

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

RESOLUTION NO. 2017-93

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

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

WHEREAS, the proposed Final Plat and Planned Unit Development Plan 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 291 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 PUD Plans; 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 based on a number of conditions; and

WHEREAS, the City Council, at its meeting on June 6, 2017 adopted Resolution 2017-47 approving the Preliminary Plat and PUD Plans .

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

FINDINGS

- 1) That all the requirements of City Code Sections 153.07 and 154.759 related to Final Plat and Final PUD Plans have been met by the Applicant.
- 2) That the Royal Golf Club at Lake Elmo Final Plat and PUD Plans are generally consistent with Preliminary Plat and PUD Plans approved by the City of Lake Elmo on June 6, 2017.

- 3) That the Royal Golf Club Final Plat and PUD Plans are consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 4) That the Royal Golf Club at Lake Elmo Final Plat and PUD Plans generally comply with the City's GCC - Golf Course Community zoning districts as modified by the PUD regulations.
- 5) That the Royal Golf Club at Lake Elmo Final Plat PUD Plans comply with the City's subdivision ordinance.
- 6) That the Royal Golf Club at Lake Elmo Final Plat and PUD Plans comply with the City's Planned Unit Development Regulations.
- 7) That the Royal Golf Club at Lake Elmo Final Plat and PUD Plans comply with City's Engineering Standards, except where noted in the review memorandum from the City Engineer dated August 24, 2017 and modified by PUD regulations.
- 8) That the Royal Golf Club at Lake Elmo Final Plat and PUD Plans generally comply with other City zoning ordinances, shoreland, and erosion and sediment control, except as noted in this staff report and review memorandum from the City Engineer dated August 24, 2017.
- 9) That the Royal Golf Club at Lake Elmo Final Plat and PUD Plans generally comply with the City's landscaping and tree preservation ordinances, providing some flexibility to the Applicant to allow for woodland management and pollinator friendly native seeding in lieu of some required tree replacement in order to avoid possible detriment caused by over planting.
- 10) That the Royal Golf Club at Lake Elmo Final Plat and PUD Plans achieve multiple identified objectives for planned developments within Lake Elmo.
- 11) That the proposed Final Plat and PUD Plans are for a 291-unit single family residential golf course community Planned Unit Development on 428.06 acres of land located on the former 3M Tartan Park properties.
- 12) That the Final Plat and PUD Plans will be located on property legally described on the attached Exhibit "A".
- 13) 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.
- 14) 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 50%. All other lots shall have a maximum impervious coverage of 40%.
- 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. Additional subdivision signs should be considered for a subdivision of this size.
- 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.
- g. That the proposed street names within the development are generally consistent with the City's Street Naming Policy except for Annika Drive N.

CONCLUSIONS AND DECISION

Based on the foregoing, the Applicants' application for a Final Plat and 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. 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.

5. 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.
6. 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.
7. 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.
8. 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.
9. 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. No credit shall be given for costs of construction of the trails. 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.
 - a. Outlots A and C shall be dedicated to the City as parkland for trails as part of the 1st Addition.
10. Trails within Outlots A and C must be constructed prior to building permits being issued for that phase of development.
11. That the Preliminary and Final Landscape Plans be updated to comply with the City's landscape requirements for review and approval by the City prior to recording the final plat.
12. That 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 or that the developer consider paying a parkland dedication fee equal to \$500 per 2.5 caliper inch required.
13. All changes and modifications to the plans requested by the City Engineer in the Engineer's report dated, August 24, 2017 shall be incorporated into the Final Plat and PUD Plans.
14. All comments outlined in the City Engineer's memo dated August 24, 2017 shall be addressed.

