED "FREEMAN LS 16989"
- DENOTES FOUND MONUMENT, SIZE AND MARKINGS AS INDICATED

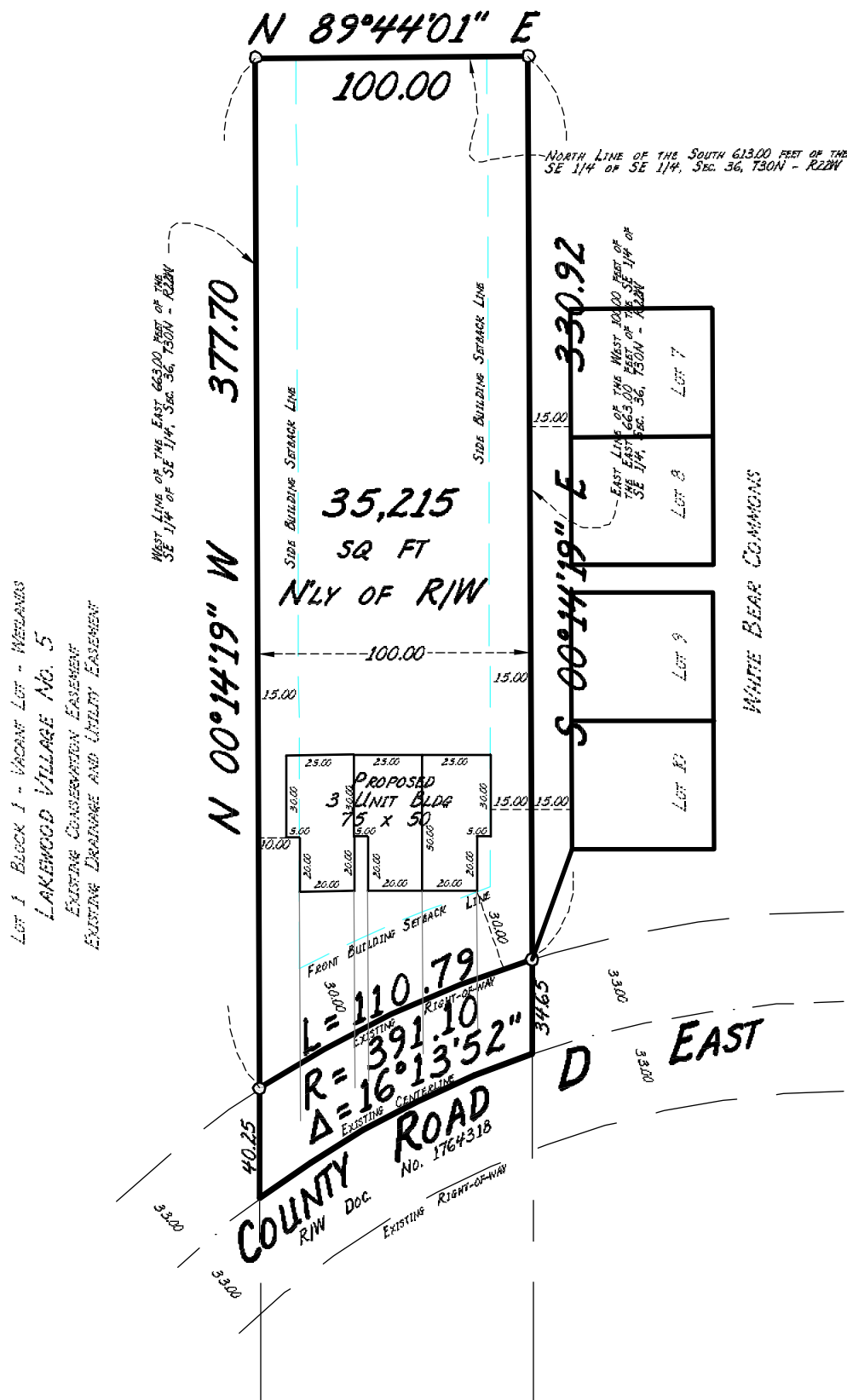
BEARINGS ORIENTED TO THE RAMSEY COUNTY COORDINATE SYSTEM, NAD83, 2011 ADJUSTMENT



ORIGINAL SCALE
1 INCH = 60 FEET



SCALE IN FEET



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.

Timothy J. Freeman

Timothy J. Freeman, LS
Minnesota License No. 16989

9/11/19

Date

Folz Freeman Surveying LLC
LAND PLANNING and SURVEYING



12445 55TH STREET NORTH
LAKE ELMO, MINNESOTA 55042
(651) 439-8833 www.FFSurveying.com

Note: Official Copies of this map are crimp scaled



TOTAL 1729 SQ FT
Includes mech 26 sq ft

TOTAL 1729 SQ FT
Includes mech 26 sq ft

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

TOTAL 1729 SQ FT
Includes mech 26 sq ft



REAR ELEVATION
SCALE 1/4" = 1'-0"

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, THE CONTRACTOR / HOMEOWNER MUST VERIFY GRADES, FOOTING SIZES, ELEVATIONS, ROUGH OPENINGS, HEADER AND BEAM SIZES, ALL OTHER DIMENSIONS AND SPECS, AND BE RESPONSIBLE FOR THE SAME.

REVISED:
8/14/19
8/25/19
9/19/19

PRELIMINARY PLAN
WBL TRI-PLEX

LARSEN DESIGN & CONSTRUCTION LLC
4120 SUNFLOWER CIRCLE VADNAIS HEIGHTS MN 55121
651-957-2421 BRUCE@LARSEN.COM/CAST.NET

DRAWN BY:
BRUCE LARSEN
DATE:
8/14/19
SCALE:
1/4" = 1'-0"

SHEET:
1a OF X



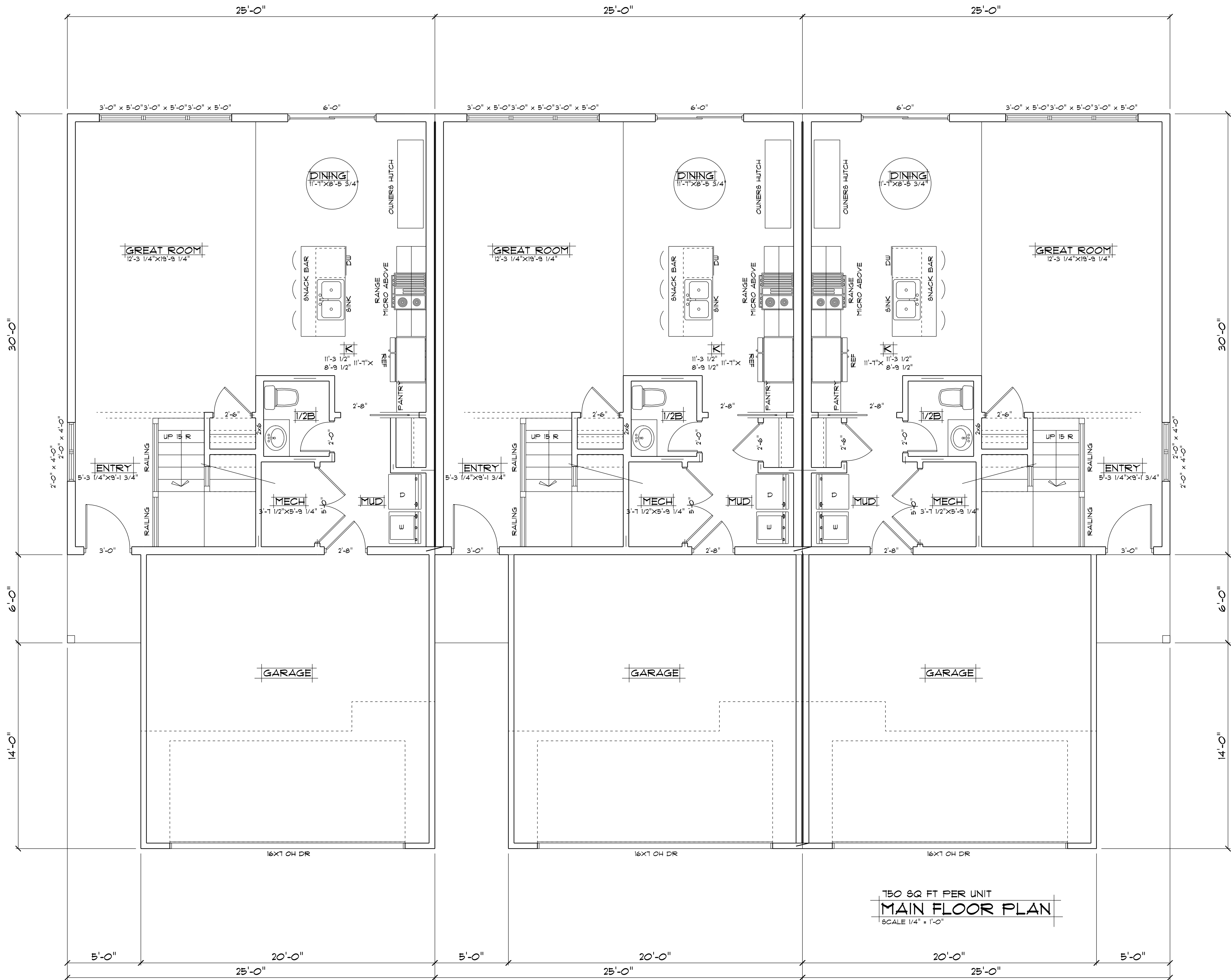
SIDE ELEVATION
 SCALE 1/4" = 1'-0"

PRELIMINARY PLAN

WBL TRI-PLEX
LARSEN DESIGN & CONSTRUCTION LLC
 4120 SUNFLOWER CIRCLE YADNAIS HEIGHTS MN 55127
 651-351-2421 BRUCELARSEN@COMCAST.NET

REVISED:
8/14/19
8/25/19

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, THE CONTRACTOR / HOMEOWNER MUST VERIFY GRADES, FOOTING SIZES, ELEVATIONS, ROUGH OPENINGS, HEADER AND BEAM SIZES, ALL OTHER DIMENSIONS AND SPEC'S, AND BE RESPONSIBLE FOR THE SAME.



