



STAFF REPORT

DATE: 7/17/2018

REGULAR

ITEM #: 17

MOTION

TO: City Council

FROM: Emily Becker, Planning Director

AGENDA ITEM: Zoning Map Amendment, Preliminary and Final Plat, Bus Terminal Ordinance
Zoning Text Amendment, and Conditional Use Permit

REVIEWED BY: Ben Gozola, Consultant Planner
Soren Mattick, Campbell Knutson

BACKGROUND:

The City has received a set of applications from Stillwater Area Public Schools (Kristen Hoheisel) and Terry Emerson requesting consideration of the following four (4) items:

- 1) A Zoning Map Amendment to re-zone a portion of the subject property to Business Park;
- 2) Preliminary and Final Plats to subdivide the property located at 11530 Hudson Boulevard North;
- 3) A Zoning Text Amendment to allow "bus terminal" as a conditionally permitted principal use within the Business Park Zoning District; and
- 4) A Conditional Use Permit to operate a school district transportation center on the subject property.

ISSUE BEFORE COUNCIL:

The Council is being asked to hold a public hearing and make recommendation on each of the four requests beginning with the broadest issue (zoning district change) and working towards the most specific (approval of a CUP to allow operation of a bus terminal). As all four of the applications are generally linked, denial of any individual request may impact the Council's decision(s) on subsequent requests.

PROPOSAL DETAILS/ANALYSIS:

Applicants: Stillwater Area Public Schools (Kristen Hoheisel), 1875 Greeley Street South, Stillwater, MN 55082 (Zoning Map Amendment, Zoning Text Amendment, and Conditional Use Permit) and Terry Emerson, 2204 Legion Ln Cir N, Lake Elmo, MN 55042 (Preliminary and Final Plat)

Property Owners: EN Properties, LLC (Terry Emerson), 11530 Hudson Boulevard North, Lake Elmo, MN 55042

Location: 11530 Hudson Boulevard North (PID# 36.029.21.43.0001)

Request: Zoning Text Amendment, Preliminary and Final Plat, Zoning Map Amendment, and Conditional Use Permit.

Existing Land Use: Trucking Terminal – sales, repairs, and service of diesel trucks

Existing Zoning: RT - Rural Development Transitional

Surrounding Land Use / Zoning: South – I-94 and Woodbury; West – Outdoor Storage (RT – Rural Development Transitional); East – Vacant land (RT – Rural Development Transitional); North – Vacant land (RT – Rural Development Transitional)

Comprehensive Plan Guidance: BP – Business Park

Deadline(s) for Action: Application Complete – 5/4/2018
60 Day Deadline – 7/3/2018
Extension Letter Mailed – At request of Applicant – extended to July 29, 2018
120 Day Deadline – N/A

Applicable Regulations: Chapter 153 – Subdivision Regulations
§154.210 – Off-Street Parking
Article XIV: Commercial Districts
§154.258: Landscape Requirements

ZONING MAP AMENDMENT

The applicant is seeking approval to rezone a portion of the subject property (11 acres of approximately 63.73 total acres) from RT (Rural Development Transitional) to BP (Business Park). The RT designation provides landowners with interim use options as they wait for the availability of sewer, and/or until such time as a landowner requests a zoning change to a new district consistent with the future guided land use.

In this case, the land in question is guided for Business Park both within the current 2030 Comprehensive Plan and within the draft 2040 Comprehensive Plan. Therefore, staff does find it would be appropriate to approve the requested rezoning if that is the desire of the landowner. Note that if the rezoning is ultimately approved but subsequent applications are denied, the applicant will be consulted as to whether this change should still occur, or whether the zoning change application will be withdrawn.

Recommended Condition of Approval.

1. That the Four Corners 1st Addition Preliminary and Final Plat obtain approval from the City.

PRELIMINARY AND FINAL PLAT

Purpose. The preliminary and final plat portion of this application package assumes the City approves the requested zoning map amendment to BP. If the rezoning failed, this application fails due to the inability to meet minimum RT zoning standards. If the rezoning was approved, the following analysis will apply:

Minimum Lot Size Requirements. The following table outlines how the lot dimension and setback requirements of the Business Park zoning district are met by the requested lot layout.

Lot Dimension Requirements, Business Park District		
Standard	Required	Proposed
Minimum Lot Area	2 acres	11 acres
Minimum Lot Width	200 feet	670 feet
Minimum Lot Depth	-	715feet

Parkland Dedication. The City requires \$4500 per acre for commercial subdivisions. The proposed subdivision will create one new lot of 11 acres. Therefore, it is recommended that a condition of approval require the applicant to pay \$49,500 (\$4500 X 11 acres) in park dedication fees for this development should the plan move forward.

As staff did not identify any ways in which the proposed lot layout would be deficient to minimum zoning standards, we are recommending the requests can be approved. Note that if the Preliminary and Final plats are ultimately approved but subsequent applications are denied, the applicant will be consulted as to whether this application should still move forward, or whether it will be withdrawn.

City Engineer Review.

Stormwater Management

- State and Valley Branch Watershed District permit will be required.
- The site plan is subject to a storm water management plan meeting State, VBWD and City rules and regulations. No proposed storm water management plan was provided as part of the Plan submittal.
- The storm water facilities constructed for this development should remain privately owned and maintained. The applicant will be required to execute and record a Stormwater Maintenance and Easement Agreement in the City’s standard form of agreement.

- Even as privately owned and maintain facilities, maintenance access roads meeting the City engineering design standards must be provided for all storm water facilities.
- The storm water facility 100-year HWL must be fully contained within the subject property or easements must be acquired to protect the 100-year HWL flood area. The proposed plans show the 100-year HWL event discharging off-site at the southeast corner.

Streets and Transportation

- A traffic study should be required as a condition of approval to determine the timing and extent of improvements required for the CSAH 15 and Hudson Boulevard intersection realignment and traffic signal improvements. A financial contribution to CSAH 15/Hudson Boulevard traffic signal/realignment should be considered. In addition, the study is needed to determine if an eastbound left turn lane along Hudson Boulevard is also needed at the site access.
- No additional right-of-way dedication is required unless an eastbound turn lane is required as determined by the traffic study. A 10-foot utility corridor easement for small utilities must be dedicated to the City along the north boulevard of Hudson Boulevard.
- Hudson Boulevard must be improved per the City design standards to an urban section on the north side of the street including a westbound right turn lane to the site, a 4-foot shoulder (curb section), a 9-foot boulevard, and 10-foot shared use bituminous trail with 2-foot clear zone.

Municipal Sanitary Sewer

- Because the property is guided in the City's Comprehensive Plan for 2020-2030 Regional Sewer Staging Plan and would discharge to the MCES Cottage Grove Ravine Interceptor, provisions for connecting to the municipal sanitary sewer service must be included with this application. The site plans/application indicates a new sewer service line connecting to future sanitary sewer but does not address the extension of sewer to the site.
- The applicant will be responsible to connect to the City sanitary sewer system and extend sanitary sewer into the property at applicant's sole cost and must stub sewer to adjacent parcels.
- Sanitary sewer is available along Hudson Boulevard near the MCES Meter Station. The sanitary sewer trunk size will need to be determined based on the 2040 Comprehensive Plan.
- Sanitary sewer capacity demands including the number of residential equivalency units (RECs) based on the Met Council SAC determination policy should be provided and account for all land uses and connections to the sewer system including bus wash wastewater.
- Existing sanitary sewer utility easements along Hudson Boulevard and the new commercial street corridor must be shown on the plans and plans must be made to avoid encroachments/conflicts with these easements.
- Any main sewer lines placed within the development will require minimum 30-foot easements centered over the pipe (or wider dependent upon the sewer depths) dedicated to the City and in the form of the
- City's Utility Easement Agreement.

Municipal Water Supply

- Because the property is located in the MUSA, provisions for connecting to the municipal water supply must be included.
- The applicant will be responsible for extending municipal water to the property at the applicant's cost, and watermain stubs will be required to eastern property limits. Water is available to be extended to the property from the Hunter's Crossing development but will require easements

across adjacent properties. The watermain extension to the site will likely be a 12-inch trunk watermain.

- The applicant shall provide water capacity demands including average day use, peak day use, and fire suppression demands. All demands should be included, including potable drinking water, bus washing operations, etc. in order to evaluate water improvements needed to support the development and to determine the water availability charges.
- The proposed site is in the water system's low pressure zone which has limited capacity until a new water tower is constructed to serve the area.
- Hydrants will be required to be placed at the direction of the Fire Department, and all fire hydrants shall be owned and maintained by the City.

Recommended Findings.

1. That the Four Corners preliminary and final plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
2. That the Four Corners preliminary and final plat complies with the minimum lot frontage and area requirements of the City's BP – Business Park zoning district.
3. That the Four Corners preliminary and final plat complies with the City's subdivision ordinance.
4. That the Four Corners preliminary and final plat meets other City zoning ordinances, such as landscaping, erosion and sediment control, and other ordinances, provided comments outlined in the City Engineer Review Memo dated May 30, 2018 are met; or as may be amended due to changes in the site plan or proposed use.
5. That the Four Corners preliminary and final plat is consistent with the City's engineering standards provided final plans are updated to address the City Engineer's comments documented in a letter dated May 30, 2018; or as may be amended due to changes in the site plan or proposed use.
6. The land being subdivided is legally described as:

S1/2-SE1/4 EXC WEST 2 RODS EXC TO HWY EXC HWY PARCEL 44 MN DOT R/W PLAT #82-35 SECTION 36 TOWNSHIP 029 RANGE 021
7. That the Four Corners preliminary and final plat will create one new lot of 11 acres to be legally described as Lot 1, Block 1, Four Corners; and three outlots: A (46.64 acres), B (5.01 acres), and C (1.08 acres).

Recommended Conditions of Approval. Staff recommends the following conditions be attached to any approval of the Four Corners Preliminary and Final plats:

- 1) The property shall be rezoned to BP – Business Park.
- 2) The applicant shall pay a fee in lieu of parkland dedication in the amount of \$4500 per acre of the newly created lot (11 acres X \$4500 = \$49,500 total) prior to any formal City authorization.

- 3) Prior to the execution of the Final Plat by City officials, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, landscaping, and payment of the required improvements for the Four Corners Final Plat with financial guarantees therefore.
- 4) Final grading, drainage and erosion control, sanitary sewer and stormwater management, street and utility construction plans shall be submitted, reviewed and approved by the City Engineer, meeting City Engineering Design Standards, prior to the recording of the Final Plat. All changes and modifications to the plans requested by the City Engineer in a memorandum dated May 30, 2018 and all subsequent memorandums regarding the plans shall be incorporated into these documents before they are approved.
- 5) The applicant must obtain all other necessary City, State, and other governing body permits prior to the commencement of any construction activity on the parcel including but not limited to building permits, conditional use permits, etc.
- 6) Any plans for construction on the newly created parcel must comply with the Lake Elmo Design Standards Manual and specific general site considerations and development standards for specific uses within the Business Park District.
- 7) The site plan is subject to a storm water management plan meeting State, Valley Branch Watershed District and City rules and regulations. All applicable permits must be obtained. Maintenance access roads meeting City engineering design standards must be provided for all storm water facilities.
- 8) Stormwater facilities shall remain privately owned and maintained. The applicant will be required to execute a Stormwater Maintenance and Easement Agreement in the City's standard form of agreement.
- 9) A Traffic Impact Study shall be completed and submitted in order to determine timing and extent of improvements required for the CSAH 15 and Hudson Boulevard intersection realignment and traffic signal improvements as well as the need for an eastbound left turn lane along Hudson Boulevard for site access. Additional right-of-way along Hudson Boulevard may be required if the eastbound left turn lane is required.
- 10) Hudson Boulevard must be improved per the City design standards to an urban section on the north side of the street including a west bound right turn lane to the site, a four foot shoulder (curb reaction), a nine foot boulevard, and a ten foot shared use bituminous trail with two foot clear zone.
- 11) Provisions for connecting municipal sanitary sewer service and for connecting to the municipal water supply must be provided on submitted plans. The applicant shall be responsible to extend and connect to the City sanitary sewer system and municipal water at the applicant's sole cost and extend such services to adjacent properties. The applicant shall be required to obtain easements

from adjacent properties in order to extend water. A detailed description of the sanitary sewer and water capacity demands shall be provided.

- 12) Hydrants will be required to be placed at the direction of the Fire Department, and all fire hydrants shall be owned and maintained by the City.
- 13) All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to its execution by City Officials.

ZONING TEXT AMENDMENT

Purpose. The zoning text amendment being requested would allow "bus terminals" as a conditionally permitted principal use on properties zoned Business Park. If approved, the applicant would seek a conditional use permit to authorize a permanent bus terminal on the subject property.

What's currently in the Zoning Code Regarding Bus Terminals?

- **Definition of Local Transit 154.012.B.12.** The Zoning Code defines bus terminals as local transit:
 - *“Local Transit. Establishments primarily engaged in furnishing local and suburban passenger transportation, including taxicabs, passenger charter services, school buses, and terminals (including service facilities) for motor vehicle passenger transportation.”*
 - Currently, local transit is not an allowed use within any of the zoning districts.
- **Parking Standards for Local Transit.** The Zoning Code sets forth the following minimum
 - *“2 spaces per 3 employees on the largest shift, based on maximum planned employment.”*
- Local Transit is currently not an allowed use within any Zoning District as indicated by the list of Permitted, Conditional, and Interim Uses within the Commercial Zoning Districts.

Intent of Business Park Land Use/Zoning District within the Comprehensive Plan and Zoning Code.

The 2030 Comprehensive Plan states that *“the Business Park land use category is intended to encourage the creation of significant employment centers that accommodate a diverse mix of office and light industrial uses and jobs. Specific desired attributes of this land use include a diversity of jobs, high development densities and jobs per acre, high quality site and building architectural design, and increased tax revenues for the community. Office, office showroom/warehousing, research and development services, light and high-tech electronic manufacturing and assembly, and medical laboratories are typical uses appropriate for this land use category. Some retail and service uses may be allowed as supporting uses for the primary office and light industrial uses of the employment center.”*

While this proposal does create a significant number of jobs per acre (200 jobs on about 11 acres of property), the jobs it is creating don't really fit in to the category of types of jobs this land use category is intended to have (office and light industrial uses and jobs). Additionally, a bus terminal does not necessarily fit in to the category of "high quality site and building architectural design." It also does not fit in to any of the described uses appropriate for this land category. Finally, it would not add to increased tax revenues for the community since it would be tax exempt.

The Draft 2040 Comprehensive Plan states that Business Park (BP) areas are to *"...provide for a wide variety of professional businesses such as medical and research facilities, offices, and corporate headquarters. Uses specifically excluded from existing business park areas include warehousing, manufacturing, distribution, assembly and truck terminals. Retail sales of goods and services are allowable uses by conditional use permit provided such uses are goods and services for the employees of the permitted business use. This category excludes any residential use."*

While truck terminals are not exactly the same as local transit in that truck terminals provide tax base, they are similar in assumed site layout and traffic, noise, etc. Trucking terminals are currently a conditional use within the BP – Business Park zoning district and have not been explicitly disallowed per the current Comprehensive Plan. The draft 2040 Comprehensive Plan will exclude such a use within the Business Park land use if the plan in its current draft form is ultimately adopted.

The Zoning Code states the following about the BP Business Park/Light Manufacturing District: *"The purpose of the BP District is to provide areas for attractive, high quality business park development primarily for office, high quality manufacturing and assembly, and non-retail uses in developments which provide a harmonious transition to residential development and neighborhoods by: 1) Conducting all business activities and essentially all storage inside buildings; 2) Consisting of high quality and attractive buildings which blend in with the environment; 3) providing open space, quality landscaping and berming; 4) including berming and buffering of parking, loading docks and other similar functions; and 5) protecting and enhancing the natural environment; and 6) providing users with an attractive working environment that is unique in the eastern metropolitan area with immediate access to I-94."*

A bus terminal does not necessarily provide a harmonious transition to residential development and neighborhoods as most business and activities are conducted outside, not inside buildings. While there are limited peak traffic times, there is a significant amount of traffic at those peak times. There will be only one building which is existing and will not be remodeled. There is opportunity to provide berming and buffering on the site should this move forward.

Recommendation. Due to guidance of the current 2030 and draft 2040 Comprehensive Plans as well as the Zoning Code, staff would not recommend that bus terminals be an allowed use (conditional nor permitted) within the Business Park Zoning District due to the following findings:

1. That the procedures for requesting a Zoning Text Amendment are found in the Lake Elmo Zoning Ordinance, Section 154.105.
2. That all the submission requirements of said Section 154.105 have been met by the Applicant.

3. That the proposed Zoning Text Amendment includes the following components:
 - a. That local transit be a conditional use within the Business Park zoning district.
4. The Current comprehensive plan calls for Business Park areas to become "significant employment centers," and bus terminals do not provide significant employment relative to acreage needed for the use;
5. Business Park areas are to include uses with "high quality site and building architectural design," and bus terminals will typically include neither quality by the nature of the use;
6. Business Park land is meant to generate increased tax revenues for the City, and public bus terminals are tax exempt;
7. The use is specifically excluded from Business Park areas in the draft comprehensive plan anticipated to move forward for approval by the end of 2018;
8. The Zoning Code calls for Business Park areas to provide a harmonious transition between the City's commercial areas and its residential areas, and a bus terminal with outdoor storage of busses is antithetical to that goal;
9. The Zoning Code calls for Business Park activities to occur inside of buildings, and bus terminals by their nature include outdoor use and storage of vehicles;
10. The applicant's request to make bus terminals a conditionally permitted use cannot overcome all of the listed problems in findings 4 through 10 via conditions (as proposed or otherwise).

Possible Standards. It should be noted that motor freight and warehousing, which is defined as follows: "establishments engaged primarily in either the storage or shipment of goods and materials, including terminal facilities for handling freight, and maintenance facilities in which the trucks (including tractor trailer units) involved with the operation of the business are stored, parked and serviced. Materials within a warehouse or terminal facility may be combined, broken down, or aggregated for trans-shipment or storage purposes where the original material is not chemically or physically changed," (this includes truck terminals) are a conditional use currently within the Business Park zoning district. A bus terminal is quite similar in use to that of a truck terminal, though the definitions in the Zoning Code differentiate the two. It is also recognized that the development of this property would prompt the extension of City services to this area. If the Council disagrees with staff and believes that bus terminals are an appropriate use within areas guided for Business Park, staff would recommend the City only adopt narrowly tailored language to preclude bus terminals from certain Business Park areas in order to limit the number of bus terminals allowed in the City and to minimize impact to adjacent properties. If the Council goes this route, staff would suggest the following standards accompany any such change:

1. The use shall be limited to a school district transportation center, owned by a public school district, serving as a bus terminal for buses and vans which transport passengers to and from schools or between school programs and community residences.
 - *This provision would limit “local transit” to bus terminals and not allow, as per definition from the zoning code, taxicab terminals, passenger charter services, etc.*
2. The property on which the use is located must be located within one half mile of property owned and used by a public school district for an active school or school administration building.
 - *The property on which the bus terminal is being proposed would be the only parcel on the east side of the City that is zoned for Business Park and that is within one half mile of such school property.*
3. Must be on a property of at least 10 acres in size or more.
 - *There are parcels on the west side of the city that are zoned Business Park that are in within one half mile of school district land, but none of those parcels meet a ten acre minimum and therefore could not qualify for use as a bus terminal.*
4. Must be sufficiently screened, as determined by the City, from adjacent properties through techniques such as berming and landscaping.
 - *This condition would provide the City with authority to determine the level and location of screening needed to hopefully ensure an acceptable separation of uses.*
5. Accessory uses to bus terminals may include an office and routine maintenance of operable school buses including but not limited to washing and fueling.
 - *This condition would ensure the site is used as a hub for a bus operation, but would not become a major maintenance center for inoperable vehicles in the bus fleet.*

CONDITIONAL USE PERMIT

Purpose. The conditional use permit application would seek to utilize the previous text amendment and allow a "bus terminal" on a portion of the subject property. Failure of the previous application(s) to be approved will likely preclude approval of this application.



Existing Conditions. The applicant is planning to re-locate the existing bus terminal on the property that was previously operating as Rihm Kenworth at 11530 Hudson Boulevard N in Lake Elmo, MN (see below).

Current Interim Use Permit. The property currently operates under an interim use permit which was granted by Resolution No. 2014-095, which allows a bus/truck terminal. This interim use permit will expire on December 2, 2019, and may be renewed with approval by Council. It will terminate when any portion of the property is rezoned or when public sanitary sewer is provided on site. The consent agreement states that the remaining portion of the property must be used for agricultural purposes and that the interim use shall terminate upon any redevelopment of the property for a permitted or conditional use. There has been discussion of the eastern portion of this property developing, being provided sanitary sewer, and no longer being used for agricultural purposes. Therefore, the applicant does not want to operate under the current interim use permit.

Current Building. The current building was constructed in the 1990's and was used for office space by E&H Earthmovers and also provided bus storage for Stillwater Schools. It was then used by Kenworth Diesel Trucks for sales, repairs and service of diesel trucks.

Current Bus Terminal Operation. The current bus terminal operates in Oak Park Heights within Stagecoach in the Old Junker Landfill.

Proposed Operation and Jobs Created. School buses for the Stillwater School District will be parked at this facility when not in use, and routine maintenance will be performed at this facility, including washing and fueling. The existing building will be used for office workers (dispatch, payroll, safety manager, etc.); a home base for drivers to check in and out, training, assignments, and mechanical work (repair and maintenance on buses). Approximately 200 people would work at the facility, with morning and afternoon shifts of drivers and attendants. Hours of operation would be from about 6:00 a.m. to 6:00 p.m. during the

weekdays with occasional Saturday use for limited special school district transportation needs. There would be parking provided for school buses (140 spaces), transportation vans (approximately 20), and employees' personal vehicles (approximately 200).

Why this Location? The location is adjacent to major traffic corridors and routes within this area of the City of Lake Elmo. The School District has proposed this location as opposed to a location located adjacent to lower volume roads so as to create less impact. Peak bus traffic times will be limited to morning hours (7:00 a.m. to 9:00 a.m.) and afternoon (2:00 p.m. to 4:00 p.m.).

Setback and Impervious Surface Requirements. The following table outlines how the proposed use adheres to the setback and impervious surface requirements of the Business Park Zoning District. All of the proposed requirements are met. The property to the north is guided for Business Park in both the current (2030) and proposed (2040) Comprehensive Plan Land Use Plan, and so the required setback from residential zones does not apply.

Setback Requirements, Business Park District		
Standard	Required	Proposed
Maximum Height	50 feet	Less than 50 feet
Maximum Impervious Coverage	75%	57%
Front Yard Setback – Building	50 feet	120 feet from existing right-of-way line
Interior Side Yard Setback – Building	30 feet	120 feet from west side and 470 feet from east side
Corner Side Yard Setback – Building	30 feet	N/A
Rear Yard Setback - Building	30 feet	Approximately 445 feet
Residential Zones – Building	150 feet	Approximately 445 feet
Front Yard – Parking	30 feet	Approximately 60 feet from existing right-of-way line
Interior Side Yard – Parking	15 feet	Approximately 45 feet from west side and approximately 130 feet from east side
Corner Side Yard – Parking	30 feet	N/A
Rear Yard - Parking	15 feet	Approximately 32 feet
Minimum Building Floor Size	5,000 square feet	15,498 square feet

General Site Design Considerations, Commercial Districts. The following outlines how the proposed development adheres to the City's General Site Design considerations for the Business Park zoning district.

- *Circulation.*
 - *Internal connections when feasible.* The parcel to the west has an existing access owned by the parcel to the northwest, so it does not make sense to require this. Additionally, a bus garage would not need to access an adjacent development.

- *Curb cuts minimized.* The proposed development will use an existing curb cut.
- *Fencing and Screening.* There is a proposed chain link fence, which will be consistent with what is currently on the property, enclosing the eastern portion of the parking lot.
- *Lighting Design.* It is a recommended condition of approval that the applicant submit a photometric plan that meets the requirements of Sections 150.035-150.038 of the City Code.
- *Exterior Storage.* Exterior materials storage must be screened from view from adjacent public streets and adjacent residential properties. It is a recommended condition of approval that the applicant provide sufficient berming and screening of the parking lot and that the fueling area and above ground storage tank also be sufficiently screened from adjacent properties and the public right-of-way.

Parking Lot Requirements

- *Surface and Drainage.* It is required that in commercial districts, all areas intended to be utilized for parking spaces for five or more vehicles be paved with a durable surface including, but not limited to, hot asphalt, bituminous, or concrete. Additionally, industrial districts are required to be surfaced with materials suitable to control dust and drainage. The applicant has indicated that the existing paved and gravel parking area would remain and that the site would be expanded to provide additional gravel surfaced parking for school buses and employee cars. It is a recommended condition of approval that the parking area be paved as required by the Zoning Code.
- *Marking of Parking Spaces.* Parking areas containing five or more spaces are required to be marked with painted lines at least four inches wide. This is a recommended condition of approval.
- *Curbing.* Open off-street parking areas designed to have head-in parking along the property line shall provide a bumper curb or barrier of normal height. This is a recommended condition of approval.
- *Accessible Parking.* The proposed number of parking spaces is 365, of these, 199 are proposed to be car stalls. The Americans with Disabilities Act (ADA) requires six accessible stalls with one van accessible stall with six accessible stalls. The proposed number of ADA stalls is six, though there does not appear to be a van accessible stall provided.

Landscape Plans. The applicant has submitted landscape plans which include 62 Norway Spruces and 61 Colorado Blue Spruce. The existing berms would also remain. Some cursory comments on the landscape plan include the following:

- There is proposed 670 feet of street frontage on the property, requiring at least 14 trees be planted along Hudson Boulevard. There are no trees proposed to be planted along Hudson Boulevard. This requirement is not met.
- The applicant has not submitted a Tree Preservation Plan, as is required. It is a recommended condition of approval that this also be submitted and approved by the Landscape Architect.

- It is not known whether or not the requirement that a minimum of five trees be planted for every one acre of land developed or disturbed is met, as the applicant has not submitted a Tree Preservation Plan as indicated above.

Parking Lot Screening Standards

- *Interior Parking Lot Landscaping.* It is not known whether or not the parking lot meets the interior parking lot landscaping requirements, as the applicant has not indicated what percentage of interior parking lot area is devoted to landscaping planting areas. At least 5% of the parking lot will need to be devoted to islands or corner planting beds and include shade trees in accordance with the table below. Provided the parking lot contains 365 spaces as currently proposed, a minimum of 25 trees will be required within these interior landscaped areas.

Number of Parking Spaces	Minimum Required Tree Planting
0-30	None required
31-100	1 tree per 10 spaces or fraction thereof
101+	1 tree per 15 spaces or fraction thereof

- *Perimeter Parking Lot Landscaping.*
 - *Frontage Strip.* A well-over 8-foot wide frontage strip is provided between parking areas and public street as required for parking lots with over 100 spaces. There is a berm that is already located along Hudson Blvd which screens the parking lot.
- *Screening.* Screening is required to provide visual and noise separation of intensive uses from less intensive uses. The property to the west is used as exterior storage, and it is unknown what the property to the east will be used as. It is recommended that the screening be provided from the property to the west and east that consists of either a masonry wall or fence in combination with landscape material that forms a screen at least six feet in height and at least 90% opaque on a year-round basis and include at least one deciduous or coniferous tree per 40 linear feet along the property line.

Lake Elmo Design Guidelines and Standards. The property is located within the I-94 district, and therefore must adhere to the Lake Elmo Design Guidelines and Standards. As previously indicated, the applicant has proposed to use the existing building. The building generally adheres to Lake Elmo Design Guidelines and standards in that the building does not have a blank façade, the window and door styles reflect the prevailing architecture style of the structure, there is variety in building façade through a change in materials, high quality and durable materials are used in street facing facades, and the building is constructed of pre-cast concrete.

