

7.02: Consider Request for Sketch Plan, Zoning Amendment, and Comprehensive Plan Amendment, Related to a Proposal Second School Campus for PACT Charter School on the Property Located at 7633 161st Ave NW (Project No. 22-107); Case of PACT Charter School

Senior Planner Anderson reviewed the staff report. He stated that a couple of letters from residents came in after the agenda was updated so hard copies were available and included in the public record. He stated the Planning Commission recommended approval of the Comprehensive Plan Amendment and Zoning Amendment, contingent upon an approved Preliminary Plat. The Environmental Policy Board (EPB) recommended denial because of concerns raised by residents. He stated that he failed to invite the applicant to that meeting but typically applicants are not invited because Staff fields questions and it is a public meeting. He stated Staff is requesting direction via a motion to approve Resolution #22-050 granting a Comprehensive Plan Amendment to re-guide a portion of the subject property to Public/Institutional, and a motion to introduce Ordinance #22-15 to rezone a portion of the subject property to Public/Quasi-Public, both contingent upon approval of Preliminary Plat or a motion to deny.

Mayor Kuzma stated he is a member of St. Katharine Drexel Church but he has no financial interest or benefit in this case so he will be allowed to vote.

Councilmember Heineman commented that his children attend PACT Charter School but it is a publicly funded school and his children are already enrolled so he has no legal reason not to be allowed to vote.

Councilmember Woestehoff stated that the guidance according to the Minnesota Department of Education states that a school of this size is suggested to be on approximately 45 acres of land. He also stated the gross building size was roughly 150,000 square feet for this type of population. He stated this proposal looks like it is closer to 115,000 square feet. He asked if the plans indicate a two story building. He also referenced the requirements for a stadium according to the Minnesota Department of Education (MDE) and asked how the applicant or Staff feels all of that could fit into an 18 acre parcel.

Senior Planner Anderson replied he would defer to the applicant regarding the size of the project in relation to the recommended guidelines. He replied the conceptual layout does include two stories which would account for the 115,000 square feet. He stated on the conceptual sketch includes two areas which would account for potential future expansion but he didn't know the square footage of those areas.

Councilmember Woestehoff referenced the sketch plan and asked how much of the 18 acres would be an impervious structure or parking lot and how that would compare to other districts.

Senior Planner Anderson replied part of it will be addressed if it gets to the next step with a detailed site plan. He stated Zoning restricts building covered surface, not impervious coverage with the exception of the overlay districts along the Mississippi and Rum Rivers.

Justin Fincher, JB Vang Partners representative, the development managers hired by PACT Charter School, thanked the Council, Mayor, and residents for comments as it impacts the PACT development plan. He stated they welcome community input because with other project they have done allows them to address areas of concern. He responded to Councilmember Woestehoff's question by explaining the difference in funding from a district school and a public charter school and the process that has gone through by PACT Charter School. He stated a public charter school is drastically different from a public school. MDE is provided with all informational details they require. He stated he has not been a part of a project that has not been approved by the MDE and feels fully confident that MDE will approve this one as well.

Councilmember Heineman referenced Senior Planner Anderson's statements that part of the reason this parcel would have to be rezoned is because there are strict zoning guidance for schools. He asked about other attempts that PACT Charter School has made for different locations and what options they have after that.

Senior Planner Anderson replied his understanding was that PACT Charter School engaged in conversations with the City for property in the southeast corner of The COR. That was something considered but the City wanted to preserve that real estate to draw retail and restaurants to the community. He wasn't aware of other discussions between PACT and the City regarding other locations they have looked at.

Councilmember Heineman stated during the Planning Commission meeting residents raised concerns regarding light pollution, noise pollution, and traffic studies. He stated he understood answers would be coming if this is approved but asked if the studies show undesirable outcomes, if the City could use that information as justification to cancel the project.

Senior Planner Anderson replied that is correct, adding traffic studies have already been provided to the applicant per the Planning Commission to incorporate into the analysis. He stated if issues couldn't be resolved based on that study and if they couldn't comply with code, that would allow for denial of the project.

Councilmember Howell asked about the rezoning proposed tonight compared to what would have been done for Brookside Elementary.