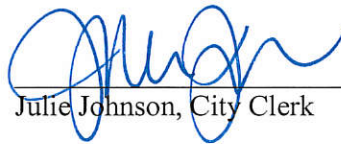
15. The Final Plat and PUD Plans approval is conditioned upon the applicant meeting all City standards and design requirements unless specifically addressed otherwise in this resolution.
16. The developer shall comply with all comments identified within the Washington County letter dated March 6, 2017, including providing an additional 17 feet of right-of-way along 10th Street N. and constructing right turn lanes at its sole cost meeting City state aid design standards at Royal Boulevard North, Masters Lane North, the Golf Course entrance, at Annika Drive North, and at 20th Street and Manning Trail.
17. That the proposed increased in impervious surface from the approved Preliminary Plans be approved by Valley Branch Watershed District and City Engineer 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.
18. That open space within the shorelands of the residential development be protected with a conservation easement, deed restriction, covenant, or other instrument. Such document(s) must be provided for review by the City Attorney and be executed prior to final plat approval.
19. That golf carts shall be prohibited on city streets and city trails unless specifically allowed by City Ordinance.
20. 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.
21. 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. Any amendments to the finding regarding signs indicated in this Resolution shall be subject to a PUD amendment.
22. That the Final Plat include street names as approved by Council.
23. 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.
24. 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.
25. That the Royal Golf Club development will not have street lights except at street intersections and cul-de-sacs.
26. 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.
27. 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.
28. The Developer shall pay the City a cash contribution of \$50,000.00 for the future maintenance costs of two of the three lift stations that will be serving the Subdivision. The contribution shall be paid prior to the City signing the final plat.

Passed and duly adopted this 5th day of September, 2017 by the City Council of the City of Lake Elmo, Minnesota.



Mike Pearson, Mayor

ATTEST:



Julie Johnson, City Clerk

EXHIBIT A

Legal Description of Property Being Final Platted as
THE ROYAL GOLF CLUB AT LAKE ELMO

The North Half of the Northeast Quarter of Section 25, Township 29 North, Range 21 West, Washington County, Minnesota, except therefrom that portion of the Northeast Quarter lying North and East of the public highway known as County State Aid Road No. 15.

AND

Government Lot 2 of Section 25, Township 29 North, Range 21 West, Washington County, Minnesota.

AND

Government Lot 1 of Section 25, Township 29 North, Range 21 West, Washington County, Minnesota.

AND

The Northwest Quarter of Section 25, Township 29 North, Range 21 West, Washington County, Minnesota.

AND

The Northeast Quarter of the Southwest Quarter of Section 25, Township 29 North, Range 21 West, Washington County, Minnesota.

AND

Government Lot 3 of Section 25, Township 29 North, Range 21 West, Washington County, Minnesota.

AND

The Southwest Quarter of the Southeast Quarter of Section 25, Township 29 North, Range 21 West, Washington County, Minnesota.

AND

That part of Government Lot 4, Section 25, Township 29, Range 21, Washington County, Minnesota, described as follows:

Commencing at the Southwest corner of said Government Lot 4; thence North 00 degrees 08 minutes 17 seconds East, assumed bearing, along the West line of said Government Lot 4, a distance of 1119.38 feet to the point of beginning of the parcel to be described; thence continuing northerly along said West line of Government Lot 4, a distance of 584 feet, more or less, to the shoreline of Horseshoe Lake; thence southeasterly, southerly, and southwesterly along said shoreline to the intersection with a line that bears South 89 degrees 51 minutes 43 seconds East from the point of beginning; thence North 89 degrees 51 minutes 43 seconds West, 21.5 feet, more or less, to the point of beginning.

AND

That part of Government Lot 4, Section 25, Township 29, Range 21, Washington County, Minnesota, lying southwesterly, southerly, and westerly of the following described line:

Commencing at the Southwest corner of said Government Lot 4; thence North 00 degrees 08 minutes 17 seconds East, assumed bearing, along the West line of said Government Lot 4, a distance of 482.61 feet to the point of beginning of the line to be described; thence southeasterly 221.89 feet along a non-tangential curve concave to the southwest having a radius of 490.00 feet, a central angle of 25 degrees 56 minutes 46 seconds, a chord length of 220.00 feet, and a chord bearing of South 43 degrees 56 minutes 35 seconds East; thence North 63 degrees 42 minutes 45 seconds East, not tangent to the last described curve, a distance of 10.23 feet; thence South 32 degrees 27 minutes 51 seconds East, 334.35 feet; thence South 00 degrees 08 minutes 17 seconds West, 45.00 feet to the South line of said Government Lot 4 and said line there terminating.

Parcel Identification Numbers:

25-029-21-12-0001

25-029-21-13-0001

25-029-21-14-0001

25-029-21-21-0001
25-029-21-31-0001
25-029-21-42-0001
25-029-21-43-0001
25-029-21-43-0002
25-029-21-44-0002