PRELIMINARY PLAN

WBL TRI-PLEX

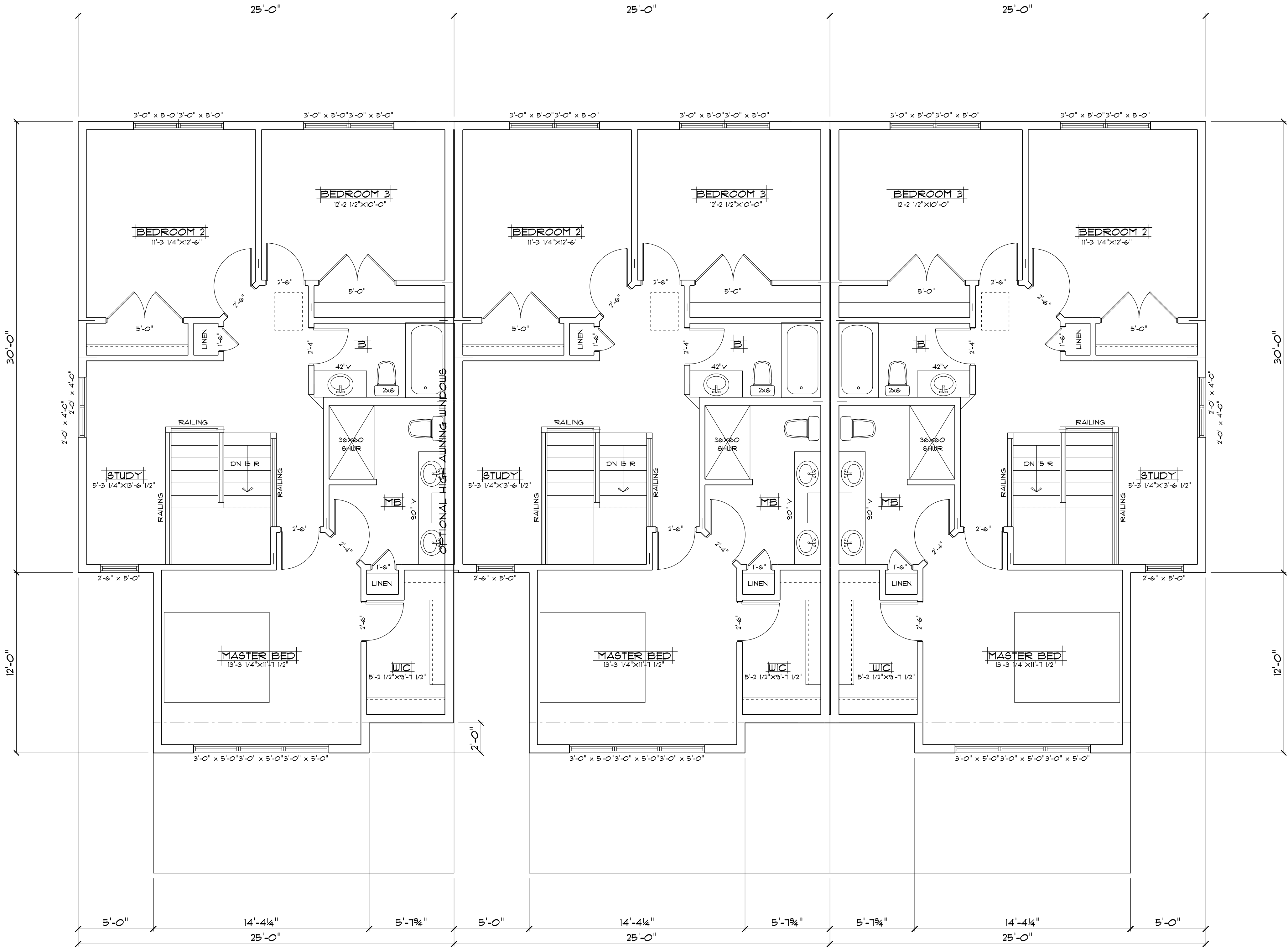
LARSEN DESIGN & CONSTRUCTION LLC
 400 SUNFLOWER CIRCLE YADONAIS HEIGHTS TN 38121
 661-351-2421 BRUCE@LARSEN.COM@CAST.NET

REVISED:
 8/14/19
 8/25/19

DRAWN BY:
BRUCE LARSEN
 DATE:
 8/14/19
 SCALE:
 1/4" = 1'-0"

SHEET:
3 OF X

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, THE CONTRACTOR / HOMEOWNER MUST VERIFY GRADES, FOOTING SIZES, ELEVATIONS, ROUGH OPENINGS, HEADER AND BEAM SIZES, ALL OTHER DIMENSIONS AND SPEC'S, AND BE RESPONSIBLE FOR THE SAME.



979 SQ FT PER UNIT
SECOND FLOOR PLAN
 SCALE 1/4" = 1'-0"

PRELIMINARY PLAN

WBL TRI-PLEX

LARSEN DESIGN & CONSTRUCTION LLC
 4120 SUNFLOWER CIRCLE VADNAIS HEIGHTS MN 55127
 651-351-2421 BRUCE@LARSENCONCAST.NET

REVISED:
 8/14/19
 8/25/19

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, THE CONTRACTOR / HOMEOWNER MUST VERIFY GRADES, FOOTING SIZES, ELEVATIONS, ROUGH OPENINGS, HEADERS AND BEAM SIZES, ALL OTHER DIMENSIONS AND SPECS. AND BE RESPONSIBLE FOR THE SAME.

DRAWN BY:
BRUCE LARSEN
 DATE:
 8/14/19
 SCALE:
 1/4" = 1'-0"

SHEET:
4 OF X



City of White Bear Lake
COMMUNITY DEVELOPMENT
DEPARTMENT

MEMORANDUM

TO: The Planning Commission

FROM: Samantha Crosby, Planning & Zoning Coordinator

DATE: October 11, 2019 for the October 28, 2019 Planning Commission Meeting

SUBJECT: **Lotus Recovery**, 3561 White Bear Avenue - Case No. 19-6-Z & 19-5-CUP

REQUEST

The Lotus Recovery, LLC is requesting a Text Amendment and a Conditional Use Permit in order to convert an existing 9 person group home for the developmentally challenged into a 16 person group home for chemically dependent individuals. See applicant's narrative.

SITE CHARACTERISTICS

The subject site is located on the west side of White Bear Avenue, just south of County Road E. It is 0.43 acres in size and contains a two-story residence with a two car attached garage, a large driveway and a completely fenced-in rear yard.

BACKGROUND

In 1992, the City approved a Conditional Use Permit for Northeast Residence, Inc. to allow a group home facility. The property was used as such until approximately 2013. It was then used as both an extended day care facility and as housing for 2 employees for approximately 2 years before it was vacated. It has been on the market since. The group home had a maximum of 5 staff members and on-site parking was limited to no more than 6 vehicles at any one time. Initially, additional off-site parking was provided at both the Summit Shopping Center (6 stalls) and the Sheet Metal Workers Union (8 stalls). A six foot tall wooden privacy fence (that is still there) was required along the rear and south lot lines.

ZONING

The subject site is zoned R-3 – Single-Family Residential, as are the properties to the west (rear) and south (side). The property across White Bear Avenue, to the east, is the Sheet Metal Workers Union 10 Training facility, zoned P - Public Facilities. The property to the north (side), the Summit Shopping Center, is zoned B-2 – Limited Business.

ANALYSIS

Text Amendment

A group care facility is defined by the zoning code as:

“A facility which provides resident services to fewer than seven (7) individuals of whom one or more are unrelated. These individuals are handicapped, aged or disabled, are undergoing rehabilitation, and are provided services to meet their needs. Category includes uses such as homes for physically handicapped, mentally retarded, chemically dependent, foster children, maternity shelters and half-way houses.”

