



STAFF REPORT

DATE: 2/4/2025

ITEM #:

Regular

TO: Lake Elmo City Council
FROM: Nathan Fuerst, AICP, Consulting Planner
AGENDA ITEM: **Lake Elmo Elementary – Final Plat and Development Agreement**
REVIEWED BY: Jason Stopa, Community Development Director
Sophia Jensen, Senior City Planner

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 existing Lake Elmo Elementary located Northeast of the intersection of Lake Elmo Blvd N. and Stillwater Blvd. N.

On March 6, 2024, the City Council approved an amendment to the City’s Comprehensive Plan and Zoning Map to allow for the establishment of the public-school use on the subject property. On June 14th, 2024, the Metropolitan Council approved the comprehensive plan amendment for the future land use map.

On November 6th, 2024, the City Council approved three additional requests: First was a preliminary plat for the subject property. Second was a conditional use permit for a public school on the site. Third were variances for a buffer encroachment and parcel size within the public facilities zoning district.

The final plat application represents the final entitlement for this project. Staff are drafting a Development Agreement and plan to place that on a future agenda.

ISSUE BEFORE THE CITY COUNCIL:

Should the City Council approve the final plat application and development agreement to allow the Lake Elmo Elementary School to move forward?

REQUEST DETAILS:

<i>Applicant/Owner:</i>	Stillwater Public Schools (ISD 834)
<i>Location:</i>	10928 10 th St (PID 26.029.21.44.0001)
<i>Zoning District:</i>	Public Facilities
<i>Future Land Use:</i>	Institutional
<i>Deadline for Action:</i>	Application Complete: 1/17/25 60 Day Deadline: 3/17/25

PROPOSAL DETAILS/ANALYSIS:

Total Site Area	47.59 acres
Wetlands	None

Environmental Review. This project does not trigger a mandatory Environmental Assessment Worksheet under Minnesota Rules 4410.4300. No further environmental review is required.

Bulk Standards.

Standards 105.12.970(f)(1)	Requirement (with structure):	As Proposed
Maximum Lot Area	20 acres	47.59 acres*
Minimum Lot Width	100'	~1253'
Minimum Lot Depth	150	~1485'
Max Impervious Cover	32%	18.01%
Minimum Setback - Front	50 feet	~170', 380'
Minimum Setback - Side	50 feet	140 feet
Minimum Setback - Corner	50 feet	N/A
Minimum Setback - Rear	50 feet	~775' feet
Maximum Height	50 feet	34'
Driveway Setback from intersection	50 feet from r-o-w	~1/4 mile
Driveway setback from side lot line	5 feet	38' & 326'
Driveway Width	20 – 34' feet	34'

*variance received

Land Use Conformance. The subject property received a comprehensive plan amendment and rezoning approval through Resolution 2024-029 and Ordinance 2024-07. The proposed land use, a public school, is consistent with the future land use, Institutional, and zoning district, Public Facilities, where it is a conditional use.

Lot Area. The subject property received a variance to the 20 acre requirement within the Public Facilities zoning district to permit the 47.59 acre parcel on November 6th, 2024 through Resolution 2024-114.

MN Shooting Range Protection Act: The elementary school is proposed on a parcel abutting a portion of the Oakdale Gun Club. The Stillwater Area School District was required to submit a noise study which tested the noise levels generated by the Oakdale Gun Club to determine whether the establishment of any new uses on site would be over the allowable levels in statute. The noise study, completed by Veneklasen Associates, measured noise levels at four different locations in the 750' buffer area with leaf-on conditions. The Study provides analysis to satisfy concerns with noise levels in the fall with leaf-off conditions and a different mix of firearms at the gun club. The Study concludes that the noise generated at all four testing locations is below the maximum levels in state statute for a Public School, which has the most sensitive Noise Area Classification (NAC) in MN rules.

Tree Preservation. The subject property is heavily wooded with many densely planted qualifying significant trees requiring protection under the City's ordinance. A significant amount of the trees on this parcel will need to be removed for the School District's proposed improvements, with removals mostly concentrated on the east half of the site. At the November 6th, 2024, City Council Meeting the Council granted flexibility to the preservation requirements with two conditions. The school district must submit a contribution of \$50,000 to the tree preservation fund and plant at least 106 trees which are excluded from tree size, irrigation, the landscape warranty requirements. Tree removals, in conformance with the approved mitigation plans, are expected to begin on site at the beginning of February 2025 with approval of an early grading agreement.