Storage Tank. There is a provision in the Zoning Code that requires that the Council permit uses associated with the bulk storage of over 2,000 gallons of diesel after finding that fire, explosion, or water or soil contamination hazards are not present that would be detrimental to the public health, safety, and general welfare and that the Zoning Administrator require the development of diking around the tanks, suitably sealed to hold a leakage capacity equal to 115% of the tank capacity. The proposed fueling area contains

an above ground storage tank that will store 8,000 gallons of diesel. Staff has contacted the Minnesota Pollution Control Agency (MPCA), and the only requirement they have is for their Aboveground Storage Tank (AST) Program is that the applicant fill out an AST Notification of Installation or Change in Status Form informing the MPCA of when the tank has been “closed” from the former location and when it has been moved to the new location. It is a recommended condition of approval that the applicant fill out this form both times (when removing it from the former location and when installing it in the new location) as required by the MPCA.

Bus Washing. The applicant has indicated on the application that the property use will include washing buses. The applicant has indicated that the buses will be washed at the facility’s wash bay and that waste water from the wash bay will run in to an oil separator with all of the shop drains, which will go in to a holding tank, which is then disposed of by a sewer transport service. The oil separator is then emptied and maintained by a licensed transporter. The applicant indicates that once the septic system is converted to the municipal sewer system that the wastewater will go directly to the treatment plant after passing through the oil separator, and the oil separator will be emptied and maintained by a licensed transporter. The disposal of this water is addressed in the engineering comments.

City Engineer Review. This can be referenced in the Preliminary and Final Plat section of this report.

Fire Chief and Building Official Review. The biggest concern that was provided from the Fire Chief and Building Official is that the building is sprinklered yet not hooked up to City water. It is a recommended condition of approval that the property be serviced by City sewer and water prior to the operation of the bus terminal.

Staff Recommendation. Due to recommended denial of the zoning text amendment request due to its inconsistency with the Comprehensive Plan and recommended findings outlined below, which are required for a conditional use permit, staff had recommended **denial** of the requested conditional use permit to operate a school district transportation center at a portion of the property located at 11530 Hudson Blvd N based on the following:

1. The proposed use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or the city. *With over 200 employees and a use that requires both employee trips in and out of the facility each day as well as two bus trips in and out of the facility each day, the use will generate a significant amount of traffic.*
2. The use or development conforms to the City of Lake Elmo Comprehensive Plan. *The property is guided for Business Park. While the proposal does create a significant number of jobs per acre, the parcel will be tax exempt, as it will be owned by the school district. It also does not fit in to the described uses appropriate for this land category. Finally, it does not propose high quality site and building architectural design, which, per the Comprehensive Plan, is a trait this land use category should have.*
3. The use or development is compatible with the existing neighborhood. *The use is compatible with the existing neighborhood, as the existing use is a truck terminal, which is similar in*

use and design to a bus terminal, and the surrounding parcels are mostly vacant and undeveloped. However, the surrounding area is planned for uses such as offices, showroom/warehousing, research and development, manufacturing and assembly, and medical laboratories, which are not compatible uses with a bus terminal.

4. The proposed use meets all specific development standards for such use listed in Article 7 of this Chapter. *There are no specific development standards for this use listed in Article 7. The use does not comply with many parking lot, screening, and landscape standards of the Zoning Code.*
5. If the proposed use is in a flood plain management or shoreland area, the proposed use meets all the specific standards for such use listed in Chapter 150, §150.250 through 150.257 (Shoreland Regulations) and Chapter 152 (Flood Plain Management). *The property is located outside the 0.2% annual chance floodplain.*
6. The proposed use will be designed, constructed, operated and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area. *The proposed project is a redevelopment/repurposing of an existing site, to which minimal improvements are proposed, and will not significantly change the existing character of the area. Operations are not within a building and so would not meet the intended character of the neighborhood.*
7. The proposed use will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring structures. *The proposed use will create a significant amount of traffic, at least at certain times of the day.*
8. The proposed use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use. *The property is within the Metropolitan Urban Service Area (MUSA) and therefore should be required to be provided by city sewer and water. The application did not detail provisions to connect to City sewer and water. The use may require the prompt need for the CSAH 15/Hudson Blvd traffic signal, for which the City will be required to share 25% of the cost, and the Hudson Boulevard realignment. It is not yet known if the applicant's stormwater management plan meets all City, State, and Valley Branch Watershed District requirements.*
9. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. *The use may require the prompt need for the CSAH 15/Hudson Blvd traffic signal/realignment, for which the City will be required to share 25% of the cost. It is not*

yet known if the applicant's stormwater management plan meets all City, State, and Valley Branch Watershed District requirements.

10. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors. ***The proposed use will generate a significant number of trips per day, which may generate excessive production of traffic.***
11. Vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares. ***Traffic congestion may be created from the significant number of trips to the site the use would generate.***
12. The proposed use will not result in the destruction, loss or damage of a natural or scenic feature of major importance. **N/A**

Recommendation Findings for Approval. The Planning Commission recommended approval and the following findings and conditions of approval:

1. The proposed use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or the city. ***Bus traffic is not expected to be detrimental or dangerous, as trips and traffic will be limited to certain times of the day. It is a recommended condition of approval that there be significant berming to provide a sufficient screening of the parking lot.***
2. The use or development conforms to the City of Lake Elmo Comprehensive Plan. ***The property is guided for Business Park, in which local transit, which meets certain standards, is a conditional use per the Zoning Code. The use also provides a significant number of jobs per acre, which is a desired trait of the Business Park land use designation per the Comprehensive Plan.***
3. The use or development is compatible with the existing neighborhood. ***The use is compatible with the existing neighborhood, as the existing use is a truck terminal, which is similar in use and design to a bus terminal. The surrounding parcels are mostly vacant and undeveloped.***
4. The proposed use meets all specific development standards for such use listed in Article 7 of this Chapter. ***The proposal complies with the proposed development standards as recommended in the requested Zoning Text Amendment, although it does not comply with many parking lot, screening, and landscape standards, which have been required as a recommended condition of approval.***
5. If the proposed use is in a flood plain management or shoreland area, the proposed use meets all the specific standards for such use listed in Chapter 150, §150.250 through 150.257 (Shoreland Regulations) and Chapter 152 (Flood Plain Management). ***The property is located outside the 0.2% annual chance floodplain.***
6. The proposed use will be designed, constructed, operated and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity

- and will not change the essential character of that area. ***While the proposed project is a redevelopment/repurposing of an existing site and will not change the existing character of the area, operations are not within a building and so would not meet the intended character of the neighborhood.***
7. The proposed use will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring structures. ***While the proposed use will create a significant amount of traffic, it will be limited to certain times of the day.***
 8. The proposed use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use. ***There are plans to connect to City sewer and water at the applicant's cost. The use may require the prompt need for the CSAH 15/Hudson Blvd traffic signal, for which the City will be required to share 25% of the cost, and the Hudson Boulevard realignment. It is not yet known if the applicant's stormwater management plan meets all City, State, and Valley Branch Watershed District requirements.***
 9. The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. ***While the use will not pay property taxes, sewer and water service charges will be paid by the applicant.***
 10. The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors. ***The proposed use will generate a significant number of trips per day, though this will be limited to certain times of the day. Minimal noise is expected to come from the site, except during heavy traffic times at specific times within the morning or afternoon.***
 11. Vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares. ***Traffic congestion could be created from the significant number of trips to the site, though these would be limited to certain times of the day.***
 12. The proposed use will not result in the destruction, loss or damage of a natural or scenic feature of major importance. **N/A**

Recommended Conditions of Approval. If the Council wishes to recommend approval, staff recommends the following conditions:

- 1) The Zoning Text Amendment to allow local transit (school district transportation center) within the Business Park Zoning District must be approved.
- 2) No construction or use of the bus terminal (unless in accordance with the Interim Use Permit approved by the City by Resolution 2014-095) may commence until all items as outlined in the City Engineer review memo regarding the Four Corners Preliminary & Final Plat (Stillwater

Transportation Center) dated May 30, 2018 and all other subsequent construction plan memos regarding the Stillwater Transportation Center have been addressed; the Four Corners 1st Addition Final Plat has been recorded.

- 3) The applicant must obtain all other necessary City, State, and other governing body permits prior to the commencement of any construction activity on the parcel including but not limited to an approved stormwater management plan, utility plans, grading plan, street construction plans (if required), parking lot permit, building permits, etc.
- 4) The Applicant shall submit a photometric plan, and all lighting must meet requirements of Sections 150.035-150.038 of the City Code.
- 5) The above ground storage tank shall require development of diking around the tank, suitably sealed to hold a leakage capacity equal to 115% of the tank capacity. The applicant shall demonstrate that fire, explosion, or water or soil contamination hazards are not present that would be detrimental to the public health, safety, and general welfare. The applicant shall also fill out an Aboveground Storage Tank Notification of Installation or Change in Status Form as required by the Minnesota Pollution Control Agency (MPCA).
- 6) The Applicant shall submit an updated Landscape Plan and Tree Preservation Plan which includes sufficient berming and screening and addresses the comments in this report to be reviewed and approved by the City's Landscape Architect.
- 7) Parking areas shall be paved with a durable surface including, but not limited to, hot asphalt, bituminous or concrete; spaces shall be marked with painted lines at least four inches wide; required interior and exterior parking lot screening is required; a bumper curb or barrier of normal bumper height shall be provided; and must provide an adequate number of Americans with Disabilities Act (ADA) accessible stalls.
- 8) A sign permit shall be obtained prior to erection of any sign on the property.
- 9) The property shall be connected to City sewer and water prior to operation of the bus terminal.
- 10) A Traffic Impact Study is required to determine timing and extent of improvements required for the CSAH 15 and Hudson Boulevard intersection realignment and traffic signal improvements as well as to determine if an eastbound left turn lane along Hudson Boulevard is also needed at the site access.
- 11) The applicant shall be required to include a description of the sanitary sewer capacity demands including the number of residential equivalency units (REC) based on the Metropolitan Council Sewer Availability Charge (SAC) determination policy as well as a description of the water capacity demands including average day use, peak day use, and fire suppression demands. Demands must account for all planned uses and connections to the sewer system including bus wash wastewater as well as include potable drinking water, bus washing operations, etc.
- 12) Applicant shall be responsible to place hydrants throughout the property at the direction of the Fire Department. All fire hydrants shall be owned and maintained by the City.

Planning Commission Review. The Planning Commission held a public hearing and considered the requests for a zoning map amendment, preliminary and final plat, zoning text amendment and conditional use permit at its June 18, 2018 meeting. No public comments were received prior to the meeting, and no one from the public spoke at the meeting.

During the meeting, the applicant's representative explained that they have been working with the City, offering to pay the water accessory charge, for a number of years. The applicant believes that the development will help bring water and sewer to the site. It is anticipated that the development will spur other development which will generate higher taxes. The school district also explained that a school bus terminal creates quality public services. The location is ideal, as their district spans a number of miles, and this is a more centralized location for their students.

The Planning Commission was supportive of all of the requests and believed that the requests would spur development and bring City services to the area. They indicated that the City should not wait for a better opportunity to come along. They were concerned that the condition that the parking lot be paved and brought to City standards was a burden to the applicant, but it was explained that these are City standards and must be met unless a variance is granted. The Planning Commission recommended approval of all four requests with a vote of 4-0.

FISCAL IMPACT:

If approved and recommended conditions of approval are adopted, the applicant will be required to pay sewer and water availability charges and will be responsible at its sole cost for bringing sewer and water to the property and extending it to adjacent properties. Maintenance of streets, trails, sanitary sewer mains, and other public infrastructure should be considered. The City will collect Sewer Accessibility Charges and Water Accessibility Charges, building permit fees, and property taxes

OPTIONS:

The Council may:

- Approve the requests for a zoning map amendment to rezone a portion of the property located at 11530 Hudson Blvd N and for the Four Corners preliminary and final plat to subdivide the property located at 11530 Hudson Blvd N and deny the requests for a zoning text amendment to allow local transit as a conditional use within the Business Park zoning district and for a conditional use permit to operate a school district transportation center on a portion of the property located at 11530 Hudson Blvd N with staff recommended findings and applicable conditions of approval.
- Approve the requests for a zoning map amendment to rezone a portion of the property located at 11530 Hudson Blvd N and for the Four Corners preliminary and final plat to subdivide the property located at 11530 Hudson Blvd N and deny the requests for a zoning text amendment to allow local transit as a conditional use within the Business Park zoning district and for a conditional use permit to operate a school district transportation center on a portion of the property located at 11530 Hudson Blvd N with amended findings and applicable conditions of approval.
- Deny all requests with findings to support denial for the Four Corners preliminary and final plat and zoning map amendment.
- Approve all requests with staff-drafted findings and conditions of approval.
- Amend any recommended findings and conditions of approval and approve all requests with amended findings and conditions of approval.

RECOMMENDATION:

The Planning Commission recommends approval of the requests for a zoning map amendment, preliminary and final plat, zoning text amendment, and conditional use permit:

“Move to adopt Ord. 08-244 approving the request from Stillwater Area Public Schools for a Zoning Map Amendment to rezone Lot 1, Block 1, Four Corners from Rural Development Transitional to Business Park, subject to recommended condition of approval.”

“Move to adopt Resolution 2018-076 approving the request from Terry Emerson for the Four Corners preliminary and final plat to subdivide the property located at 11530 Hudson Blvd N in to Lot 1, Block 1, Four Corners, along with three separate outlots, subject to recommended conditions of approval.”

“Move to adopt Ord. 08-215 approving the request from Stillwater Area Public Schools for a Zoning Text Amendment to allow local transit as a conditional use within the Business Park zoning district.”

“Move to adopt Resolution 2018-077 approving the request from Stillwater Area Public Schools for a Conditional Use Permit to allow a school district transportation center at the property located at Lot 1, Block 1, Four Corners with the conditions as recommended by Staff/with the amended conditions of approval.”

Staff recommends denial of the zoning text amendment and conditional use permit:

“Move to adopt Resolution 2018-078 denying the request from Stillwater Area Public Schools for a Zoning Text Amendment to allow local transit as a conditional use within the Business Park zoning district based on recommended findings.”

“Move to adopt Resolution 2018-079 denying the request from Stillwater Area Public Schools for a Conditional Use Permit to allow a school district transportation center at the property located at Lot 1, Block 1, Four Corners based on recommended findings.”

ATTACHMENTS:

- Applications for Zoning Text Amendment, Zoning Map Amendment, Conditional Use Permit and Four Corners preliminary and final plat and Narratives.
- Preliminary and Final Plat
- Engineer Memo
- Bus Terminal Plans
- Ord. 08-214 approving the Zoning Map Amendment
- Resolution 2018-076 approving the Preliminary and Final Plat
- Resolution 2018-078 denying the Zoning Text Amendment
- Resolution 2018-079 denying the Conditional Use Permit
- Ord. 08-215 approving the Zoning Text Amendment
- Resolution 2018-077 approving the Conditional Use Permit

Date Received: _____
Received By: _____
LU File #: _____



651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

PRELIMINARY PLAT APPLICATION

Applicant: Terry F Emerson
Address: 2204 Legion Lane Cir. N. Lake Elmo, Mn. 55042
Phone #: 651-727-9272
Email Address: tse03@comcast.net

Fee Owner: EN Properties LLC
Address: 11530 Hudson Blvd. N. Lake Elmo, Mn. 55042
Phone #: 612-845-3373
Email Address: tse03@comcast.net

Property Location (Address and Complete (long) Legal Description): 11530 Hudson Blvd N.
See Attached

General information of proposed subdivision: Selling 11 Acre parcel to
School District # 834

Conducted pre-application meeting with Staff? Yes No

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning Ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: Terry Emerson Date: 5/17/18
Signature of Fee Owner: Terry Emerson Date: 5/17/18

Date Received: _____
Received By: _____
LU File #: _____



651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

FINAL PLAT APPLICATION

Applicant: Terry Emerson
Address: 2204 Legion Ln. Cir. N. Lake Elmo, Mn. 55042
Phone #: 651-777-9072
Email Address: tse03@comcast.net

Fee Owner: EN Properties, LLC
Address: 11530 Hudson Blvd. N. Lake Elmo, Mn. 55042
Phone #: 612-845-3373
Email Address: tse03@comcast.net

Property Location (Address): 11530 Hudson Blvd. N.
Complete (long) Legal Description: See Attached

PID#: _____

General information of proposed subdivision: Selling 11 acre parcel
to School District # 834

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning Ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: Terry Emerson Date: 5/17/18

Fee Owner Signature: Terry Emerson Date: 5/17/18

fee: \$1250
escrow: \$5000

That part of the South Half of the Southeast Quarter of Section 36, Township 29 North, Range 21 West, Washington County, Minnesota lying easterly of the West 33.00 feet (2 rods) thereof, **EXCEPT** that part designated as PARCEL 44 on MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 82-35, State Project No. 8282(94-392)904, recorded as Document No. 424557 in the office of the County Recorder, Washington County, Minnesota.

Subject to highway easements in favor of Washington County as described in Book 258 of Deeds, page 91 and Book 309 of Deed, page 831, of record and on file in said office of the County Recorder.

Also, subject to highway easements in favor of the State of Minnesota as described in Book 109 of Deeds, page 622, Book 109 of Deeds, page 638, and Book 220 of Deeds, page 11, of record and on file in said office of the County Recorder.

Date Received: _____
Received By: _____
Permit #: _____



651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

LAND USE APPLICATION

- Comprehensive Plan Zoning District Amend Zoning Text Amend Variance*(see below) Zoning Appeal
- Conditional Use Permit (C.U.P.) Flood Plain C.U.P. Interim Use Permit (I.U.P.) Excavating/Grading
- Lot Line Adjustment Minor Subdivision Residential Subdivision Sketch/Concept Plan
- PUD Concept Plan PUD Preliminary Plan PUD Final Plan Wireless Communications

Applicant: STILLWATER AREA PUBLIC SCHOOLS - KRISTEN HOHEISEL
Address: 1875 GREELEY STREET SOUTH, STILLWATER, MN 55082
Phone #: 651-351-8321
Email Address: HOHEISELK@STILLWATERSCHOOLS.ORG

Fee Owner: EN PROPERTIES, LLC - TERRY EMERSON
Address: 11530 HUDSON BLVD. NORTH LAKE ELMO, MN 55042
Phone #: 612 845 3373
Email Address: TSE03@COMCAST.NET

Property Location (Address): 11530 HUDSON BLVD. NORTH, LAKE ELMO, MN
(Complete (long) Legal Description): SEE ATTACHMENT - 11 ACRE PARCEL
IN SOUTHWEST CORNER OF PROPERTY
PID#: 36 029 21 43 0001

Detailed Reason for Request: _____

*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: [Signature] Date: 4/26/18

Signature of fee owner: [Signature] Date: 4/26/18

City of Lake Elmo
Narrative for Zoning Map Amendment
April 30, 2018

The property being considered for re-development is currently being used for after-market parts and equipment sales, along with service of Kenworth Diesel Trucks. The proposed use for a School District Transportation Center. School buses for the District would be parked at this facility when not in use, along with performing routine maintenance of the buses at this location. As part of the servicing and maintenance of the buses, it is also planned to wash and fuel buses at this facility.

Approximately 200 people would work at this facility, with morning and afternoon shifts of drivers and attendants, along with the vehicle maintenance and administrative staff. This proposed use would be similar to the existing use of the property, in providing routine service of vehicles. Parking for the school buses (total of 140) transportation vans (about 20) and personal vehicles of the employees (about 200) would be provided on-site.

This location is adjacent to major traffic corridors and routes within this area of the City of Lake Elmo and this would have less of an impact on traffic flow than would occur on lower volume roads or those through residential areas.

Water and sanitary sewer infrastructure are also proposed to this area of the City as part of the adjacent development and re-alignment of Hudson Boulevard, eliminating the need for septic systems for treatment of wastewater from this facility. As the water for the facility is switched from the well to municipal water, the existing well would be abandoned in accordance with Minnesota Health Department requirements.



Lake Elmo City Hall
651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

Name of applicant Terry Emerson
(Please Print)

Street address/legal description of subject property 11530 HUDSON TBLVD.
NORTH, LAKE ELMO, MN

Terry Emerson
Signature

4/26/18
Date

If you are not the fee owner, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

If a corporation is fee title holder, attach a copy of the resolution of the Board of Directors authorizing this action.

If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.

City of Lake Elmo
Narrative for Zoning Map Amendment
April 30, 2018

The property being considered for re-development is currently being used for after-market parts and equipment sales, along with service of Kenworth Diesel Trucks. The proposed use for a School District Transportation Center. School buses for the District would be parked at this facility when not in use, along with performing routine maintenance of the buses at this location. As part of the servicing and maintenance of the buses, it is also planned to wash and fuel buses at this facility.

Approximately 200 people would work at this facility, with morning and afternoon shifts of drivers and attendants, along with the vehicle maintenance and administrative staff. This proposed use would be similar to the existing use of the property, in providing routine service of vehicles. Parking for the school buses (total of 140) transportation vans (about 20) and personal vehicles of the employees (about 200) would be provided on-site.

This location is adjacent to major traffic corridors and routes within this area of the City of Lake Elmo and this would have less of an impact on traffic flow than would occur on lower volume roads or those through residential areas.

Water and sanitary sewer infrastructure are also proposed to this area of the City as part of the adjacent development and re-alignment of Hudson Boulevard, eliminating the need for septic systems for treatment of wastewater from this facility. As the water for the facility is switched from the well to municipal water, the existing well would be abandoned in accordance with Minnesota Health Department requirements.

Date Received: _____
Received By: _____
Permit #: _____



651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

LAND USE APPLICATION

- Comprehensive Plan Zoning District Amend Zoning Text Amend Variance*(see below) Zoning Appeal
 Conditional Use Permit (C.U.P.) Flood Plain C.U.P. Interim Use Permit (I.U.P.) Excavating/Grading
 Lot Line Adjustment Minor Subdivision Residential Subdivision Sketch/Concept Plan
 PUD Concept Plan PUD Preliminary Plan PUD Final Plan Wireless Communications

Applicant: STILLWATER AREA PUBLIC SCHOOLS - KRISTEN HOHEISEL
Address: 1875 GREELEY STREET SOUTH, STILLWATER, MN
Phone #: 651-351-8321 55082
Email Address: HOHEISELK@STILLWATERSCHOOLS.ORG

Fee Owner: EN PROPERTIES, LLL - TERRY EMERSON
Address: 11530 HUDSON BLVD NORTH, LAKE ELMO, MN 55042
Phone #: 612-845-3373
Email Address: TSEO3@COMCAST.NET

Property Location (Address): 11530 HUDSON BLVD. NORTH, LAKE ELMO, MN
(Complete (long) Legal Description): SEE ATTACHED - 11 ACRE PARCEL IN
SOUTH WEST CORNER OF PROPERTY.
PID#: 36 029 21 43 0001

Detailed Reason for Request: ZONING TEXT AMENDMENT TO 154.551,
TABLE 12-1 TO INCLUDE "LOCAL TRANSIT" AS A
CONDITIONAL USE IN THE BUSINESS PARK DISTRICT.
ALSO APPLYING TO ADD STANDARDS FOR LOCAL TRANSIT
TO 154.554

*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: [Signature] Date: 4/26/18

Signature of fee owner: [Signature] Date: 4/26/18



Lake Elmo City Hall
651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

ZONING TEXT AMENDMENT SUBMISSION REQUIREMENTS

In accordance with the provisions of Minnesota State Statutes, the City Council may from time to time adopt amendments to the zoning ordinance. An amendment to the zoning ordinance involves changes in its text and wording, including but not limited to, changes in the regulations regarding uses setbacks, heights, lot areas, definitions, administration, and/or procedures. Text amendments do not include the rezoning of property.

The application for a zoning text amendment shall include:

- a. Land Use application form completed and signed by Owner, or someone having legal interest in the property.
- b. Date of application
- c. Name, address, telephone number, and, if available, fax and email address of the applicant as well as of the person, firm, corporation, or association.
- d. Parcel ID # and Legal description.
- e. Chapter and section number of proposed amendment along with existing text of section.
- f. Proposed language for ordinance amendment. Identification of the proposed substitute wording for the zoning text.
- g. A narrative describing your reason for requesting zoning text amendment. Your description should include how you would be impacted by the zoning text amendment. How the text amendment meets the Comprehensive Plan. How the text amendment will impact the zoning and the subdivision code.
- h. Applicable fee listed on the Cities current fee schedule.
- i. Such other information as the City may require to ensure compliance with any other applicable regulations.

City of Lake Elmo
Narrative for Zoning Text Amendment
April 30, 2018

The property being considered for re-development is currently being used for after-market parts and equipment sales, along with service of Kenworth Diesel Trucks. The proposed use is for local school buses to be parked along with routine maintenance at this location. This proposed use (local transit) is currently not listed in the zoning code as a permitted use in the Business Park Zoning District, but would be similar to the existing use of the property. In addition, this location is adjacent to major traffic corridors and routes, and this would limit bus traffic on lower volume roads and through residential areas.

This proposed use would not be detrimental to the other permitted uses in the Business Park District. This use would be consistent with the City of Lake Elmo Comprehensive Plan for the Business Park District in providing a diverse mixed use, with a high density of jobs at this location. This facility will employ about 200 people, including the various shifts, positions and administrative staff.

Water and sanitary sewer infrastructure are also proposed to this area of the City as part of the adjacent development and re-alignment of Hudson Boulevard, eliminating the need for septic systems for treatment of wastewater from this facility. As the water for the facility is switched from the well to municipal water, the existing well would be abandoned in accordance with Minnesota Health Department requirements.

3) providing open space, quality landscaping and berming; 4) including berming and buffering of parking, loading docks and other similar functions; and 5) protecting and enhancing the natural environment; and 6) providing users with an attractive working environment that is unique in the eastern metropolitan area with immediate access to I-94.

(Ord. 2012-062, passed 9-18-2012)

§ 154.551 PERMITTED, CONDITIONAL AND INTERIM USES.

Table 12-1 lists all permitted and conditional uses allowed in the commercial districts. “P” indicates a permitted use, “C” a conditional use and “I” an interim use. Uses not so indicated shall be considered prohibited. Cross-references listed in the table under “Standards” indicate the location within this chapter of specific development standards that apply to the listed use.

- A. *Combinations of Uses.* The following use types may be combined on a single parcel.
1. Principal and accessory uses.
 2. Other permitted or conditional uses allowed within the district may be combined on a single parcel, provided that a unified and integrated site plan is approved. The entire development must be approved as a conditional use.
 3. A mixed-use building that combines permitted or conditionally permitted residential, service, retail and civic uses may be developed meeting the form standards of this subchapter. Office or studio uses on upper stories are encouraged.