Currently, group care facilities with fewer than seven individuals are allowed by right in all zoning districts. The code is silent regarding group care facilities with seven or more individuals. (When a use is neither specifically permitted or prohibited, it is considered to be prohibited.) Consequently, the applicant is requesting a text amendment to revise the code to write-in such a use. Staff advised that such a use would not be appropriate “by right” but might be appropriate as a conditional use permit.

Staff finds that the proposed use is a better fit for a parcel when the property contains certain characteristics. One such characteristic is that the property be located on a major collector or greater. That way the use is located on the edge of a neighborhood. Another characteristic is that the facility have only one sign no larger than 4 square feet in size, to maintain the residential character—this is the same size that is permitted for home occupations.

Finally, staff recommends the facility be at least one mile from any other facility of a similar type. This will avoid concentration within a particular neighborhood. See attached map. The applicant has provided the location of the next closest facility of this nature – a 16 bed facility located 11 miles away in St. Paul.

Traffic & Parking

The “Day Care and Group Care Facilities” section of code already has a provision that requires adequate off-street parking in compliance with the parking code. The narrative states that the residents will not be allowed vehicles, that there will be no more than 6 employees on the maximum shift, and that main visiting hours will be outside of the maximum employee shifts, freeing up on-site parking for visitors. Therefore, the 9 on site parking (2 in the garage and 7 in the driveway) may prove sufficient. Staff nevertheless has concerns about the potential for overflow. Consequently, we’ve included a condition of approval similar to that which we have recommended for other requests where a parking variance has been requested or the parking demand is not well vetted. See condition # 6.

Emergency Services

The applicants currently manage one residence where 5 of their clients reside: 925 Marion Street. They have managed it for one year. According to the St. Paul Police Records Department there has only had one call to that location – a disturbance/disorderly person in February of this year. Staff also inquired about the 911 calls to the 16 bed facility in St. Paul. Although not managed by the applicants, it is a comparably sized home with the same mission. This facility has generated 12 calls over the 5 years they have been in operation: 2.4 calls per year. This rate may be slightly higher than a non-group home residence, but staff does not consider it to be burdensome or exorbitant.

Other

No new lighting is proposed or approved. Waste/recycling receptacles will be located inside the building. The size of the current driveway is larger than allowed, in that it extends in front of the living area of the home. This space is not currently serving a purpose. However, it could if the parking stalls are relocated to the south side of the driveway so that they do not block access into and out of the garage. Staff has included a condition related to this.

SUMMARY

According to an online article by the Pioneer Press, since 2000, opioid overdoses in Minnesota have increased by 1,000% and deaths have grown by 600%. The issue is one that requires solutions on both ends. Staff finds that the subject site is a good fit for the proposed use. However, as a new use that does not currently exist elsewhere in the City, staff recommends that the Text Amendment be crafted such that the Conditional Use Permit is issued for a trial period of three years after which the permit may be reissued permanently. The renewal shall be processed as a CUP Amendment, which requires a public hearing. The applicant shall not have a vested right to renewed permit by reason of having obtained an initial permit. The granting of an initial permit shall not constitute a precedent or basis for the renewal of said permit.

DISCRETION

The City has a relatively high level of discretion in approving or denying a zoning ordinance text amendment because the zoning ordinance is one of the enforcement tools used to implement the goals and standards set forth in the Comprehensive Plan. Any changes to the text of the zoning ordinance should be consistent with the Comprehensive Plan's policies and objectives.

The Housing section of the Comprehensive Plan promotes the development of housing in a broad range of types to accommodate the needs of all age groups, abilities and income levels. As evidenced by the 16 bed facility in St. Paul, if operated properly the proposed use would have minimal impact to the City's neighborhoods. Staff supports the proposed amendment to allow "Group care facilities with more than six (6) but fewer than seventeen (17) individuals" in residential zoning districts when subject to the recommended restrictions.

The City's discretion in approving or denying a Conditional Use Permit 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. Staff finds that, if the proposed text amendment is adopted, the proposed conditional use permit would meet the requirements.

RECOMMENDATION

Staff recommends approval of the request when 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 PUD 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. The City and the applicant shall monitor the parking situation. Should problems arise from too much parking generated by this business (as determined by the City), the applicant agrees to either find alternative parking for the employees, provide transportation for employees, incentivize employees to utilize alternative forms of transportation, or some combination of these or other measures, such that the problem is resolved. In addition to other remedies available through the Municipal Code, failure to alleviate the problem shall constitute sufficient cause for revocation of the Conditional Use Permit, as determined by the City Council following a public hearing.
5. All residents shall be voluntary, not mandated.
6. The portion of the driveway that extends in front of the living area of the home shall be removed or the parking stalls shall be relocated to allow access to the garage.
7. The Conditional Use Permit shall be issued for a trial period of three years. The renewal shall be processed as a CUP Amendment, which requires a public hearing. The applicant shall not have a vested right to renewed permit by reason of having obtained an initial permit. The grating of an initial permit shall not constitute a precedent or basis for the renewal of said permit.
8. All conditions are subject to change when the City 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.
9. In addition to other remedies available through the Municipal Code, multiple failures to comply with any standard of this Permit shall constitute sufficient cause for revocation of the Conditional Use Permit, as determined by the City Council following a Public Hearing.
10. No change to external lighting.
11. The applicant shall obtain a building permit prior to beginning any work.

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

12. Provide a SAC (Sewer Availability Charge) determination letter from the Metropolitan Council.
13. Provide a copy of the appropriate operational licenses from Ramsey County and the State of Minnesota.

Attachments:

1. Draft Ordinance
2. Resolution of Approval
3. Location/Zoning Map
4. One-Mile Radius Map
5. Applicant's Narrative

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE CITY OF WHITE BEAR LAKE
MUNICIPAL CODE SECTION 508 “RENTAL DWELLING LICENSING”,
ZONING CODE SECTION 1301.030 “DEFINITIONS” AND
ZONING CODE SECTION 1302.140, “DAY CARE AND GROUP CARE FACILITIES”
AS THEY RELATE TO
FACILITIES WITH SEVEN OR MORE INDIVIDUALS (CASE NO. 19-6-Z)**

THE CITY COUNCIL OF THE CITY OF WHITE BEAR LAKE, MINNESOTA DOES ORDAIN THE FOLLOWING:

SECTION 1. The Municipal Code of the City of White Bear Lake is hereby amended as follows:

§508 “RENTAL DWELLING LICENSING”

Section 508.010 thru 508.100. No change

Section 508.105 Conduct on Licensed Premises.

- 1) It shall be the responsibility of the licensee to require persons occupying a licensed premises to conduct themselves in such a manner so as not to cause the premises to be disorderly. For purposes of this Section, a premises refers to a rented single family dwelling, duplex, ~~or~~ triplex or group care facility, and is deemed disorderly if any of the following activities occur:
 - a. Conduct which would be in violation of laws relating to: sale of alcoholic beverages; gambling; prostitution; sex trafficking; fire arms; controlled substances; possession of stolen property; or disorderly conduct.
 - b. Conduct which would be in violation of City Code provisions relating to: Prohibited Noise (§ 703.070 Subd. 2-8); Responsibility of Owners (§ 502.060); Refuse (§ 1302.030 Subd. 14); Dogs and Animals (§§ 701, 702); Exterior Storage (§ 1303.030 Subd. 15); Weeds (§ 705); or, Discharge of Firearms (§ 703.020);
 - c. Other conduct constituting a nuisance under the City Code or State Statutes, after consultation with the City Attorney.

No further changes to remainder of section.

§1301.030 “DEFINITIONS”

Group Care Facility. A facility which provides resident services to fewer than ~~seven (7)~~ seventeen (17) individuals of whom one or more are unrelated. These individuals are handicapped, aged or disabled, are undergoing rehabilitation, and are provided services to meet their needs. Category includes uses such as homes for physically handicapped, developmentally retarded-challenged, chemically dependent, foster children, maternity shelters and half-way houses.