Landscaping. The City's Landscape Architect has reviewed the plans for conformance with the City's ordinance and commented on necessary plan revisions in their December 13th, 2024, memo. The Landscape Architect noted that, with the Council's flexibility, planting requirements have been met. Revisions are required to the landscape plan to address irrigation requirements and a tree schedule. A condition of approval is added requiring conformance to the City Landscape Architect's Memo.

Buffering and Screening. City Code Section 105.12.970 (f)(2) requires a 150-foot buffer from abutting residential properties. While the school building and nearly all site improvements meet the building setback requirement, a driveway access for the busses will be located within 38' of the northern property line. The subject property received a variance through Resolution 2024-114 to the 150-foot buffer for the driveway access on November 6th, 2024.

Building Design. Elevations submitted with the site plans indicate a new school building which is designed with primary materials including brick, glass, and architecturally treated metal. In its design, the building has facades which vary in design with contrasting building materials and colors and creates visual interest. The building materials and façade elevations proposed are consistent with the City code and design standards manual for such structures and are therefore found acceptable.

Parking. City code requires three spaces per classroom. There are 53 rooms that are classrooms or an equivalent learning space. Therefore, a minimum of 159 parking spaces are required. There are a total of 211 parking spaces supplied in in the southern parking area, and a total of 13 adjacent to the bus parking to create a total on site of 224 spaces. This site meets the parking minimum established by code.

Traffic and Access. This project is served by two county roads, Lake Elmo Avenue North and 10th Street North. A traffic study was required and supplied by the Applicant. The Final plans have been reviewed by the City Engineer and Washington County for issues related to traffic and access.

Washington County will ultimately require an access permit for the use and is the responsible jurisdiction for county roads. Washington County has provided a letter dated January 3, 2025, approving the two access points with the traffic improvements identified on the preliminary plat plans dated November 22, 2024. Due to the new Lake Elmo Elementary at this location, the County has accelerated plans for infrastructure improvements at 10th St. N and Lake Elmo Avenue. The City Council conditionally approved the Preliminary Plat upon the School District completing the following:

- The Plat shall dedicate right of way as needed for future county intersection improvements.
- The School District shall design the stormwater ponds to accommodate the needs for stormwater management at the new intersection of CSAH 10 & 17.

- The City will require a cost participation from the Applicant at no more than 50% of the City's cost to account for the costs of the future intersection improvements at County Roads 10 & 17.

The City Engineer has compiled a review memo dated January 3, 2025 that articulates requirements to modify the final plat and plans, bringing them into conformance with City plans, standards, and requirements. Conformance to the memo is considered a condition of the final plat approval which must be satisfied before the final plat can be recorded.

CONSISTENCY WITH PRELIMINARY PLAT:

The process for review a of subdivision is established in Title 103 of City Code. The City has determined that the applicant has addressed the required revisions, and the final plat is generally consistent with the preliminary plat approval. Conditions of approval have been added where applicable.

AGENCY REVIEW:

This request was distributed to several departments and agencies for review on December 2nd 2024 . The following review comments are attached to this staff report:

- Fire Department (12/4/2024) Provided comments regarding drive lanes, construction phasing, signage, hydrants, addressing/door numbering, fire alarm/sprinkler systems, and KNOX/emergency access.
- City Landscape Architect (12/13/2024)- Provided comments on revisions needed to the landscaping plans.
- Washington County DOT (9/18/24 and 1/3/25) – Provided comments regarding development plan and required intersection improvements.
- City Engineer (1/29/2025) – Provided comments requiring revisions to the final plat and construction plans prior to recording the final plat.
- Valley Branch Watershed District – Reported a permit has been issued for the project.

Conditions of approval have been included to address agency review comments where applicable.

FINDINGS OF FACT:

The following findings of fact are recommended by staff in support of a conditional approval:

RECOMMENDED CONDITIONS OF APPROVAL:

1. The Applicant must enter into a Development Agreement, in the City's standard form, prior to issuance of a notice to proceed or any building permit for work on site.
2. Prior to the City signing or approving recording of the Final Plat or Development Agreement, the Applicant shall fully address all comments in the following review memos, or any subsequently revised memo, to the satisfaction of the City:
 - a. City Engineer's memo dated January 29, 2025,
 - b. City Landscape Architect's memo dated December 13th 2024,
 - c. City Fire Chief's memo dated December 4th 2024.
 - d. City Attorney's Plat Opinion dated December 20th, 2024.
 - e. Washington County Engineering memos dated September 18, 2024 and January 3, 2025.