Table 12-1: Permitted, Conditional and Interim Uses, Commercial Districts

	<i>LC</i>	<i>CC</i>	<i>C</i>	<i>BP</i>	<i>Standard</i>
<i>Residential Uses</i>					
Household Living					
Single-family attached dwelling	-	-	C	-	154.554 (A)
Multifamily dwelling	-	-	C	-	154.554 (B)
Live-work unit	C	C	C	-	154.012 (B) (1)
Group Living					
Semi-transient accommodations	-	-	C	-	154.301 (D)
Congregate housing	-	-	C	-	154.301 (C)
<i>Public and Civic Uses</i>					
Colleges and universities	-	-	C	C	154.012 (B) (2), 154.303 (A)
Community service	-	C	C	C	154.012 (B) (2)
Day care center	C	C	C	C	154.012 (B) (2)

Schools, public and private	-	-	C	C	154.012 (B) (2), 154.303 (A)
	LC	CC	C	BP	Standard
Public assembly	-	-	C	C	154.012 (B) (2)
Religious institutions	-	-	C	-	154.012 (B) (2), 154.303 (N)
<i>Services</i>					
Business services	P	P	P	P	154.012 (B) (3)
Business center	P	P	P	P	154.012 (B) (3)
Offices	P	P	P	P	154.012 (B) (3)
Commercial kennel	-	-	C	-	
Communication services	C	C	P	P	154.012 (B) (3)
Educational services	P	P	P	P	154.012 (B) (3), 154.303 (A)
Financial institution	P	P	P	P	154.012 (B) (3)
Funeral home	-	C	P	-	154.012 (B) (3)
Lodging	-	-	P	C*	154.012 (B) (3), 154.302 (D), *154.554 (C)
Medical facility	-	-	C	C	154.012 (B) (3), 154.303 (B)
Membership organization	P	P	P	-	154.012 (B) (3)
Nursing and personal care	C	C	C	-	154.012 (B) (3), 154.303 (C)
Personal services	P	P	P	-	154.012 (B) (3)
<i>Services</i>					
Repair and maintenance shop	-	-	P	-	154.554 (D)
Self-service storage	-	-	C	C	154.303 (D)
Trade shop	-	-	P	-	154.554 (E)
Transportation services	-	-	-	C	154.012 (B) (3)
Veterinary services	P	P	P	C	154.554 (F)
<i>Food Services</i>					
Standard restaurant	-	P	P	C*	154.012 (B) (4), 154.554 (L)

Drive-in restaurant	-	C	C	-	154.304 (A)
Drinking & entertainment	-	C	P	-	154.304 (B)
Fast food restaurant	-	P	P	C*	*154.554 (M)
<i>Sales of Merchandise</i>					
General retail sales ¹	C	P	P	C*	154.554 (N)
Building supplies sales	-	-	C	-	
Warehouse club sales	-	-	C	-	
Furniture and appliance sales	-	-	P	-	
	LC	CC	C	BP	Standard
Grocery, supermarket	-	-	P	-	
Liquor store	-	P	P	-	
Garden center	-	-	P	-	154.554 (G)
Neighborhood convenience store	-	P	P	-	
Shopping center	-	P	P	-	
<i>Sales of Merchandise</i>					
Wholesaling	-	-	P	-	
<i>Automotive/Vehicular Uses</i>					
Automobile maintenance service	-	-	C	-	154.554 (H)
Automobile parts/supply	-	-	P	-	154.554 (H)
Car wash	-	-	C	-	154.012 (B) (6)
Commercial vehicle repair	-	-	-	-	154.554 (H)
Gasoline station	-	C	C	-	154.305 (B)
Parking facility	-	-	C*	C	*154.554 (I)
Sales and storage lots	-	-	C	-	154.305 (C)
<i>Outdoor Recreation</i>					
Campgrounds and trailering	-	-	-	-	
Golf course	-	-	-	-	
Marina	-	-	-	-	
Outdoor entertainment	-	-	-	-	
Outdoor recreation facility	-	-	C	-	154.306 (C)
Parks and open areas	P	P	P	P	154.012 (B) (7)
Restricted recreation	-	-	-	-	

<i>Indoor Recreation/Entertainment</i>					
Adult establishment	-	-	-	C	Chapter 113
Indoor athletic facility	-	C	P	C	154.307 (A)
<i>Indoor Recreation/Entertainment</i>					
Indoor recreation	-	-	C	-	154.307 (A)
<i>Agricultural and Related Uses</i>					
Agricultural sales business	-	I	P	-	154.012 (B) (9)
Agricultural services	-	-	C	-	154.012 (B) (9)
	LC	CC	C	BP	Standard
Agricultural support	-	-	C	-	154.012 (B) (9)
Greenhouses - non retail	-	-	-	-	154.012 (B) (9)
Wayside stand	P	P	P	P	154.012 (B) (9)
<i>Industrial and Extractive Uses</i>					
Heavy industrial	-	-	-	-	
Landfill	-	-	-	-	
Light industrial	-	-	-	C	154.012 (B) (10)
Non-production industrial	-	-	-	C	154.554 (J)
Motor freight and warehousing	-	-	-	C	154.012 (B) (10)
Research and testing	-	-	-	C	154.012 (B) (10)
Resource extraction	-	-	-	-	154.012 (B) (10)
Salvage/recyclable center	-	-	-	-	154.012 (B) (10)
<i>Transportation and Communications</i>					
* Broadcasting and communications	C	C	C	C	154.012 (B) (11), 154.083
<i>Accessory Uses</i>					
Bed and breakfast	-	-	-	-	154.012 (B) (12), 154.310 (A)
Drive-through facility	-	C	C	-	154.304 (A)
Family day care	-	-	-	-	154.012 (B) (12)
Group family day care	-	-	-	-	154.012 (B) (12)
Home occupation	-	-	-	-	154.012 (B) (12)
Parking facility	C	C	P*	P	*154.554 (I)
Outdoor storage	-	-	C	-	

* ADD LOCAL TRANSIT AS A CONDITIONAL USE IN
BP DISTRICT.

Outdoor display	-	-	C	-	
Solar equipment	P	P	P	P	154.310 (C)
Other structures typically incidental and clearly subordinate to permitted use	P	P	P	P	

1. General Retail Sales shall include all of the subcategories identified in the § 154.012(B)(5) under Retail Trade with the exception of those subcategories listed separately in Table 12-1 above.

(Ord. 2012-062, passed 9-18-2012)

(Ord. 08-116, passed 3-3-2015)

§ 154.552 LOT DIMENSIONS AND BUILDING BULK REQUIREMENTS.

Lot area and setback requirements shall be as specified in Table 12-2 Lot Dimension and Setback Requirements, Commercial Districts.

Table 12-2: Lot Dimension and Setback Requirements, Commercial Districts

	<i>LC</i>	<i>CC</i>	<i>C</i>	<i>BP</i>
Minimum lot area (sq. Ft.)	3.5 acres	12,000	20,000	2 acres
Minimum lot width (feet)	300	75	100	200
Minimum lot depth (feet)	400	-	-	-
Maximum height (feet/stories)	35	35	45	50 ^a
Maximum impervious coverage	40%	60%	75%	75%
Building setback requirements (feet)				
Front yard	100	30	30	50
Interior side yard	50	20	10	30
Corner side yard	100	25 ^c	25 ^c	30
Rear yard	50	30 ^b	30 ^b	30
Residential zones	150	50	50	150
Parking setback requirements (feet)				
Front yard	50	15	15	30
Interior side yard	50	10	10	15
Corner side yard	50	15	15	30
Rear yard	50	10	10	15
Residential zones	100	35	35	100

Minimum building floor size (sq. ft.)	4,000	-	-	5,000
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Notes to Table 12-2

- a. Buildings higher than 50 feet may be allowed through a Conditional Use Permit and would be subject to a separate technical and planning evaluation.
- b. Accessory buildings must be set back 10 feet from property lines.
- c. Corner properties: The side facade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street, or the required front yard setback, whichever is less. If no structure exists on the adjacent property, the setback shall be as shown in the table.

(Ord. 2012-062, passed 9-18-2012)

§ 154.553 GENERAL SITE DESIGN CONSIDERATIONS, COMMERCIAL DISTRICTS.

Development of land within the commercial districts shall follow established standards for traffic circulation, landscape design, and other considerations as specified in Articles 7, 8 and 9. (Ord. 08-152, passed 10-01-2016)

- A. *Circulation.* Internal connections shall be provided between parking areas on adjacent properties wherever feasible.
 - 1. The number and width of curb-cuts shall be minimized. To promote pedestrian circulation, existing continuous curb-cuts shall be reduced to widths necessary for vehicular traffic, and unnecessary or abandoned curb cuts shall be removed as parcels are developed.
- B. *Fencing and Screening.* Fencing and screening walls visible from the public right-of-way shall be constructed of materials compatible with the principal structure.
- C. *Lighting Design.* Lighting shall be integrated into the exterior design of new or renovated structures to create a greater sense of activity, security, and interest to the pedestrian. All lighting shall be installed in conformance to §150.035 through §150.038.
- D. *Exterior Storage.* Exterior materials storage must be screened from view from adjacent public streets and adjacent residential properties, by a wing of the principal structure or a screen wall constructed of the same materials as the principal structure. Height of the structure or screen wall must be sufficient to completely conceal the stored materials from view at eye level (measured at 6 feet above ground level) on the adjacent street or property.

(Ord. 2012-062, passed 9-18-2012) Penalty, see § 154.999

§ 154.554 DEVELOPMENT STANDARDS FOR SPECIFIC USES.

The following standards apply to specific uses allowed within the Commercial Districts. Other specific use standards are located in Article 9. (Ord. 08-152, passed 10-01-2016)

- A. *Single-family attached dwellings, C District.* Limited to areas that are designated as mixed-use in the Comprehensive Land Use Plan.
- B. *Multi-family dwelling units, C District.* Dwelling units (both condominium and rental) are allowed as follows:
 - 1. Within those areas designated as mixed-use in the Comprehensive Plan; and
 - 2. On the upper floors or rear or side ground floors of a mixed-use building approved as part of a Planned Unit Development
- C. *Lodging, BP District.* Must incorporate a full-service restaurant and rooms accessible only through interior corridors and be subordinate to a main business complex.
- D. *Repair and Maintenance Shop.* No outdoor storage is permitted.
- E. *Trade Shop.* Exterior materials storage must be totally screened from view from adjacent public streets and adjacent residential properties, by a wall of the principal structure or a screen wall constructed of the same materials as the principal structure.
- F. *Veterinary Services.* All activities must be conducted within an enclosed building. Crematoriums are not allowed.
- G. *Garden Center*
 - 1. The storage or display of any materials or products shall meet all primary building setback requirements of a structure, and shall be maintained in an orderly manner. Screening along the boundaries of adjacent residential properties may be required, meeting the standards of 154.258 (F).
 - 2. All loading and parking shall be provided off-street.
 - 3. The storage of any soil, fertilizer or other loose, unpackaged materials shall be contained so as to prevent any effects on adjacent uses.
- H. *Automobile Maintenance Service and Automobile Parts/Supply*
 - 1. All vehicle repairs shall be conducted in a completely enclosed building.
 - 2. The storage or display of inoperable or unlicensed vehicles or other equipment shall meet all setback requirements of a primary structure, and shall be totally screened from view from adjacent public streets and adjacent residential properties.
- I. *Parking Facility, C District.* Structured parking is permitted as a ground floor use within a mixed-use building, provided that it is located on side or rear facades, not facing the primary abutting street. The primary street-facing facade shall be designed for retail, office or residential use.
- J. *Non-Production Industrial, BP District.* Non-production industrial use shall be allowed as a principal use, and may include wholesale and off-premise sales, provided that:
 - 1. The use is served by a street of sufficient capacity to handle the traffic the use will generate;
 - 2. The use includes a retail or office component equal to at least 25% of the floor area of the use; and

3. An appropriate transition area between the use and adjacent property may be required, to include landscaping, screening and other site improvements consistent with the character of the area.

K. *Outdoor Dining Accessory to Food Services.* Outdoor dining is allowed as an accessory use in the commercial districts, provided that tables do not block a public sidewalk or other walkway needed for pedestrian circulation. A minimum of 5 feet of sidewalk or walkway must remain open.

L. *Standard Restaurant, BP District.* Must be incorporated as part of a larger business center or lodging use.

M. *Fast Food Restaurant, BP District.* Must be incorporated as part of a larger business center or lodging use.

N. *Retail Trade, BP District.* Limited to uses clearly incidental and accessory to a permitted or conditionally permitted principal use of the land.

1. The compounding, dispensing or sale of drugs, prescription items, patient or proprietary medicine, sick room supplies, prosthetic devices or items relating to any of the permitted or conditionally permitted uses is only allowed when conducted in the building occupied primarily by medical facilities or offices.

(Ord. 2012-062, passed 9-18-2012) Penalty, see § 154.999

ADD : O. LOCAL TRANSIT, BP DISTRICT.

§ 154.555 COMMERCIAL DISTRICT DESIGN STANDARDS.

Review of Design. For certain development activity as specified in the Lake Elmo Design Guidelines and Standards Manual, design review is required as part of the approval process for a permit or certificate under this Ordinance. All projects subject to design review shall be reviewed for conformance with the Lake Elmo Design Guidelines and Standards Manual and shall follow the review procedures specified in §154.506.A.

(Ord. 08-095, passed 11-19-2013)

City of Lake Elmo
Narrative for Zoning Text Amendment
April 30, 2018

The property being considered for re-development is currently being used for after-market parts and equipment sales, along with service of Kenworth Diesel Trucks. The proposed use is for local school buses to be parked along with routine maintenance at this location. This proposed use (local transit) is currently not listed in the zoning code as a permitted use in the Business Park Zoning District, but would be similar to the existing use of the property. In addition, this location is adjacent to major traffic corridors and routes, and this would limit bus traffic on lower volume roads and through residential areas.

This proposed use would not be detrimental to the other permitted uses in the Business Park District. This use would be consistent with the City of Lake Elmo Comprehensive Plan for the Business Park District in providing a diverse mixed use, with a high density of jobs at this location. This facility will employ about 200 people, including the various shifts, positions and administrative staff.

Water and sanitary sewer infrastructure are also proposed to this area of the City as part of the adjacent development and re-alignment of Hudson Boulevard, eliminating the need for septic systems for treatment of wastewater from this facility. As the water for the facility is switched from the well to municipal water, the existing well would be abandoned in accordance with Minnesota Health Department requirements.

Date Received: _____
Received By: _____
Permit #: _____



651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

LAND USE APPLICATION

- Comprehensive Plan Zoning District Amend Zoning Text Amend Variance*(see below) Zoning Appeal
- Conditional Use Permit (C.U.P.) Flood Plain C.U.P. Interim Use Permit (I.U.P.) Excavating/Grading
- Lot Line Adjustment Minor Subdivision Residential Subdivision Sketch/Concept Plan
- PUD Concept Plan PUD Preliminary Plan PUD Final Plan Wireless Communications

Applicant: STILLWATER AREA PUBLIC SCHOOLS - KRISTEN HOHEISEL
Address: 1875 GREELEY STREET SOUTH, STILLWATER, MN 55082
Phone #: 651-351-8321
Email Address: HOHEISELK@STILLWATERSCHOOLS.ORG

Fee Owner: EN PROPERTIES, LLC - TERRY EMERSON
Address: 11530 HUDSON BLVD. NORTH LAKE ELMO, MN 55042
Phone #: 612 845 3373
Email Address: TSE03@COMCAST.NET

Property Location (Address): 11530 HUDSON BLVD. NORTH, LAKE ELMO, MN
(Complete (long) Legal Description): SEE ATTACHMENT - 11 ACRE PARCEL
IN SOUTHWEST CORNER OF PROPERTY
PID#: 36 029 21 43 0001

Detailed Reason for Request: _____

*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: [Signature] Date: 4/26/18

Signature of fee owner: [Signature] Date: 4/26/18

City of Lake Elmo
Narrative for Conditional Use Permit
Stillwater Area Public Schools
April 30, 2018

Contact Information:

Stillwater Area Public Schools – Kristen Hoheisel – 651-351-8321, Email: hoheiselk@stilwaterschools.org

Property Owner: Terry Emerson – 651-845-3373, Email: tse03@comcast.net

Engineer: Greg Buchal - Larson Engineering 651-255-0328, Email: gbuchal@larsonengr.com

Surveyor: Tim Freeman – FFE Surveying 651-439-8833, Email: freeman@ffe-inc.com

Property Address: 11530 Hudson Blvd. North, Lake Elmo, MN 55042

Current Zoning: Business Park

Parcel Size: 11 acres (approximately 479,160 sq. ft.)

PID Number: 36 029 21 43 0001

Current building was constructed in the 1990's and was used for office space by E& H Earthmovers and also provided bus storage for Stillwater Schools. The building was then used by Kenworth Diesel Trucks for sales, repairs and service of diesel trucks, and is currently being considered for bus parking and maintenance by Stillwater Schools again.

The proposed use is for a School District Transportation Center. The existing building, paved and gravel parking area, along with the existing landscaped berms would remain as they are and the site would be expanded to provide additional gravel surfaced parking for school buses and employee cars. School buses for the District would be parked at this facility when not in use, along with performing routine maintenance of the buses at this location. As part of the servicing and maintenance of the buses, it is also planned to wash and fuel buses at this facility.

Approximately 200 people would work at this facility, with morning and afternoon shifts of drivers and attendants, along with the vehicle maintenance and administrative staff. Hours of operation would be from about 6:00am to about 6:00pm during the weekdays with occasional Saturday use for limited special school district transportation needs. This proposed use would be similar to the existing use of the property, in providing routine service of vehicles. Parking for the school buses (total of 140) transportation vans (about 20) and personal vehicles of the employees (about 200) would be provided on-site.

This location is adjacent to major traffic corridors and routes within this area of the City of Lake Elmo and this would have less of an impact on traffic flow than would occur on lower volume roads or those through residential areas. Being located along the Highway 94 corridor, the bus traffic would have a minimal impact on the already higher volumes of traffic in this area. In addition, the peak bus traffic times will be limited to the morning hours, from about 7:00am to 9:00am to get student to school, and from about 2:00pm to 4:00pm to get students back home from school.

This proposed use would not be detrimental to the other permitted uses in the Business Park District. This use would be consistent with the City of Lake Elmo Comprehensive Plan for the Business Park District in providing a diverse mixed use, with a high density of jobs at this location. This facility will employ about 200 people, including the various shifts, positions and administrative staff.

Water and sanitary sewer infrastructure are also proposed to this area of the City as part of the adjacent re-development and re-alignment of Hudson Boulevard, eliminating the need for septic systems for treatment of wastewater from this facility. As the water for the facility is switched from the well to municipal water, the existing well would be abandoned in accordance with Minnesota Health Department requirements.



Lake Elmo City Hall
651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I **am the fee title owner** of the below described property or that I have written authorization from the owner to pursue the described action.

Name of applicant Terry Emerson
(Please Print)

Street address/legal description of subject property 11530 HUDSON BLVD.
NORTH, LAKE ELMO, MN

Terry Emerson
Signature

4/26/18
Date

If you are not the fee owner, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

If a corporation is fee title holder, attach a copy of the resolution of the Board of Directors authorizing this action.

If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.

Parcel Search: April 26, 2018 at 9:20 a.m. by SURVPUB
350 feet surrounding multiple parcels. 20 parcels, 9 labels.

0102821110001
0102821130002
0102821210003
0102821220002
0602820220001
3102920320001
3102920320002
3102920330001
3102920330002
3102920330003
3602921310002
3602921340006
3602921340007
3602921410001
3602921410002
3602921420001
3602921430001
3602921430002
3602921440002
3602921440003

TRINITY SELECT LLC
or Current Resident
11490 HUDSON BLVD
LAKE ELMO MN 55042

YIK CHI LO LIVING TRS
or Current Resident
6422 CRACKLEBERRY TRL
WOODBURY MN 55129-9529

STATE OF MN-DOT
or Current Resident
1500 COUNTY ROAD B2 W
ROSEVILLE MN 55113

FOUR SISTERS INVESTMENTS LLC
or Current Resident
225 6TH ST S SUITE 3500
MINNEAPOLIS MN 55402

HOLIDAY STATIONSTORES INC
or Current Resident
PO BOX 1224
MINNEAPOLIS MN 55440

DPS-WOODDALE LLC
or Current Resident
6007 CULLIGAN WAY
MINNETONKA MN 55345

SAYER M SCOTT
or Current Resident
1730 MEADOWWOODS TRL
LONG LAKE MN 55356

CITY OF LAKE ELMO
or Current Resident
3800 LAVERNE AVE N
LAKE ELMO MN 55042

EN PROPERTIES LLC
or Current Resident
11530 HUDSON BLVD N
LAKE ELMO MN 55042-9751

City of Lake Elmo
Narrative for Conditional Use Permit
Stillwater Area Public Schools
April 30, 2018

Contact Information:

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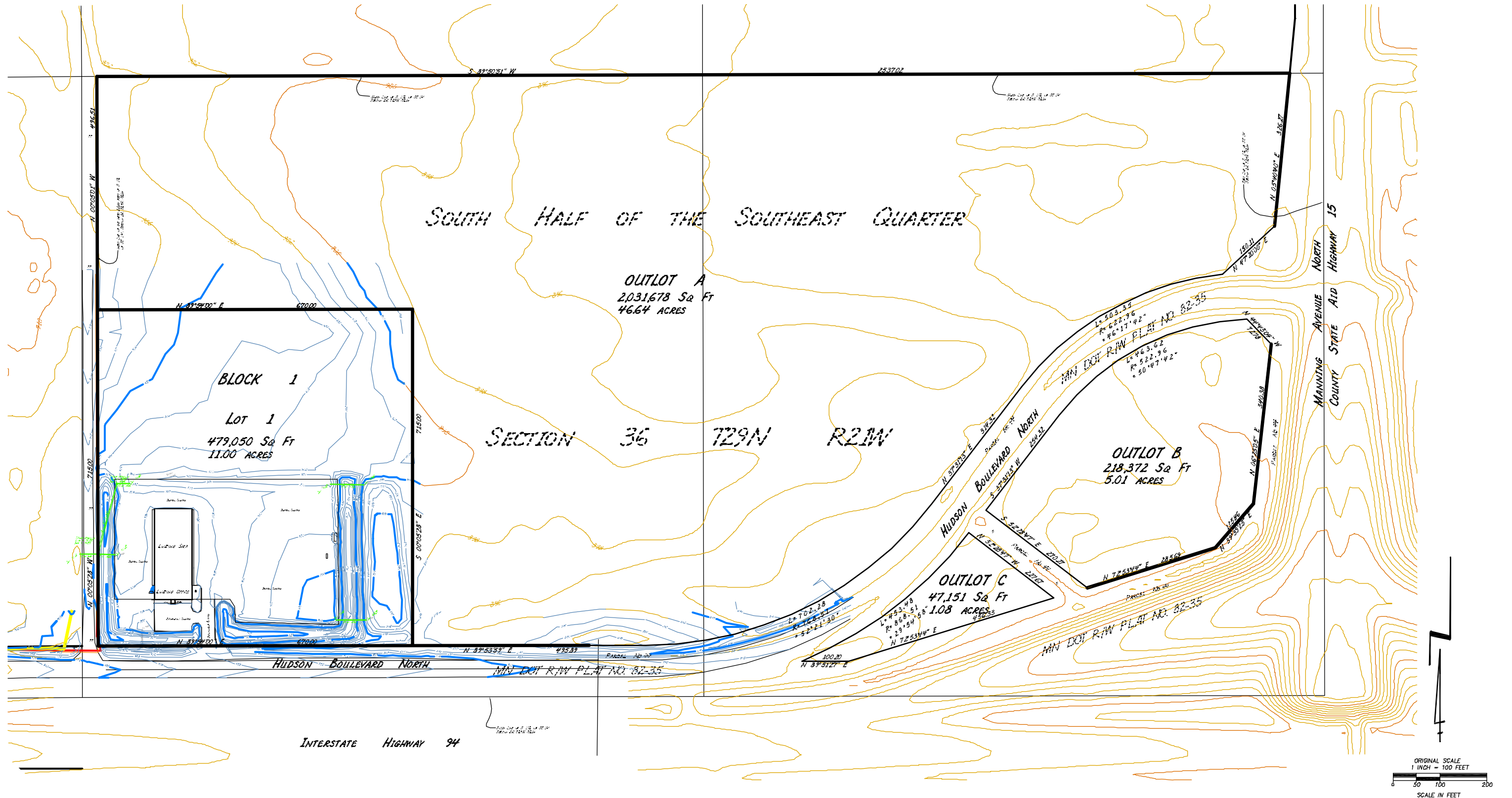
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FOUR CORNERS PRELIMINARY PLAT

City of Lake Elmo, Minnesota



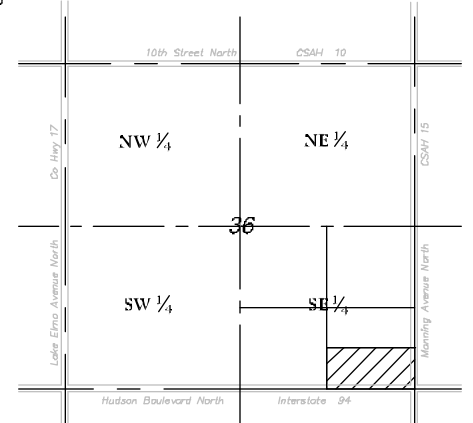
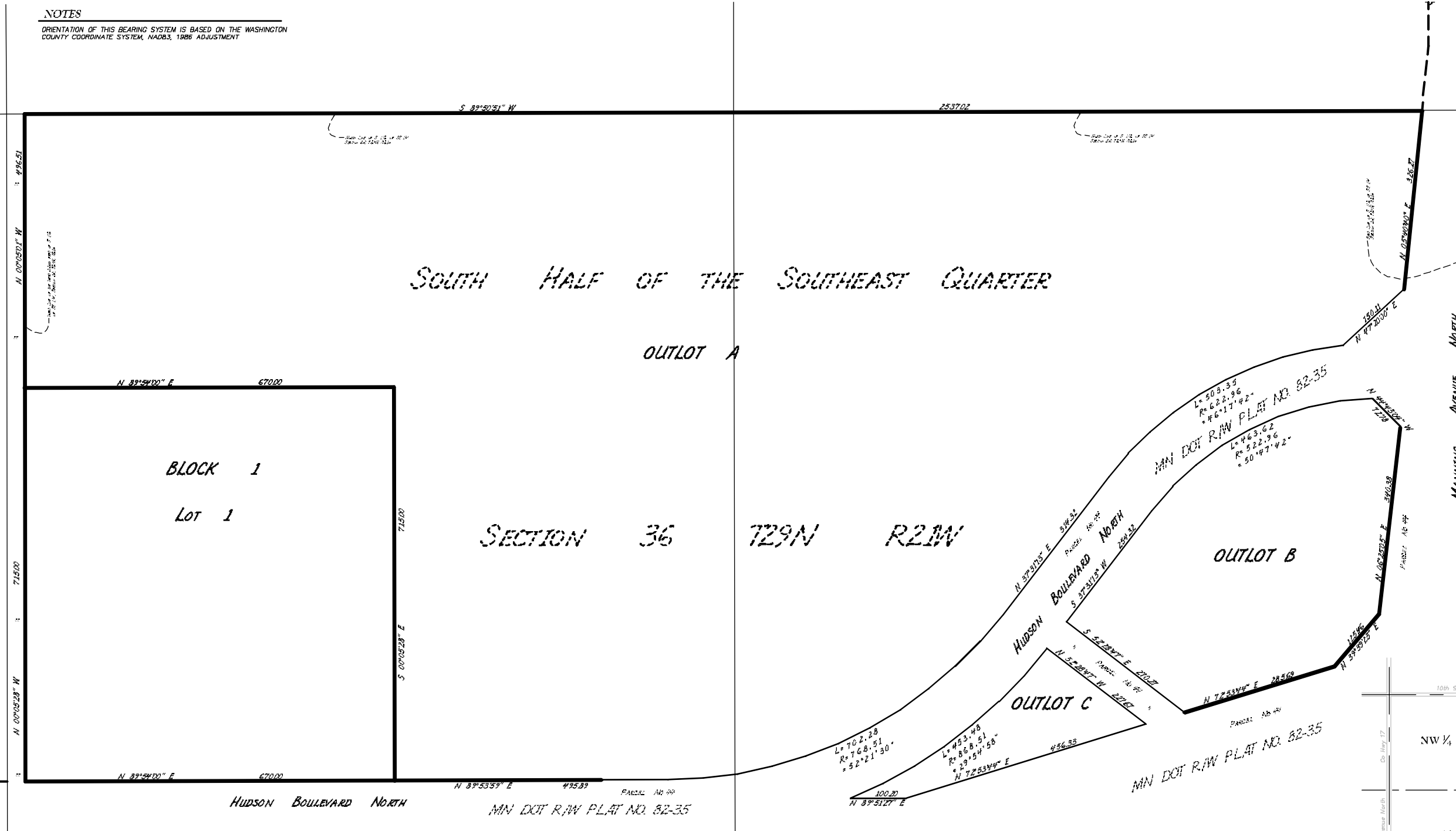
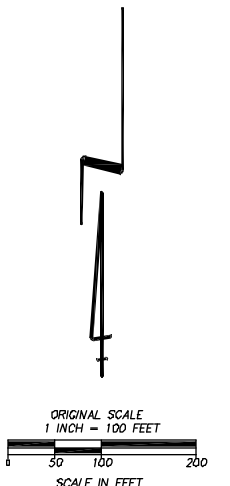
FOUR CORNERS

LEGEND

- DENOTES SET 1/2 INCH DIA. BY 16 INCH IRON PIPE MONUMENT MARKED WITH A PLASTIC CAP INSCRIBED "FREEMAN LS 16989", UNLESS SHOWN OTHERWISE
- DENOTES FOUND MONUMENT, SIZE AND MARKINGS AS INDICATED

NOTES

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE WASHINGTON COUNTY COORDINATE SYSTEM, NAD83, 1986 ADJUSTMENT



Vicinity Map
 Section 36, T29N - R21W
 Washington County, Minnesota

STREETS AND TRANSPORTATION

- Hudson Boulevard Right-of-Way/Easement Dedication. No additional right-of-way dedication is required unless an eastbound left turn lane is required (see below). However, a 10-foot utility corridor easement for small utilities must be dedicated to the City along the north boulevard of Hudson Blvd.
- Site Access. The site plans propose the continued use of the existing commercial driveway with dedicated right and left turn lanes leaving the site.
- Hudson Boulevard Improvements. As part of the development, Hudson Boulevard must be improved per the City design standards to an urban section on the north side of the street including a west bound right turn lane to the site, a 4-foot shoulder (curb reaction), a 9-foot boulevard, and 10-foot shared use bituminous trail with 2-foot clear zone (see attached typical section and preliminary layout).
- Traffic Impact Study. A traffic impact study should be completed and submitted as part of the preliminary plat application to determine the timing and extent of improvements required for the CSAH 15 and Hudson Boulevard intersection realignment and traffic signal improvements. A financial contribution to CSAH 15/Hudson Blvd traffic signal/realignment should be considered. In addition, the study is needed to determine if an eastbound left turn land along Hudson Boulevard is also needed at the Site access.