§1302.140 “DAY CARE AND GROUP CARE FACILITIES”

Subd.1. Purpose. No change

Subd.2. Application. Day care facilities shall be allowed as a permitted use or conditional use in all zoning districts in the City. A day care facility shall be ~~permitted~~ allowed in all districts with a conditional use permit as provided in Section 1301.050. Day care family and day care group nursery shall be permitted in all zoning districts. Group care facilities with fewer than seven (7) individuals shall be considered a permitted use within all zoning districts in the City. Group care facilities with more than six (6) but fewer than seventeen (17) individuals shall be a conditional use in all zoning districts. In addition to the City regulations, all day care operations shall be licensed in accordance with State Law and shall otherwise comply with the minimum requirements of the MN DPW Rule 3 as may be amended. (3-27-85)

Subd.3 General Provisions.

a) through f) No proposed amendments.

g) Group Care Facilities with more than six (6) individuals:

- 1) The facility shall not exceed an R-4 building occupancy (ie: house no more than 16 people total).
- 2) The facility shall house no more than two (2) people per bedroom.
- 3) The facility shall house no more than the fire code’s occupancy regulations allow.
- 4) The facility shall be located on a major collector or greater.
- 5) Only one wall sign shall be permitted, not to exceed 4 square feet in size. No freestanding signage allowed.
- 6) The facility shall be located at least one mile from any other facility of a similar type.
- 7) The facility shall maintain a housing rental license and shall comply with the disorderly conduct regulations contained therein.
- 8) The facility shall comply with all other applicable conditions listed in this Section.
- 9) All conditions pertaining to a specific site are subject to change when the City 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.
- 10) The Conditional Use Permit shall be issued for a trial period of three years after which the permit may be reissued permanently. The renewal shall be processed as a CUP Amendment, which requires a public hearing. The applicant shall not have a vested right to renewed permit by reason of having obtained an initial permit. The grating of an initial permit shall not constitute a precedent or basis for the renewal of said permit. In applying for and accepting an initial permit, the permit holder agrees that the monetary investment will be fully amortized over the life of the permit and that a permit renewal will not be needed to amortize the investment.

(Ref. Ord. XX-X-XXXX, mo/day/year)

g) h) [renumber remaining section accordingly.]

SECTION 2: This ordinance becomes effective after approval shall take effect and be in force following its passage and publication (or, on "date").

Passed by the City Council of the City of White Bear Lake, Minnesota.

First Reading: November 12, 2019

Initial Publication: November 27, 2019_____

Second Reading: December 10, 2019_____

Final Publication: _____

Codified: _____

Posted on web: _____

City Clerk Initials

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

RESOLUTION NO. _____

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT
FOR A 16-BED GROUP CARE FACILITY
FOR 3561 WHITE BEAR AVENUE
WITHIN THE CITY OF WHITE BEAR LAKE, MINNESOTA**

WHEREAS, a proposal (19-5-CUP) has been submitted by Lotus Recovery, LLC, requesting approval of a Conditional Use Permit from the City of White Bear Lake at the following site:

ADDRESS: 3561 White Bear Avenue.

LEGAL DESCRIPTION: Lot 1, Block 1, Rivard Addition (PID # 353022210033)

THE APPLICANT SEEKS THE FOLLOWING PERMITS: A Conditional Use Permit to allow a Group Care Facility with more than six (6) individuals, per Code Section 1302.140, in order to expand an existing nine (9) bed facility for the mentally challenged into a 16 bed facility for the chemically dependent; and

WHEREAS, the Planning Commission has held a public hearing as required by the City Zoning Code on October 28, 2019; and

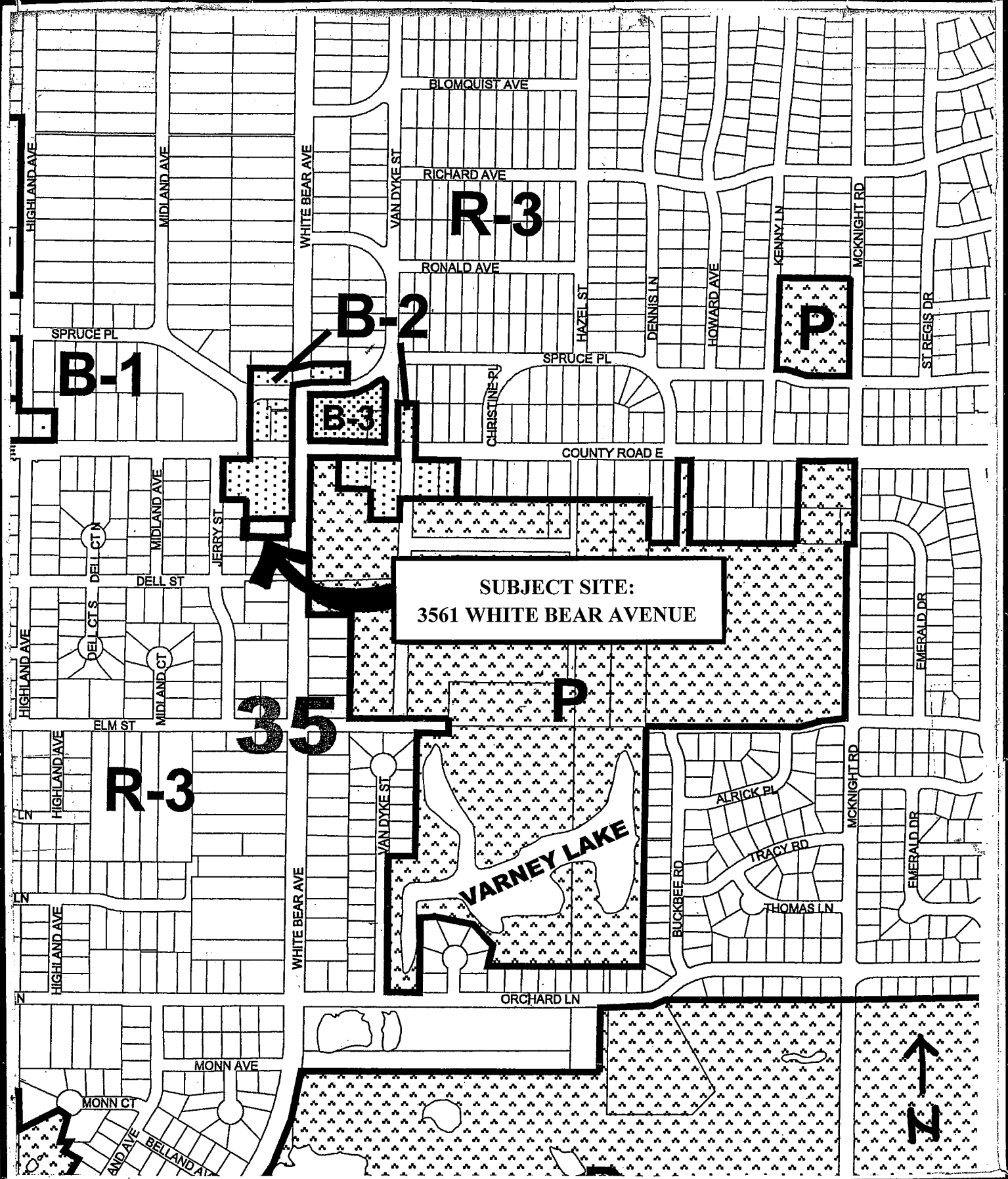
WHEREAS, the City Council has considered the advice and recommendations of the Planning Commission regarding the effect of the proposed conditional use permits upon the health, safety, and welfare of the community and its Comprehensive Plan, as well as any concerns related to compatibility of uses, traffic,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

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

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

FURTHER, BE IT RESOLVED, that the City Council of the City of White Bear Lake hereby approves the requested conditional use permit 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. The City and the applicant shall monitor the parking situation. Should problems arise from too much parking generated by this business (as determined by the City), the applicant agrees to either find alternative parking for the employees, provide transportation for employees, incentivize employees to utilize alternative forms of transportation, or some combination of these or other measures, such that the problem is resolved. In addition to other remedies available through the Municipal Code, failure to alleviate the problem shall constitute sufficient cause for revocation of the Conditional Use Permit, as determined by the City Council following a public hearing.
5. All residents shall be voluntary, not mandated.
6. The portion of the driveway that extends in front of the living area of the home shall be removed or the parking stalls shall be relocated to allow access to the garage.
7. The Conditional Use Permit shall be issued for a trial period of three years. The renewal shall be processed as a CUP Amendment, which requires a public hearing. The applicant shall not have a vested right to renewed permit by reason of having obtained an initial permit. The grating of an initial permit shall not constitute a precedent or basis for the renewal of said permit.
8. All conditions are subject to change when the City 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.
9. In addition to other remedies available through the Municipal Code, multiple failures to comply with any standard of this Permit shall constitute sufficient cause for revocation of the Conditional Use Permit, as determined by the City Council following a Public Hearing.
10. No change to external lighting.
11. The applicant shall obtain a building permit prior to beginning any work.



