



STAFF REPORT
DATE: 2/12/2024

TO: Planning Commission
FROM: Nathan Fuerst, AICP, Consulting Planner
AGENDA ITEM: **PUBLIC HEARING - Comprehensive Plan and Zoning Map Amendments – Lake Elmo Elementary School**
REVIEWED BY: Clark Schroeder, City Administrator
Sophia Jensen, City Planner
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BACKGROUND:

As a result of an assessment of school facility needs, Stillwater Area Public Schools (ISD 834, hereafter referred to as the “School District”) has identified the need for a new elementary school facility in Lake Elmo’s South Planning Area. The School District has identified the subject property as a preferred location for a new elementary school to replace the aging Lake Elmo Elementary located Northeast of the intersection of Lake Elmo Blvd N. and Stillwater Blvd. N. The new school building is proposed to be 148,000 square feet and two stories. It would provide space for 1,100 students along with school district programming. The School District has requested a connection to City water and sewer services.

The City is in receipt of the first requests for the proposed Lake Elmo Elementary School. In order to establish a new school on the subject property, the School District is requesting the following:

1. Comprehensive Plan Amendment(s):
 - a. Future Land Use Category - change the subject property from Rural Area Development (RAD) to Institutional (INST).
 - b. MUSA - Amend the MUSA boundary to include this property within the MUSA development period of 2020-2030.
2. Rezoning Request: Rezone from Agricultural (A) to Public Facilities (PF).

At this stage, it is noted that the plans submitted by ISD 834 are concept level and may not necessarily reflect the ultimate design of the school or site. Future applications will be needed. We anticipate reviewing those after more detailed site and building plans are developed if the School District has received approvals for the Comprehensive Plan and Zoning map amendments.

ISSUE BEFORE THE COMMISSION:

The Planning Commission should hold a public hearing and provide a recommendation to the City Council regarding the School District’s requests for Comprehensive Plan and Zoning Map amendments.

GENERAL INFORMATION:

Applicant: Stillwater Area Public Schools (ISD 834), 1875 South Greeley Street, Stillwater, MN 55082

Property Owner: Thomas Kindler, 2111 Legion Lane, Lake Elmo, MN 55082

Location: Parcel Northwest of intersection of 10th Street N. and Lake Elmo Avenue N.

PID#: 2602921440001

Deadline: Application Complete – 1/18/2024
60 Day Deadline – 03/18/24
Extension Letter – n/a
120 Day Deadline – n/a

ANALYSIS:

Comprehensive Plan Amendments:

Future Land Use Category (Map 3-3)

Amendment to Map 3-3, the City’s Future Land Use Map, is requested to reclassify the subject property from Rural Area Development (RAD) to Institutional. While a definitive list of allowed uses is not provided, the definition of the RAD area in the Comp Plan does not appear to include uses such as schools. There are no public schools found in the RAD future land use category.

The Institutional Future Land Use category is expressly intended for schools, religious institutions, city hall, municipal buildings, libraries, and other institutional uses. All public schools in Lake Elmo (existing Lake Elmo Elementary, Oak Land Middle School, Pankalo Education center) have a Future Land Use guidance of Institutional.

Consideration should be given to the context of this proposal. The Institutional future land use category is found in contexts throughout the community spanning from Rural Area Development to High Density areas and is found both within and outside of the MUSA boundary. Development of the subject property will be required to meet the performance standards of the city’s code, applicable state statutes, and is thus expected to ultimately be compatible with the area surrounding the subject property.

The request to amend the Future Land Use map to institutional is consistent with the goals established by the Comprehensive Plan. Replacing Lake Elmo Elementary will provide new or improved amenities for residents while allowing redevelopment of the old school site in the Village Planning Area.

MUSA Boundary (Maps 3-2, 3-3, 3-4, and 3-7)

The School District has requested that the proposed Lake Elmo Elementary School be connected to City sewer and water services. For properties to be connected to City sewer, they must be within the City’s Metropolitan Urban Service Area (MUSA) boundary.

As with all communities in the 7-county Metropolitan Council area, Lake Elmo’s 2040 Comprehensive Plan is required to provide and plan for areas to be economically served by the public sewer system. Density in MUSA areas must be a minimum of 3.0 residential units per acre. Since the City’s Institutional future land use area does not contain residential units, this request will not reduce the residential density in the City’s MUSA. Metropolitan Council staff have

confirmed that the MUSA boundary can be revised to include just the addition of the subject property.

A request for inclusion of the subject property within the City's MUSA necessitates revision to multiple maps in the City's adopted Comprehensive Plan. Those map amendments are summarized below:

- **Map 3-2** – 2018-2040 MUSA – this map will be amended to reflect the request to revise the MUSA boundary in Lake Elmo
- **Map 3-3** – Future Land Use Map – this map will show the revised MUSA boundary.
- **Map 3-4** – South Planning Area Planned Growth – this map will show the revised MUSA boundary, it shows the same information as Map 3-3 but with focus on the South Planning Area.
- **Map 3-7** – MUSA Growth & Phasing Plan – this map will show the revised MUSA boundary and detail the subject property to be in the 2020-2030 development phase.