MUNICIPAL SANITARY SEWER

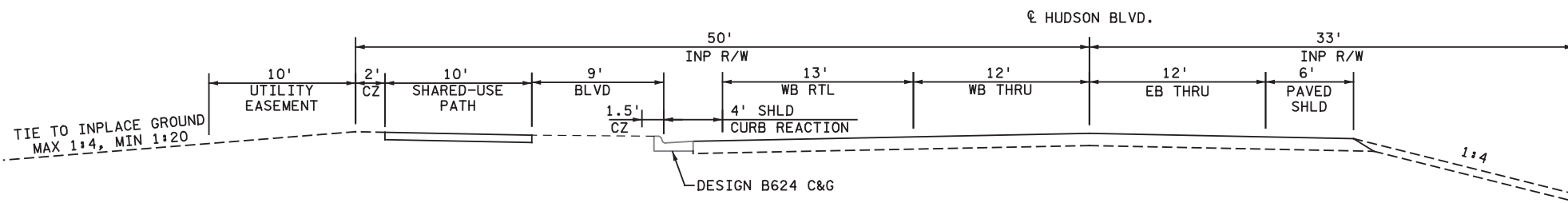
- The proposed site is guided in the City's Comprehensive Plan for 2020-2030 Regional Sewer Staging Plan and would discharge to the MCES Cottage Grove Ravine Interceptor. Therefore, provisions for connecting to the municipal sanitary sewer service must be included with this application. The site plans/application indicates a new sewer service line connecting to future sanitary sewer but does not address the extension of sanitary sewer to the site.
- The applicant will be responsible to connect to the City sanitary sewer system and extend sanitary sewer into the property at applicant's sole cost. In addition, the applicant will be required to stub sanitary sewer mains to adjacent properties so that these parcels maintain sewer access. Sanitary sewer is available along Hudson Blvd near the MCES Meter Station. The sanitary sewer trunk size will need to be determined based on the 2040 Comprehensive Plan.
- The application should include a description of the sanitary sewer capacity demands including the number of residential equivalent units (REC) based on the Met Council SAC determination policy. Demands must account for all planned uses and connections to the sewer system including bus wash wastewater. This information is required for staff evaluation of the sewer system improvements needed to support the development and to determine the applicable sewer availability charges.
- Existing Utility Easements. The existing sanitary sewer utility easements along Hudson Boulevard and the new commercial street corridor must be shown with the preliminary plan submittal and plan revisions must be made to avoid encroachments/conflicts with these easements.
- Any main sewer lines placed within the development will require minimum 30-foot easements centered over the pipe (or wider dependent upon the sewer depths) dedicated to the City and in the form of the City's Utility Easement Agreement.

MUNICIPAL WATER SUPPLY

- The proposed facility resides within the Planned MUSA, therefore provisions for connecting to the municipal water supply must be included with this application. The site plans/application indicate a new water service line connecting to future water but does not address the extension of the municipal water supply to the site.
- The applicant will be responsible to extend municipal water to the property at the applicant's cost. Watermain stubs will be required to eastern property limits. Water is available to be extended to the property from the Hunter's Crossing development but will require easements across adjacent properties. The watermain extension to the site will likely be a 12-inch trunk watermain.
- The application should include a description of the water capacity demands including average day use, peak day use, and fire suppression demands. All demand should be provided including potable drinking

water, bus washing operations, etc. This information is required for staff evaluation of the water improvements needed to support the development and to determine the water availability charges.

- The proposed site is in the water system's low-pressure zone which has limited capacity until a new water tower is constructed to serve the area.
- The applicant will be responsible to place hydrants throughout the property at the direction of the Fire Department. All fire hydrants shall be owned and maintained by the City.
- Any watermain lines and hydrants placed within the development will require minimum 30-foot easements centered over the pipe. Easements must be dedicated to the City and be provided in the City's standard form of easement agreement.



CONCEPTUAL TYPICAL SECTION - WEST BOUND RIGHT TURN LANE



INPLACE NON-CONTINUOUS STREET

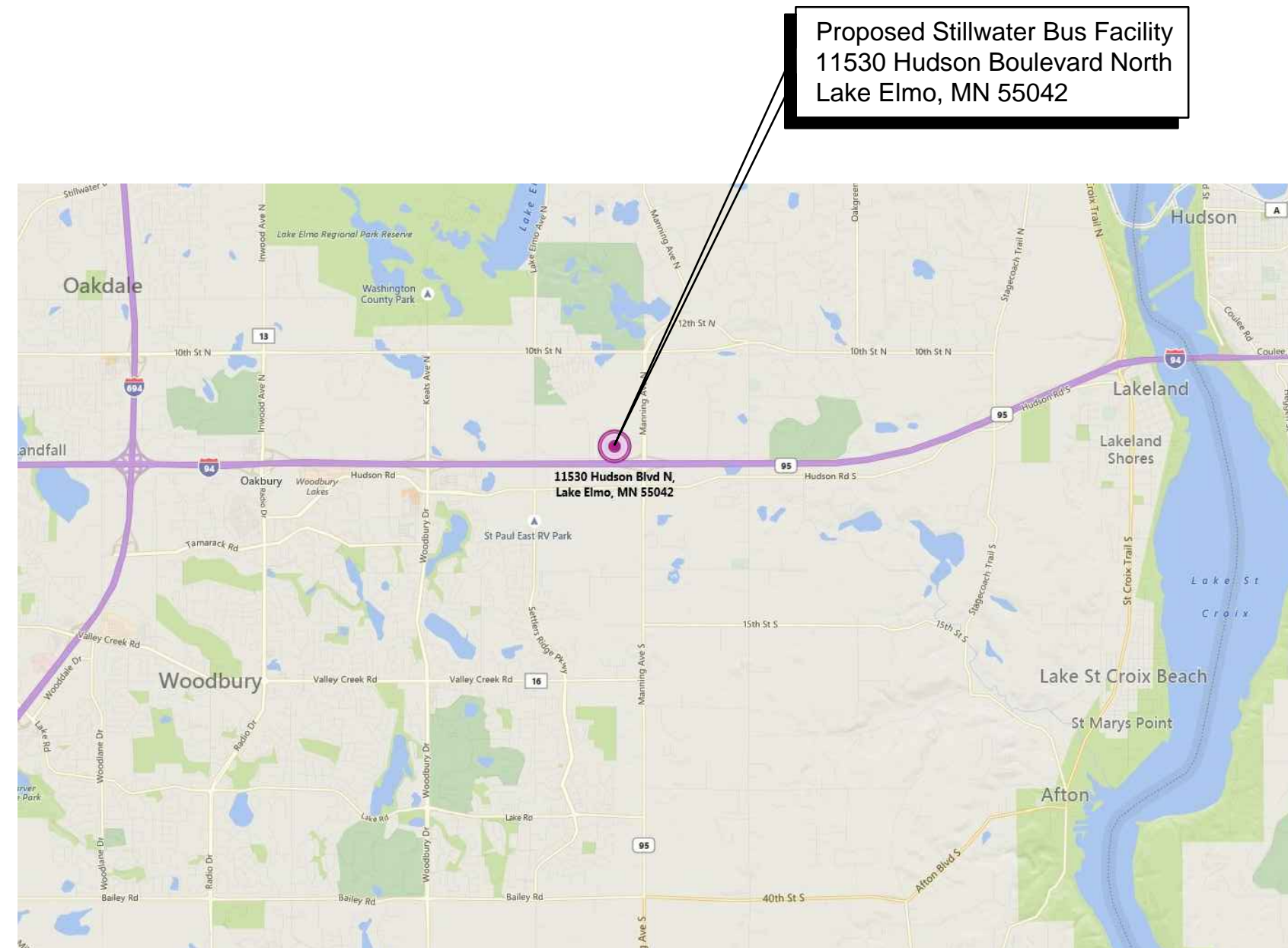
INPLACE COMMERCIAL ACCESS

PROJECT: 2018 STILLWATER BUS FACILITY IMPROVEMENTS



STILLWATER AREA PUBLIC SCHOOLS
1875 SOUTH GREELEY STREET
STILLWATER, MINNESOTA 55082

VICINITY MAP



Proposed Stillwater Bus Facility
11530 Hudson Boulevard North
Lake Elmo, MN 55042

INDEX OF DRAWINGS

T	Title Sheet
-	Topographic Survey
C1	Demolition Plan
C2	Paving and Dimension Plan
C3	Grading and Erosion Control Plan
C3.1	Landscape Plan
C4	Utility Plan
C5	Details
C6	Details

PROJECT CONTACTS

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FFE Surveying LLC
12445 55th Street North
Lake Elmo, MN 55042
Tel: 651.439.8833
Fax: 651.430.9331

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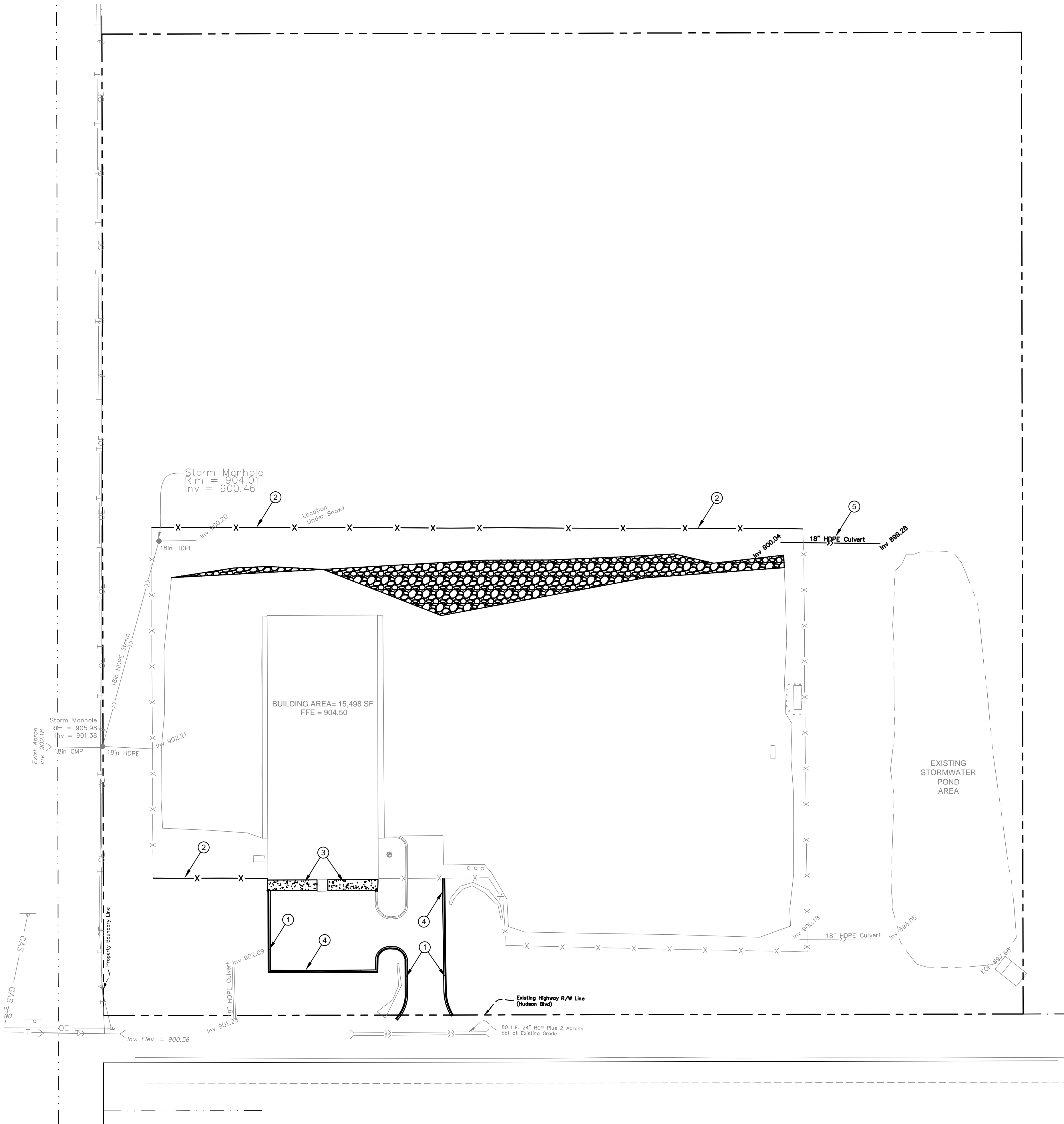
Rev.	Date	Description

Project #: 12176010
Drawn By: KJA
Checked By: GAB
Issue Date: 04.30.18

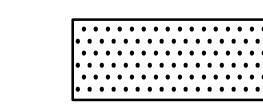
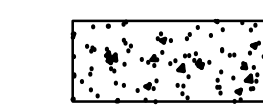
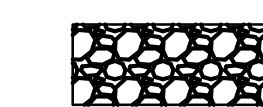
Sheet Title:
TITLE SHEET

T





SYMBOL LEGEND

-  REMOVE AND DISPOSE OF EXISTING BITUMINOUS PAVEMENT SECTION
-  REMOVE AND DISPOSE OF EXISTING CONCRETE PAVEMENT SECTION
-  REMOVE AND DISPOSE OF EXISTING GRAVEL SECTION

KEY NOTES

- ① REMOVE AND DISPOSE OF EXISTING CONCRETE CURB AND GUTTER.
- ② REMOVE AND DISPOSE OF EXISTING CHAIN LINK FENCE FABRIC, POSTS, AND FOOTINGS.
- ③ REMOVE AND DISPOSE OF EXISTING CONCRETE PAVEMENT SECTION.
- ④ SAWCUT, REMOVE, AND DISPOSE OF EXISTING BITUMINOUS PAVEMENT SECTION.
- ⑤ REMOVE AND DISPOSE OF EXISTING STORM SEWER.

DEMOLITION NOTES

1. Verify all existing utility locations.
2. It is the responsibility of the Contractor to perform or coordinate all necessary utility demolitions and relocations from existing utility locations to all onsite amenities and buildings. These connections include, but are not limited to, water, sanitary sewer, cable tv, telephone, gas, electric, site lighting, etc.
3. Prior to beginning work, contact Gopher State OneCall (651-454-0002) to locate utilities throughout the area under construction. The Contractor shall retain the services of a private utility locator to locate the private utilities.
4. Sawcut along edges of pavements, sidewalks, and curbs to remain.
5. All construction shall be performed in accordance with state and local standard specifications for construction.

LOT SIZE

Total Lot Size: 478,997 s.f. = 11.00 Acres
 Breakdown:
 Existing Building: 15,498 s.f. = 3.23%
 Existing Gravel: 91,861 s.f. = 19.18%
 Existing Pavement: 9,022 s.f. = 1.88%
 Existing Open Space: 362,616 s.f. = 75.71%

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Client:
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Project Title:
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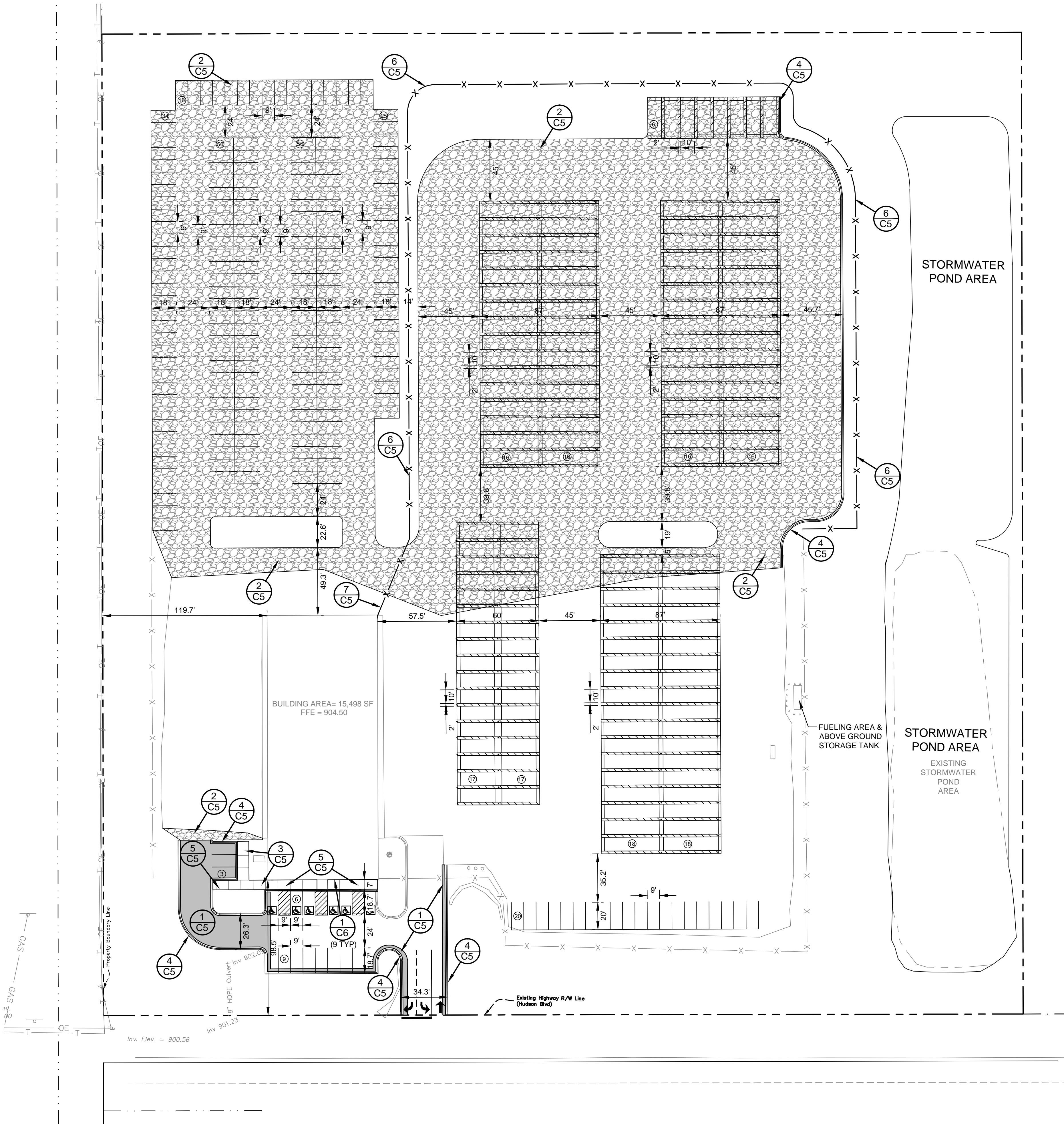
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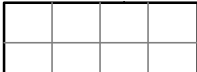
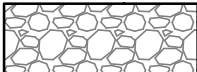
DEMOLITION PLAN

C1

Sheet:



SYMBOL LEGEND

-  NEW 6" BITUMINOUS PAVEMENT OVER NEW 8" CRUSHED AGGREGATE BASE OVER 24" GRANULAR BACKFILL SEE DETAIL 1/C5
-  NEW 6" CONCRETE PAVEMENT OVER NEW 6" CRUSHED AGGREGATE BASE SEE DETAIL 3/C5
-  NEW 10" AGGREGATE OVER NEW 24" GRANULAR BACKFILL SEE DETAIL 2/C5

WHERE APPLICABLE, DIMENSIONS ARE FROM BACK OF CURB TO BACK OF CURB OR BACK OF CURB TO END OF STALL LINE.

PARKING STALL COUNT

- ADA STALLS = 6
- CAR STALLS = 199
- VAN STALLS = 20
- SHORT BUS STALLS = 40
- LARGE BUS STALLS = 100

LOT SIZE

Total Lot Size: 478,997 s.f. = 11.00 Acres
 Breakdown:
 Proposed Building: 15,498 s.f. = 3.23%
 Proposed Gravel: 245,791 s.f. = 51.31%
 Proposed Pavement: 12,588 s.f. = 2.63%
 Proposed Open Space: 205,120 s.f. = 42.83%

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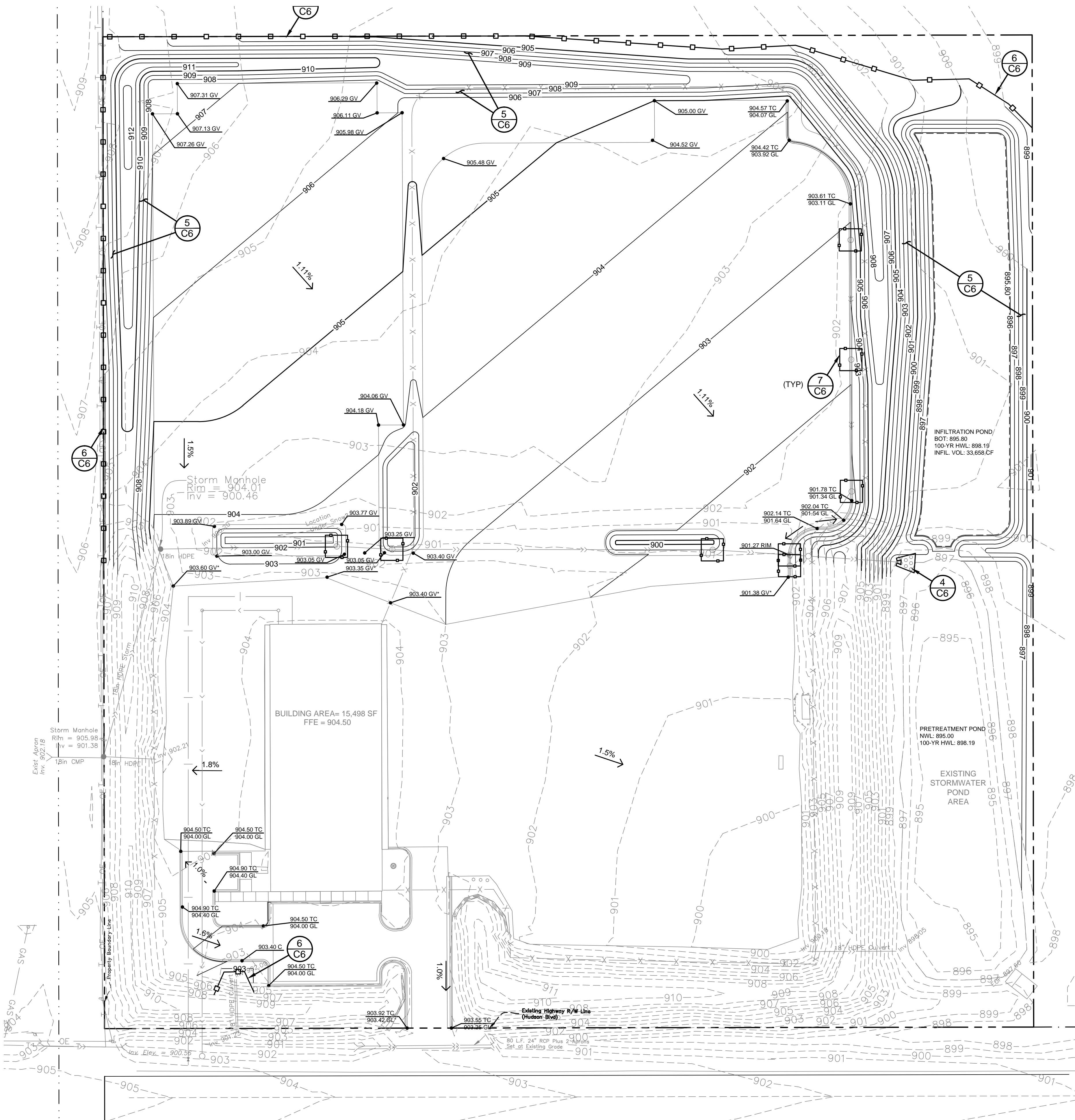
Greg A. Buchal
 Greg A. Buchal, P.E.
 Date: 04.30.18 Reg. No.: 23793

Rev.	Date	Description

Project #: 12176010
 Drawn By: KJA
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 Issue Date: 04.30.18
 Sheet Title:

PAVING AND DIMENSION PLAN

C2



EROSION CONTROL NOTES

- Owner and Contractor shall obtain MPCA-NPDES permit. Contractor shall be responsible for all fees pertaining to this permit. The SWPPP shall be kept onsite at all times.
- Install temporary erosion control measures (inlet protection, silt fence, and rock construction entrances) prior to beginning any excavation or demolition work at the site.
- Erosion control measures shown on the erosion control plan are the absolute minimum. The contractor shall install temporary earth dikes, sediment traps or basins, additional siltation fencing, and/or disk the soil parallel to the contours as deemed necessary to further control erosion. All changes shall be recorded in the SWPPP.
- All construction site entrances shall be surfaced with crushed rock across the entire width of the entrance and from the entrance to a point 50' into the construction zone.
- Vertical compaction shall be performed on all areas to be compacted with a vibratory plate compactor.
- All areas with steeper than 4:1 slope shall have erosion control blankets placed on them when grading is complete.
- All grading operations shall be conducted in a manner to minimize the potential for site erosion. Sediment control practices must be established on all down gradient perimeters before any up gradient land disturbing activities begin.
- All exposed soil areas must be stabilized as soon as possible to limit soil erosion but in no case later than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased. Temporary stockpiles without significant silt, clay or organic components (e.g., clean aggregate stockpiles, demolition concrete stockpiles, sand stockpiles) and the constructed base components of roads, parking lots and similar surfaces are exempt from this requirement.
- The normal wetted perimeter of any temporary or permanent drainage ditch or swale that drains water from any portion of the construction site, or diverts water around the site, must be stabilized within 200 lineal feet from the property edge, or from the point of discharge into any surface water. Stabilization of the last 200 lineal feet must be completed within 24 hours after connecting to a surface water. Stabilization of the remaining portions of any temporary or permanent ditches or swales must be complete within 14 days after connecting to a surface water and construction in that portion of the ditch has temporarily or permanently ceased.
- Pipe outlets must be provided with energy dissipation within 24 hours of connection to surface water.
- All riprap shall be installed with a filter material or soil separation fabric and comply with the Minnesota Department of Transportation Standard Specifications.
- All storm sewers discharging into wetlands or water bodies shall outlet at or below the normal water level of the respective wetland or water body at an elevation where the downstream slope is 1 percent or flatter. The normal water level shall be the invert elevation of the outlet of the wetland or water body.
- All storm sewer catch basins not needed for site drainage during construction shall be covered to prevent runoff from entering the storm sewer system. Catch basins necessary for site drainage during construction shall be provided with inlet protection.
- In areas where concentrated flows occur (such as swales and areas in front of storm catch basins and intakes) the erosion control facilities shall be backed by stabilization structure to protect those facilities from the concentrated flows.
- Inspect the construction site once every seven days during active construction and within 24 hours after a rainfall event greater than 0.5 inches in 24 hours. All inspections shall be recorded in the SWPPP.
- All silt fences must be repaired, replaced, or supplemented when they become nonfunctional or the sediment reaches 1/3 of the height of the fence. These repairs must be made within 24 hours of discovery, or as soon as field conditions allow access. All repairs shall be recorded in the SWPPP.
- If sediment escapes the construction site, off-site accumulations of sediment must be removed in a manner and at a frequency sufficient to minimize off-site impacts.
- All soils tracked onto pavement shall be removed daily.
- All infiltration areas must be inspected to ensure that no sediment from ongoing construction activity is reaching the infiltration area and these areas are protected from compaction due to construction equipment driving across the infiltration area.
- Temporary soil stockpiles must have silt fence or other effective sediment controls, and cannot be placed in surface waters, including stormwater conveyances such as curb and gutter systems, or conduits and ditches unless there is a bypass in place for the stormwater.
- Collected sediment, asphalt and concrete millings, floating debris, paper, plastic, fabric, construction and demolition debris and other wastes must be disposed of properly and must comply with MPCA disposal requirements.
- Oil, gasoline, paint and any hazardous substances must be properly stored, including secondary containment, to prevent spills, leaks or other discharge. Restricted access to storage areas must be provided to prevent vandalism. Storage and disposal of hazardous waste must be in compliance with MPCA regulations.
- External washing of trucks and other construction vehicles must be limited to a defined area of the site. Runoff must be contained and waste properly disposed of. No engine degreasing is allowed onsite.
- All liquid and solid wastes generated by concrete washout operations must be contained in a leak-proof containment facility or impermeable liner. A compacted clay liner that does not allow washout liquids to enter ground water is considered an impermeable liner. The liquid and solid wastes must not contact the ground, and there must not be runoff from the concrete washout operations or areas. Liquid and solid wastes must be disposed of properly and in compliance with MPCA regulations. A sign must be installed adjacent to each washout facility to inform concrete equipment operators to utilize the proper facilities.
- Upon completion of the project and stabilization of all graded areas, all temporary erosion control facilities (silt fences, hay bales, etc.) shall be removed from the site.
- All permanent sedimentation basins must be restored to their design condition immediately following stabilization of the site.
- Contractor shall submit Notice of Termination for MPCA-NPDES permit within 30 days after Final Stabilization.

