

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

RESOLUTION NO. 2025-15

***RESOLUTION APPROVING THE FINAL PLAT REQUEST FROM STILLWATER AREA
PUBLIC SCHOOLS FOR THE PROPERTY LOCATED AT 10928 10TH STREET NORTH (PID
26.029.21.44.0001)***

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

WHEREAS, the City of Lake Elmo has established a Comprehensive Plan that includes background data, policy statements, standards, and maps that help to guide the future physical, social, and economic development of the City; and

WHEREAS, Stillwater Area Public Schools ISD 834, (the “Applicant”) has requested a Final Plat for the Lake Elmo Elementary School, on property legally described on **Exhibit A** attached hereto (the “Property”), consisting of approximately 47.6 acres for development an elementary school facility; and,

WHEREAS, the plans submitted to the City on November 22nd 2024 along with subsequent revisions; and

WHEREAS, the applications for Final Plat and PUD were not found by the city to be complete until January 17rd 2025 and

WHEREAS, the Lake Elmo City Council reviewed the Final Plat request at its meeting held on February 4th, 2025, and voted to approve the item with the following findings of fact:

1. That all the requirements of City Code Section 103.00.100 related to the Final Plans and Final Plat have been met by the Applicant.
2. That the 10th and Lake Elmo School Addition Plat consists of one lot intended for a future public school.
3. That the 10th and Lake Elmo School Addition Final Plat is generally consistent with the Preliminary Plat as approved by the City of Lake Elmo on November 6th 2024.
4. That the 10th and Lake Elmo School Addition Final Plat is consistent with the intent of the 2040 Lake Elmo Comprehensive Plan and the 2040 Land Use Map for this area.
5. That the 10th and Lake Elmo School Addition Final Plat complies with the general intent of the Public Facilities (PF) zoning district.
6. That the 10th and Lake Elmo School Addition Final Plat generally complies with the City’s Subdivision regulations.
7. That the 10th and Lake Elmo School Addition Final Plat generally complies with the City’s Zoning Code with variances already granted for lot area and buffer.
8. That the 10th and Lake Elmo School Addition Final Plat is generally consistent with the City’s engineering standards with the exceptions noted by the City Engineer in their previous review comments, and as otherwise identified in forthcoming reviews.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve the 10th and Lake Elmo School Addition Final Plat request subject to the following conditions:

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.

Passed and duly adopted this 4th day of February 2025 by the Lake Elmo Minnesota City Council.

Charles Cadenhead, Mayor

ATTEST:

Julie Johnson, City Clerk

Resolution 2025-15
Exhibit A
Legal Description of Subject Property

Old Legal Description:

The Southeast 1/4 of the Southeast 1/4 of Section 26, Township 29, Range 21, Washington County, Minnesota, and all that part of the Southwest 1/4 of the Southeast 1/4, lying Easterly of the West 435.6 feet of the East 2006 feet of the South 1/2 of the Southeast 1/4 of said Section, Washington County, Minnesota. Abstract Property

New Legal Description:

Lot 1, Block 1, 10TH AND LAKE ELMO SCHOOL ADDITION