3. The Applicant may not allow any queuing of traffic accessing this site from occurring on the abutting Lake Elmo Avenue (CSAH 17) and 10th Street (CSAH 10).
4. The applicant must provide, at applicant's sole cost, dedicated right and left turn lanes along Lake Elmo Avenue (CSAH 17) and 10th Street (CSAH 10), at both new access locations. Turn lanes must be constructed meeting Washington County standards.
5. The Applicant must provide a separate trail connection along the Lake Elmo Avenue North Corridor.
6. The Applicant must provide at applicant's sole cost, Traffic Control Improvements to be operational with the opening of the school, including a permanent traffic control signal at the new access location along 10th Street North (CSAH 10), complete with crosswalks, and including a temporary wood-pole traffic signal at the intersection of Lake Elmo Avenue (CSAH 17) and 10th Street (CSAH 10), complete with crosswalks. The applicant must enter into a cost reimbursement agreement to reimburse the County for design and construction related engineering services for these improvements.
7. The Plat must dedicate right-of-way along Lake Elmo Avenue (CSAH 17) and 10th Street (CSAH 10) as required by Washington County and the City.
8. All easements as required by the City Engineer and Public Works Director shall be documented on the Final Plat prior to the release of the Final Plat for recording.
9. The Final Plat shall not be recorded until the City approves the Final Construction Plans.
10. The City will require a cost participation from the Applicant at no more than 50% of the City's cost for the applicant's cost-share of the future intersection improvements at Lake Elmo Avenue (CSAH 17) and 10th Street (CSAH 10).
11. The Applicant shall provide stormwater management mitigation for all required site improvements, including the County roadway and intersection improvements, County roadway turn lanes, all bituminous trails, and including additional future impervious surfaces, as estimated by Washington County, for the future County roadway improvements along CSAH 17 and CSAH 10 to be constructed by the County at a future date.
12. The storm water management facilities and BMPs will remain privately owned and maintained. A Storm Water Maintenance and Easement Agreement in the City's standard form of agreement must be executed and recorded with the Final Plat for all privately owned stormwater facilities.
13. The Applicant shall pay an in-lieu fee of \$325 per caliper inch for unmitigated tree removal on site, up to a total of \$50,000
14. The Applicant shall not locate any proposed tree plantings south of the bituminous trail proposed at the southeast corner of the site.
15. The Applicant shall provide a planting plan for 106 additional trees on site, with flexibility to tree species and size and without a requirement for irrigation or warranty after installation. The planting plan must be approved by the City.
16. Any intensification of the use or expansion of the use within the buffer area of the Oakdale Gun Club shall comply with Minnesota State Statutes Chapter 87A, as may be amended.

17. After establishment of the use on site, any grading or removal of healthy specimen trees in required buffer areas, including the buffer of the Oakdale Gun Club, shall be reviewed by the City against applicable design standards.
18. Upon substantial completion of the project, as defined in the required development agreement, the school building must be connected to City water and sewer.
19. The Applicant must provide plans for the water and sewer connection to the satisfaction of the City Engineer, Public Works Director, and Fire Chief prior to the release of the building permit with connections made at the Applicant's sole cost.
20. Water and Sewer Availability Charges, and other fees as applicable, must be paid prior to issuance of a building permit.
21. The Applicant will be required to sign a Waiver of Assessment Agreement with the City of Lake Elmo, in the City's standard form of agreement, to reimburse the City for public sanitary sewer improvements to be constructed by the City to facilitate the connection to City sewer.
22. All city, state, or other necessary permits must be obtained prior to the release of the building permit.
23. Substantial construction must take place within 12 months of the date on which the conditional use permit was granted or the conditional use permit is void. The Applicant must also comply with provisions of City Code Section 105.12.290 Conditional Use Permits.

OPTIONS:

The City May:

- Approve the request;
- Approve the request with conditions (staff recommendation);
- Deny the request citing findings of fact for denial.

RECOMMENDATION:

The City Council is asked to make a determination on the requests. Staff recommend that the Applicant's request be approved by the City based on compliance with relevant criteria established in the City's Plans and Ordinance. Below are recommended motions:

“Move to adopt Resolution 2025-15 approving the final plat requested for Lake Elmo Elementary as proposed by Stillwater Area Public Schools, ISD 834, with the conditions and findings listed in the staff report.”

ATTACHMENTS:

1. Location Map
2. Application Materials and Plan Overviews
3. City Engineer's Memo 1/29/25
4. Fire Dept Memo 12/4/2024
5. Landscape Architect Memo 12/13/24
6. Washington County DOT Memo 9/18/24
7. Valley Branch Watershed District Permit
8. City Attorney Plat Opinion 12/20/24
9. Resolution 2025-15