



STAFF REPORT

DATE: 7/3/2018

REGULAR

ITEM #9

MOTION

TO: City Council
FROM: Emily Becker, Planning Director
AGENDA ITEM: Royal Golf Club at Lake Elmo 2nd Addition Final Plat and Planned Unit Development (PUD) Plans Resolution Amendment
REVIEWED BY: Sarah Sonsalla, City Attorney

BACKGROUND:

The Council is being asked to consider a request by H.C. Golf Land, LLC for an amendment to the resolution approving the final plat and final PUD plans for the Royal Golf Club at Lake Elmo 2nd Addition.

ISSUE BEFORE COUNCIL:

Should Resolution 2018-070 approving the Royal Golf Club at Lake Elmo 2nd Addition be amended?

REVIEW/ANALYSIS:

Applicant and Owner: H.C. Golf Land, LLC
Location: Outlot S, Royal Golf Club at Lake Elmo 1st Addition, PID# 25.029.21.31.0002.
Request: Application for final plat and PUD plans approval of 64 residential lots and easement vacation
Existing Land Use: Vacant outlot; Current Zoning: GCC – Golf Course Community
Surrounding Land Use: North –Golf Course (GCC – Golf Course Community), South and West – The Homestead (OP – Open Space), Tartan Meadows (RS – Rural Single Family), South - Cimarron (MDR – Medium Density Residential); East – Vacant land (RR – Rural Residential)
Comprehensive Plan: GCC - Golf Course Community
History: Preliminary Plat and PUD Plans approval was granted on June 6, 2017 by Resolution 2017-047, approval of Final Plat and PUD Plans for 1st Addition was granted on September 5, 2017

by Resolution 2017-093, and Final Plat and approval of Final Plat and PUD Plans for 2nd Addition was granted on June 19, 2018 by Resolution 2018-063

Deadline for Action: Application Complete – 5/10/18
60 Day Deadline – 7/9/18
Extension Letter Mailed – No
120 Day Deadline – NA

Applicable Regulations: Chapter 153 – Subdivision Regulations
Article 10 – Urban Residential Districts (GCC)
§150.270 Storm Water, Erosion, and Sediment Control

1st Requested Amendment – Playground Condition Removed. The Council adopted Resolution 2018-063 approving the Royal Golf Club at Lake Elmo 2nd Addition Final Plat and PUD Plans on June 19, 2018. One of the conditions of Final Plat and PUD Plans approval was that the developer 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 prior to submittal of an application for Royal Golf Club at Lake Elmo 3rd Addition.

The applicant had communicated after this resolution was adopted that there had been communication between the previous developer and planning director that there was concern with the tot lot location being near the clubhouse that the area is congested, hectic, unsafe, and simply no room for it to be in the area. The area has a pool, short course, driving range, and constant parking lot traffic. The preference would be for the totlot to be located within Outlot D of the 2nd Addition, as shown in the attachment. Additionally, the developer expressed concern about the requirement that the play structure be erected prior to submission of 3rd Addition, as there may be no sidewalks in place and ongoing construction in the newly proposed location within 2nd Addition, and Staff agrees with this concern and therefore has proposed to remove this condition altogether. It will be a condition of approval with the 3rd Addition that this play structure be constructed prior to release of building permits for that addition.

2nd Requested Amendment – Removal of Outlot F from Protective Covenant Requirement. The Resolution removes Outlot F from being required to have a protective covenant over it as per the City’s Shoreland ordinance, as this Outlot is a City-owned outlot, and the City will have control over whether or not it develops.

OPTIONS:

- Approve the amendment to Resolution 2018-063 approving Royal Golf Club at Lake Elmo Final Plat and PUD Plans.
- Amend the amendment and adopt amended Resolution 2018-063 as amended.
- Do not approve the amendment to Resolution 2018-063 approving Royal Golf Club at Lake Elmo Final Plat and PUD Plans.

RECOMMENDATION:

Staff recommends, as part of tonight’s consent agenda, that Council approve the amendment to the Resolution approving Royal Golf Club at Lake Elmo 2nd Addition Final Plat and PUD Plans. If removed from the consent agenda, the requested amendment may be approved with the following motion:

“Move to adopt amended Resolution 2018-063 approving the Royal Golf Club at Lake Elmo 2nd Addition Final Plat and PUD Plans.”

ATTACHMENTS:

1. Proposed new location of the tot lot
2. Amended Resolution 2018-070

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

RESOLUTION NO. 2018-070

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

WHEREAS, H.C. Golf Land, 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) Plans for a planned development to be called The Royal Golf Club at Lake Elmo 2nd Addition, 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 Preliminary Plat and Preliminary PUD Plans; 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 2nd Addition 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 at Lake Elmo 2nd Addition 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 2nd Addition 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 2nd Addition Final Plat PUD Plans comply with the City's subdivision ordinance.
6. That the Royal Golf Club at Lake Elmo 2nd Addition Final Plat and PUD Plans comply with the City's Planned Unit Development Regulations.
7. That the Royal Golf Club at Lake Elmo 2nd Addition Final Plat and PUD Plans comply with City's Engineering Standards, except where noted in the review memorandum from the City Engineer dated May 30, 2018 and modified by PUD regulations.
8. That the Royal Golf Club at Lake Elmo 2nd Addition 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 May 30, 2018.
9. That the Royal Golf Club at Lake Elmo 2nd Addition 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 2nd Addition 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 64 unit single family residential golf course community Planned Unit Development on 89.91 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:

i. Royal Golf Club at Lake Elmo Setbacks

15.	16. 100 Ft. Wide Lots	17. 80-90 Ft. Wide Lots	18. 55-65 Ft. Wide Lots
19. Front	20. 30 ft.	21. 30 ft.	22. 20 ft. for side loaded garages, or 25'
23. Side	24. 10 ft.	25. 10 ft.	26. 10ft. house/5ft.

			garage or 7.5 ft./7.5 ft.
27. Corner Side	28. 15 ft.	29. 15 ft.	30. 15 ft.
31. Rear	32. 30 ft.	33. 30 ft.	34. 20 ft.

- a. 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%.
- b. Lot Sizes: The minimum lot size for Villa lots (55-65' wide) in the development shall be 6,600 sq. ft.
- c. 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.
- d. 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.
 - i. *Staff Note:* If the developer requests a change to this, a variance should be requested.
- e. 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.
- f. 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 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.
2. Prior to the execution of Final Plat, the Developer shall enter into a Developer's Agreement 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.
3. The Royal Golf Club at Lake Elmo 2nd Addition 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.
4. 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.
 5. The applicant shall enter into a landscape license and maintenance agreement with the City that clarifies the individuals or entities responsible for landscaping.
 6. 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.
 7. 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. Outlot B shall be dedicated to the City as parkland for trails as part of the 1st Addition.
 8. Trail within Outlot B must be constructed prior to building permits being issued for that phase of development.
 9. That the developer pay a parkland dedication fee equal to \$500 per 2.5 caliper inch required in lieu of some required tree preservation replacement tree requirements, totaling \$106,556.00 in lieu of planting the required number of trees required. This fee was calculated as follows: \$500.00 multiplied by 969 2.5-caliper inch tree not planted within the entire subdivision, divided by 291 single family lots within the entire subdivision, multiplied by 64 single family lots within the 2nd Addition.
 10. All changes and modifications to the plans requested by the City Engineer in the Engineer's reports dated May 30, 2018 shall be incorporated into the Final Plat and PUD Plans.
 11. 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.
 12. 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.
 13. That open space within the shorelands of the residential development (specifically Outlots C, D, and the rest of Outlot L) 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.
 14. 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.

15. 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 or variance.
16. That the Final Plat include street names as approved by Council.
17. The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and shall adhere to conditions of the Valley Branch Watershed District permit.
18. That the Royal Golf Club development will not have street lights except at street intersections and cul-de-sacs.
19. 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 3rd day of July, 2018 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

THE ROYAL GOLF CLUB AT LAKE ELMO 2ND ADDITION

KNOW ALL BY THESE PRESENTS: That H.C. Golf Land, LLC, a Minnesota limited liability company, owner of the following described property situated in the County of Washington, State of Minnesota, to wit:

Outlot O, Outlot P, Outlot R, and Outlot S, THE ROYAL GOLF CLUB AT LAKE ELMO, according to the recorded plat thereof, Washington County, Minnesota

Has caused the same to be surveyed and platted as THE ROYAL GOLF CLUB AT LAKE ELMO 2ND ADDITION and does hereby dedicate to the public for public use forever the public ways, as shown on this plat and also dedicate the easements created by this plat for drainage and utility purposes only.

In witness whereof said H.C. Golf Land, LLC, a Minnesota limited liability company, has caused these presents to be signed by Joel T. LeVahn, Chief Financial Officer, this ____ day of _____, 20____.

H.C. GOLF LAND, LLC

By: _____
Joel T. LeVahn, Chief Financial Officer

STATE OF _____
COUNTY OF _____

This instrument was acknowledged before me on this ____ day of _____, 20____, by Joel T. LeVahn, Chief Financial Officer of H.C. Golf Land, LLC, a Minnesota limited liability company, on behalf of the company.

Notary Public, _____
My commission expires _____

I, Thomas R. Balluff do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been set, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this ____ day of _____, 20____.

Thomas R. Balluff, Licensed Land Surveyor
Minnesota License No. 40361

STATE OF _____
COUNTY OF _____

This instrument was acknowledged before me on this ____ day of _____, 20____, by Thomas R. Balluff, Licensed Land Surveyor.

Notary Public, _____
My commission expires _____

CITY OF LAKE ELMO, PLANNING COMMISSION

Approved by the Planning Commission of the City of Lake Elmo, Minnesota, on this ____ day of _____, 20____.

Signed: _____, Chair Signed: _____, Secretary

CITY COUNCIL, CITY OF LAKE ELMO, MINNESOTA

This plat was approved by the City Council of the City of Lake Elmo, Minnesota, on this ____ day of _____, 20____, and hereby certifies compliance with all requirements as set forth in Minnesota Statutes, Section 505.03, Subd. 2.

Signed: _____, Mayor Signed: _____, Clerk

COUNTY SURVEYOR

Pursuant to Chapter 820, Laws of Minnesota, 1971, and in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this ____ day of _____, 20____.

By: _____, Washington County Surveyor By: _____

COUNTY AUDITOR/TREASURER

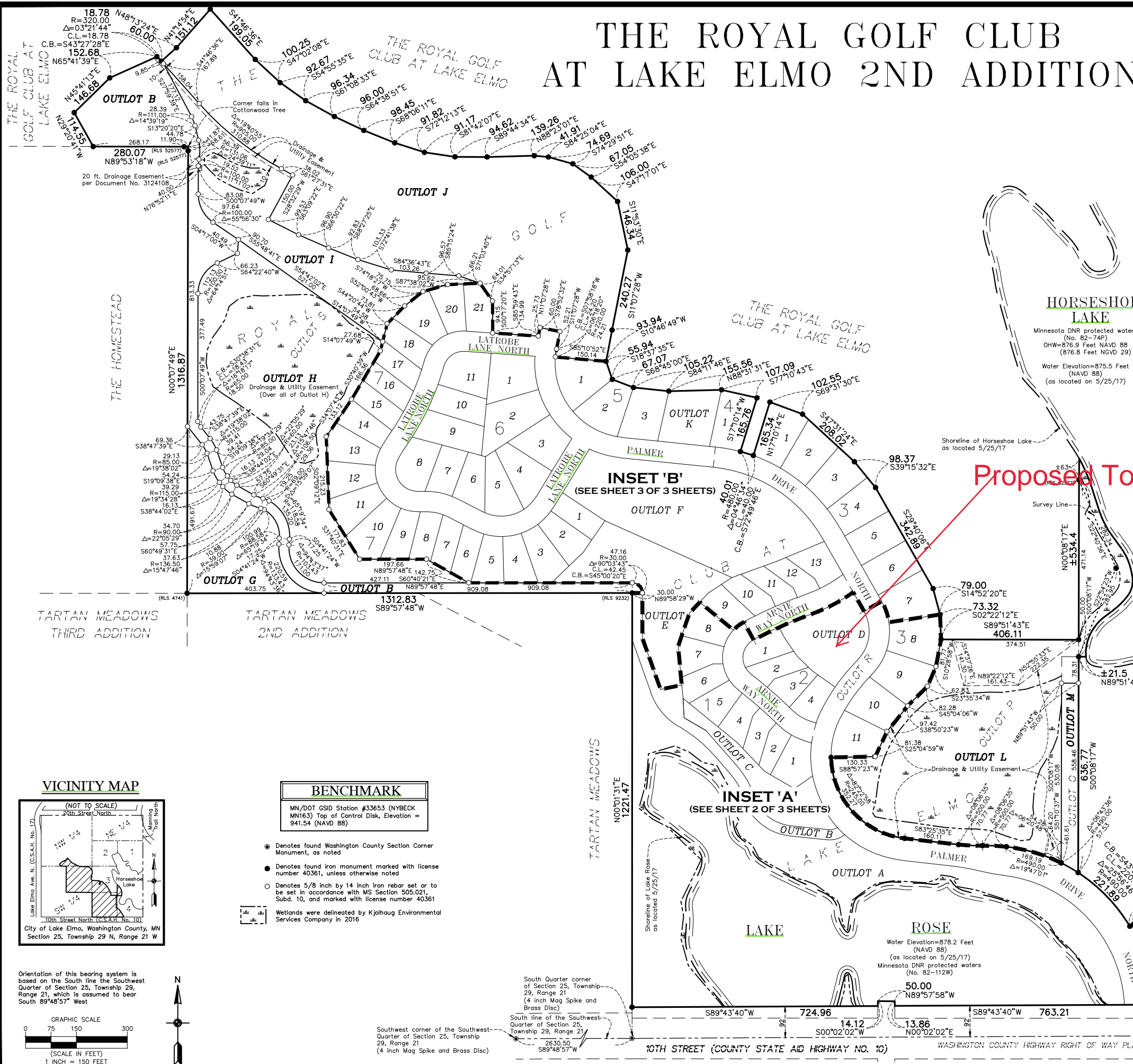
Pursuant to Minnesota Statutes, Section 505.021, Subd. 9 and Section 272.12, taxes payable in the year 20____ on the real estate hereinbefore described, have been paid; and there are no delinquent taxes, and transfer has been entered on this ____ day of _____, 20____.

By: _____, Washington County Auditor/Treasurer By: _____, Deputy

COUNTY RECORDER

Document Number _____
I hereby certify that this instrument was recorded in the Office of the County Recorder for record on this ____ day of _____, 20____, at ____ o'clock ____ M., and was duly recorded in Washington County Records.

By: _____, Washington County Recorder By: _____, Deputy



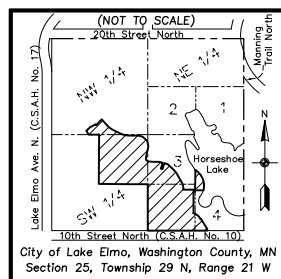
HORSESHOE LAKE

Minnesota DNR protected waters (No. 82-74P)
OHW=876.9 Feet NAVD 88 (876.8 Feet NGVD 29)
Water Elevation=875.5 Feet (NAVD 88)
(as located on 5/25/17)

Shoreline of Horseshoe Lake as located 5/25/17

Proposed Totlot Location

VICINITY MAP



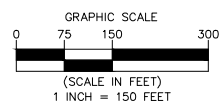
BENCHMARK

MN/DOT GSD Station #33653 (NYBECK MN163) Top of Control Disk, Elevation = 941.54 (NAVD 88)

- Denotes found Washington County Section Corner Monument, as noted
- Denotes found iron monument marked with license number 40361, unless otherwise noted
- Denotes 5/8 inch by 14 inch iron rebar set or to be set in accordance with MS Section 505.021, Subd. 10, and marked with license number 40361

Wetlands were delineated by Kjolhaug Environmental Services Company in 2016

Orientation of this bearing system is based on the South line the Southwest Quarter of Section 25, Township 29, Range 21, which is assumed to bear South 89°48'57" West



South Quarter corner of Section 25, Township 29, Range 21 (4 inch Mag Spike and Brass Disc)
South line of the Southwest Quarter of Section 25, Township 29, Range 21 (4 inch Mag Spike and Brass Disc)
Southwest corner of the Southwest Quarter of Section 25, Township 29, Range 21 (4 inch Mag Spike and Brass Disc)

10TH STREET (COUNTY STATE AID HIGHWAY NO. 10)

WASHINGTON COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 1 AS AMENDED