City staff have requested comments from Metropolitan Council staff on any other required revisions to the City's 2040 Comprehensive Plan but have not received any additional information from them as of the writing of this report.

Because the proposal will not cause the city to have a reduced density in the MUSA area, and water and sewer connections are available with straightforward extensions, Metropolitan Council staff do not find the requested MUSA boundary adjustment to be objectionable.

Zoning Map Amendment:

Amendment to the City's zoning map is requested as the current Zoning district, Agricultural, does not permit public schools and is not found in the MUSA. The rezoning request to Public Facilities will allow the School District to construct a new elementary school and ensure that the subject property's zoning is consistent with the guidance requested in the Comprehensive Plan.

Purpose of the Public Facilities District - LEC 150.12.970(A):

The purpose and intent of the PF zoning district is to allow uses and structures that are incidental and subordinate to the overall land uses permitted in the city. While allowing certain uses within the city, general performance standards have been established. This is intended to ensure maintenance and preservation of the established rural character of the city by preserving agricultural land, woodlands, corridors, and other significant natural features, and provide buffering between PF and residential or other uses.

Next Steps

If the City approves the Comprehensive Plan Amendments and Rezoning requests of the School District, the following entitlements are still required prior to issuance of a building permit for Lake Elmo Elementary:

1. Major Subdivision (Preliminary and Final Plat)
2. Conditional Use Permit (CUP) for a Public School

FISCAL IMPACT:

Approval of the Applicant's requests has no fiscal impact to the City at this time. Subdivision entitlement review will be required along with a Development Agreement which will detail public improvements and address fiscal impacts. If the MUSA amendment is approved, the property will have urban services and will require associated development fees.

FINDINGS AND CONDITIONS:

Comprehensive Plan Amendment Findings.

1. That the applicant has submitted a request to the City of Lake Elmo to amend the Comprehensive Plan in accordance with the procedures as established by the Lake Elmo Planning Department and the Lake Elmo Planning Commission; and
2. That the request is to amend the Future Land Use Map to change the subject property from Rural Area Development (RAD) to Institutional (INST); and
3. That the request also includes revision to the MUSA boundary established on Maps 3-2, 3-3, 3-4, and 3-7; and
4. The new school would replace an existing school which does not currently meet the needs of the community and provide additional capacity for future growth in developing area of the City.
5. That the proposed amendment is consistent with the overall goals and objectives of the Lake Elmo Comprehensive Plan.

Comprehensive Plan Amendment Conditions:

1. The comprehensive plan amendment is not in effect until approved by the Met Council.

Rezoning Findings.

1. That the applicant has submitted a request to the City of Lake Elmo to amend the Zoning Map in accordance with the procedures as established by the Lake Elmo Planning Department and the Lake Elmo Planning Commission; and
2. That the request is to amend the Zoning District in the project area from Rural Transition (RT) to Village Medium Density Residential (VMDR) and Commercial (C); and
3. That the proposed amendment is consistent with the overall goals and objectives of the Lake Elmo Comprehensive Plan.

Rezoning Conditions:

1. Rezoning not in effect until the Comprehensive Plan Amendment is approved by Met Council.

WATER APPROPRIATIONS:

Staff acknowledge concerns regarding water appropriations. The City does have the ability to approve or deny requests for comprehensive plan and zoning map amendments, but must make findings which consider the goals and vision of the 2040 Comprehensive Plan.

The impacts of transferring the school from one site to another are not specifically known at this time. Those impacts could be reviewed with greater detail at the time of subdivision and CUP requests as more detailed plans will be provided for review at that time. The School District has provided MnDNR comments recommending that the school be connected to the City's water supply due to groundwater contamination with PFAS documented in the area.

The City's Premature Subdivision ordinance is found in LEC 103.00.025, however, since the School District is not proposing a subdivision at this time, that section does not provide guidance on the findings relevant to a denial.

RECCOMENDATION:

Comprehensive Plan Amendments require a 4/5 vote of the City Council to be approved.

Staff are generally supportive of the requested comprehensive plan and zoning map amendments. The proposed amendments appear to be compatible with both existing development patterns, goals established by the comprehensive plan, and intent of the Public Facilities district. The City will ultimately review a development plan for conformance with relevant performance standards.

Staff recommend that the Planning Commission hold a public hearing for this item and consider the following recommendation to the City Council for approval:

“Move to recommend the City Council approve the requests from ISD 834, Stillwater Area Public Schools, for Comprehensive Plan and Zoning Map amendments with the findings and conditions proposed by staff”

ATTACHMENTS:

- Application Materials – Narrative and Concepts
- City Engineering Comment Memo
- Assistant Fire Chief Comments
- Washington County Comments
- Valley Branch Watershed District Comments
- Lake Elmo 2040 Comprehensive Plan – [Link Only](#)