LEGEND

- 950 EXISTING CONTOURS
- 950 PROPOSED CONTOURS - MAJOR INTERVAL
- 949 PROPOSED CONTOURS - MINOR INTERVAL
- GRADE BREAK LINE
- GRADE SLOPE
- SILT FENCE
- EROSION CONTROL BLANKET
- RIP-RAP
- INLET PROTECTION
- CONCRETE WASHOUT STATION
- SPOT ABBREVIATIONS:**
- TC - TOP OF CURB
- GL - GUTTER LINE
- B - BITUMINOUS
- C - CONCRETE
- EO - EMERGENCY OVERFLOW
- TW - TOP OF WALL
- BW - BOTTOM OF WALL (F/G)
- (*) - EXISTING TO BE VERIFIED

GRADING NOTES

- Tree protection consisting of snow fence or safety fence installed at the drip line shall be in place prior to beginning any grading or demolition work at the site.
- All elevations with an asterisk (*) shall be field verified. If elevations vary significantly, notify the Engineer for further instructions.
- Grades shown in paved areas represent finish elevation.
- Utility locations shown on this plan are approximate. Verify all utility locations, depths, and conditions prior to construction.
- All construction shall be performed in accordance with state and local standard specifications for construction.

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2018 STILLWATER BUS FACILITY IMPROVEMENTS
 STILLWATER AREA PUBLIC SCHOOLS
 STILLWATER, MN 55082

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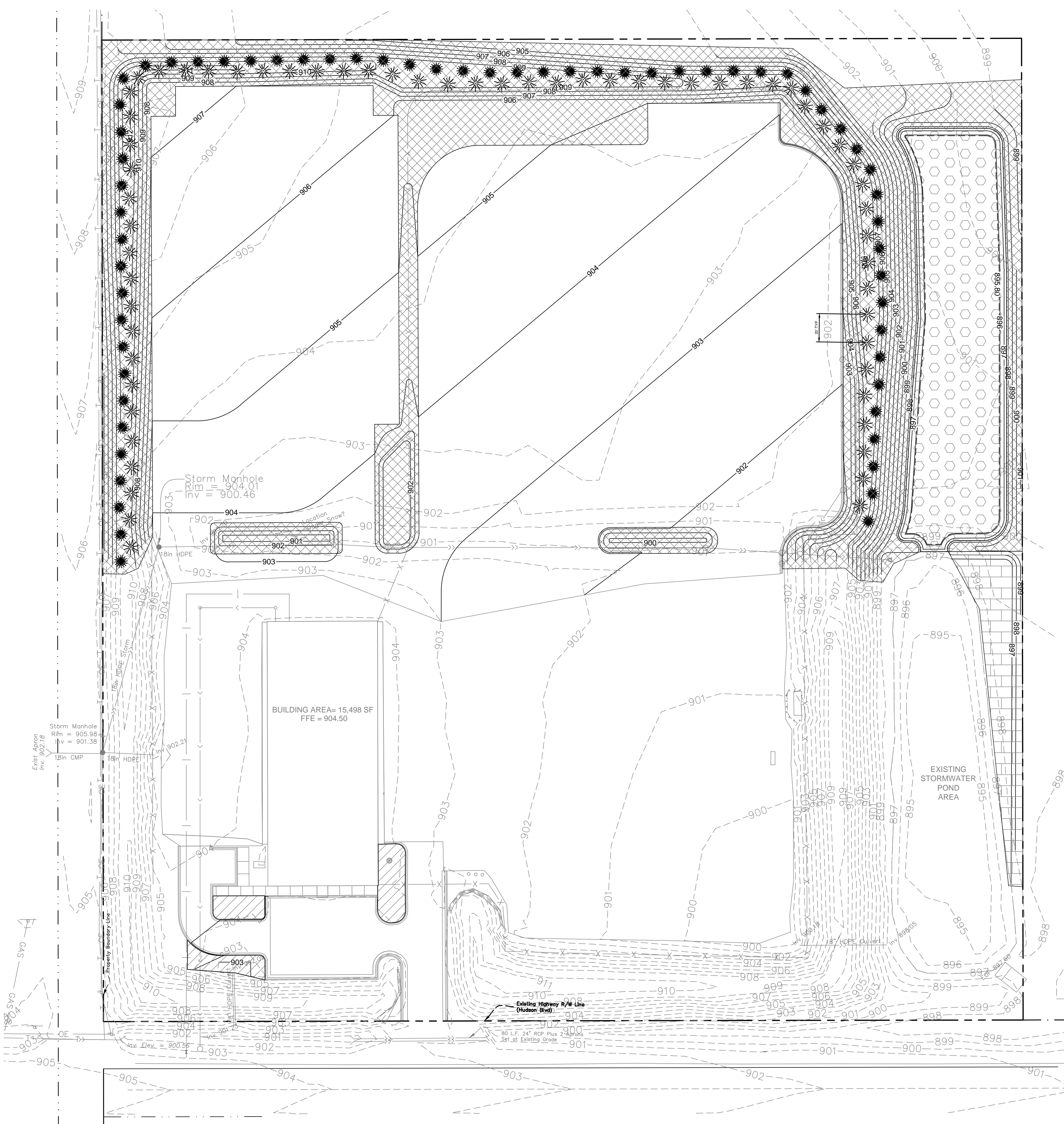
Rev.	Date	Description

Project #: 12176010
 Drawn By: KJA
 Checked By: GAB
 Issue Date: 04.30.18

Sheet Title:
GRADING AND EROSION CONTROL PLAN

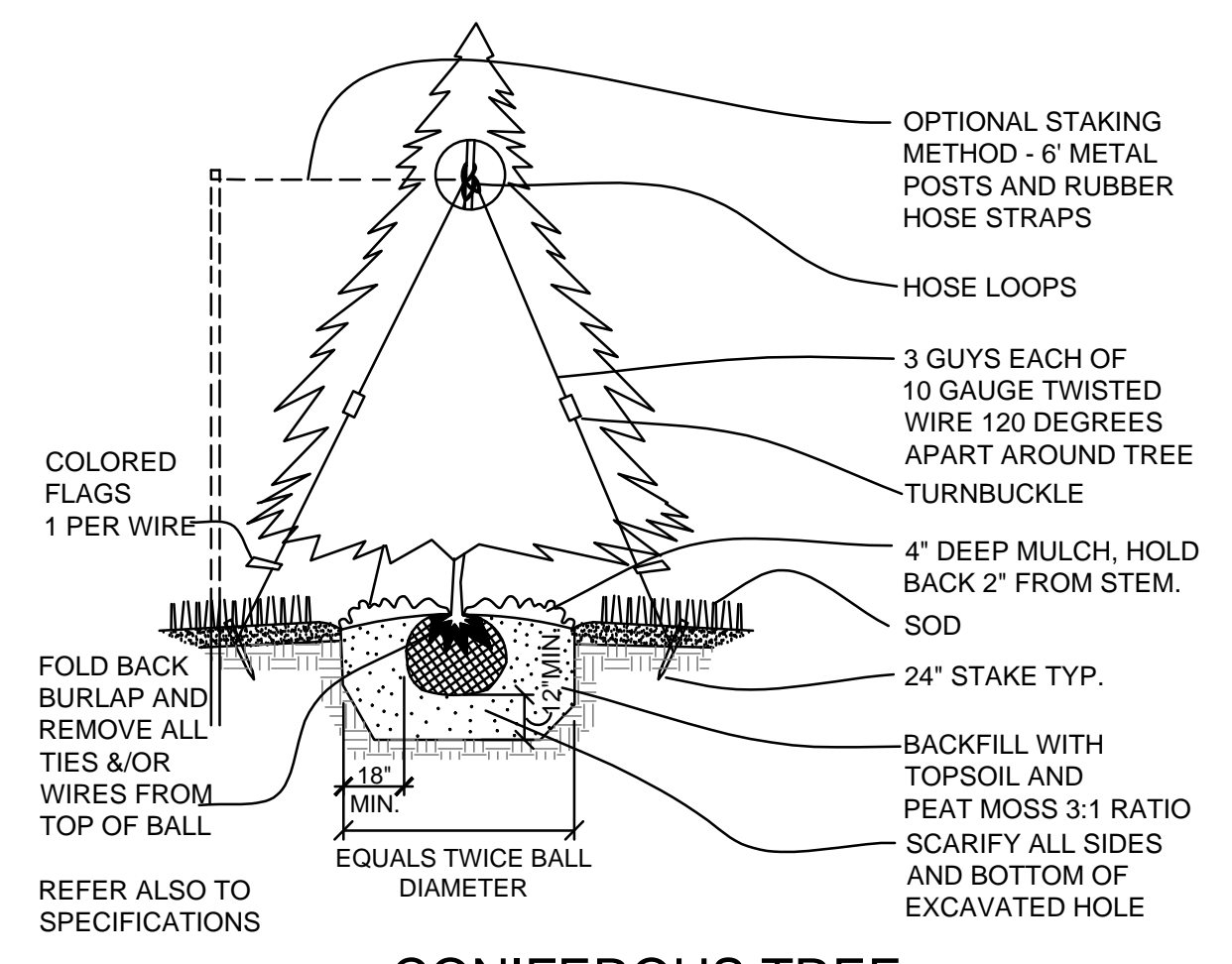
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Sheet:



LEGEND

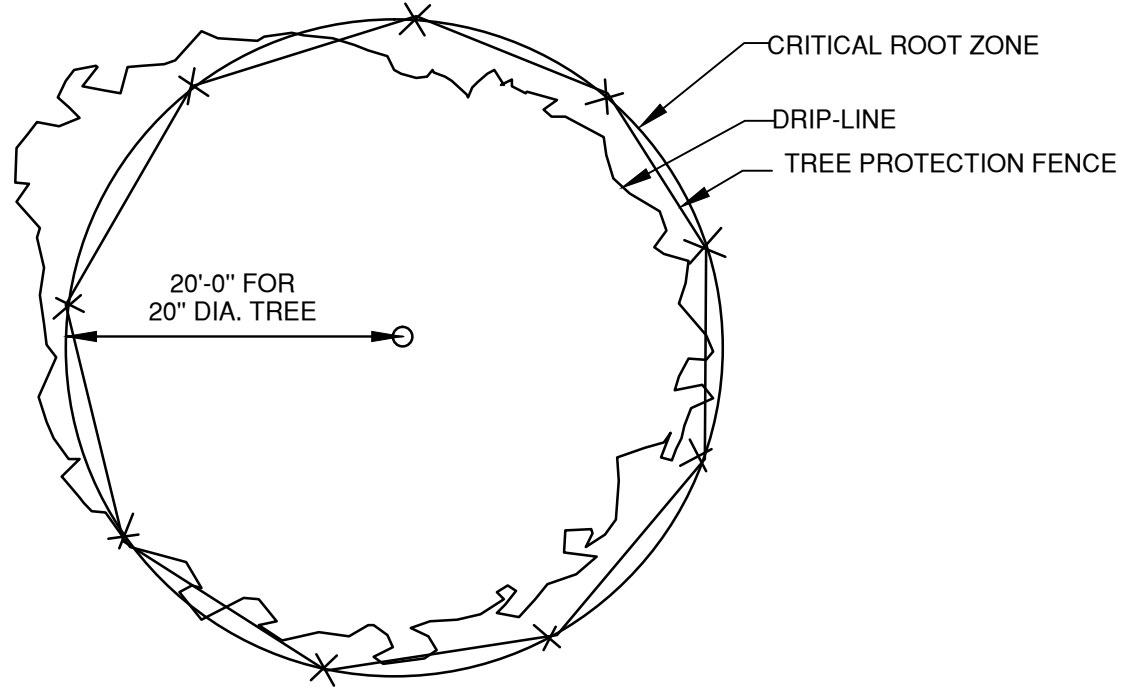
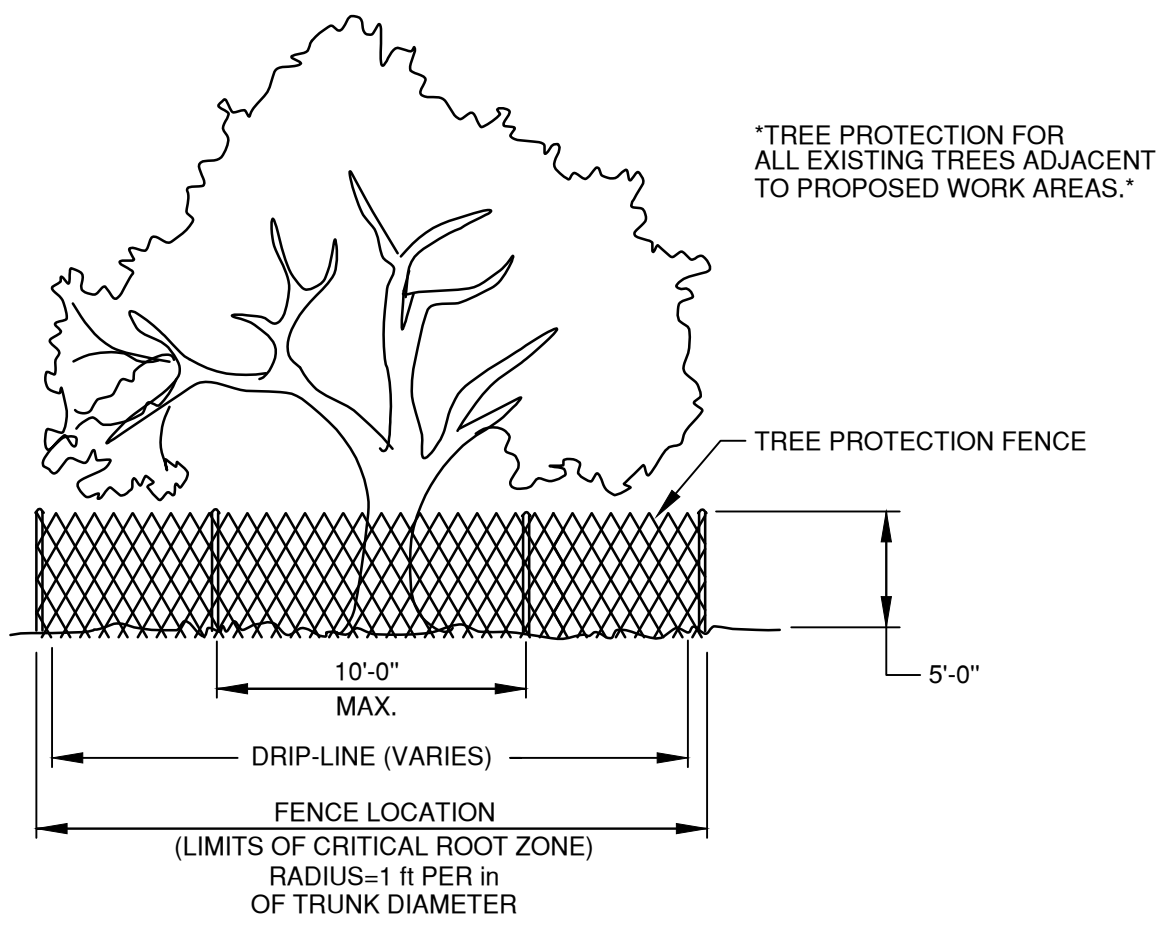
- NORWAY SPRUCE (PICEA ABIES): 6' TALL, 62 TOTAL (50.4%)
- COLORADO BLUE SPRUCE (PICEA PUNGENS): 6' TALL 61 TOTAL (49.6%)
- SOD MATERIAL
- NATIVE PRAIRIE SEED RESTORATION
BWSR MIX 34-241(MESIC PRAIRIE)
36.5 LB/AC
- INFILTRATION POND SEED
BWSR MIX 34-271 (WET MEADOW)
12 LB/AC
- WET POND SEED
BWSR MIX 34.181 (EMERGENT WETLAND)
5 LB/AC



CONIFEROUS TREE PLANTING DETAIL

1
C3.1

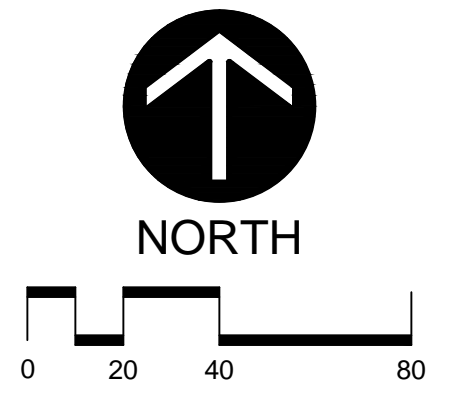
NO SCALE



TREE PROTECTION

2
C3.1

NOT TO SCALE



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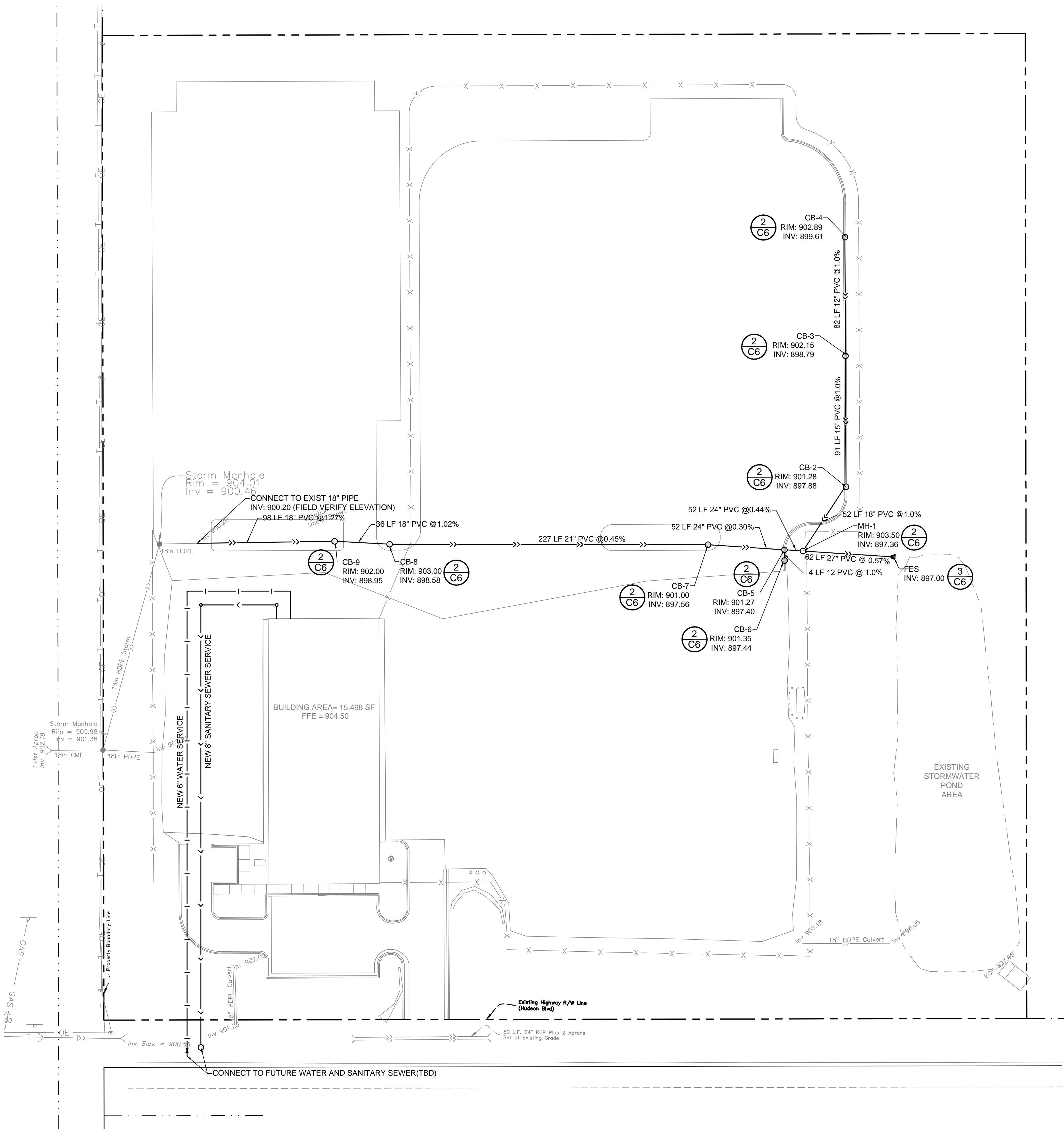
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 Sheet Title:

LANDSCAPE PLAN

C3.1

Sheet:



LEGEND

- STORM MANHOLE
- CATCH BASIN
- CURB INLET
- ▲ FLARED END
- SANITARY MANHOLE
- ⊗ HYDRANT
- ⊗ GATE VALVE & BOX
- ⊗ WATER SHUTOFF
- ☀ LIGHT POLE
- CTV
- OE
- UE
- FO
- G
- S
- T
- W
- D
- CABLE UNDERGROUND LINE
- ELECTRIC OVERHEAD LINE
- ELECTRIC UNDERGROUND LINE
- FIBER OPTIC UNDERGROUND LINE
- NATURAL GAS UNDERGROUND LINE
- SANITARY SEWER PIPE
- STORM SEWER PIPE
- TELEPHONE UNDERGROUND LINE
- WATERMAIN PIPE
- DRAINTILE PIPE

UTILITY NOTES

1. It is the responsibility of the contractor to perform or coordinate all necessary utility connections and relocations from existing utility locations to the proposed building, as well as to all onsite amenities. These connections include but are not limited to water, sanitary sewer, cable TV, telephone, gas, electric, site lighting, etc.
2. All service connections shall be performed in accordance with state and local standard specifications for construction. Utility connections (sanitary sewer, watermain, and storm sewer) may require a permit from the City.
3. The contractor shall verify the elevations at proposed connections to existing utilities prior to any demolition or excavation.
4. The contractor shall notify all appropriate engineering departments and utility companies 72 hours prior to construction. All necessary precautions shall be made to avoid damage to existing utilities.
5. Storm sewer requires testing in accordance with Minnesota plumbing code 4714.1109 where located within 10 feet of waterlines or the building.
6. HDPE storm sewer piping shall meet ASTM F2306 and fittings shall meet ASTM D3212 joint pressure test. Installation shall meet ASTM C2321.
7. All RCP pipe shown on the plans shall be MN/DOT class 3.
8. Trenches shall be backfilled with a minimum of 6" of bedding material. All trench walls shall be supported with trench shields or trench boxes. All trench walls shall be braced. All trench walls shall be lined with geotextile fabric. All trench walls shall be lined with geotextile fabric.
9. Yields shall be determined by testing. All materials shall be tested and approved by the engineer. All materials shall be tested and approved by the engineer. All materials shall be tested and approved by the engineer.
10. All watermain piping shall be class 52 ductile iron pipe unless noted otherwise.
11. See Project Specifications for bedding requirements.
12. Pressure test and disinfect all new watermains in accordance with state and local requirements.
13. Sanitary sewer piping shall be PVC, SDR-35 for depths less than 12', PVC SDR-26 for depths between 12' and 26', and class 52 D.I.P. for depths of 26' or more.
14. A structure adjustment shall include removing and salvaging the existing casting assembly, removing existing concrete rings to the precast section. Install new rings and salvaged casting to proposed grades, cleaning casting flange by mechanical means to insure a sound surface and install an external chimney seal from casting to precast section. Chimney seals shall be Infi-Shield Uni-Band or an approved equal.

