

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

**RESOLUTION NO. 2017-045**

*A RESOLUTION APPROVING THE PHASE 1 GRADING FOR THE ROYAL GOLF CLUB AT  
LAKE ELMO*

**WHEREAS**, HC Golf Course Development, LLC (“Applicant”) has submitted an application to the City for preliminary plat and preliminary planned unit development which is under review by the City but has not been approved; and

**WHEREAS**, HC Golf Course Development, LLC (“Applicant”) has subsequently submitted an application for phase 1 grading for the preliminary plat prior to preliminary plat approval;

**WHEREAS**, the Lake Elmo Planning Commission held a public hearing on April 24, 2017 to consider the request for a grading permit outside of preliminary plat approval; and

**WHEREAS**, the Lake Elmo Planning Commission recommended approval of the grading permit with conditions; and

**WHEREAS**, the City Council reviewed the Planning Commission and public comments regarding the proposed grading permit on May 2, 2017; and

**NOW THEREFORE BE IT RESOLVED** based upon the testimony elicited and information received, the City Council makes the following:

**FINDINGS**

1. That the Royal Golf Club at Lake Elmo preliminary plat and preliminary plans have not been approved by the City Council.
2. That the proposed Phase 1 grading will be allowed under the terms and conditions of a grading agreement approved by the City Attorney prior to preliminary or final plat approval at the developer’s sole risk and does not provide any development entitlement.
3. That a Tree Preservation Plan was submitted with the grading plan that clearly articulates the impacts to the woodlands on the site and addresses tree protection and replacement responsibilities.
4. That the phase 1 grading is a standalone project as it pertains to the Tree Preservation Plan.
5. That grading will be conducted on site with no off site impacts beyond normal development activities.
6. That the phase 1 grading and erosion control plans have been reviewed and approved for mass grading operations on the site with conditions complying with the City’s Storm Water, Erosion, and Sediment Control, and Tree Preservation ordinances and design standards.

**NOW, THEREFORE, BE IT RESOLVED**, that based on the foregoing, the Lake Elmo City Council hereby approves the Applicants request for a grading permit with the following conditions:

1. That no utility work shall occur under the Grading Agreement.
2. That site access to the property be limited to 20<sup>th</sup> Street and 10<sup>th</sup> Street South and that the locations be identified on the grading plans.
3. That tree protection fencing be completed prior to grading and that the locations be staked and field inspected prior to installation.
4. That a tree replacement escrow be established in the Grading Agreement to cover 5.4% tree replacement of the 16,643.68 caliper inches being removed.
5. That the Developer enter into a Grading Agreement with the City acceptable to the City Attorney that delineates that the developer is responsible for the design, construction, and payment of the required improvements with financial guarantees therefore.
6. That no grading commence on the site until the Phase 1 grading and erosion control plans are approved by the City Engineer, the Grading Agreement is executed, the financial securities are in place, and a preconstruction meeting has been conducted with City staff.
7. That a Valley Branch Watershed District Permit and MPCA NPDES Permit are obtained and that all conditions of the permits are complied with prior to any grading activity.

Passed and duly adopted this 2 day of May, 2017, by the City Council of the City of Lake Elmo, Minnesota.



Mike Pearson, Mayor

ATTEST:

