



DATE: November 16, 2021
CONSENT

AGENDA ITEM: Approve Release of Landscape Warranty Security for Royal Golf 2nd Addition.

SUBMITTED BY: Molly Just, Planning Director

REVIEWED BY: Sarah Harding, City Landscape Architect

ISSUE BEFORE COUNCIL: Should the City Council approve release of the remaining warranty security for landscaping improvements for Royal Golf 2nd Addition?

PROPOSAL DETAILS/ANALYSIS: Staff has received and processed a request to release the remaining development security in accordance with the development agreement for Royal Golf 2nd Addition. The developer has installed all the required landscaping and the City's landscape architect has verified that all the required landscaping is in and has reached the two-year warranty requirements. The developer's request is included as an attachment. The landscape architects completed a warranty walk-through and inspection of the development and all landscape-related warranty punch list items have been addressed by the Developer. The landscape architect's approval is also included as an attachment.

With the release of the remaining warranty security for public improvements (the landscaping improvements), the City may reduce the overall development security as follows:

	<u>Current Security Amount</u>	<u>Proposed Security Amount</u>
1. Royal Golf 2 nd Addition	\$101,406.00	\$0.00

This action, if approved, will close out the public improvements for the development.

FISCAL IMPACT: Release of the remaining warranty security brings the public improvements including storm sewer facilities and landscaping to a close. The operation and maintenance of the public facilities is the responsibility of the City going forward.

RECOMMENDATION: Staff is recommending that the City Council, *as part of the Consent Agenda*, approve the release of remaining warranty security for public improvements (the landscaping improvements) in Royal Golf 2nd Addition, resulting in a reduction in overall security to \$0.00. The release of security is contingent on the developer being current with all other payments and obligations in accordance with the Development Agreement, including a positive escrow balance as required by the City. If removed from the consent agenda, the recommended motion for the action is as follows:

“Move to approve the proposed security reduction for the landscaping improvements in Royal Golf 2nd Addition as detailed in the attached Security Reduction Worksheet, contingent on the developer being current with all other payments and obligations in accordance with the Development Agreement, including a positive escrow balance as required by the City”.

ATTACHMENTS:

- Security Reduction Worksheet
- Security Release Request
- Royal Golf 2nd Addition Landscape Warranty Final Inspection

ROYAL GOLF CLUB 2ND ADDITION

Time of Performance: October 31, 2018

DEVELOPMENT AGREEMENT AMOUNTS				REDUCTIONS							
CATEGORY	CONSTRUCTION	125%	REMARKS	#1	#2	#3	#4	#5	#6	#7	
Grading	NA	NA	Included in Overall Grading Agreement	\$202,911 \$482,428	\$256,093 \$623,909	\$304,219	\$128,047 \$128,047 \$311,955 \$68,128 \$28,125 \$3,970 \$6,844 \$7,500	\$128,047 \$311,955 \$22,709 \$9,375 \$1,323 \$2,281 \$2,500	\$67,637 \$160,809		
Sanitary Sewer	\$216,439	\$270,549	75%								
Watermain	\$514,590	\$643,238	75%								
Storm Sewer	\$409,749	\$512,186	100%								
Streets and Sidewalks	\$998,255	\$1,247,818	100%								
Trails	\$72,670	\$90,838	100%								
Surface Water Facilities	NA	NA	included in Grading Agreement								
Street Lighting	\$30,000	\$37,500	100%								
Street Signs and Traffic Control Signs	\$4,235	\$5,294	100%								
Landscaping	\$324,500	\$405,625	100%								
Tree Preservation and Restoration	NA	NA	included in Grading Agreement								
Wetland Mitigation and Buffers	NA	NA	included in Grading Agreement								
Monuments	\$7,300	\$9,125	100%								
Erosion Control	NA	NA	included in Grading Agreement								
Turn Lanes	NA	NA	By County								
Record Drawings	\$8,000	\$10,000	100%								
TOTALS	\$2,585,737	\$3,232,172		RELEASED AMOUNTS:	\$685,340	\$880,002	\$304,219	\$554,568	\$478,190	\$228,447	\$101,406
				CUMMULATIVE AMOUNTS:	\$685,340	\$1,565,342	\$1,869,561	\$2,424,129	\$2,902,319	\$3,130,766	\$3,232,172
				SECURITY AMOUNT REMAINING:	\$2,546,832	\$1,666,830	\$1,362,611	\$808,043	\$329,853	\$101,406	\$0
				DATE:	1/15/2019	7/2/2019	11/5/2019	12/17/2019	1/5/2021	4/6/2021	11/16/2021



September 27, 2021

Ms. Molly Just
Planning Director
City of Lake Elmo
3880 Laverne Avenue North
Lake Elmo, Minnesota 55042

Re: **The Royal Golf Club at Lake Elmo – Phase II – LOC Reductions**
Lake Elmo, Minnesota
Project #6036

Dear Ms. Just:

On behalf of Royal Development, Inc. and H.C. Golf Land, LLC f/k/a H.C. Golf Course Development, LLC, we are requesting that the Letter of Credit securing the obligations for the Trees, 2nd Addition be reduced by a total amount of \$101,406.00 for the work completed to date. This reduction will result in an overall remaining Phase II Trees Letter of Credit balance of \$0.00.

If you have any questions please call me at (763) 489-7905.

Sincerely,

Carlson McCain, Inc.

A handwritten signature in blue ink, appearing to read "Brian J. Krystofiak".

Brian J. Krystofiak, P.E.
Senior Engineer

cc: Jim Felten, H.C. Golf Course Development, LLC.

Enclosures

File: 227701109

To: Molly Just, City of Lake Elmo Planning Director

From: Sarah Harding, Landscape Architect
Jenna Niday, Landscape Designer

File: Royal Golf 2nd Addition Landscape Warranty
Final Inspection - September 15, 2021

Date: September 21, 2021

Attendees

- Jim Felton, Royal Golf Club President
- Jenna Niday, Landscape Designer

Landscape Inspection Summary:

A walk through of the landscape conditions was completed for the final inspection of the Royal Golf 2nd addition.

Findings:

- Twenty-nine (29) trees were found to be dead or dying in an August 2021 inspection and have since been replaced.
- All trees from the accepted plans are in good health.
 - Since all trees have been inspected and recorded as in good health, no figure has been included.

Recommendation:

The landscape plan has been followed for the 2nd addition of Royal Golf and all landscape materials are planted and in a reasonable state of health. The financial security to ensure compliance and performance for at least two years after installation can be released.

Stantec Consulting Services Inc.



Sarah Harding, PLA (MN)

City of Lake Elmo Municipal Landscape Architect

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