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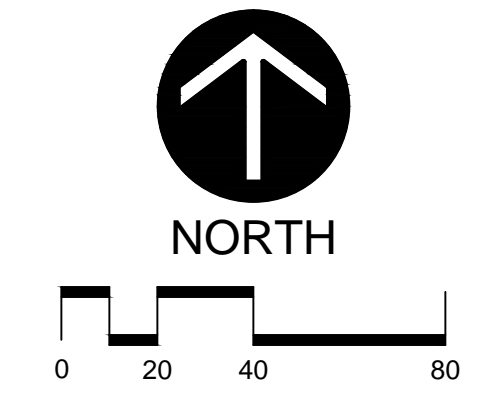
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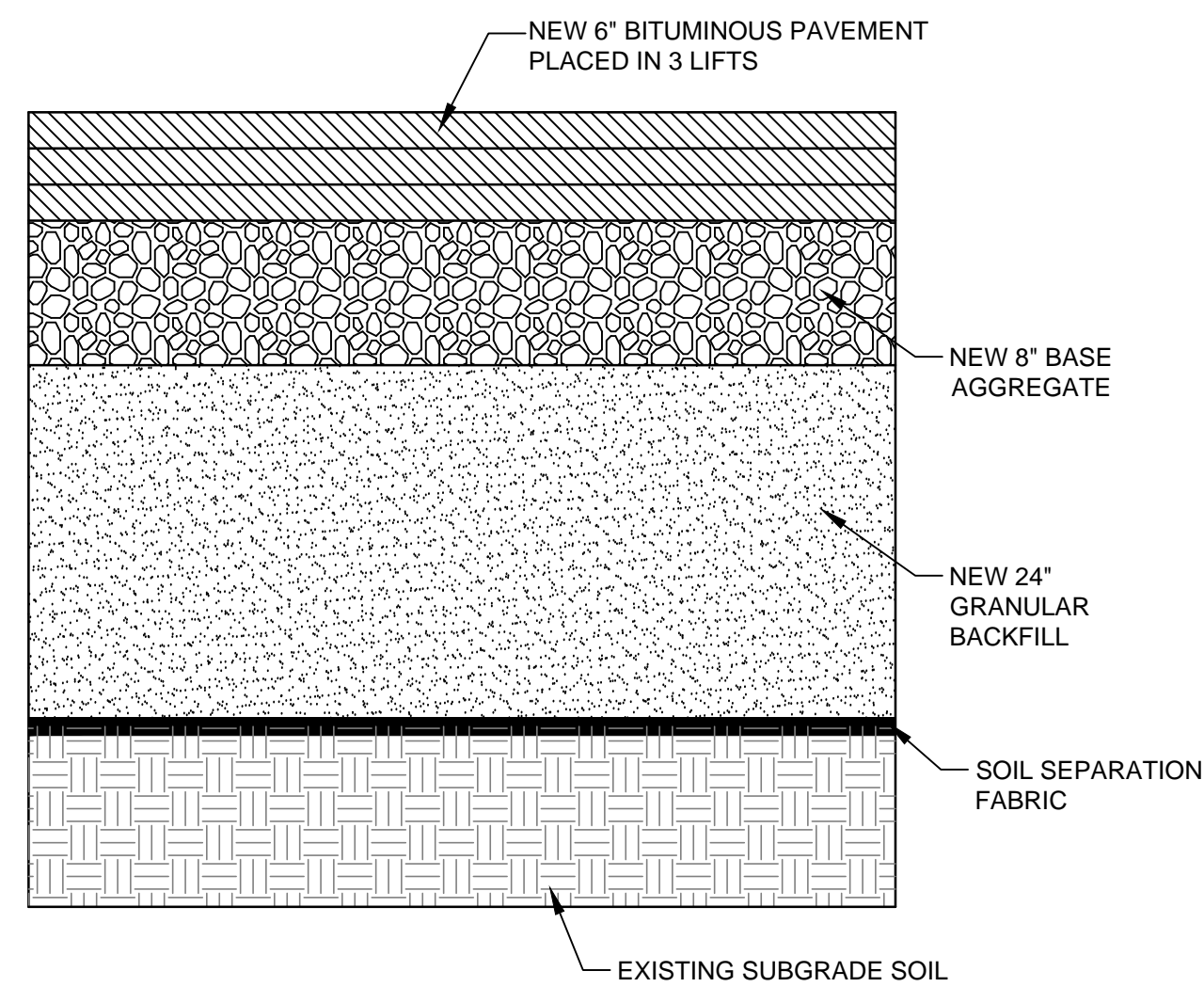
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 Sheet Title:

UTILITY PLAN

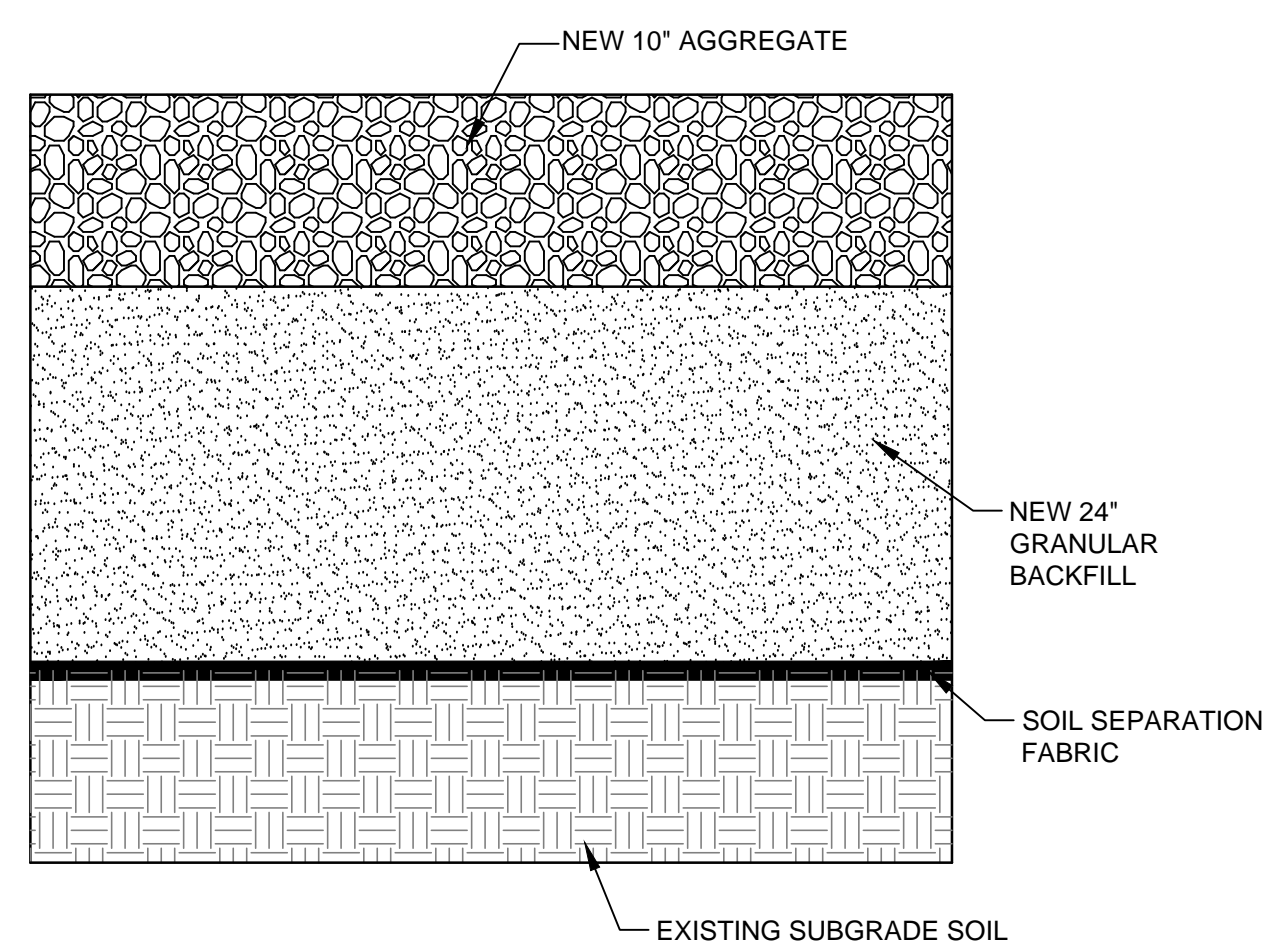
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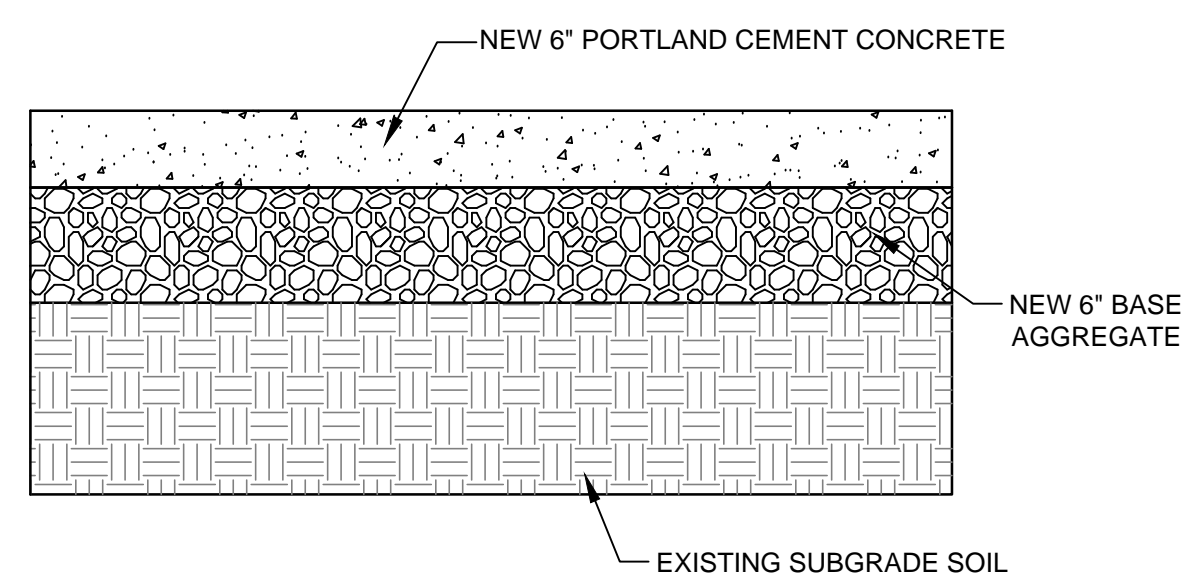




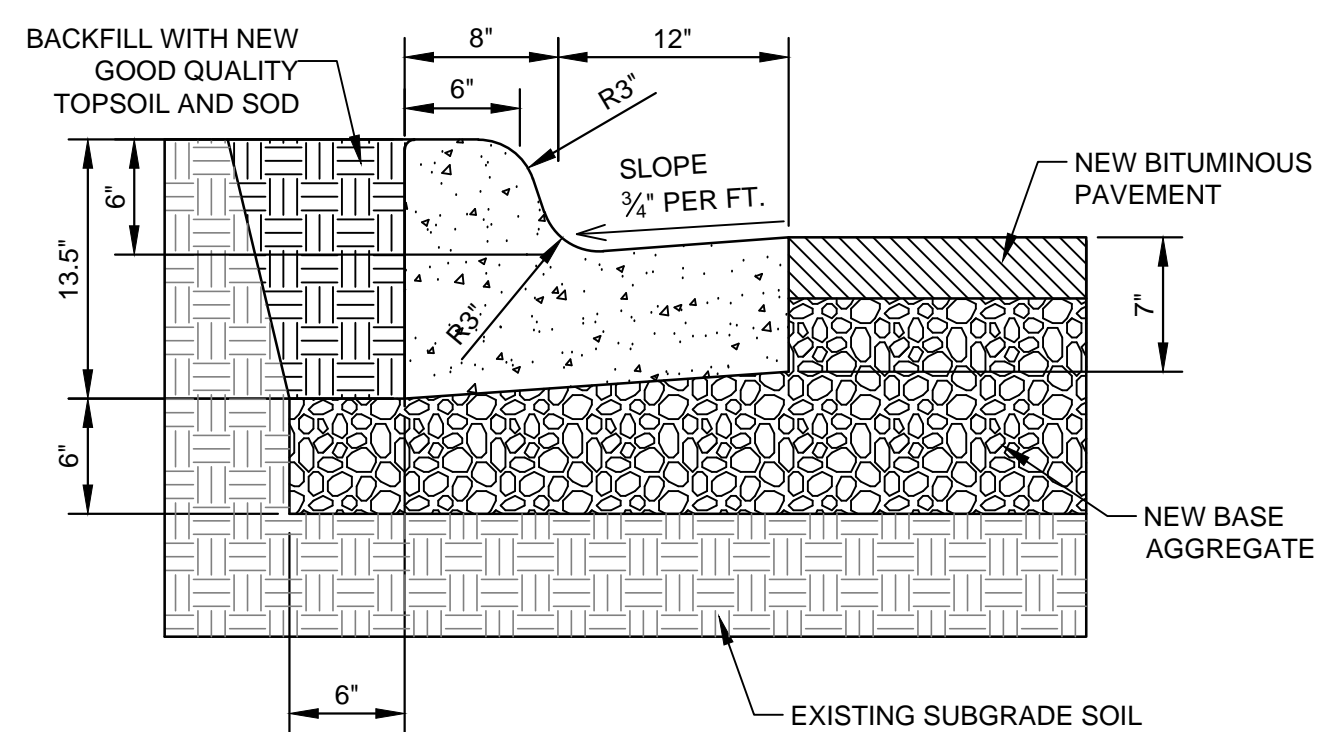
1
C5
HEAVY-DUTY BITUMINOUS PAVEMENT SECTION
NOT TO SCALE



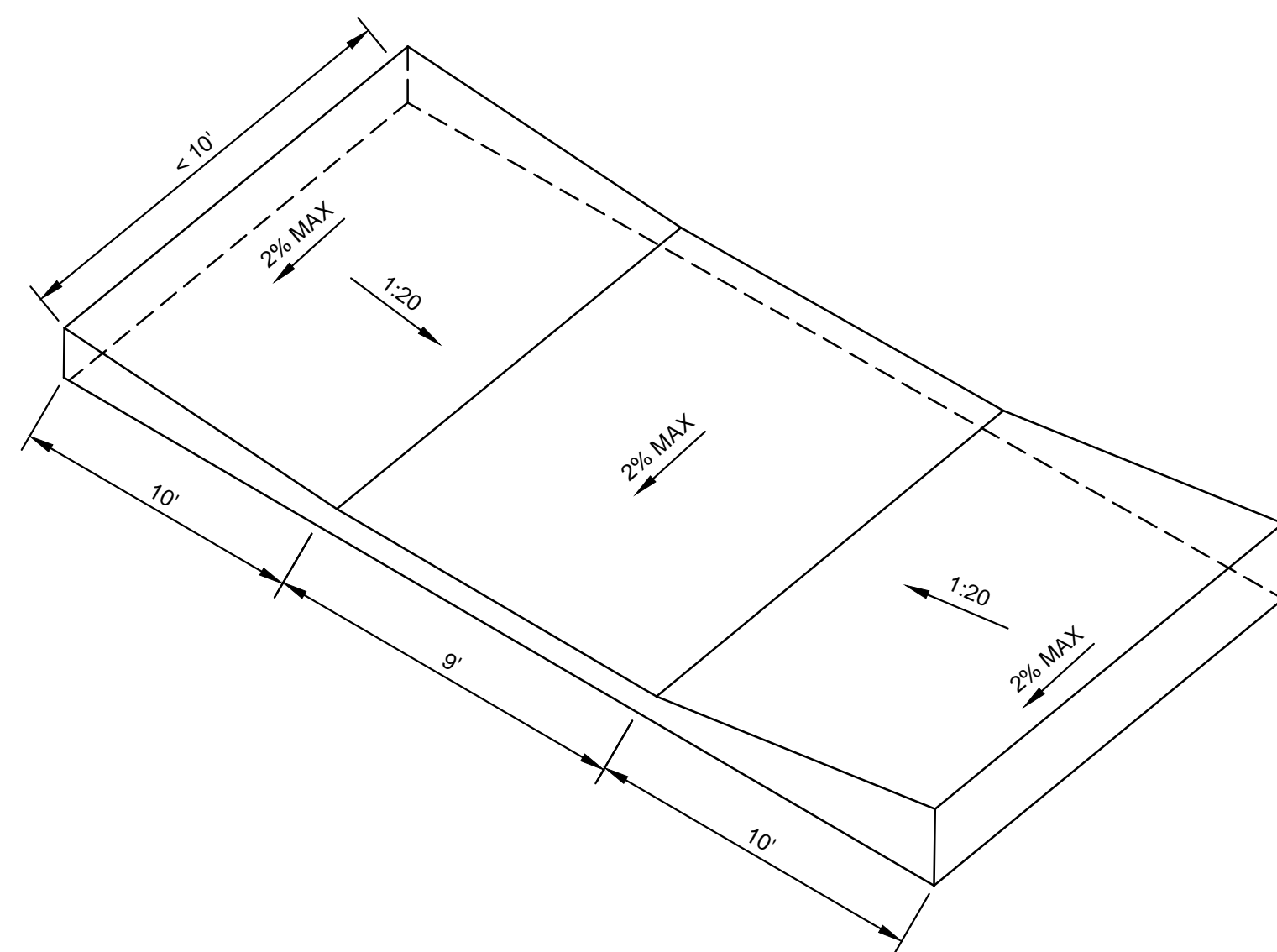
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C5
GRAVEL SECTION
NOT TO SCALE



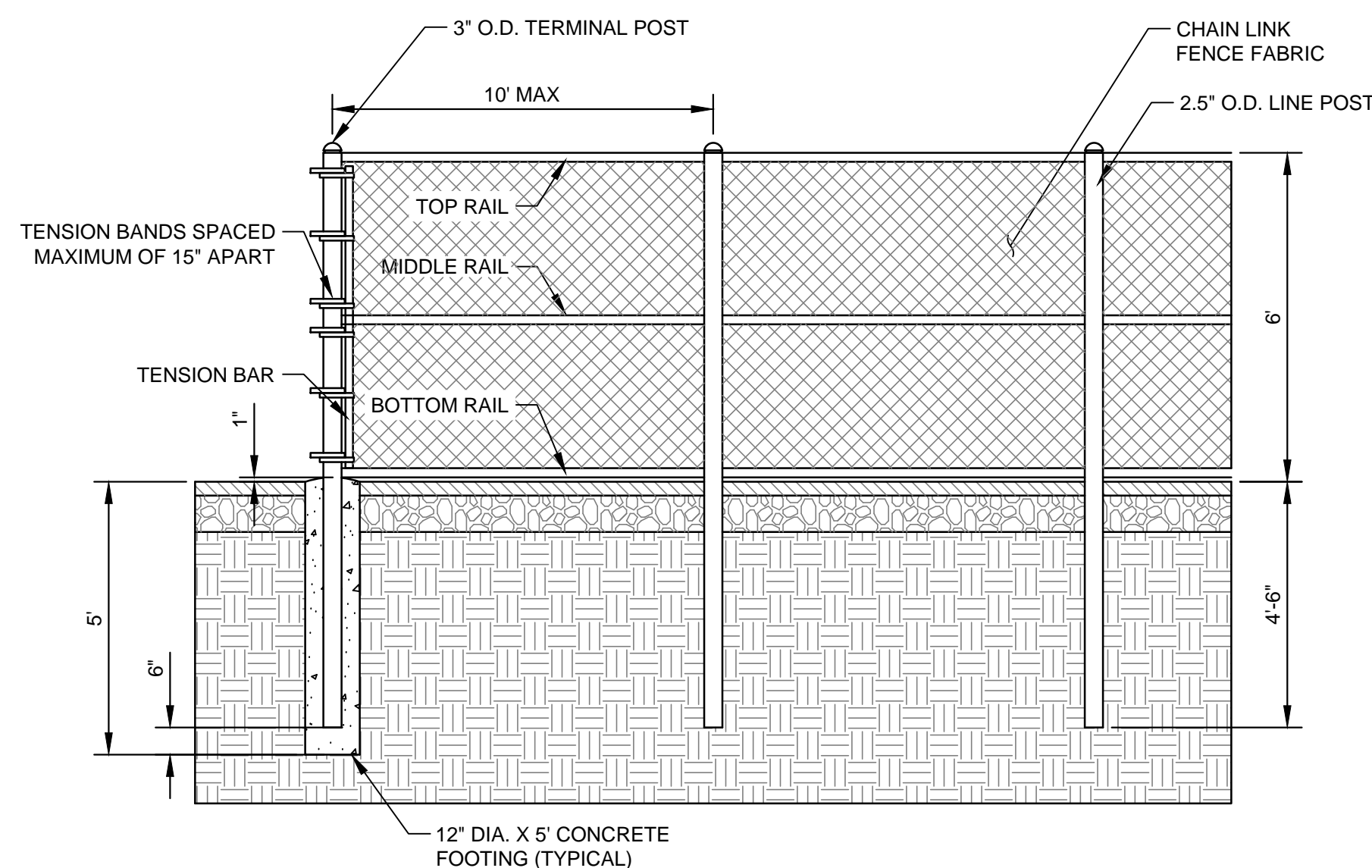
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C5
CONCRETE SIDEWALK CONSTRUCTION DETAIL
NOT TO SCALE



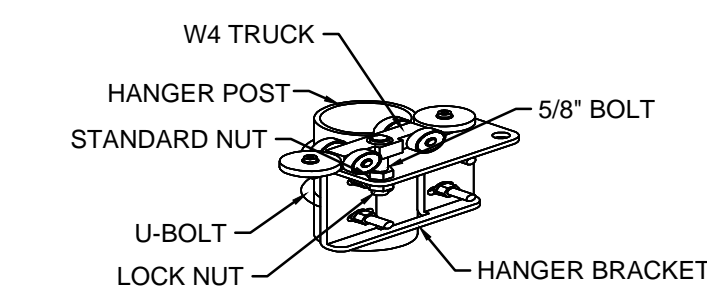
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C5
B612 CONCRETE CURB & GUTTER DETAIL
NOT TO SCALE



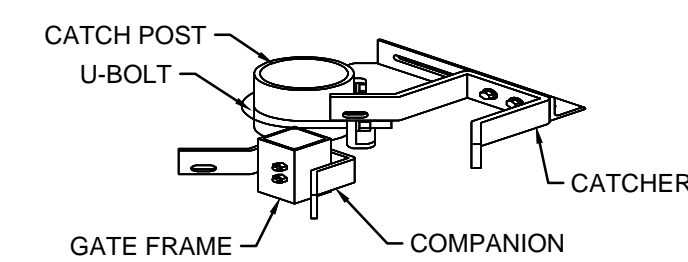
5
C5
ACCESSIBLE RAMP DETAIL
NOT TO SCALE



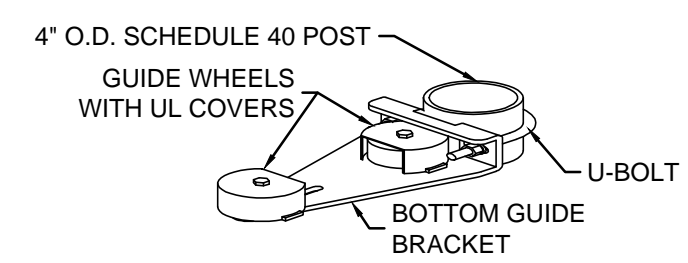
6
C5
FENCE DETAIL
NOT TO SCALE



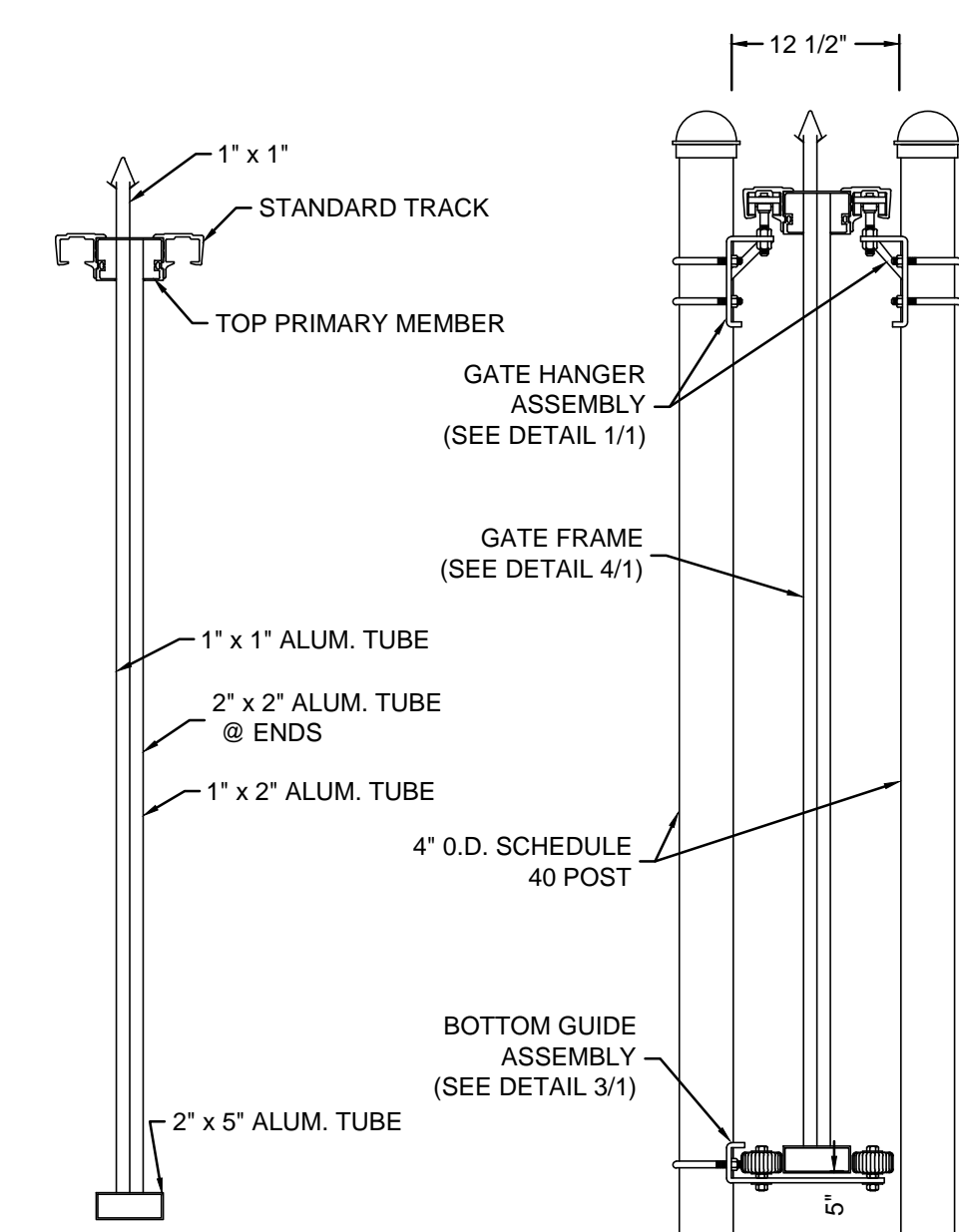
1
TA
GATE HANGER ASSEMBLY
Scale: None



2
TA
CATCH ASSEMBLY
Scale: None

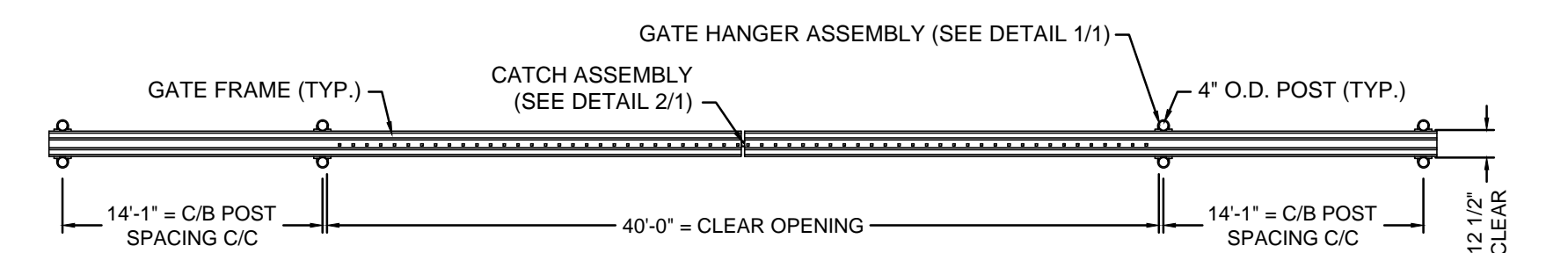


3
TA
BOTTOM GUIDE ASSEMBLY
Scale: None

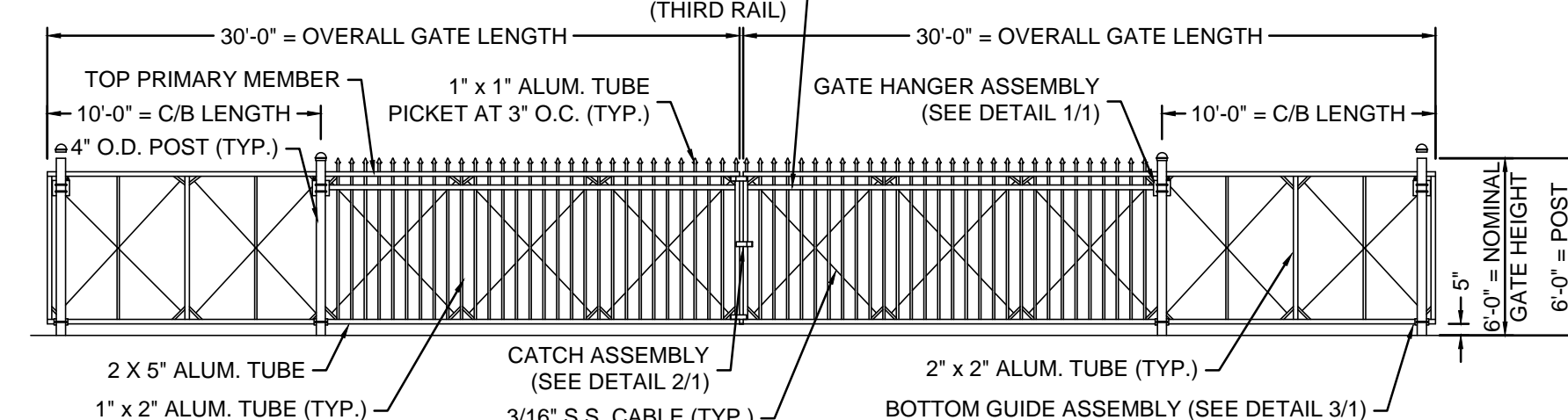


4
TA
GATE FRAME SECTION
Scale: None

5
TA
GATE ASSEMBLY SECTION
Scale: None



6
TA
PLAN VIEW
Scale: None



7
TA
DOUBLE GATE DETAIL
Scale: None

NOT TO SCALE

GEORGETOWN SLIDE GATE DETAIL
NOT TO SCALE

- NOTES:
- ALL HARDWARE IS PROVIDED FOR 4" O.D. SCHEDULE 40 POSTS.
 - GATE ELEVATION IS VIEWED FROM OUTSIDE THE SECURE AREA LOOKING IN.
 - FOR GATES THAT REQUIRE TWO PIECE FABRICATION, A 5" ALUMINUM CHANNEL WILL BE SUBSTITUTED FOR THE 2" x 5" ALUMINUM TUBE.