SUBJECT SITE:
351 WHITE BEAR AVENUE

VARNEY LAKE

35

R-3

R-3

B-2

B-1

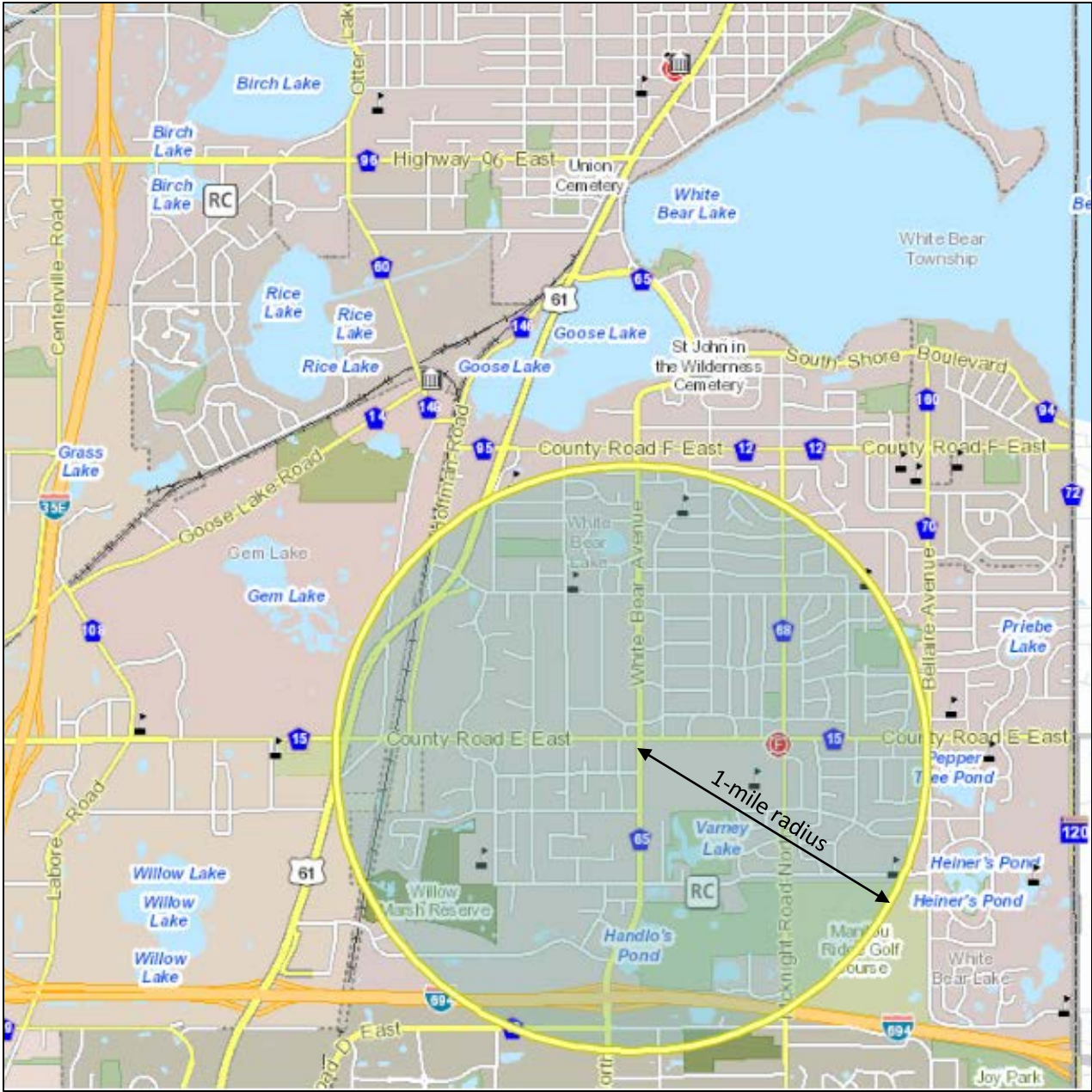
P

P



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

CASE NO. : 19-6-7 & 19-5-CUP
 CASE NAME : Lotus Recovery
 DATE : October 20, 2019



Lotus Recovery

*Text Amendment
and Conditional
Use Permit
Application*

LOTUS RECOVERY

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5. Site and Floor Plans.....	11

LOTUS RECOVERY

INTRODUCTION

To Whom It Concerns,

Lotus Recovery is grateful for the opportunity to apply for a Text Amendment and Conditional Use Permit which will allow the city of White Bear Lake to host a Residential Treatment Center for men between the ages of 18-99 years, who are suffering from Substance Use Disorders. Lotus Recovery is partnering with Legacy Property to provide opportunities of change for these men. Legacy Property currently has a purchase agreement to buy the property located at 3561 White Bear Ave, White Bear Lake, MN 55110. Once this Text Amendment and Conditional Use Permit is approved, Legacy Property will complete the purchase, rehab the property, and execute the lease to Lotus Recovery for the Residential Treatment Center.

Lotus Recovery is owned and managed by Eric Bacon and Ryan Eckdahl which currently has a 245G license through the State of Minnesota to provide outpatient services located at 1 Water St W, Suite 240, St. Paul, MN 55107. This application will allow us to open a residential model to further address a missing piece for the individual who suffers from Substance Use Disorders. Lotus Recovery is in a unique position to provide a bridge to freedom, independence, and recovery. It is our hope to support and address the issues of addiction which have become a public health crisis with devastating consequences-specifically the increase in opioid misuse and related overdoses in our community. We see Lotus Recovery as an asset and fabric of the community.

Throughout this process please don't hesitate to contact either Eric Bacon or Ryan Eckdahl for more information or to join us in providing large scale impact.

Thank you,



Eric Bacon



Ryan Eckdahl

LOTUS RECOVERY

1. WHAT IS THE ISSUE?

Substance Use Disorder (SUD) is defined as a disorder involving problematic use of a drug, alcohol, or another substance, characterized by symptoms such as excessive use of the substance, difficulty limiting its use, craving, impaired social and interpersonal functioning, a need for increased amounts of the substance to achieve the same effects, and withdrawal symptoms upon discontinuance. Co-Occurring Disorders is defined as a set or sets of mental illnesses that appear together along with the SUD.

SUD is changing rapidly in the community. With the rise of the opioid epidemic we now have the availability of evidence-based treatment plans for opioid use disorders. Yet we continue to have significant and ongoing treatment gaps. Many treatment programs in Minnesota do not provide current evidence-based treatments and fewer than half provide access to Medical Assisted Treatment (MAT) for opioid use disorders.

Individuals are avoiding treatment due to the lack of useful treatment methods. Others in the community are entering residential and outpatient services while exiting to the same problem in their same environment. When this happens it slowly erodes the individual's hope for change and for a better life. We find one of the more serious consequences of SUD is the effect on the individual's family and their direct circle of influence which often goes unmeasured in our data as it relates to impact on the community.

Affective treatment has consistently been shown to reduce the costs associated with lost productivity, crime, homelessness and incarceration caused by drug use, yet it is difficult for many populations to have access to that affective treatment. When those individuals don't have access to affective treatment options it provides serious consequences to our community.

With continued attention to the community issues of homelessness, incarceration rates, and health care costs, we believe SUD is one of the core issues in our community. Our education around these issues is being influenced more and more by data as well as the solutions behind those issues.

According to the Department of Justice, on any given day 78 individuals will die from an opioid-related overdose and 580 people will try heroin for the first time.

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2. WHY LOTUS RECOVERY?

Lotus has assembled an experienced, and dedicated group of professionals who strive to deliver proven evidence-based programs in a cohesive learning environment where they can develop the mental and social tools to achieve a healthy and productive lifestyle.

- **Mission Statement:** Lotus Recovery is to provide substance use disorder services and supports to individuals, disrupting the addictive cycle and lifestyles, while promoting healthier communities and well-being for all.

Company History: Lotus Recovery was founded by Eric Bacon and Ryan Eckdahl. Eric Bacon is a licensed Alcohol & Drug Counselor and has worked in the field for over 25 years in a variety of roles providing both outpatient and inpatient services, community-based services, and he provides peer assessments to other treatment centers in and out of Minnesota. He is also the founder of the Continuum Care Center which is a grass roots 501c3 non-profit known as a Recovery Community Organization (RCO) led by members of the recovery community. Continuum Care Center is also a member of Faces & Voices Association of Recovery Community Organizations (ARCO). ARCO unites and supports the growing network of local, regional and statewide Recovery Community Organizations (RCOs). ARCO links RCOs and their leaders with local and national allies and provides training and technical assistance to groups to build the unified voice of the organized recovery community and fulfill our commitment to supporting the development of new groups and strengthening existing ones.

Ryan Eckdahl has been involved in a variety of roles developing exits strategies to individuals in negative cyclical behavior for over 15 years. Currently he serves as the founder and President of The Experience of Neshama which has transitioned over 100 single adults who have experienced long term homelessness into housing. Neshama connects those individuals with community owned properties and provides change advocate services to the individuals once they are in community placed housing.

Eric and Ryan have joined together as co-founders of Lotus Recovery. It is the goal of Lotus Recovery to promote recovery, as well as resiliency, health and wellness, for those who have experienced trauma, as we are aware of the correlation between trauma and SUD. Because of this we have a model that customizes recovery plans to everyone we serve and most importantly links them to a network that promotes health and healing.

Lotus Recovery desires to open a residential treatment facility at 3561 White Bear Ave, White Bear Lake, MN 55110, in accordance with state statute 245G (Chemical Dependency Licensed Treatment Facility) with the ability to serve 16 men at any given time. Lotus Recovery currently has a 245G license and is providing outpatient services in St Paul, Minnesota. We have heard

LOTUS RECOVERY

from our clients and have been pursuing a residential option as they have expressed this need and desire. We are dedicated to providing an environment and treatment modalities that are sensitive to the needs of the population we serve, those with SUD.