Senior Planner Anderson replied the two rezoning and Comprehensive Plan requests were similar for the two projects, however the Brookside request was larger than the current proposal.

Councilmember Musgrove noted the motion that Mr. Anderson had in his presentation is not the one listed in the case with the Planning Commission's attachment with a contingency. She wanted that noted for the record. She stated residents were concerned about the buffer zones and asked if the EPB had discussed that. She also asked about the size of the buffer and the materials that could be used to mitigate some of these concerns.

Senior Planner Anderson replied that applying the general business district standards, which was done for Brookside Elementary School, there would be a 40-foot-wide minimum buffer requirement along the northern property line. He stated they would look at the overall required

landscaping for the property and additional 30% of the required landscaping would need to be installed within the buffer area to provide buffer and screening between the two different types of uses.

Councilmember Musgrove asked if 161st Avenue is a Municipal State Aid (MSA) road and if it gets Minnesota State funding.

Senior Planner Anderson confirmed this.

Councilmember Musgrove asked for an explanation in regard to funding and how that works with regard to source of funding as far as that funding potentially being relieved from taxpayer funding for road and upkeep.

City Engineer Westby replied that is an MSA street so when repairs are needed on that street, MSA dollars can be used. He explained that up to 20% of streets can be added to the Municipal State Aid system. Those streets generate needs based on population and infrastructure. He stated every year about \$1.5 million comes in as State Aid Funds which can be allocated across the entire system. The \$1.5 million can be used to reconstruct or maintain the streets as needed, this is done through the Capital Improvement Fund. When those roads are done they use the MSA funds and not taxpayer funds.

Councilmember Musgrove asked Mr. Anderson for information on the group of students that would be served by the school.

JB Vang Partners Representative Fincher replied stated that PACT is currently a K-12 public charter school. They intend to keep that facility but change it to house their K-5 program so the proposal would house 6-12 grades. He stated there is a long wait list and demand for PACT Charter school so what this expansion would allow PACT to increase enrollment and reduce the waitlist for the elementary campus.

Councilmember Musgrove commented she wanted to highlight that they were separate buildings with a different student population.

Councilmember Heineman commented on concerns raised by residents during the Planning Commission meeting regarding a school shouldn't be in a residential area. He referenced the zoning map and the zoning for the surrounding area. He asked Senior Planner Anderson to explain the zoning for Brookside Elementary and Ramsey Elementary and if the zoning differed.

Senior Planner Anderson replied the surrounding area with Brookside Elementary, to the north and south of Brookside as well as to the west, is zoned R-1 Residential, MUSA-80. On the east side of Brookside it is zoned R-1 Residential Rural, which are larger lots with private well and septic.

Councilmember Heineman asked if this proposed site would maintain the balance of R-1 Rural and R-1 MUSA as Brookside currently has.

Senior Planner Anderson replied yes generally speaking although the Brookside site is larger than the current proposal.

Councilmember Woestehoff stated Brookside is on roughly 36 acres and Ramsey Elementary is on 57 acres and both have an enrollment of around 700 students.

Senior Planner Anderson replied the acreages sound right for each of those schools but he couldn't speak to the enrollment numbers.

Danielle Holder, 7826 161st Avenue NW, stated she appreciated the Council listening to the comments. She stated she understood that PACT wants to expand and agreed with that but commented that the decision on zoning isn't based on if expansion is good but rather if this spot fits a school of that size. She stated that Brookside is on a much larger lot and is just elementary students with no stadium. There is a huge buffer between neighboring houses, wells and septic. She stated Ramsey Elementary is the same. She stated in this case, a stadium would be near housing with a buffer of 40 feet. She stated B-1 zoning doesn't include outdoor activity that would occur at a stadium with outdoor lighting and noise concerns. She stated other schools don't exit onto residential roads but onto a county road.

Jeff Lubarski, 7826 161st Avenue NW, stated the street is currently dark and expressed concerns about a two-story school with lights and the noise from the stadium in a residential area.

Allison Pust, 6051 145th Lane NW, stated she moved the Ramsey for PACT Charter school with three daughters who attend and one who just graduated. She supported the expansion and asked for consideration of doing the studies.

Kelsie Buchanan, 6738 153rd Lane NW, stated she understood the concerns but that eight different sites were considered and that the City had encouraged the purchase of the land to support the church and add a high school which wouldn't be a cost for the taxpayers. She thought it would be a small school with traffic impacts twice a day only during the workweek and school year. She thought JP Vang could address the concerns.

Ron Lindenberg, 7600 163rd Lane NW, described his property's location and expressed concerns about erosion and water run off if rainwater that usually drains slowly into the fields and runs into the wetlands is covered up with hard surfaces.

Male resident, 166 177th, stated he has been a long time 40-year resident. He moved to Ramsey because of the country feel, easy living, and few regulations. He expressed concerns about the impact to Ramsey resident's quality of life, high schoolers not respecting the area, and private property.

Scott Weineger, 14450 Rhinestone Street NW, supported the project and stated that he moved to Ramsey so his children could attend PACT. He stated children who attend a high school continue to live in the area. He supported development and felt that PACT will bring many families to Ramsey.

Mike Stuedemann, 1478 159th Avenue NW, Andover, stated he is a trustee for St. Katharine Drexel Catholic Church. He outlined reasons for approval. He stated the block already has Central Park and the church building, the addition of PACT would add a community benefit to the area. The addition of a high school would increase the likelihood of bringing in new families. He stated as property owners, if the request is denied he was unsure how they would maximize their investment. He stated that development in the area is inevitable.

Councilmember Musgrove stated the PACT Charter School wants the 18 acres. The farthest outlot to the north is where most of the wetlands are and where the water run off concerns are from. She asked Mr. Stuedemann about St. Katharine Drexel's thoughts on the section of land and the use of it.

Mr. Stuedemann replied their intent is leave the outer out lot as wetlands.

Dan Goepfert, 7601 163rd Lane NW, stated the location chosen for the PACT Charter School expansion doesn't seem reasonable because of the concerns already given about putting a commercial operation in a well established neighborhood.

Kathy Reed, 21543 Jarvis Street NW, stated she is a long time resident of Ramsey and a member and trustee of St. Katharine Drexel Catholic Church. She stated the Planning Commission approved the rezoning on February 24, 2022, contingent on approval of the preliminary plat. She stated that the preliminary plat would include responses to the concerns raised over drainage, tree preservation, noise and light pollution. She was surprised to learn the EPB met on February 28, 2022 and voted against this proposal. She stated that representatives from neither PACT Charter School nor St. Katharine Drexel attended and were unable to respond. She stated more environmental studies need to be done. She pointed out the land will be used for something and all of this will need to be addressed. She stated with Central Park on one side and the church on the other, the addition of the school seems a good fit. She stated the church is committed to creating a long term plan for the parcel of land that respects its natural resources and the surround community.

Jason Patrow, 16209 Sapphire Street NW, stated no one is against the PACT Charter School expansion but it isn't wanted in an area where it is going to create difficulties for families who live there. He stated he is an engineering project manager for a large design build contractor. He stated he deals with facilities of these and much larger every day. He know these require a retention pond. He wasn't sure if the church will require a retention pond also and by selling this much land to PACT they aren't leaving themselves enough land to build. He stated this property is different from the other schools because of the wetlands. He commented on the traffic and stated it will be considerable. The site plan also allows for 55 vehicles which he feels isn't going to be enough. He also sited issues with the site planned for the stadium with a 13-foot elevation change.

Gary VanScoy, 5851 147th Lane NW, stated he is on the Planning Commission and is also a member of St. Katharine Drexel Church and is the Chair of the Building Committee and a member of the Finance Council. He stated that in discussions with the City regarding PACT Charter School that Chair Bauer and himself have abstained from the discussions even in Work Sessions. He commented that this is being seen as a benefit both to the school and the church because of sharing

of parking and storm water retention ponds. He emphasized that this property will eventually get developed. If the land is used as it is currently zoned there would be 54 units on the 18 acres. He stated there would issues being highlighted will need to be addressed no matter how it is developed. He stated the property has been sitting there for many years and open to the neighbors but recently had to have signs posted because of damage and noise pollution by neighborhood children in unstructured activities such as four-wheelers. He was in support of this project despite the validity of the concerns raised.