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

Greg A. Buchal
Greg A. Buchal, P.E.
Date: 04.30.18 Reg. No.: 23793

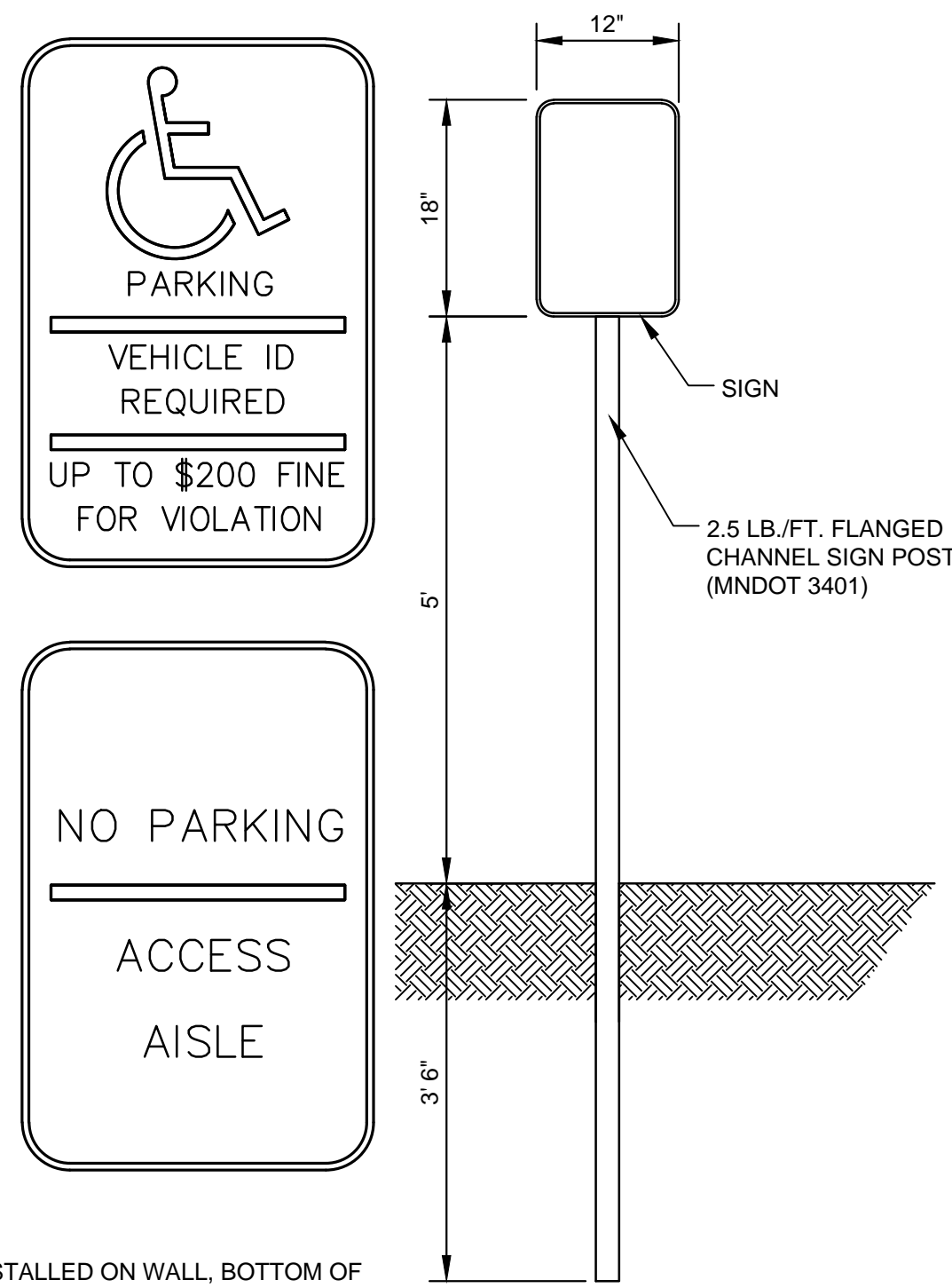
Rev.	Date	Description

Project #: 12176010
Drawn By: KJA
Checked By: GAB
Issue Date: 04.30.18
Sheet Title:

DETAILS

C5

Sheet:

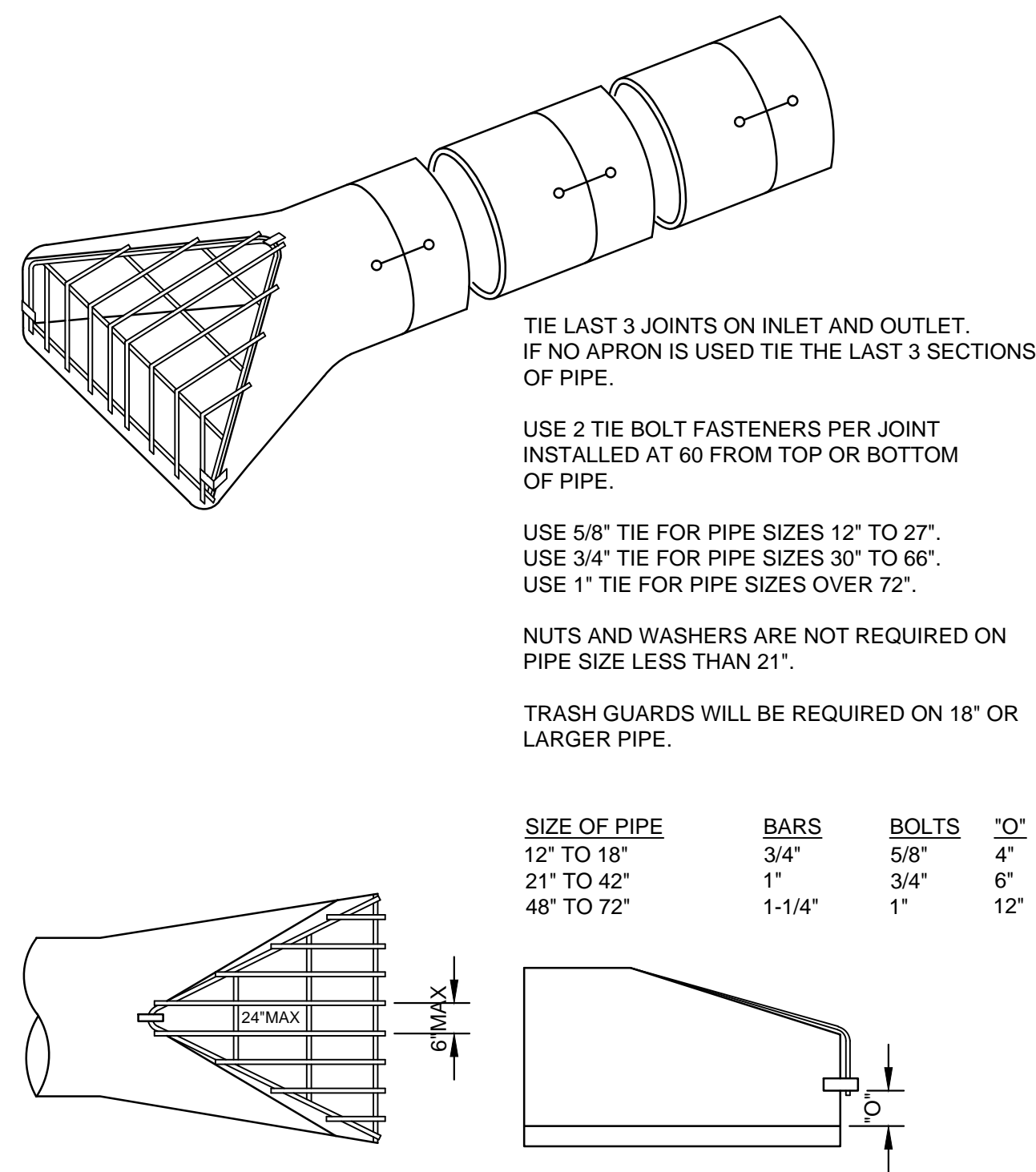


NOTE:
1. IF INSTALLED ON WALL, BOTTOM OF SIGN TO BE 5'-0" ABOVE GRADE.

ACCESSIBLE PARKING SIGN DETAIL

1
C6

NOT TO SCALE

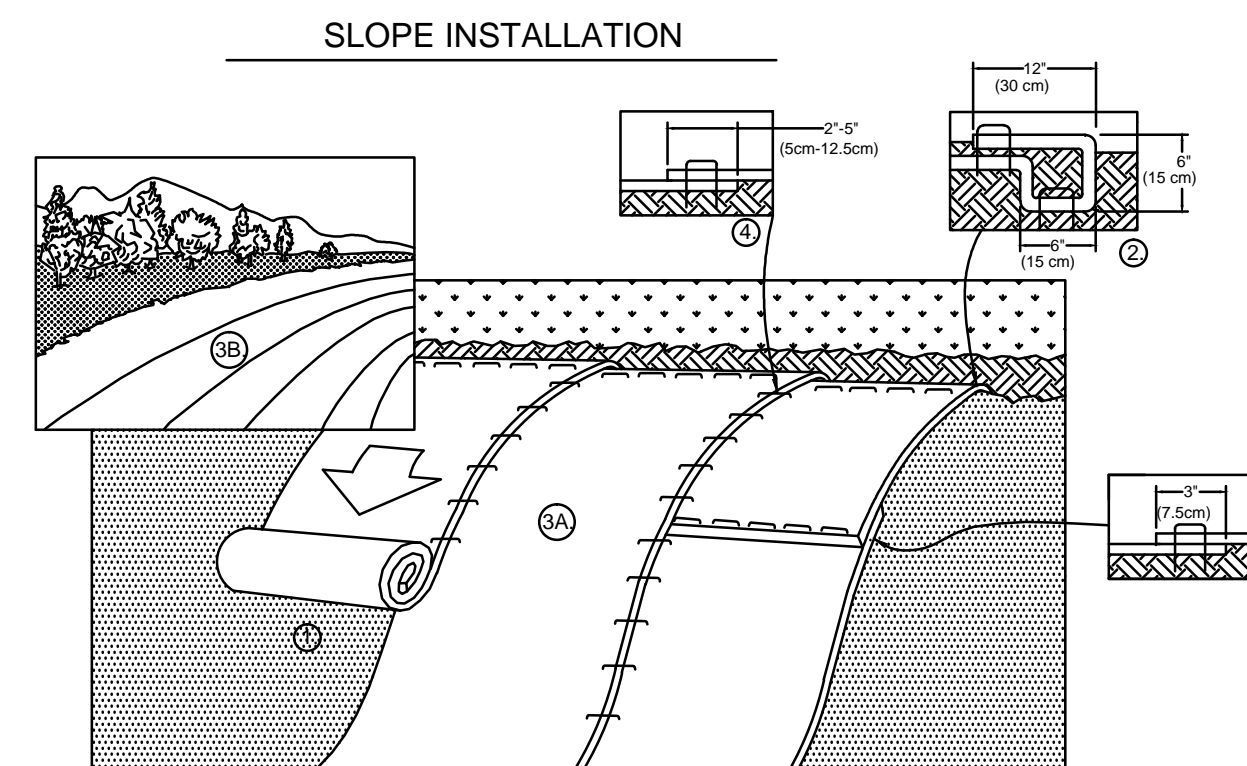


PROVIDE 3 CLIPS TO FASTEN TRASH GUARD TO F.E.S. HOT DIP GALVANIZE AFTER FABRICATION.

FLARED END SECTION DETAIL

3
C6

NOT TO SCALE



- PREPARE SOIL BEFORE INSTALLING ROLLED EROSION CONTROL PRODUCTS (RECP's), INCLUDING ANY NECESSARY APPLICATION OF LIME, FERTILIZER, AND SEED. NOTE: WHEN USING CELL-O-SEED DO NOT SEED PREPARED AREA. CELL-O-SEED MUST BE INSTALLED WITH PAPER SIDE DOWN.
- BEGIN AT THE TOP OF THE SLOPE BY ANCHORING THE RECP'S IN A 6" (15 CM) DEEP X 6" (15 CM) WIDE TRENCH WITH APPROXIMATELY 12" (30CM) OF RECP'S EXTENDED BEYOND THE UP-SLOPE PORTION OF THE TRENCH. ANCHOR THE RECP'S WITH A ROW OF STAPLES/STAKES APPROXIMATELY 12" (30 CM) APART IN THE BOTTOM OF THE TRENCH. BACKFILL AND COMPACT THE TRENCH AFTER STAPLING. APPLY SEED TO COMPACTED SOIL AND FOLD REMAINING 12" (30 CM) PORTION OF RECP'S BACK OVER SEED AND COMPACTED SOIL. SECURE RECP'S OVER COMPACTED SOIL WITH A ROW OF STAPLES/STAKES SPACED APPROXIMATELY 12" (30 CM) APART ACROSS THE WIDTH OF THE RECP'S.
- ROLL THE RECP'S (A) DOWN OR (B) HORIZONTALLY ACROSS THE SLOPE. RECP'S WILL UNROLL WITH APPROPRIATE SIDE AGAINST THE SOIL SURFACE. ALL RECP'S MUST BE SECURELY FASTENED TO SOIL SURFACE BY PLACING STAPLES/STAKES IN APPROPRIATE LOCATIONS AS SHOWN IN THE STAPLE PATTERN GUIDE. WHEN USING THE DOT SYSTEM, STAPLES/STAKES SHOULD BE PLACED THROUGH EACH OF THE COLORED DOTS CORRESPONDING TO THE APPROPRIATE STAPLE PATTERN.
- THE EDGES OF PARALLEL RECP'S MUST BE STAPLED WITH APPROXIMATELY 2" - 5" (5 CM - 12.5 CM) OVERLAP DEPENDING ON RECP'S TYPE.
- CONSECUTIVE RECP'S SPLICED DOWN THE SLOPE MUST BE PLACED END OVER END (SHINGLE STYLE) WITH AN APPROXIMATE 3" (7.5 CM) OVERLAP. STAPLE THROUGH OVERLAPPED AREA, APPROXIMATELY 12" (30 CM) APART ACROSS ENTIRE RECP'S WIDTH.



14649 HIGHWAY 41 NORTH
EVANSVILLE, IN 47725
800-772-2040
www.nagreen.com

Category 4 Erosion Control Blanket:
North American Green S150 erosion control blanket or approved equal.

Top Net	Bottom Net
Polypropylene	Polypropylene
1.5 lbs/1,000 ft ²	1.5 lbs/1,000 ft ²
(0.73 kg/100 m ²) approx. wt.	(0.73 kg/100 m ²) approx. wt.

Straw Fiber
0.50 LBS/YD²
(0.27 KG/M²)

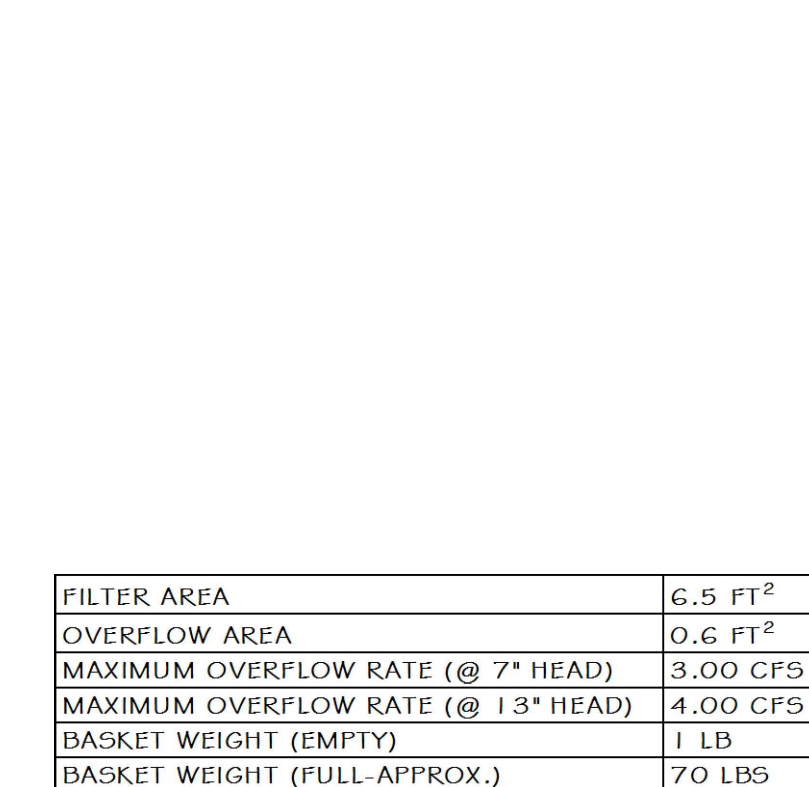
Thread
Photodegradable

Staples/Anchors:
The type of anchors used to secure the blanket to the soil surface shall be approved by the Engineer.

EROSION CONTROL BLANKET

5
C6

NOT TO SCALE

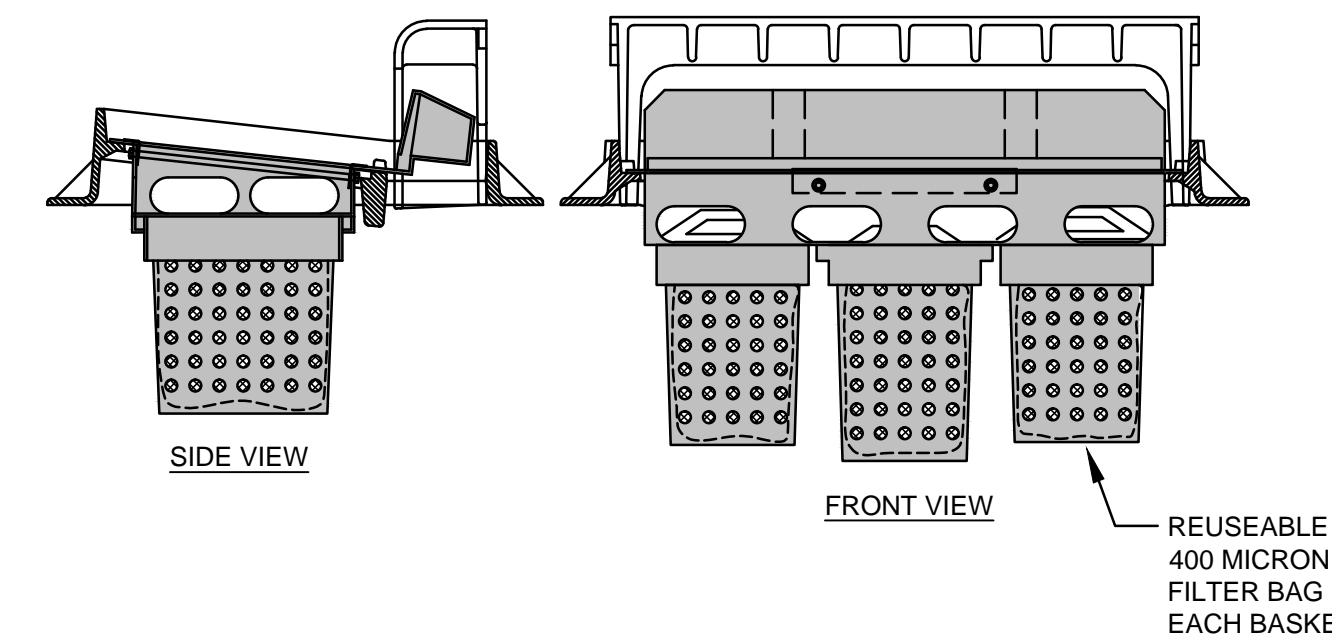


NOTE: DEPENDING UPON CONFIGURATION, ATTACH FABRIC TO WIRE MESH WITH HOG RINGS, STEEL POSTS WITH WIRES, OR WOOD POSTS WITH STAPLES.

SILT FENCE INSTALLATION DETAIL

6
C6

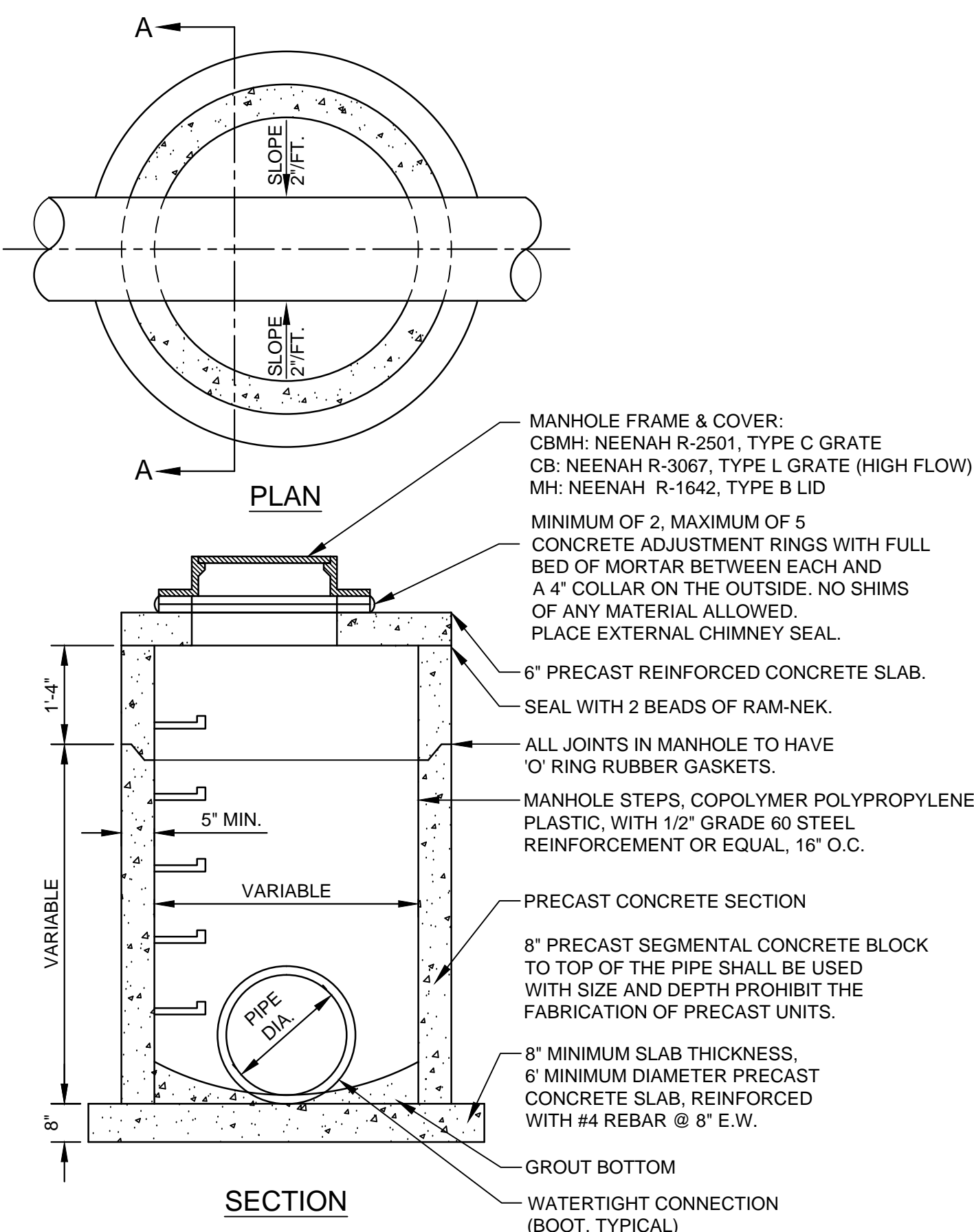
NOT TO SCALE



INFRA SAFE INLET PROTECTION DEVICE (OR EQUAL)

7
C6

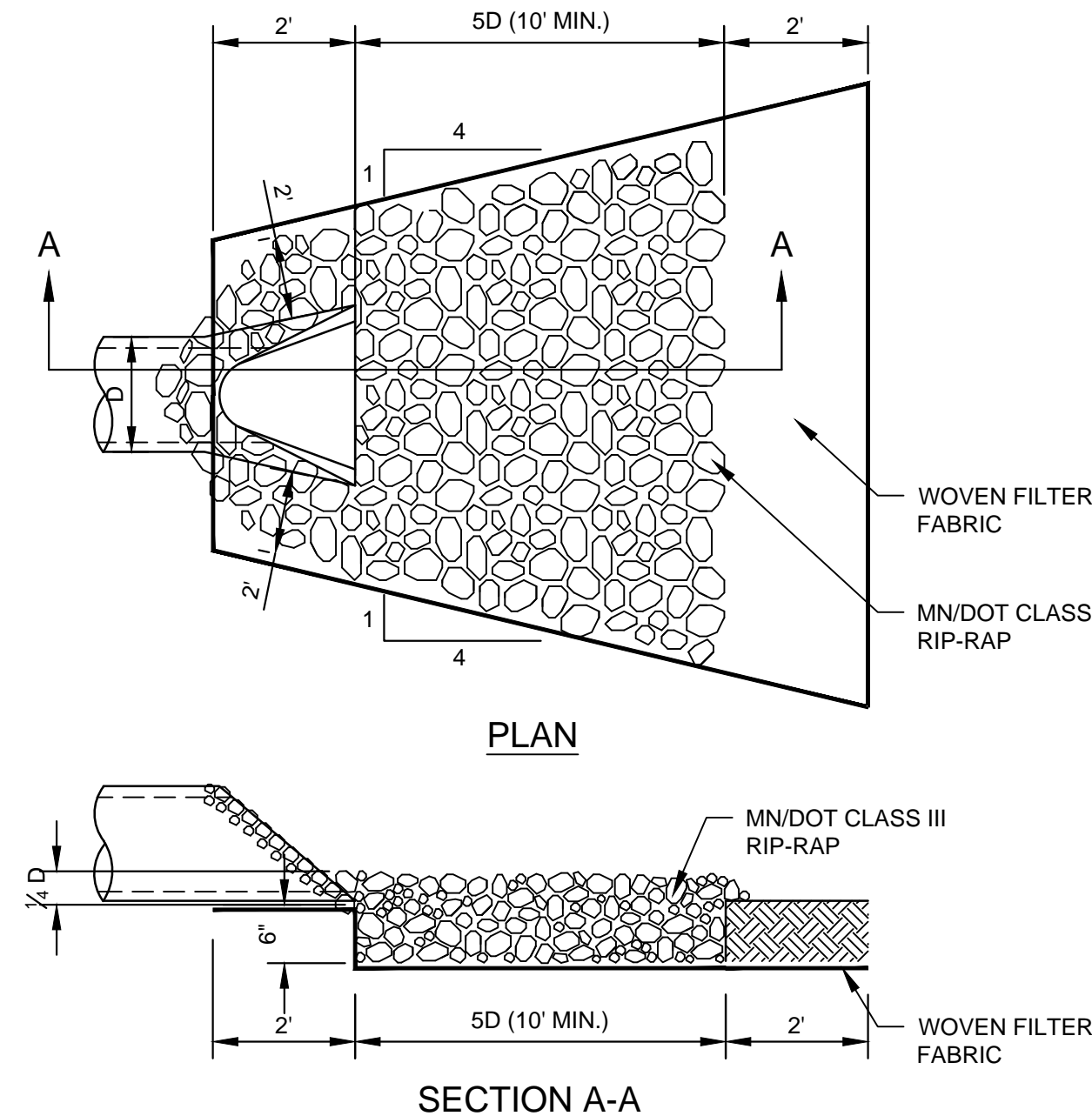
NOT TO SCALE



STORM MANHOLE DETAIL

2
C6

NOT TO SCALE



NOTE:
FW300 MIRAFI FABRIC OR EQUAL

RIP-RAP AT OUTLETS

4
C6

NOT TO SCALE

CITY SUBMITTAL

2018 STILLWATER BUS FACILITY IMPROVEMENTS
STILLWATER AREA PUBLIC SCHOOLS
STILLWATER, MN 55082

Client:

STILLWATER AREA PUBLIC SCHOOLS
1875 SOUTH GREELEY STREET
STILLWATER, MINNESOTA 55082

Larson Engineering, Inc.
3524 Labore Road
White Bear Lake, MN 55110
651.481.9120 (f) 651.481.9201
www.larsonengr.com

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

Greg A. Buchal
Greg A. Buchal, P.E.