LOTUS RECOVERY

3. LOTUS RECOVERY PROGRAM AND OPERATIONS

Lotus Recovery will be providing client centered recovery plans that are unique and tailored to each individual. These recovery plans are created with evidence-based treatment models. Lotus Recovery believes it has the responsibility to stay up to date with current research and advances in the field. When people entrust their recovery with the Lotus process, Lotus can confidently provide treatments with the best science. Lotus holds the belief people learn and grow best when they are in an environment of genuine compassion and support. Science and compassion: it's a simple formula and one that is at the core of Lotus Recovery.

Medication Assisted Treatment (MAT) is one of the evidence-based treatment options many individuals prefer as it allows them to pursue their treatment plan with the assistance of medication. FDA approved medications include Methadone, Suboxone, and Vivitrol. These medications ease the symptoms of withdrawal and curb drug cravings. Lotus Recovery is not a MAT provider and will not be providing these medications at the residential facility. Medications will be provided by partnering agencies at their own locations to which Lotus will provide transportation to those sites if client wish to have MAT as part of their individualized plan. Other evidence-based treatment models provided by Lotus Recovery will include but not be limited to Cognitive Behavioral Therapy, Motivational Interviewing, Trauma Informed Services, and Relapse Prevention. One unique aspect to Lotus Recovery is clients will have access to all and any evidence-based practices opposed to how many other treatment centers decide which treatment option the client will be using.

The facility will always be staffed 24 hours a day with a minimum of two or more staff on site. There will be a max of six staff onsite at any given time. This staffing will include the Program Director, Clinical Supervisor, Nurse, Licensed Addiction Drug Counselors and LICSW (Social Worker), Certified Peer Supports Specialist, Chefs, Recovery Coaches, Chemical Dependency Technicians, and House Managers.

All staff will be qualified and knowledgeable in the field of chemical dependency and mental health. They will be required to pass the DHS state background check. Clients will offer the following treatment services and outlined in Minnesota Statue **245G.07 Subdivision 1**.
<https://www.revisor.mn.gov/statutes/cite/245G.07>

Clients can receive professional visitors at all reasonable times from physicians, religious advisers, county case managers, parole or probation officers, and attorneys. All other visitors will be limited to Wednesdays from 6pm to 8pm and Sundays 12pm to 6pm. These are considered after hours which will allow visitors to use the provided parking space onsite.

LOTUS RECOVERY

Services will be provided to men 18-99 years of age who meet the requirements for Substance Use Disorders. Unfortunately, at this time Lotus Recovery will not be able to serve clients who have any level sex offense.

Clients will not be allowed to have vehicles on site and all transportation related to programing will be provided by Lotus Recovery. Lotus Recovery will have a van parked in the garage on-site and available for program related transportation needs. In the event of an incident onsite, staff will have the capacity to response with transportation needs depending on the severity of the situation.

Lotus Recovery runs their current outpatient location as a reflection to the residential model. The outpatient model has onsite programing with offsite housing provided for most of our clients. All of the offsite locations are located in residential neighborhoods. These clients in the outpatient facility attend their programing 4-6 hours a day and return to the housing provided by Lotus Recovery and partnering agencies. At some of these locations, there is similar staffing to a residential facility which includes House Managers as well as services such as medication management. Lotus Recovery believes the availability of an onsite residential model, which is being requested in this text, will allow clients to interact with staff members in a more consistent and relational manner which in turn allows for a deeper connection to their recovery community and better results.

LOTUS RECOVERY

4. BUILDING PLANS

3561 White Bear Ave, White Bear Lake, MN 55110, was specifically chosen for the location and history of the building. We were excited to learn about the positive relationship between the current owner of Northeast Residence, the neighbors, and the city of White Bear Lake. It is the goal of Lotus Recovery and Legacy Property to carry the torch of using this residence as a place to empower and improve the community.

- **Physical Location:** We appreciate the physical location as the property to the north is commercially zoned with a strip mall housing several different vendors. To the east across the street of White Bear Ave is the Sheet Metal Workers Training Center along with a few other businesses (McDonalds, Tumble Fresh Coin Laundry). The actual lot of the building is in a residentially zoned community which provides the feel and look we want for a residential treatment center. To both the west and south are residential homes. We desire for those entering the treatment center to feel as if they just arrived at home which will help us do what is needed to fit into the residential community.
- **External Property:** The front of the property will be kept close to the current look with the desire to keep the appearance of the neighborhood as a residential property. There will be 7 parking spots repainted on the parking lot to clearly bring organization to the driveway. There will be 2 additional parking spaces in the garage of the facility to bring the total to 9 parking spots. The front window of the property will be replaced along with providing an updated look to the front of the property. The surrounding fence on the perimeter will also be repaired or replaced to a six-foot privacy fence. All needed siding and roof shingles will be repaired or replaced where needed. The deck on the rear of the property will also be repaired. We anticipate some minor tree trimming along with the continued maintenance of the property grounds.
- **Internal Structure of the Property:** Currently the building hosts nine bedrooms, three offices, three kitchens with one kitchenette, five bathrooms, two common areas, a deck, and an open meeting area. All current bathrooms will be rehabbed with new tile, showers, and vanities. Internally the entire property will be updated by replacing all trim, flooring, most windows, and fresh paint throughout the facility.

Structural changes will include the following: the lower level running north and south will have an additional bathroom installed where it is now unfinished. This bathroom will house three shower stalls, a double vanity, and a toilet. The floor above that lower level running north to south will have a kitchen removed to create an additional bedroom. In

LOTUS RECOVERY

the common area living room we anticipate replacing the current fireplace to be a gas fireplace.

The floor running east to west on the main level will remain the same except for the kitchenette will be converted into an additional office. The half bath will be updated as well as the common area. On the top floor running east to west, the current kitchen will be replaced with an updated beautiful commercial kitchen with the flooring being replaced to provide a multi-use common area for both lounging and eating. The fireplace in this common area will be replaced to be a gas fireplace. The bedroom on the southeast side of the floor will be extended into the hallway to increase the square footage.

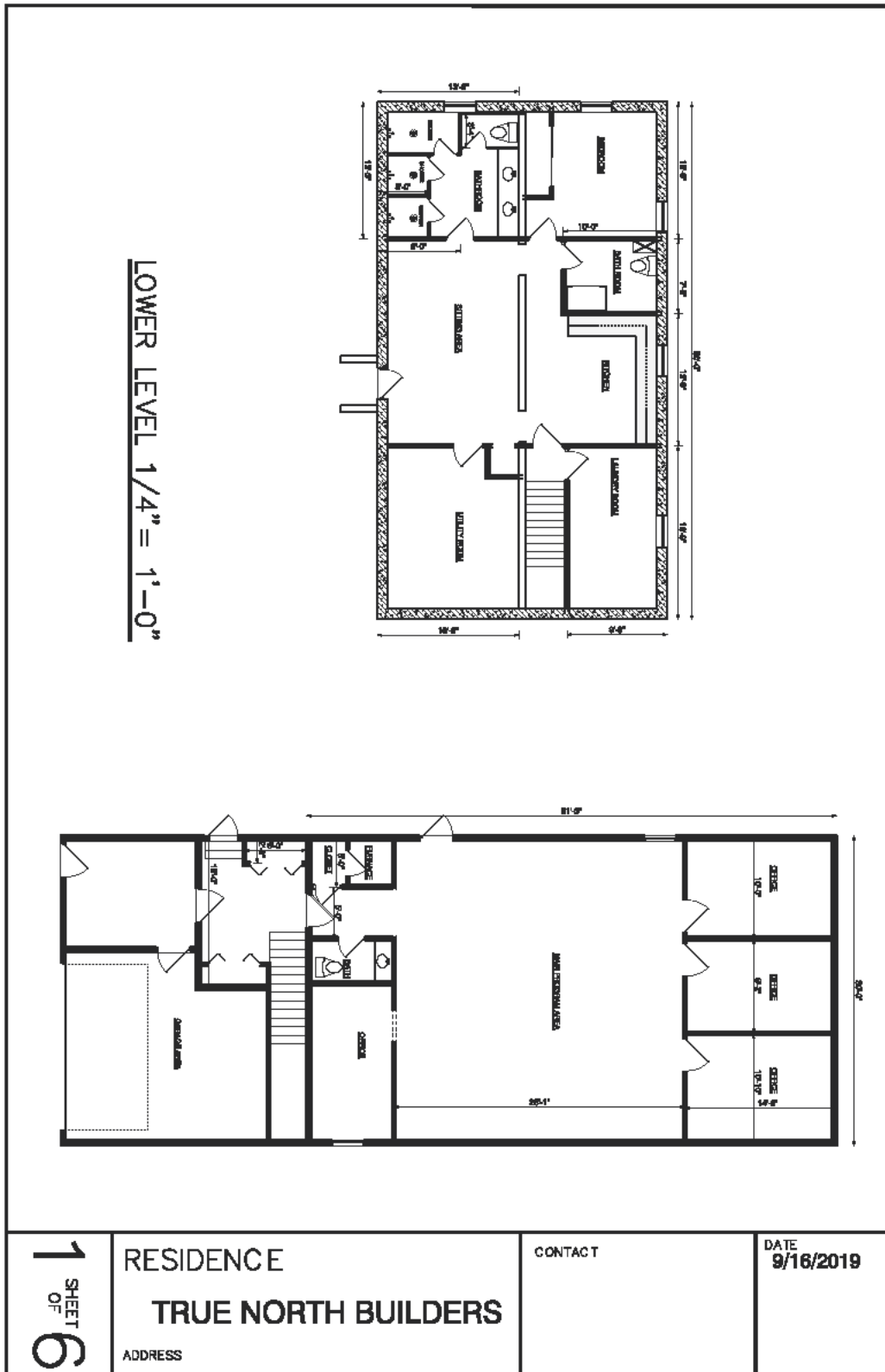
Please see attached design and drawings to further understand this narrative. In conclusion, this will bring a sharper more updated look to both the exterior and interior. This will now host ten bedrooms, four offices, two kitchens, six bathrooms-one being larger in size, two common areas with gas fireplaces, a deck, and of course the open meeting area for program work.

