



MINNESOTA DEPARTMENT OF NATURAL RESOURCES
CENTRAL REGION
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SAINT PAUL, MN 55106
651-259-5800

November 22, 2016

Transmitted electronically

Stephen Wensman
3800 Laverne Ave. N.
Lake Elmo, MN 55042

RE: The Royal Golf Club Residential Development EAW

Dear Stephen Wensman,

The Minnesota Department of Natural Resources (MNDNR) has reviewed the Environmental Assessment Worksheet (EAW) for the Royal Golf Club Residential Development EAW.

General Comments

To date, MNDNR has provided formal comments on the concept PUD to the City of Lake Elmo and informal comments to the developer on the PUD density analysis. These comments have been based on the assumption that the PUD will have City water and sewer. MNDNR will formally review the preliminary PUD and plat when these are submitted to the City, to determine if they meet the PUD provisions in State shoreland rules.

MNDNR review of shoreland PUDs looks for consistency with the density allowances, setbacks, and height as well as a variety of more subjective performance standards dealing with protection of vegetation and sensitive slopes. While we look for compliance with the numerical standards, we recognize that good environmental design cannot be reduced to compliance with a set of numbers. The shoreland PUD standards were part of the 1989 State shoreland rules and were an early form of conservation design regulations. A lot has been learned about conservation design since 1989 and many communities in Minnesota have adopted different shoreland PUD standards to limit density, ensure better natural resource/open space protection, and provide for greater alignment with the community's vision.

MNDNR has concerns on the design of the Royal Golf Club Residential PUD because the proposed development is too dense for the natural resources on the site. In making this evaluation, MNDNR is considering overall project suitability by looking at how the design impacts the existing natural environment on the site. From our perspective, a development is not suitable if it is consuming areas of high quality vegetation and areas with slopes greater than 12 percent (which MNDNR considers steep slopes). Ultimately, however, it is up to the City of Lake Elmo to evaluate project suitability, natural resource protections, and transportation concerns associated with this proposal.

Specific Comments

- Page 3 - Rewrite the statement on page 3 so that it does not imply that the City has determined that this project meets shoreland overlay district requirements. At this stage of the PUD process, it is premature to state that the proposed project design complies with shoreland overlay district requirements. The City of Lake Elmo has not approved this development yet nor has the City

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fully evaluated whether the development plans are in conformance with City ordinances and State shoreland rules.

- Page 3 states that this project minimizes effects on floodplains. However, page 10, states that there will be about 15.6 acre-feet of fill in the flood fringe to accommodate 15 residential lots and streets. The statement on page 3 is misleading since there will be significant changes to the existing floodplain configuration. What layout design modifications could be made to avoid the need for floodplain fill and rerouting of flood waters into storage ponds? How will floodplain storage outside of the PUD boundary be managed (i.e., who will own and maintain these storage ponds)?
- Page 3 – Please correct the MNDNR PWI # for the unnamed public water wetland from 82-117W to 82-417W. The MNDNR ID # for the unnamed public watercourse is M-050-009-001.
- Page 8 states that the City’s ordinance requires only two conditions to be met to allow for PUDs (the City’s PUD ordinance and the State shoreland PUD rules). PUDs, by their very nature, are a negotiation between the local government and the proposer. The City, through the PUD process, can require additional conditions in exchange for the increased density that is allowed under a PUD. Through the PUD process and negotiations with the developer, the City can also exert influence on how a property is developed and what the design of that development looks like. For example, the City can require greater tree preservation, slope/erosion protection, interconnectivity, conservation easements, or other environmental or public benefits.
- Page 9 and Appendix A - Please update the shoreland PUD suitable area, open space, and density calculations (Tables 5 and 6 and Appendix A) to match those numbers provided in analyses completed after the submittal of the EAW. Include with this analysis a map showing areas suitable for development and those areas not suitable for development and their acreages. Also include with this analysis a map showing areas of open space and those areas not included in open space and their acreages.
- Page 11 states that the proposed project is compatible with surrounding land uses. Describe in more detail in what ways the PUD’s design plan is compatible with surrounding land uses. Please provide more detail on the preservation of forest buffers and how they provide compatibility with surrounding land uses. Has this proposal considered ways to preserve existing forest areas to allow for plant and wildlife preservation?
- Figure 7 – Please show the location of steep slopes on Figure 7, to help the reader determine the location of proposed lots, structures, and roads in relation to steep topographic areas.
- Has a tree preservation and replacement plan been prepared for this proposed development that meets City ordinance?

Thank you for the consideration of our comments.

Sincerely,

/s/ Rebecca Horton

Regional Environmental Assessment Ecologist – Central Region
Division of Ecological and Water Resources

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