Date: 04.30.18 Reg. No.: 23793

Rev.	Date	Description

Project #: 12176010
Drawn By: KJA
Checked By: GAB
Issue Date: 04.30.18
Sheet Title:

DETAILS

C6

Sheet:

**CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA**

ORDINANCE NO. 08-214

**AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY
AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LAKE ELMO**

SECTION 1. The City Council of the City of Lake Elmo hereby ordains a portion of the following property (PID# 36.029.21.43.0001) to be rezoned from RR – Rural Residential to BP – Business Park:

Lot 1, Block 1, Four Corners

SECTION 2. The City Council of the City of Lake Elmo also hereby ordains that the Zoning Administrator shall make the applicable changes to the official Zoning Map of the City of Lake Elmo.

SECTION 3. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 4. Adoption Date. This Ordinance 08-214 was adopted on this 17th day of July, 2018, by a vote of ___ Ayes and ___ Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

This Ordinance 08-214 was published on the ____ day of July, 2018.

**CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA**

RESOLUTION NO. 2018-076

A RESOLUTION APPROVING THE FOUR CORNERS PRELIMINARY AND FINAL PLAT

WHEREAS, Terry Emerson, 2204 Legion Lane Circle North, Lake Elmo, MN 55042 (“Applicant”), has submitted an application to the City of Lake Elmo (“City”) for approval of Preliminary and Final Plat for Four Corners; and

WHEREAS, the Lake Elmo Planning Commission held a Public Hearing on June 4, 2018 and June 18, 2018 to consider the Preliminary and Final Plat for Four Corners and recommended approval subject to a number of conditions; and

WHEREAS, the City Council reviewed the recommendation of the Planning Commission and the proposed Four Corners Preliminary and Final Plat at a meeting on July 17, 2018; and

NOW, THEREFORE, based upon the testimony elicited and information received, the City Council makes the following:

FINDINGS

1. That the Four Corners preliminary and final plat is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
2. That the Four Corners preliminary and final plat complies with the minimum lot frontage and area requirements of the City’s BP – Business Park zoning district.
3. That the Four Corners preliminary and final plat complies with the City’s subdivision ordinance.
4. That the Four Corners preliminary and final plat meets other City zoning ordinances, such as landscaping, erosion and sediment control, and other ordinances, provided comments outlined in the City Engineer Review Memo dated May 30, 2018 are met; or as may be amended due to changes in the site plan or proposed use.
5. That the Four Corners preliminary and final plat is consistent with the City’s engineering standards provided final plans are updated to address the City Engineer’s comments documented in a letter dated May 30, 2018; or as may be amended due to changes in the site plan or proposed use.
6. The land being subdivided is legally described as:

S1/2-SE1/4 EXC WEST 2 RODS EXC TO HWY EXC HWY PARCEL 44 MN DOT R/W PLAT #82-35 SECTION 36
TOWNSHIP 029 RANGE 021

7. That the Four Corners preliminary and final plat will create one new lot of 11 acres to be legally described as Lot 1, Block 1, Four Corners; and three outlots: A (46.64acres), B (5.01 acres), and C (1.08 acres).

CONCLUSIONS AND DECISION

Based on the foregoing, the Applicants' application for Preliminary and Final Plat, subject to the following conditions of approval:

- 1) The property shall be rezoned to BP – Business Park.
- 2) The applicant shall pay a fee in lieu of parkland dedication in the amount of \$4500 per acre of the newly created lot (11 acres X \$4500 = \$49,500 total) prior to any formal City authorization.
- 3) Prior to the execution of the Final Plat by City officials, the Developer shall enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, landscaping, and payment of the required improvements for the Four Corners Final Plat with financial guarantees therefore.
- 4) Final grading, drainage and erosion control, sanitary sewer and stormwater management, street and utility construction plans shall be submitted, reviewed and approved by the City Engineer, meeting City Engineering Design Standards, prior to the recording of the Final Plat. All changes and modifications to the plans requested by the City Engineer in a memorandum dated May 30, 2018 and all subsequent memorandums regarding the plans shall be incorporated into these documents before they are approved.
- 5) The applicant must obtain all other necessary City, State, and other governing body permits prior to the commencement of any construction activity on the parcel including but not limited to building permits, conditional use permits, etc.
- 6) Any plans for construction on the newly created parcel must comply with the Lake Elmo Design Standards Manual and specific general site considerations and development standards for specific uses within the Business Park District.
- 7) The site plan is subject to a storm water management plan meeting State, Valley Branch Watershed District and City rules and regulations. All applicable permits must be obtained. Maintenance access roads meeting City engineering design standards must be provided for all storm water facilities.

- 8) Stormwater facilities shall remain privately owned and maintained. The applicant will be required to execute a Stormwater Maintenance and Easement Agreement in the City's standard form of agreement.
- 9) A Traffic Impact Study shall be completed and submitted in order to determine timing and extent of improvements required for the CSAH 15 and Hudson Boulevard intersection realignment and traffic signal improvements as well as the need for an eastbound left turn lane along Hudson Boulevard for site access. Additional right-of-way along Hudson Boulevard may be required if the eastbound left turn lane is required.
- 10) Hudson Boulevard must be improved per the City design standards to an urban section on the north side of the street including a west bound right turn lane to the site, a four foot shoulder (curb reaction), a nine foot boulevard, and a ten foot shared use bituminous trail with two foot clear zone.
- 11) Provisions for connecting municipal sanitary sewer service and for connecting to the municipal water supply must be provided on submitted plans. The applicant shall be responsible to extend and connect to the City sanitary sewer system and municipal water at the applicant's sole cost and extend such services to adjacent properties. The applicant shall be required to obtain easements from adjacent properties in order to extend water. A detailed description of the sanitary sewer and water capacity demands shall be provided.
- 12) Hydrants will be required to be placed at the direction of the Fire Department, and all fire hydrants shall be owned and maintained by the City.
- 13) All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat prior to its execution by City Officials.

Passed and duly adopted this 17th day of July, 2018 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

**CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA**

RESOLUTION NO. 2018-078

*A RESOLUTION DENYING A ZONING TEXT AMENDMENT TO AMEND THE CITY'S
ZONING CODE TO ALLOW LOCAL TRANSIT AS A CONDITIONAL USE WITHIN THE
BUSINESS PARK ZONING DISTRICT*

WHEREAS, the City of Lake Elmo (the “City”) has established a Zoning Map by Ordinance that implements the various land use policies in the City’s Comprehensive Plan; and

WHEREAS, Stillwater Area Public Schools (Kristen Hoheisel), 1875 Greeley Street South, Stillwater, MN 55042 (the “Applicant”) has submitted an application to the City of Lake Elmo (the “City”) for a Zoning Text Amendment to allow local transit as a conditional use within the Business Park zoning district; and

WHEREAS, the request for a Zoning Text Amendment was submitted by the Applicant along with a request by Terry Emerson, 2204 Legion Lane Circle North, Lake Elmo, MN 55042, for a Minor Subdivision to subdivide the Property in to Lot 1, Block 1 of Four Corners, with three separate outlots; a Zoning Map Amendment to re-zone Lot 1, Block 1 of Four Corners from Rural Development Transitional to Business Park; and Conditional Use Permit for a school transportation center for Lot 1, Block 1, Four Corners; and

WHEREAS, the Planning Commission held a public hearing on June 4, 2018 and June 18, 2018 to consider the Applicant’s requests; and

WHEREAS, the Planning Commission submitted its report and recommendation to the City Council as part of a Staff Memorandum dated July 17, 2018; and

WHEREAS, the City Council considered said matter at its meeting on July 17, 2018; and

NOW THEREFORE BE IT RESOLVED based upon the testimony elicited, information received, staff reports and the record as a whole, the City Council makes the following findings of fact:

FINDINGS.

1. That the procedures for requesting a Zoning Text Amendment are found in the Lake Elmo Zoning Ordinance, Section 154.105.
2. That all the submission requirements of said Section 154.105 have been met by the Applicant.
3. That the proposed Zoning Text Amendment includes the following components:
 - a. That local transit be a conditional use within the Business Park zoning district.

- b. That standards for local transit within the Business Park zoning district be added to include the following:
 - i. Use is limited to a school district transportation center, owned by a public school district, serving as a bus terminal for buses and vans which transport passengers to and from schools or between school programs and community residences.
 - ii. The property on which the use is located must be located within one half mile of property owned by a public school district.
 - iii. Must be on a property of at least 10 acres in size or more.
 - iv. Must be sufficiently screened from adjacent residential properties through berming and landscaping as approved by the City.
 - v. Accessory uses may include an office and routine maintenance of school buses, including but not limited to washing and fueling.
4. That the 2030 Comprehensive Plan indicates that the specific desired attributes of the Business Park land use category include a diversity of jobs, high development densities and jobs per acre, high quality site and building architectural design, and increased tax revenues for the community.
5. That the draft 2040 Comprehensive Plan indicates that Business Park areas are to provide for a wide variety of professional businesses such as medical and research facilities, offices, and corporate headquarters. Uses specifically excluded from existing business park areas include warehousing, manufacturing, distribution, assembly and truck terminals.
6. That school district transportation centers owned by a public school district would likely not provide high quality site and building architectural design or increase tax revenues for the community, as are specific desired attributes of the Business Park land use category of the 2030 Comprehensive Plan and the proposed text amendment is therefore inconsistent with the Comprehensive Plan.
7. That school district transportation centers are similar to truck terminals, which are specifically excluded from business park areas as per the draft 2040 Comprehensive Plan.
8. That school district transportation centers would increase traffic on Hudson Boulevard, creating congestion and would likely trigger the need for a traffic signal at the intersection of Manning Avenue and Hudson Boulevard, the cost for which the City will be required to pay 25%.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Lake Elmo City Council hereby denies the request by Stillwater Area Public Schools for a Zoning Text Amendment to allow local transit as a conditional use within the Business Park zoning district.

Passed and duly adopted this 17th day of July 2018, by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION 2018-079

*A RESOLUTION DENYING A CONDITIONAL USE PERMIT FOR A SCHOOL DISTRICT
TRANSPORTATION CENTER FOR A PORTION OF THE PROPERTY LOCATED AT 11530
HUDSON BOULEVARD NORTH*

WHEREAS, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, Stillwater Area Schools (Kristen Hoheisel), 1875 Greeley Street South, Stillwater, MN 55082 (the “Applicant”) has submitted an application to the City of Lake Elmo (the “City”) for a Conditional Use Permit for a school district transportation center for a portion of the property located at 11530 Hudson Blvd N (PID# 36.029.21.43.0001) (the “Property”); and

WHEREAS, a request for a Preliminary and Final Plat to subdivide the Property in to Lot 1, Block 1 of Four Corners, with three separate outlots was submitted by Terry Emerson, 2204 Legion Lane Circle North, Lake Elmo, MN 55042; and

WHEREAS, the Applicant also submitted applications to the City for a Zoning Text Amendment to allow local transit as a conditional use within the Business Park zoning district; and a Zoning Map Amendment to re-zone Lot 1, Block 1 of Four Corners from Rural Development Transitional to Business Park; and

WHEREAS, notice has been published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.102; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on said matter on June 4, 2018 and June 18, 2018; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation to the City Council as part of a Staff Memorandum dated July 17, 2018, and

WHEREAS, the City Council considered said matter at its July 17, 2018 meeting; and

NOW, THEREFORE, based on the testimony elicited, staff reports and information received and the entire record presented, the City Council makes the following:

FINDINGS

- 1) That the procedures for obtaining said Conditional Use Permit are found in the Lake Elmo Zoning Ordinance, Section 154.106.

- 2) That all the submission requirements of said Section 154.106 have been met by the Applicant.
- 3) That the proposed Conditional Use Permit includes the following components:
 - a) A Conditional Use Permit for a school district transportation center for a portion of the property located at 11530 Hudson Blvd N.
- 4) That the Conditional Use Permit for a school district transportation center will be for the Property legally described as follows: Lot 1, Block 1 of Four Corners.
- 5) That the Zoning Text Amendment that was proposed by the Applicants allows local transit as a conditional use within the Business Park zoning district.
- 6) That the City denied the Applicant's request for a Zoning Text Amendment to allow local transit as a conditional use within the Business Park zoning district.
- 7) That the City approved the Applicant's request for a Preliminary and Final Plat to subdivide the Property in to Lot 1, Block 1 of Four Corners along with three separate outlots.
- 8) That the City denied the Applicant's request for a Zoning Map Amendment to re-zone the Property from Rural Development Transitional to Business Park.
- 9) That since the Applicant's Zoning Text Amendment application was denied, the Applicant's application for a conditional use permit for a school transportation center must also be denied because local transit is not an allowed use within the Property's current zone, which is Business Park.
- 10) The proposed use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or the city. ***With over 200 employees and a use that requires both employee trips in and out of the facility each day as well as two bus trips in and out of the facility each day, the use will generate a significant amount of traffic, which will likely trigger a need for a traffic signal at the intersection of Manning Avenue and Hudson Boulevard, the cost of which the City will be required to pay 25%.***
- 11) The use or development conforms to the City of Lake Elmo Comprehensive Plan. ***The property is guided for Business Park. While the proposal does create a significant number of jobs per acre, the parcel will be tax exempt, as it will be owned by the school district. It also does not fit in to the described uses appropriate for this land category. Finally, it does not propose high quality site and building architectural design, which, per the Comprehensive Plan, is a trait this land use category should have.***
- 12) The use or development is compatible with the existing neighborhood. ***The surrounding area is planned for uses such as offices, showroom/warehousing, research and development, manufacturing and assembly, and medical laboratories, which are not compatible uses with a bus terminal.***

- 13) The proposed use meets all specific development standards for such use listed in Article 7 of this Chapter. ***There are no specific development standards for this use listed in Article 7. The use does not comply with many parking lot, screening, and landscape standards of the Zoning Code.***
- 14) If the proposed use is in a flood plain management or shoreland area, the proposed use meets all the specific standards for such use listed in Chapter 150, §150.250 through 150.257 (Shoreland Regulations) and Chapter 152 (Flood Plain Management). ***The property is located outside the 0.2% annual chance floodplain.***
- 15) The proposed use will be designed, constructed, operated and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area. ***The proposed project is a redevelopment/repurposing of an existing site, to which minimal improvements are proposed. Operations are not within a building and so would not meet the intended character of the neighborhood, and outdoor storage is not an allowed use within the Business Park zoning district.***
- 16) The proposed use will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring structures. ***The proposed use will create a significant amount of traffic, at least at certain times of the day.***
- 17) The proposed use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use. ***The property is within the Metropolitan Urban Service Area (MUSA) and therefore should be required to be provided by city sewer and water. The application did not detail provisions to connect to City sewer and water. The use may require the prompt need for the CSAH 15/Hudson Blvd traffic signal, for which the City will be required to share 25% of the cost, and the Hudson Boulevard realignment. It is not yet known if the applicant's stormwater management plan meets all City, State, and Valley Branch Watershed District requirements.***
- 18) The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. ***The use may require the prompt need for the CSAH 15/Hudson Blvd traffic signal/realignment, for which the City will be required to share 25% of the cost. It is not yet known if the applicant's stormwater management plan meets all City, State, and Valley Branch Watershed District requirements.***
- 19) The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors. ***The***

proposed use will generate a significant number of trips per day, which will generate excessive production of traffic.

- 20) Vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares. ***Traffic congestion will be created from the significant number of trips to the site the use would generate.***
- 21) The proposed use will not result in the destruction, loss or damage of a natural or scenic feature of major importance. **N/A**

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Lake Elmo City Council hereby denies the request by Stillwater Area Schools for a Conditional Use Permit for a school transportation center.

Passed and duly adopted this 17th day of July 2018 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

**CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA**

ORDINANCE NO. 08-215

**AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY
ADDING LOCAL TRANSIT AS A CONDITIONAL USE WITHIN THE BUSINESS
PARK ZONING DISTRICT AND ADDING ADDITIONAL STANDARDS FOR LOCAL
TRANSIT WITHIN THE BUSINESS PARK ZONING DISTRICT**

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code; Article XIV: Commercial Districts; Section 154.551; Table 12-1 by amending the following:

	LC	CC	C	BP	Standard
<i>Public and Civic Uses</i>					
Colleges and universities	-	-	C	C	154.012 (B) (2), 154.303 (A)
Community service	-	C	C	C	154.012 (B) (2)
Day care center	C	C	C	C	154.012 (B) (2)
Schools, public and private	-	-	C	C	154.012 (B) (2), 154.303 (A)
<u>Local Transit</u>	=	=	=	<u>C</u>	<u>154.554</u> <u>(O)</u>

SECTION 2. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code; Article XIV: Commercial Districts; Section 154.554 by adding the following:

O. Local Transit, BP District. School bus terminals shall be allowed as a conditional principal use within the Business Park zoning district, provided that:

1. The use shall be limited to a school district transportation center, owned by a public school district, serving as a bus terminal for buses which transport passengers to and from schools or between school programs and community residences.
2. The property on which the use is located must be located within one half mile of property owned by a public school district for an active school or school administration building.
3. Must be on property of at least 10 acres in size or more.
4. Must be sufficiently screened, as determined by the City, from adjacent residential properties through techniques such as berming and landscaping.
5. Accessory uses to bus terminals may include an office and routine maintenance of school buses, including but not limited to washing and fueling.

SECTION 3. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 7. Adoption Date. This Ordinance 08-215 was adopted on this _____ day of ____ 2018 by a vote of ___ Ayes and ___ Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

This Ordinance 08-215 was published on the _____ day of _____, 2018.

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION 2018-077

*A RESOLUTION APPROVING A CONDITIONAL USE PERMIT FOR A SCHOOL DISTRICT
TRANSPORTATION CENTER FOR A PORTION OF THE PROPERTY LOCATED AT 11530
HUDSON BOULEVARD NORTH*

WHEREAS, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, Stillwater Area Schools (Kristen Hoheisel), 1875 Greeley Street South, Stillwater, MN 55082 (the “Applicant”) has submitted an application to the City of Lake Elmo (the “City”) for a Conditional Use Permit for a school district transportation center for a portion of the property located at 11530 Hudson Blvd N (PID# 36.029.21.43.0001) (the “Property”); and

WHEREAS, a request for a Preliminary and Final Plat to subdivide the Property in to Lot 1, Block 1 of Four Corners, with three separate outlots was submitted by Terry Emerson, 2204 Legion Lane Circle North, Lake Elmo, MN 55042; and

WHEREAS, the Applicant also submitted applications to the City for a Zoning Text Amendment to allow local transit as a conditional use within the Business Park zoning district; and a Zoning Map Amendment to re-zone Lot 1, Block 1 of Four Corners from Rural Development Transitional to Business Park; and

WHEREAS, notice has been published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.102; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on said matter on June 4, 2018 and June 18, 2018; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation to the City Council as part of a Staff Memorandum dated July 17, 2018, and

WHEREAS, the City Council considered said matter at its July 17, 2018 meeting; and

NOW, THEREFORE, based on the testimony elicited and information received, the City Council makes the following:

FINDINGS

- 1) That the procedures for obtaining said Conditional Use Permit are found in the Lake Elmo Zoning Ordinance, Section 154.106.

- 2) That all the submission requirements of said Section 154.106 have been met by the Applicant.
- 3) That the proposed Conditional Use Permit includes the following components:
 - a) A Conditional Use Permit for a school district transportation center for a portion of the property located at 11530 Hudson Blvd N.
- 4) That the Conditional Use Permit for a school district transportation center will be for the Property legally described as follows: Lot 1, Block 1 of Four Corners.
- 5) That the Zoning Text Amendment that was proposed by the Applicants allows local transit as a conditional use within the Business Park zoning district.
- 6) That the City approved the Applicant's request for a Zoning Text Amendment to allow local transit as a conditional use within the Business Park zoning district.
- 7) That the City approved the Applicant's request for a Preliminary and Final Plat to subdivide the Property in to Lot 1, Block 1 of Four Corners along with three separate outlots.
- 8) That the City approved the Applicant's request for a Zoning Map Amendment to re-zone the Property from Rural Development Transitional to Business Park.
- 9) The proposed use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or the city. ***Bus traffic is not expected to be detrimental or dangerous, as trips and traffic will be limited to certain times of the day. It is a recommended condition of approval that there be significant berming to provide a sufficient screening of the parking lot.***
- 10) The use or development conforms to the City of Lake Elmo Comprehensive Plan. ***The property is guided for Business Park, in which local transit, which meets certain standards, is a conditional use per the Zoning Code. The use also provides a significant number of jobs per acre, which is a desired trait of the Business Park land use designation per the Comprehensive Plan.***
- 11) The use or development is compatible with the existing neighborhood. ***The use is compatible with the existing neighborhood, as the existing use is a truck terminal, which is similar in use and design to a bus terminal. The surrounding parcels are mostly vacant and undeveloped.***
- 12) The proposed use meets all specific development standards for such use listed in Article 7 of this Chapter. ***The proposal complies with the proposed development standards as recommended in the requested Zoning Text Amendment, although it does not comply with many parking lot, screening, and landscape standards, which have been required as a recommended condition of approval.***
- 13) If the proposed use is in a flood plain management or shoreland area, the proposed use meets all the specific standards for such use listed in Chapter 150, §150.250 through 150.257

(Shoreland Regulations) and Chapter 152 (Flood Plain Management). ***The property is located outside the 0.2% annual chance floodplain.***

- 14) The proposed use will be designed, constructed, operated and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area. ***While the proposed project is a redevelopment/repurposing of an existing site and will not change the existing character of the area, operations are not within a building and so would not meet the intended character of the neighborhood.***
- 15) The proposed use will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring structures. ***While the proposed use will create a significant amount of traffic, it will be limited to certain times of the day.***
- 16) The proposed use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use. ***There are plans to connect to City sewer and water at the applicant's cost. The use may require the prompt need for the CSAH 15/Hudson Blvd traffic signal, for which the City will be required to share 25% of the cost, and the Hudson Boulevard realignment. It is not yet known if the applicant's stormwater management plan meets all City, State, and Valley Branch Watershed District requirements.***
- 17) The proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community. ***While the use will not pay property taxes, sewer and water service charges will be paid by the applicant.***
- 18) The proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors. ***The proposed use will generate a significant number of trips per day, though this will be limited to certain times of the day. Minimal noise is expected to come from the site, except during heavy traffic times at specific times within the morning or afternoon.***
- 19) Vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares. ***Traffic congestion could be created from the significant number of trips to the site, though these would be limited to certain times of the day.***
- 20) The proposed use will not result in the destruction, loss or damage of a natural or scenic feature of major importance. **N/A**

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Lake Elmo City Council hereby approves the request by Stillwater Area Schools for a Conditional Use Permit for a school district transportation center with the following conditions of approval:

- 1) The Zoning Text Amendment to allow local transit (school district transportation center) within the Business Park Zoning District must be approved.
- 2) No construction or use of the bus terminal (unless in accordance with the Interim Use Permit approved by the City by Resolution 2014-095) may commence until all items as outlined in the City Engineer review memo regarding the Four Corners Preliminary & Final Plat (Stillwater Transportation Center) dated May 30, 2018 and all other subsequent construction plan memos regarding the Stillwater Transportation Center have been addressed; the Four Corners 1st Addition Final Plat has been recorded.
- 3) The applicant must obtain all other necessary City, State, and other governing body permits prior to the commencement of any construction activity on the parcel including but not limited to an approved stormwater management plan, utility plans, grading plan, street construction plans (if required), parking lot permit, building permits, etc.
- 4) The Applicant shall submit a photometric plan, and all lighting must meet requirements of Sections 150.035-150.038 of the City Code.
- 5) The above ground storage tank shall require development of diking around the tank, suitably sealed to hold a leakage capacity equal to 115% of the tank capacity. The applicant shall demonstrate that fire, explosion, or water or soil contamination hazards are not present that would be detrimental to the public health, safety, and general welfare. The applicant shall also fill out an Aboveground Storage Tank Notification of Installation or Change in Status Form as required by the Minnesota Pollution Control Agency (MPCA).
- 6) The Applicant shall submit an updated Landscape Plan and Tree Preservation Plan which includes sufficient berming and screening and addresses the comments in this report to be reviewed and approved by the City's Landscape Architect.
- 7) Parking areas shall be paved with a durable surface including, but not limited to, hot asphalt, bituminous or concrete; spaces shall be marked with painted lines at least four inches wide; required interior and exterior parking lot screening is required; a bumper curb or barrier of normal bumper height shall be provided; and must provide an adequate number of Americans with Disabilities Act (ADA) accessible stalls.
- 8) A sign permit shall be obtained prior to erection of any sign on the property.
- 9) The property shall be connected to City sewer and water prior to operation of the bus terminal.
- 10) A Traffic Impact Study is required to determine timing and extent of improvements required for the CSAH 15 and Hudson Boulevard intersection realignment and traffic signal improvements as well as to determine if an eastbound left turn lane along Hudson Boulevard is also needed at the site access.
- 11) The applicant shall be required to include a description of the sanitary sewer capacity demands including the number of residential equivalency units (REC) based on the Metropolitan Council Sewer Availability Charge (SAC) determination policy as well as a description of the water capacity demands including average day use, peak day use, and fire suppression demands. Demands must account for all planned uses and connections to

the sewer system including bus wash wastewater as well as include potable drinking water, bus washing operations, etc.

12) Applicant shall be responsible to place hydrants throughout the property at the direction of the Fire Department. All fire hydrants shall be owned and maintained by the City.

Passed and duly adopted this 17th day of July 2018 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk