

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

RESOLUTION NO. 2017-047

*A RESOLUTION APPROVING THE ROYAL GOLF AT LAKE ELMO ZONING MAP
AMENDMENT, PRELIMINARY PLAT AND PLANNED UNIT DEVELOPMENT (PUD) PLANS.*

WHEREAS, H.C. Golf Course Development, LLC, 11074 Radisson Road NE, Blaine, MN 55449 (“Applicants”) have submitted an application to the City of Lake Elmo (“City”) for a Preliminary Plat and a Planned Unit Development (PUD) Preliminary Plan for a planned development to be called Royal Golf Club at Lake Elmo, copies of which are on file in the City Planning Department; and

WHEREAS, the proposed Zoning Map Amendment and Preliminary Plat and Preliminary Planned Unit Development is for a residential golf course community Planned Unit Development on 428.06 acres of land located between 10th Street and 20th Streets, east of Lake Elmo Avenue and west of Manning Trail on the former 3M Tartan Park properties and will include 292 single-family residential lots, a lot for the clubhouse and facilities, and golf course; and

WHEREAS, the Lake Elmo City Council approved the Royal Golf Club at Lake Elmo PUD Concept Plan on September 9, 2016; and

WHEREAS, the Lake Elmo Planning Commission held a Public Hearing on March 13, 2017 to consider the Zoning Map Amendment and Preliminary Plat and Preliminary Plans for the PUD; and

WHEREAS, on March 13, 2017, the Lake Elmo Planning Commission adopted a motion to recommend the City Council approve the Zoning Map Amendment to zone the subject properties to GCC – Golf Course Community; and

WHEREAS, on March 27, 2017 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council approve the Royal Golf Club at Lake Preliminary Plat and Preliminary PUD Plans; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation concerning the Royal Golf Club at Lake Elmo Zoning Map Amendment, Preliminary Plat and Preliminary PUD Plans to the City Council as part of a memorandum from the Planning Department dated June 6, 2017; and

WHEREAS, the City Council reviewed the recommendation of the Planning Commission and the proposed Royal Golf Club at Lake Elmo PUD Preliminary Plat and Preliminary Plans at a meeting on May 2, 2017 and June 6, 2017.

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

FINDINGS

- 1) That the Royal Golf Club at Lake Elmo PUD General Concept Plan was approved by the City on September 6, 2016 and the submitted Preliminary Plat and Preliminary PUD Plan is consistent with the approved PUD General Concept Plan.
- 2) That the Royal Golf Club at Lake Elmo zoning map amendment, preliminary plat and preliminary PUD plan are consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 3) That the Royal Golf Club at Lake Elmo preliminary plat and preliminary PUD plan generally comply with the City's GCC - Golf Course Community zoning districts as modified by the PUD regulations.
- 4) That the Royal Golf Club at Lake Elmo preliminary plat and preliminary PUD plan comply with the City's subdivision ordinance.
- 5) That the Royal Golf Club at Lake Elmo preliminary plat and preliminary PUD plan comply with the City's Planned Unit Development Regulations.
- 6) That the Royal Golf Club at Lake Elmo preliminary plat and preliminary PUD plan comply with City's Engineering Standards, except where noted in the review memorandum from the City Engineer dated March 8, 2017 and modified by the PUD regulations.
- 7) That the Royal Golf Club at Lake Elmo preliminary plat and preliminary PUD plan comply with other City zoning ordinances, such as landscaping, tree preservation, shoreland, and erosion and sediment control, except as noted in this staff report and review memorandum from the City Engineer dated March 8, 2017.
- 8) That the Royal Golf Club at Lake Elmo preliminary plat and preliminary PUD plan achieve multiple identified objectives for planned developments within Lake Elmo.
- 9) That the proposed PUD Preliminary Plan is for a 292-unit single family residential golf course community Planned Unit Development on 428.06 acres of land located on the former 3M Tartan Park properties.
- 10) That the Preliminary plat and Preliminary PUD Plan will be located on property legally described on the attached Exhibit "A".
- 11) That there has been significant public testimony that 20th Street is already dangerous without the additional traffic and that the City and developer need to explore ways to make the road safer.
- 12) That the proposed PUD will allow a more flexible, creative, and efficient approach to the use of the land, and will specifically relate to existing zoning district standards in the following manner (with exceptions as noted):

a. Setbacks:

Royal Golf Club at Lake Elmo Setbacks

	100 Ft. Wide Lots	80-90 Ft. Wide Lots	55-65 Ft. Wide Lots
Front	30 ft.	30 ft.	20 ft. for side loaded garages, or 25'

Side	10 ft.	10 ft.	10ft. house/5ft. garage or 7.5 ft./7.5 ft.
Corner Side	15 ft.	15 ft.	15 ft.
Rear	30 ft.	30 ft.	20 ft.

- b. Maximum Impervious Coverage: The maximum impervious coverage for 55-65' wide lots shall be 40%. All other lots shall have a maximum impervious coverage of 30%.
- c. Lot Sizes: The minimum lot size for Villa lots (55-65' wide) in the development shall be 6,600 sq. ft.
- d. Attached Garages: That attached garages shall not exceed 1,300 sq. ft. in area at the ground floor level except by conditional use permit. The width of the visible garage door area when closed shall not exceed 60% of the principal building façade (including garage) fronting on the primary street.
- e. Subdivision Identification Signs: the Royal Golf Club at Lake Elmo residential subdivision shall be allowed up to a maximum of 4 subdivision identification signs, including the identification sign for the golf course entrance, not to exceed 24 sq. feet in sign area each, located no closer than 10 feet to any public right-of-way. In addition neighborhood identification markers (pillars) shall be permitted to be no larger than 2 ft. x 2 ft. to identify the development logo and the name of the neighborhood.
- f. All other requirements for the City's GCC – Golf Course Community zoning district will apply, including the allowed uses and other site and development standards.

CONCLUSIONS AND DECISION

Based on the foregoing, the Applicants' application for a Zoning Map Amendment, Preliminary Plat and Preliminary PUD Plans is granted, provided the following conditions are met:

1. That cross access easements be recorded between the owner of the golf course/golf club and the HOA to permit HOA and resident access to the future fitness center, clubhouse and other amenities by the HOA residents over the clubhouse entrance drive and parking lot and trails.
2. Any expansion to the Royal Golf Club clubhouse or intensification of its use shall require a conditional use permit.
3. That there shall be no encroachments to drainage and utility easements on residential lots other than those reviewed and approved by the City Engineer and upon execution of an easement encroachment agreement.
4. That the developer prepare an exhibit that clearly identifies the proposed setbacks for specific lots within the development.
5. Prior to the execution of a Final Plat for any phase of the development by City officials, the Developer shall enter into a Developer's Agreement for that phase acceptable to the City Attorney and approved by the City Council that delineates who is responsible for the design, construction, and payment of the required improvements with financial guarantees therefore.

6. Each phase of the Royal Golf Club at Lake Elmo shall be incorporated into the Common Interest Agreement concerning management of the common areas and establish a homeowner's association which shall be submitted in final form to the Planning Director before any building permit may be issued for any structure in any phase of the development. Said agreement shall comply with Minnesota Statutes 515B-103, and specifically the provisions concerning the transfer of control to the future property owners. The HOA documents shall include required maintenance of wetland buffers.
7. That the HOA documents include architectural requirements that require 4-sided architecture and garages facing the public right-of-ways to have windows and/or other architectural features.
8. The applicant shall enter into a landscape license and maintenance agreement with the City that clarifies the individuals or entities responsible for any landscaping installed in areas outside of land dedicated as public park and open space for each platted phase of the development.
9. That the HOA be responsible for the maintenance of all landscape walls that cross residential property lines or publicly owned Outlots or rights-of-ways, and that the walls be contained within a landscape easement.
10. The developer shall provide for an HOA owned and maintained children's play structure or other similar improvement near the HOA fitness center as discussed by the developer during the PUD concept review.
11. That a fee in lieu of park land dedication be paid to the City based upon an appraisal by an appraiser to be chosen by the City and paid for by the developer. Also that a 30 ft. wide trail corridor be dedicated to the City centered on public trails in the development and that the value of the dedicated land be credited toward any fees in lieu of parkland dedication. The park land dedication shall not include wetlands, wetland buffer area, and no credit will be given for land beyond the 30 ft. centered on public trails. And lastly, that the cost of constructing any public trails within the dedicated park land be credited towards any fees in lieu of park dedication.
 - a. Outlots B, HH and T shall be dedicated to the City as parkland for trails.
12. That a trail phasing plan be submitted by the developer to be approved by City Staff and that the public trails be constructed within each phase prior to building permits being issued for that phase of development.
13. That a 10' wide trail segment be provided from Palmer Drive (on preliminary plans) to the east edge of the plat within the County Right-of-Way.
14. That the Tree Preservation Plans and Preliminary Landscape Plans be updated to comply with the City's tree preservation requirements and the City's landscape requirements for review and approval by the City prior to recording the final plat.
15. The developer consider woodland management and pollinator friendly native seeding in lieu of some required tree preservation replacement tree requirements as recommended by the City's Landscape Architect.