LOTUS RECOVERY

5. SITE AND FLOOR PLANS

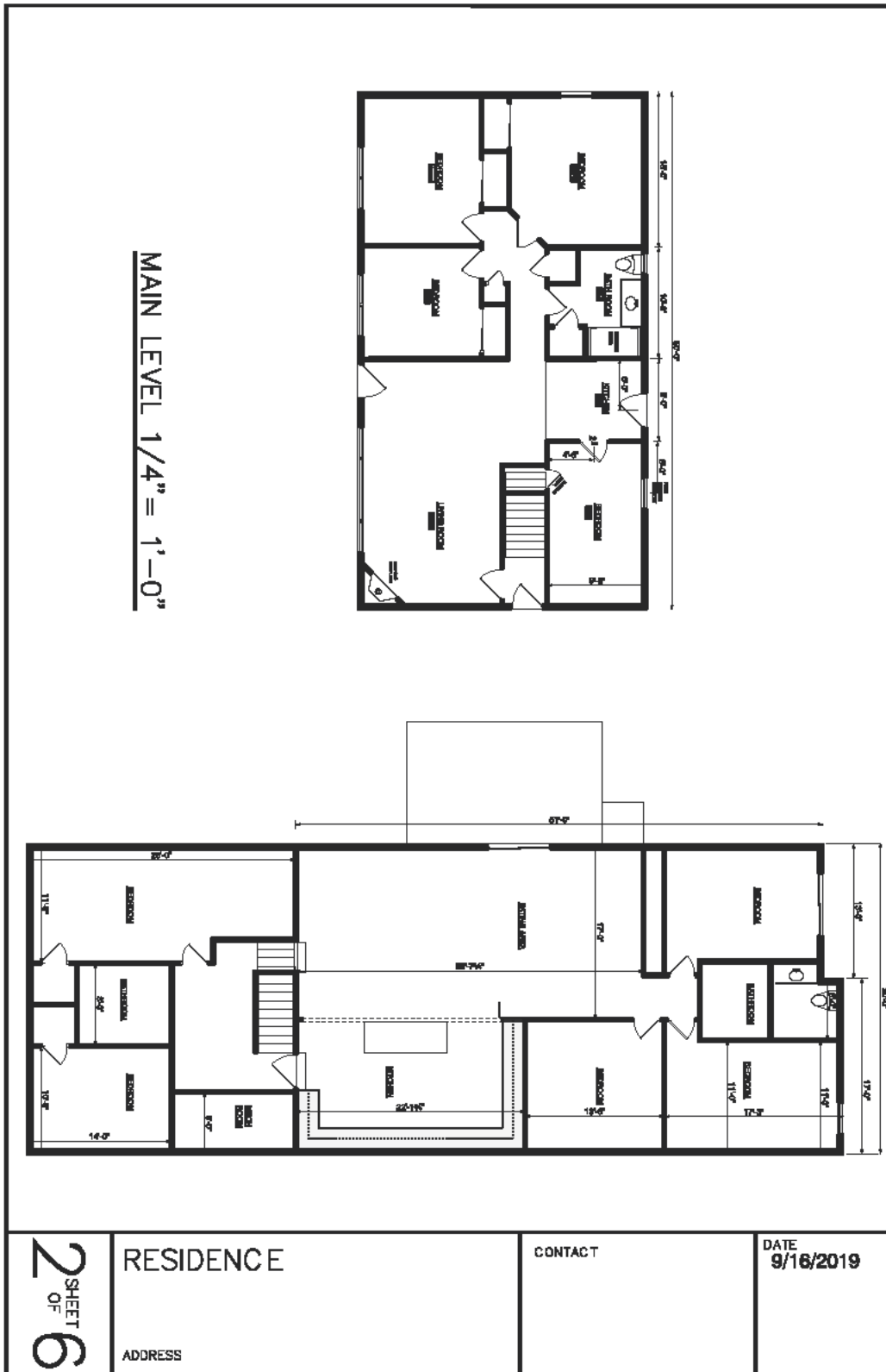


LOTUS RECOVERY



<p>1 SHEET OF 6</p>	<p>RESIDENCE TRUE NORTH BUILDERS ADDRESS</p>	<p>CONTACT</p>	<p>DATE 9/16/2019</p>
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LOTUS RECOVERY





City of White Bear Lake
COMMUNITY DEVELOPMENT
DEPARTMENT

4.D

MEMORANDUM

TO: The Planning Commission

FROM: Anne Kane, Community Development Director

DATE: October 24, 2019 for the October 28, 2019 Planning Commission Meeting

SUBJECT: **SIGN CODE TEXT AMENDMENT/Drive-Thru Menu Boards and Digital Signs**

REQUEST

A text amendment to the City's Sign Code to allow dynamic display drive-thru signs and digital signs in commercial and industrial districts.

BACKGROUND

The Planning Commission may recall in 2016, after a collaborative process led by the Chamber of Commerce and local business community, the City amended its Sign Code to allow dynamic display signs on commercial and industrial properties. The amendment allows a dynamic display area to comprise up to 70% or 25 square feet of the area of a freestanding monument sign. It also limits the number of number of dynamic display signs to one per property.

As technology advances, many of our local businesses wish to employ such advancements but are restricted by the current Sign Code regulations. Gas station's digital signs and LED menu boards at quick service drive-thru restaurants are two examples where such signs are currently prohibited but otherwise seem appropriate.

ANALYSIS

The intent and purpose of the Sign Code is to encourage visual communication by providing orderly, effective, and safe signage while retaining the individual character of the City's buildings and its quality lake front image; preserve the residential character of our residential neighborhoods; avoid the appearance of clutter; reduce the traffic hazard caused by distractions to motorists and impairment of sight lines; and to ensure the City remains an attractive place to live and work.

In recent years drive-thru facilities have moved away from the traditional changeable copy drive-through menu boards to dynamic display signs. Dynamic display signs are becoming the preferred method of internal and exterior menu boards for restaurants and other drive-thru establishments. Dynamic display menu board signs are more cost-effective than traditional menu boards and reduce the amount of waste in landfills. The digital display is also more energy efficient as current LED technology has a far greater lifespan than traditional bulbs and ballasts.

4.D

The use of digital displays in drive-thru lanes reduces wait time spent in the drive-thru by only offering items that are available, thereby reducing vehicle stacking. All of the existing drive-through menu boards in the City presently consist of changeable paper copies and are backlit by bulbs. Nationwide, gas stations also utilize dynamic display technology to display gas pricing through digital signs. The proposed text amendment will allow such signs to be displayed at gas stations within the City.

DISCRETION

The City has a relatively high level of discretion in approving or denying a Sign Code text amendment because the ordinance is one of the enforcement tools used to implement the goals and standards set forth in the Comprehensive Plan. Any changes to the text of the Sign Code should be consistent with the Comprehensive Plan's policies and objectives.

RECOMMENDATION

Staff finds that the proposed amendment is in keeping with the comprehensive vision for the City and has attached a draft ordinance for the Commission's consideration. Staff recommends approval of the ordinance and additional parameters may be included as the Commission sees fit.

Attachment: 1. Draft Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CITY OF WHITE BEAR LAKE MUNICIPAL CODE
AT SECTION 1202, THE SIGN CODE, AS IT RELATES TO
DYNAMIC DISPLAY DRIVE-THRU MENU BOARDS AND DIGITAL SIGNS
(CASE NO. 19-7-Z)

THE CITY COUNCIL OF THE CITY OF WHITE BEAR LAKE, MINNESOTA DOES ORDAIN
THE FOLLOWING:

Section 1. The Municipal Code of the City of White Bear Lake is hereby amended at Section
1202 as follows:

§1202.020 DEFINITIONS

DIGITAL SIGN: An electronic sign limited to alpha-numeric display of one or two colors only.

DYNAMIC DISPLAY SIGN: A sign face which can be electronically or mechanically changes by
remote or automatic means, **excluding digital signs.**

FREESTANDING SIGN: Any sign, which has supporting framework that is anchored in the ground
and which is independent from any building or other structure, such as a monument, pylon, **or drive-
thru sign.**

§1202.040 REGULATIONS BY ZONING DISTRICT

Subd, 2. Commercial and Industrial Districts:

B. Freestanding Monument Signs

- 3.g) The digital display portion **or a digital sign** may be incorporated into a
freestanding monument sign, but are limited to no more than 70% of the total
square footage of the sign or 25 square feet (per side), whichever is less. **Digital
signs may not be used as wall signage and must comply with all criteria
required of a dynamic display sign, except spacing and resolution.
Properties with digital signs may still display approved temporary banners
and sandwich board signs.**

- E. Drive Thru Signs. One sign is allowed per drive-through lane not to exceed thirty-two (32)
square feet in area. Said sign may be freestanding or a wall sign. If **freestanding**, the sign
shall be a maximum of six (6) feet in height and shall be set back from all property lines at least
ten (10) feet. **Up to 100% of a drive-thru sign may be a dynamic display style face and
must otherwise comply with all criteria required of a dynamic display sign, except
spacing and resolution.** Drive-thru signs are not permitted in the B-5, Central Business
District.

SECTION 2: This ordinance becomes effective after approval shall take effect and be in force
following its passage and publication (or, on “date”).

Passed by the City Council of the City of White Bear Lake, Minnesota.

First Reading: _____

Initial Publication: _____

Second Reading: _____

Final Publication: _____

Codified: _____

Posted on web: _____

City Clerk Initials

Jo Emerson, Mayor

ATTEST:

Kara Coustry, City Clerk

CITY COUNCIL MEETING SUMMARY

October 8, 2019

VISITORS AND PRESENTATIONS

Marvin Reed

Toastmasters Proclamation

White Bear Lake Area Public Schools ISD 624

PUBLIC HEARINGS – Approved

- A. Resolution adopting an assessment roll for 2019 Mill and Overlay Project (City Project Nos: 19-04 & 19-13). **Resolution No. 12454**
- B. Assessment roll for 2019 Street Reconstruction Project (City Project Nos: 19-01 & 19-06). **Continued to the Oct. 22, 2019 CC Mtg**

LAND USE – Approved

- A. Consent
 - 1. Consideration of a Planning Commission recommendation regarding a request by Gary Christenson for a Variance (Case No. 19-7-V). **Resolution No. 12455**
 - 2. Consideration of a Planning Commission recommendation regarding a request by Dan and Kathy Wachtler for a Variance (Case No. 19-8-V). **Resolution No. 12456**
 - 3. Consideration of a Planning Commission recommendation regarding a request by Honsa Family Funeral Home for a Conditional Use Permit Amendment (Case No. 93-15-Sa2). **Resolution No. 12457**
 - 4. Consideration of a Planning Commission recommendation regarding a request by Sheet Metal Union #10 for a Conditional Use Permit Amendment (Case No. 02-9-Sa2). **Resolution No. 12458**

UNFINISHED BUSINESS – Nothing scheduled**ORDINANCES**

- A. Second reading of a request to rezone property from B-3: Auto Oriented Business to I-1 – Limited Industry and P-Public (PIDs 273022110038, 273022110036, 273022110039 and 273022110010) (Case No. 19-3-Z). **Ordinance No. 19-10-2036**
- B. First reading of a request by Mike Belz to rezone the property at 2105 1st Street from B-4: General Business to R-4: Single Family – Two Family Residential (Case No. 19-5-Z). **Second reading set for November 12, 2019**

NEW BUSINESS – Approved

- A. Resolution authorizing employee insurance renewal. **Resolution No. 12459**

- B. Resolution accepting a proposal from Wold Architects for site master planning for a police garage and fire apparatus bay. **Resolution No. 12460**

CONSENT – Approved

- A. Acceptance of Minutes: August Environmental Advisory Commission, August Park Advisory Commission, August White Bear Lake Conservation District, September Planning Commission
- B. Resolution accepting DWI Grant from the Minnesota Department of Public Safety to fund second year of the DWI enforcement officer. **Resolution No. 12461**

11. DISCUSSION

- A. Vadnais Lake Watershed Management Organization – Goose Lake

After considerable process discussion, Mayor Emerson stated the ordinance first reading will occur on October 22 with a presentation by VLAWMO and public comment taken at that time. An official public hearing would be noticed and scheduled to occur on November 26th for the ordinance second reading.

12. COMMUNICATIONS FROM THE CITY MANAGER

- Climate Smart Municipalities exchange update presentation to be scheduled for October 22nd City Council meeting
- Upcoming Council work session, October 15 at 6:00 p.m. in the Expansion Room
- November 19th work session, non-general fund budget discussions (capital budgets and enterprise funds)
- Mayor Emerson reported that today is the 100 Year Anniversary of the American Legion Post in White Bear Lake and congratulated them.
- Engineering Department Updates by Paul Kauppi PW Director/City Engineer
 - 2020 Proposed Street Reconstruction projects include Cottage Park and Bellaire Avenue, including sidewalk completion along Bellaire. Per the comprehensive plan, sidewalk would also be added along the north side of Elm Street. Downtown parking lots were removed from the project to allow more time for input from businesses and will be included as part of more wide-scale downtown street improvements in 2021.
 - The City continues to work with Ramsey County regarding turnbacks for Long Avenue, South Shore Blvd and Hoffman Road among others.
 - Tally's is moving their fuel tank temporarily to allow staff the ability to replace timbers in the retaining wall. Tally's will be working toward compliance upgrades with fuel system operations prior to returning the fuel tank.

- Staff is seeking professional services from Short Elliott Hendrickson (SEH) for painting of the Water Tower on Centerville Road, which was originally planned in 2019 but was pushed back to the 2020 Capital Improvement Plan due to significant coordination required with carriers on the tower and Ramsey County who has an antennae up there.
- The 2019 Sewer Lining projects are beginning and work is planned along Highway 61, south of Highway 96 will require lane shifts or lane closures. Calls may come in about smells as a result.

13. ADJOURNMENT

Park Advisory Commission Meeting Minutes

AUGUST 15, 2019

6:30 P.M.

STELLMACHER PARK

MEMBERS PRESENT	Bill Ganzlin, Bryan Belisle, Victoria Biehn, Mark Cermak, Ginny Mae Davis, Mike Shepard
MEMBERS ABSENT	Anastacia Davis
STAFF PRESENT	Mark Meyer, Paul Kauppi and Andy Wietecki
VISITORS	
NOTE TAKER	Mark Meyer

AGENDA TOPICS

1. CALL TO ORDER

The meeting was called to order at 6:30 pm at Stellmacher Park.

2. APPROVAL OF MINUTES

Approval of the minutes from July 18, 2019 was moved by Mark Cermak and seconded by Mike Shepard with the correction of changing the word Frisbee to Disc Golf Course in section b. Motion carried.

3. APPROVAL OF AGENDA

Approval of the August 15, 2019 agenda was moved by Mike Shepard and seconded by Bryan Belisle. Motion carried.

4. UNFINISHED BUSINESS

Ginny Mae Davis mentioned again the issues with the vegetation around the fishing piers. At this time, the City will monitor the vegetation growth and make adjustments next year as needed. The vegetation grown that is at the fishing piers helps keep the water clean as well as cover for small fish and is native to the lake. The vegetation does not seem to affect most people when they are fishing.

Mike Shepard mentioned that the White Bear Lake Lions Club may be interested in donating material and labor to install a new split rail fence at Lions Park. He will bring the fence pricing estimate to the Lions for a final vote.

5. NEW BUSINESS

a) Summer Park Tours – Stellmacher Park

The Park Advisory Commission walked through Stellmacher Park for their August park tour. Andy Wietecki, Parks Department Lead, talked about some of the updates the park has received. The pavilion received a new coat of stain to help preserve the wood ceiling. The small playground close to Linden Avenue was clean and inviting. The bathrooms have had upgrades to all the fixtures but the building

is older and could use a remodel. The ball field was reconstructed around 10 years ago and is being utilized by a baseball team. A volleyball net was installed last year. The Park Department had a company out to do electrostatic painting on the large playground. The cost saving was considerable compared to replacing it. The playground looks amazing and the Commission could not be happier on the outcome. On the south side of the park a row a pine trees is dying. The plan is to remove them and replace with an Arbor Day project next spring. Overall, the Park Board Commission was very impressed by Stellmacher Park.

6. OTHER STAFF REPORTS

None.

7. COMMISSION REPORTS

None.

8. OTHER BUSINESS

None.

9. ADJOURNMENT

The next meeting will be held on September 19, 2019 at 6:30 p.m at Bossard Park.

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