Jessica Bush, 17720 Baugh Street NW, stated she shared concerns of the neighboring residents because the values rural Ramsey. She stated her four children attend PACT Charter school and she sent an email with concerns. She stated this opportunity will create around 100 new jobs, increase home values, and create a desire to live in Ramsey. She thought there were a lot of opportunities for shared use that will benefit the community. She felt that the expansion would create healthy competition and will help with overcrowding in the schools.

Jacqueline Washburn, 325 Harrison Street, Anoka, she stated she is renting and actively looking for a home in Ramsey. She stated her children attend PACT and her husband will be working in Ramsey. She asked that comments by those who are not current Ramsey residents but hope to be will be considered. She stated that PACT and JP Vang have considered eight other locations but none worked. She stated that Anoka has several schools in residential areas. She supported PACT as a quality Charter school and felt the expansion would allow for even more opportunities.

Amber Cuevas, 7474 163rd Avenue NW, stated she attended St. Katharine Church and had considered PACT Charter school for her children. She expressed concerns about the drainage going into her back yard as well as the noise. She questioned the validity of raising home values for her home with the school so close.

Michael Johnson, 7494 163rd Avenue NW, stated he is a long time Ramsey resident and an educator. He understood that there is a desire for a new school but stated that community is typically built up a round a school instead of a school being placed in the community. He stated he raised his children in Ramsey and expressed concerns about losing the small-town feel. He shared concern about drainage as his property has already seen flooding.

Matt Bowl, 7650 163rd Lane NW, shared concerns with the stadium that would be in his backyard.

David Berg, 16210 Uraninite Street NW, shared concerns with the quality of life in the area and the loss of the small-town feel. He stated he would be right across from the proposed church and expressed concern with the size of the lot for the school when other schools are on much larger lots. He also expressed concerns about plans to sharing the park with the school because it would mean expanding beyond the 18 acres and redoing streets that were just done last year. He stated his grandchildren attend PACT Charter school, he had to get there 20 minutes to drop off children at the current location, and felt the proposed area couldn't support the needs.

Sara Smith, 7480 159th Avenue NW, shared concerns with other neighbors. She stated that Variolite Street is a residential street and the residential development has only one access onto

Variolite. She challenged the argument that traffic wouldn't impact the neighborhood that much and asked that current residents be protected and have options for road access.

Josh Nyquist, 14852 Peridot Street NW, Executive of Building Operations at PACT Charter School, stated PACT was started in Anoka and moved to Ramsey in 2004. He stated PACT has honored children and families and values their input. He stated there are over 500 students and a large wait list. He stated this expansion would allow the school to continue to benefit Ramsey, especially at the high school level. He stated they are not able to access the same funding as public schools who can afford to purchase 30+ acres but are able to do more with less.

JB Vang Partners Representative Fincher responded to the comments, which he stated were appreciated. He asked the Mayor and Council to allow the opportunity to conduct due diligence in detail including the issues raised. He stated this issues will be addressed in the upcoming site plan review submission, which is pending tonight's vote. He stated regarding rainwater runoff and stormwater management they intend, once the experts are involved, these would be addressed which will require a separate watershed approval process. He explained why the site was chosen and stated the first priority is that PACT Charter wants to remain in Ramsey and that the site would need to be at least 15 acres to accommodate the projected enrollment. The outdoor space and amenities were considered and it must be on City sewer and utility. This site was also financially affordable.

Chad Glader, 16415 Quartz Street, stated he attends St. Katharine Drexel Church and has children who attend Brookside Elementary because he felt PACT was too small of a school and didn't feel there was a chance for his kids to be accepted. He asked that school be allowed to expand and for site analysis to be done to determine rightness of fit for the community.

Michalena Holder, 8100 153rd Lane NW, stated her son goes to a charter school so she isn't against PACT. She challenged the point that the land will be developed anyway because if houses go in per the zoning there wouldn't be a stadium with the amount of noise. She stated she doesn't leave the house much but she can hear sounds from the park which is several blocks away. She expressed concerns about the school sharing the park space because it will get taken over by the school. She challenged rezoning it first and then working out the details. She asked that the current residents be considered because the area is already busy.

Josh Loren, 6174 146th Avenue NW, stated he has lived in Ramsey his whole life. He stated that there is an adjustment that needs to be made with any change. He stated his children attend PACT and supported the expansion and taking steps to do research on the project.

Jason Tossey, 14417 Bowers Drive, stated he is a teacher at PACT and is a member of the board of directors. He stated he knows change isn't easy but promised the neighboring residents that they will be great partners and will work to address and mitigate the issues raised.

Councilmember Musgrove thanked the residents for coming out to speak. She asked about the motion and what happens if the conditions aren't met and what the conditions are in the Preliminary Plat.

Senior Planner Anderson replied the intention for the contingent approval is that there wouldn't need to be any specific conditions tied to the Preliminary Plat, it would be a project coming forward that would be reviewed under the guidance and codes in the zoning ordinance. Staff would come forward with recommendations to say the project is meeting the standards or it is not. He stated if the Preliminary Plat were to not be approved the zoning would revert back to the current zoning.

Councilmember Musgrove asked if it was correct that it wasn't tied to any specific conditions in the Preliminary Plat with regard to resident concerns, it was more about the whole process and if it doesn't pass it would revert back to the current zoning.

Senior Planner Anderson replied that is correct.

Councilmember Musgrove asked Police Chief Katers to respond to resident concerns about traffic and student driving and asked about any issues with current traffic issues around the current PACT Charter School.

Police Chief Katers replied he didn't have any comments on student driving but has worked with PACT Charter School on traffic issues relating to dropping off students. He stated PACT has been receptive to it and resolved the issues.

Councilmember Musgrove referenced the concern about a turn off of Variolite and asked if the plan is to have traffic come off of Variolite and asked if it was just the buses. She stated she thought the presentation had said traffic would come in and out of 161st Street.

Senior Planner Anderson replied from the conceptual plan, the student drop off would access the site from Variolite Street, would travel south and west to drop off students at the school and then do a U-turn through the parking lot and exit back on to Variolite Street. The buses would circulate through the eastern entrance off of 161st and exit off of the western exit off of 161st Street. The students driving themselves would enter and exit off of the western entrance off of 161st Street.

Councilmember Musgrove suggested a right turn out only and consider another way of traffic flowing in and out of there. She stated regarding water runoff that it goes through a lot of different committees before that is determined and that there are some new concepts with Riverstone South development with a unique way to manage water runoff. She asked for an explanation of the ability of engineers to mitigate concerns regarding the landscape and water runoff.

Senior Planner Anderson replied there is no doubt that there could be a solution engineered regarding water runoff, both the retention and infiltration, but the question would be how expensive that would be and noted that would be borne by the school. He stated for the benefit of the public, that it is not only reviewed by City Staff but also by the Lower Rum River Water Management Organization so there are multiple agencies involved to verify that storm water management are meeting the standards.

Councilmember Specht stated, for full disclosure and because there were questions about it, that several years ago he was the Chair of PACT Charter School although he is not currently and his children don't go there. He thanked everyone for their feedback on both sides. He felt that PACT

had a really good relationship with the City and appreciated the benefit. He saw having another church and school in Ramsey as a benefit to the community to draw families to the community. He addressed the question of the school of if the school would be able to manage things well and if the site is big enough by stating that charter schools don't have to follow all the rules of the MDE yet. He stated this expansion would have to be approved by MDE and that the expansion would be for the school and MDE to work out, the Council's decision is rezoning. He stated that he supported this as a benefit and felt the concerns raised will be addressed.

Motion by Councilmember Specht, seconded by Councilmember Heineman, to adopt Resolution #22-050 granting a Comprehensive Plan Amendment to re-guide a portion of the Subject Property to Public/Institutional.

Further Discussion:

Councilmember Specht asked if there were any comments online. Councilmember Heineman commented that he understood the residents' apprehension and stated he has been a long time Ramsey resident as well and has seen the development in the City. He stated he will be voting in support of this and responded to the concerns raised. He stated the word "stadium" but stated the field where kids will be playing sports with a track and bleachers is categorized as a stadium that may be presenting a false reality. He played football in Central Park and understand the lights and that there would be lighting added in the area but not to the level that is a great magnitude. He also commented on water management that plans will be put in place to mitigate water. Councilmember Heineman stated that Ramsey couldn't legally allow a building to be built that would flood other houses. He also responded to the comment that the Council isn't thinking of Ramsey residents but there were many residents in support of this. As far as there being enough room to build or not, the right location will be determined through the planning phases. To the point that it is unsafe, that there haven't been traffic accidents have happened because of students and building a school in a neighborhood makes it safer because it gets more attention from law enforcement. He stated change takes time.

Brian Walker, 17289 Variolite Street, stated he is on the Planning Commission and was the vote against sending this to the City Council. He asked Mr. Anderson what the proposed site is for the church zoned as. Senior Planner Anderson replied the subject property is currently zoned R-1 residential MUSA-80. Mr. Walker asked if that is from Variolite to Central Park. Senior Planner Anderson confirmed this. Mr. Walker commented online that the church is being allowed to change the zoning and get the church there but they have to go through the same process as PACT so assuming that there is going to be a church next to the potential school is wrong. He also stated that when people bought homes in the area they did that based on the current zoning and that changing the rules is fair without some type of compensation. He hoped the City Council would take into account the effects on the residents.

Senior Planner Anderson asked, based on the current motion, if the Council would consider adding a fourth point in the resolution which would incorporate the contingency about the Preliminary Plat that was a part of the motion for record keeping if the motion were approved.

Councilmember Riley stated they aren't considering changing the zoning blindly, it would be for one specific purpose, which if it doesn't end up going forward would revert back.

Councilmember Woestehoff stated that he lives within the notification area for this project and would be able to see what develops. He stated he has concerns with the size of this school on the proposed lot. He understood that it doesn't have to abide by MDE suggestions as a Charter school but if the guidelines have requirements it doesn't matter where the money comes from. He stated his biggest concern is the access off of Variolite Street that the hill is really rough but adding another point of entry there would add traffic. He stated if it was closer to the park the concerns with drainage and traffic would be less. He stated the drainage issues need to be addressed regardless. He stated there was an opportunity to expand Central Park but didn't take the opportunity but that would be tricky financially for the City but he felt that would be a better use of the land. He stated that he wouldn't be supporting this because of the lot size.

Councilmember Musgrove commented that she will support this because of the contingency by the Planning Commission. She appreciated the resident feedback but responded to a comment that all of the Councilmembers have a connection to PACT but she does not.

Councilmember Howell commented she doesn't have any connection to PACT either. She stated she shared concerns raised by the EPB about environmental issues. She stated this is a motion to investigate how concerns can be mitigated. She stated there is a perception that Ramsey is difficult to work with. She sympathized with people on 161st Avenue but Ramsey needs a high school and this would allow the developers to due diligence to investigate the concerns.

Councilmember Riley commented he is not affiliated with the church or PACT.

Mayor Kuzma commented he grew up in Robbinsdale which had a football stadium that was in a residential area. He stated he lived half a mile from school and could hear the games from their house but they looked forward to Friday nights. There was never any complaints as far as he knew. He stated he supported going through with the planning portion of the process.

Motion carried. Voting Yes: Mayor Kuzma, Councilmembers Specht, Heineman, Howell, Musgrove, and Riley. Voting No: Councilmember Woestehoff.

Motion by Councilmember Specht, seconded by Councilmember Heineman, to introduce Ordinance #22-15 to rezone a portion of the Subject Property to Public/Quasi-Public with the contingency as outlined by the Planning Commission.

Motion carried. Voting Yes: Mayor Kuzma, Councilmembers Specht, Heineman, Howell, Musgrove, and Riley. Voting No: Councilmember Woestehoff.

Senior Planner Anderson stated the ordinance will need to come back for a second reading per the Charter which will be on the agenda on March 22, 2022.