16. All changes and modifications to the plans requested by the City Engineer in the Engineer's report dated, March 8, 2017 and June 1, 2017 shall be incorporated into the preliminary plat and PUD plans.
17. The Preliminary Plat approval is conditioned upon the applicant meeting all City standards and design requirements unless specifically addressed otherwise in this resolution.
18. The developer shall comply with all comments identified within the Washington County letter dated March 6, 2017, including providing an additional 17 feet of right-of-way along 10th Street N. and constructing turn lane improvements meeting Washington County standards at the developer's sole expense.
19. That the preliminary PUD Plans be approved by Valley Branch Watershed District and that evidence be provided that all conditions attached to a Valley Branch Watershed District permit be provided prior to the commencement of any grading activity on the site.
20. That openspace within the shorelands of the residential development be protected with a conservation easement and that conservation easements be provided for review by the City Attorney and to be executed prior to final plat approval.
21. That golf carts shall be prohibited on city streets and city trails unless specifically allowed by City Ordinance.
22. Prior to the issuance of building permits all wetland buffers shall be delineated and identified via staking or signage that is acceptable to the City.
23. The applicant must provide the city a letter of approval to perform the proposed work in the gas pipeline easement within the development area as a condition of preliminary plat approval.
24. Prior to the construction of any subdivision identification signs or neighborhood markers within the development, the developer shall submit sign plans for review and obtain a sign permit from the Planning Department.
25. That the preliminary plat be updated to include street names that are consistent with the City's street naming ordinance and approved by the City Council.
26. The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and shall acquire the needed permits from the appropriate watershed districts prior to the commencement of any grading or development activity on the site.
27. The developer shall enter into a separate grading agreement with the City prior to the commencement of any grading activity in advance of final plat and PUD plan approval. The City Engineer shall review any grading plan that is submitted in advance of a final plat, and said plan shall document extent of any proposed grading on the site.
28. The developer shall submit a revised preliminary plat and plans meeting all conditions of approval. All of the above conditions shall be met prior to the City accepting an application for final plat.
29. That approval of the preliminary plat be contingent on Street D access to 10th Street.

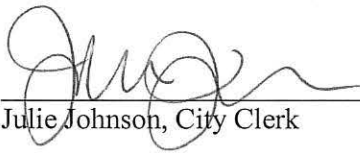
30. That the Royal Golf Club development will not have street lights except at street intersections.
31. That the developer work with the adjacent property owners to get an agreement in place for screening and that it be incorporated into the final landscape plans.
32. that the developer address the Public Works Directors concerns as they pertain to the lift station designs as identified in a Public Works memorandum dated 5/19/2017
33. That a \$1,000,000 donation to the Parks fund will be made with the phase of development when the former Tartan Park ballfields are no longer able to be used by the City.

Passed and duly adopted this 6th day of June, 2017 by the City Council of the City of Lake Elmo, Minnesota.



Mike Pearson, Mayor

ATTEST:



Julie Johnson, City Clerk