



## **STAFF REPORT**

DATE: 12/7/2021

CONSENT AGENDA

**TO:** City Council  
**FROM:** Corrin Bemis, Planning Consultant  
**ITEM:** Royal Golf Club at Lake Elmo 4<sup>th</sup> Addition Final Plat  
**REVIEWED BY:** Molly Just, Planning Director  
Jack Griffin, City Engineer  
Planning Commission

### **BACKGROUND:**

The City Council is being asked to consider a request by U.S. Home Corporation d/b/a Lennar for approval of the Final Plat for the Royal Golf Club at Lake Elmo 4<sup>th</sup> Addition. Per City Code Section 103.00.100, Final Major Subdivisions, the Planning Commission reviewed and recommended approval on the submitted plans and supporting data for the final plat application at their November 22, 2021 meeting.

The Final Plat for the 4<sup>th</sup> Addition will create five new outlots for conveyance purposes. U.S. Home Corporation, d/b/a Lennar, is under contract to purchase the 4<sup>th</sup> phase of the Royal Golf Club from H.C. Golf Land, LLC, and the final plat will be used to assist in facilitation of the transaction. Outlot C of the Royal Golf Club at Lake Elmo 3<sup>rd</sup> Addition and Outlot B of the Royal Golf Club at Lake Elmo will be subdivided into:

- Outlot A (0.9 acres / 39,076 sf)
- Outlot B (61.53 acres / 2,680,384 sf)
- Outlot C (7.59 acres / 330,779 sf)
- Outlot D (1.86 acres / 80,884 sf)
- Outlot E (16.02 acres / 697,916 sf)

The review and approval of the Final Plat does not require a public hearing. Future development of the outlots requires review and approval of a Final PUD. A public hearing will take place as part of that process. The applicant has noted that future development will be consistent with existing homes in the area. Staff is recommending approval of the request subject to meeting the conditions of approval listed in this report.

### **ISSUES BEFORE THE CITY COUNCIL**

The City Council is being asked to take the following action:

1. Approve the Final Plat for Royal Golf Club at Lake Elmo 4<sup>th</sup> Addition.

### **PROPOSAL DETAILS/ANALYSIS:**

*Applicant:* U.S. Home Corporation d/b/a Lennar

*Owner:* Outlot B, H.C. Golf Land, LLC  
Outlot C, Royal Development, Inc.

<i>Location:</i>	Outlot B, The Royal Golf Club at Lake Elmo, PID #25.029.21.22.0005 Outlot C, The Royal Golf Club at Lake Elmo, PID #25.029.21.22.0002
<i>Request:</i>	Application for Final Plat
<i>Existing Land Use:</i>	Vacant Outlot; Current Zoning: GCC – Golf Course Community
<i>Surrounding Land Use:</i>	North – Rural Single Family (RS) and Rural Residential (RR), South – Golf Course Community (GCC), East – Golf Course Community (GCC), West – Public Facilities (PF)
<i>Comprehensive Plan:</i>	GCC – Golf Course Community
<i>History:</i>	Preliminary Plat and PUD Plan approval was granted on June 6, 2017 by Resolution 2017-047. Final Plat and PUD Plans for 1 <sup>st</sup> Addition was granted on September 5, 2017 by Resolution 2017-093. Final Plat and PUD Plans for 2 <sup>nd</sup> Addition was granted on July 3, 2018 by Resolution 2018-070. Final Plat and PUD Plans for 3 <sup>rd</sup> Addition was granted on December 4, 2018 by Resolution 2019-005. City Council approved a time extension, giving the developer until July 31, 2022 to record the 3 <sup>rd</sup> Addition Final Plat.
<i>Deadline for Action:</i>	Application Complete – 10/12/21 60 Day Deadline – 12/11/21 Extension Letter Mailed – No 120 Day Deadline – NA
<i>Applicable Regulations:</i>	103.00.100 – Final Major Subdivisions Article 10 – Urban Residential Districts (GCC)

## **PROJECT ANALYSIS**

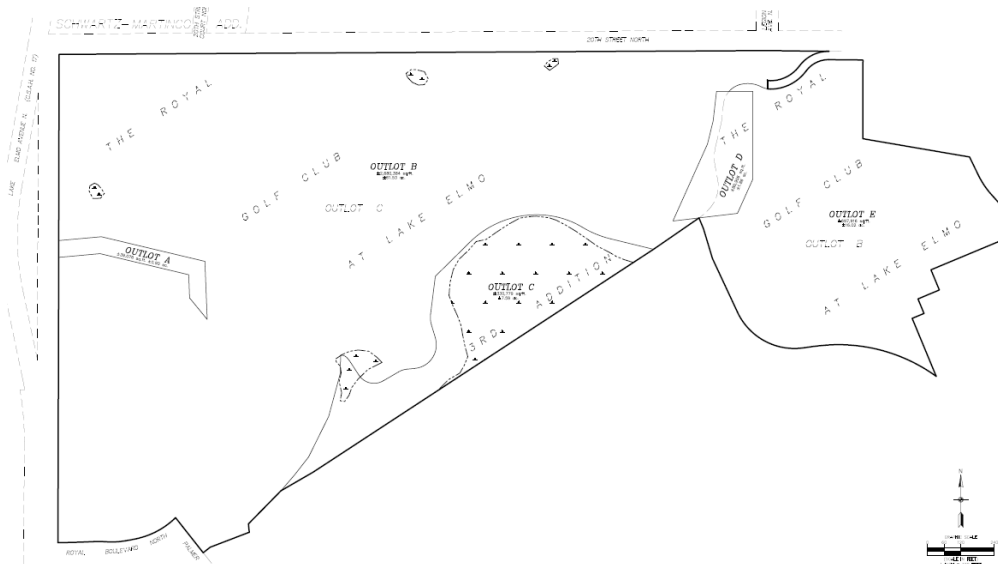
**Consistency with Preliminary Plat.** As the proposed Final Plat is only for conveyance purposes, the application does not include home sites, right-of-ways, or any associated information of the future 4<sup>th</sup> Addition. A final plat and PUD for the 4<sup>th</sup> Addition will be submitted at a later date which will include all necessary development information. Final density of the 4<sup>th</sup> phase of The Royal Golf Club at Lake Elmo will be calculated with the final plat and PUD application. Associated infrastructure, improvements and wetland or natural area disturbances will be also be included in the same final plat and PUD.

Staff will review consistency with the Preliminary Plat conditions as part of the future final plat and PUD submittal.

### Approved Preliminary Plat



### Proposed Final Plat



**Outlots.** The Final Outlot Plat will create five (5) new outlots.

- Outlot A (0.9 acres / 39,076 sf)
- Outlot B (61.53 acres / 2,680,384 sf)
- Outlot C (7.59 acres / 330,779 sf)
- Outlot D (1.86 acres / 80,884 sf)
- Outlot E (16.02 acres / 697,916sf)

The gross area being subdivided into five (5) outlots on this Final Outlot Plat is 87.9 acres (3,829,039 sf). A map of the proposed outlots is included in Attachment 5.

**Lot Sizes and Widths.** Lot sizes and widths will be included in a future final plat and PUD submittal.

**Density.** Density calculations will be included in a future final plat and PUD submittal.

**Parkland Dedication.** Calculations for parks, trails, and dedicated public space and values associated with dedicated land and improvements will be included in a future final plat and PUD submittal.

**Landscaping.** Landscaping details will be included in a future final plat and PUD submittal

**Street Design and Naming.** Street design and naming details will be included in a future final plat and PUD submittal.

**Engineering Comments.** On November 5, 2021, the City Engineer reviewed the final plat application and wrote:

*“Engineering has no comments on the Royal Golf Club 4th Addition Final Plat. The 4th Addition Final Plat appears to be retaining the required existing drainage and utility easements previously platted/granted to the City/VBWD.”*

**City Attorney Comments.** The Plat Opinion for the Royal Golf Club at Lake Elmo 4<sup>th</sup> Addition is included in Attachment 7. On November 11, 2021, the City Attorney reviewed the final plat application and wrote:

*“I reviewed the final plat application for The Royal Golf Club at Lake Elmo 4th Addition. This looks to be the “outlot plat” that we had talked about with them (to help with the purchase and transfer of property from Royal to Lennar). It appears to me that Outlot A is for drainage and utility purposes and Outlot C consists of a wetland, leaving Outlot B to be platted in a future plat into lots and blocks. There is already a drainage and utility easement over Outlot A, so nothing further needs to be done with respect to that Outlot. However, there does not appear to be a drainage and utility easement over Outlot C (the wetland property). The City may want to require that a drainage and utility easement be dedicated over Outlot C. Also, it appears that some of the wetland is located within Outlot B. The City may want to require a drainage and utility easement over that area in Outlot B as well (just to make sure that it is covered).”*

**Planning Commission Review.** The Planning Commission reviewed the Royal Golf Club at Lake Elmo 4<sup>th</sup> Addition Final Plat at its November 22, 2021 meeting. There were no comments or discussion following the presentation by the Planning Director. The Planning Commission recommended approval 5-0, subject to the conditions listed in the staff report.

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### **RECOMMENDED CONDITIONS OF APPROVAL:**

Staff is recommending conditions as part of this final plat review to address issues highlighted in this report, as well as comment made by the City Engineer and City Attorney. Based on the above Staff report and analysis, Staff is recommending approval of the final plat for Phase Four of the Royal Golf Club at Lake Elmo with the following conditions:

- 1) Prior to the City issuing building permits, the developer shall receive City Council approval on a Final PUD for the Royal Golf Club 4th Addition and enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council. This agreement shall delineate who is responsible for the design, construction, and payment of the required improvements with financial guarantees.

- 2) 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.
- 3) The Final Plat approval is conditioned upon the applicant meeting all City standards and design requirements unless specifically addressed otherwise in this resolution.

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**DRAFT FINDINGS**

Staff is recommending the City Council consider the following findings with regards to the proposed Royal Golf Club at Lake Elmo 4<sup>th</sup> Addition Final Plat.

- 1) That all the requirements of City Code Section 103.00.100 – Final Major Subdivisions have been met by the Applicant.
- 2) That the Royal Golf Club at Lake Elmo 4th Addition Final Plat complies with the City's subdivision ordinance.
- 3) That the Royal Golf Club at Lake Elmo 4th Addition Final Plat complies with the City's Engineering Standards, as noted by the City Engineer on November 5, 2021.
- 4) That the Final Outlot Plat will be utilized for conveyance purposes and will assist in facilitation of U.S. Home Corporation, d/b/a Lennar's, purchase of the 4th phase of the Royal Golf Club from H.C. Golf Land, LLC.
- 5) That the Final Outlot Plat will create five (5) new outlots from Outlot C of the Royal Golf Club at Lake Elmo 3rd Addition and Outlot B of the Royal Golf Club at Lake Elmo.
  - a. Outlot A (0.9 acres / 39,076 sf)
  - b. Outlot B (61.53 acres / 2,680,384 sf)
  - c. Outlot C (7.59 acres / 330,779 sf)
  - d. Outlot D (1.86 acres / 80,884 sf)
  - e. Outlot E (16.02 acres / 697,916sf)
- 6) That the Final Outlot Plat will be named The Royal Golf Club at Lake Elmo 4th Addition Washington County Minnesota, to remain consistent with previous phases of The Royal Golf Club at Lake Elmo.
- 7) That consistency with Preliminary Plat and PUD Plans approved by the City of Lake Elmo on June 6, 2017 will be reviewed at the time of submittal for a final PUD for the Royal Golf Club 4th Addition.
- 8) That consistency with the Lake Elmo Comprehensive Plan and Zoning Code will be reviewed at the time of submittal for a final PUD for the Royal Golf Club 4th Addition.

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**RECOMMENDATION:**

Staff recommends that the City Council approve the Royal Golf Club at Lake Elmo 4<sup>th</sup> Addition Final Plat, based on the findings of fact and conditions outlined in the Staff Report.

***“Move to adopt Resolution 2021-135 approving the Royal Golf Club at Lake Elmo 4<sup>th</sup> Addition Final Plat based on the findings of fact and conditions outlined in the Staff Report.”***

**ATTACHMENTS:**

1. Final Plat Application for Outlot B
2. Final Plat Application for Outlot C
3. The Royal Golf Club at Lake Elmo 4th Addition Final Outlot Plat Narrative
4. The Royal Golf Club at Lake Elmo 4th Addition Final Plat
5. The Golf Club at Lake Elmo 4th Addition Area Map
6. Royal Golf Club Preliminary PUD Map
7. Plat Opinion for The Royal Golf Club at Lake Elmo 4th Addition

Date Received: \_\_\_\_\_  
Received By: \_\_\_\_\_  
LU File #: \_\_\_\_\_



651-747-3900  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

## FINAL PLAT APPLICATION

Applicant: U.S. Home Corporation d/b/a Lennar

Address: 16305 36th Avenue North, Suite 600, Plymouth MN 55446

Phone #: 651-261-8273

Email Address: melissa.duce@lennar.com

Fee Owner: H.C. Golf Land LLC

Address: 941 Hillwind Road NE, Suite 301 Fridley MN 55432

Phone #: 763-502-7119

Email Address: jlevahn@zhlhlaw.com

Property Location (Address): SEC of 20th Street North and Lake Elmo Avenue North

Complete (long) Legal Description: \_\_\_\_\_

Outlot B, The Royal Golf Club at Lake Elmo, Washington County Minnesota

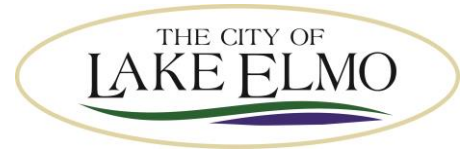
PID#: 25-029-21-12-0005

General information of proposed subdivision: Creation of outlot plat for conveyance purposes.

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning Ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: Melissa Duce Date: October 8, 2021

Fee Owner Signature: Jeff L. Lier Date: 10/8/21



## **FINAL PLAT APPLICATION REQUIREMENTS<sup>1</sup>**

### **All Subdivisions of Land creating four (4) or more lots**

This handout is intended to provide guidance on putting together and submitting a Final Plat application for the subdivision of property in Lake Elmo. The purpose of the Final Plat is to incorporate all conditions placed on the Preliminary Plat application into the final plans, and to finalize all documentation for legal recording at the County. This steps completes the subdivision process.

In order to have your Final Plat application be complete and reviewed in a timely fashion, there are a number of steps that must be followed:

1. **Pre-submittal Meeting:** Contact City Staff to discuss the status of any outstanding Preliminary Plat conditions, to discuss the requirements for Final Plat application submittal and obtain another land use application.
2. **Final Plat Submittal:** Prepare an informational packet (described herein) that fulfills the Final Plat submittal requirements. Providing a detailed and thorough application packet will greatly reduce the overall review time. Submit your completed packet to Staff to initiate review.
3. **Completeness Review:** Staff will examine your submittal to determine if the application is complete, and contact you if additional information is required or was omitted. It is to your advantage to submit your materials as early as possible so Staff can assist you in meeting all requirements. Applications found to be incomplete will be returned to the applicant.<sup>2</sup>
4. **Final Plat Review/Processing:** Staff will process completed applications. This process typically requires at least one applicant revision and resubmittal of plans to work through review comments. The process may also include additional applicant meetings, requesting review comments from partnering agencies, and writing reports.
5. **City Council Meeting:** Once the plans are revised to fully meet the Zoning and Subdivision Ordinance and Engineering Design Standards as outlined by Staff, planning and engineering reports are prepared and the item is scheduled for the next available City Council meeting (1<sup>st</sup> or 3<sup>rd</sup> Tuesday of the month<sup>3</sup>). If the proposed final plat has significant changes from the approved preliminary plat, the City requires the Planning Commission to make a recommendation about the proposal before the City Council considers the final plat.

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<sup>1</sup> The information provided in this document is intended to be a correct statement of the law as set forth in the Lake Elmo City Code and the laws of the State of Minnesota. However, the applicant should refer to the actual sources and consult with their own legal advisor regarding applicability to their application. In providing this information, the City makes no representations nor provides any legal advice or opinion.

<sup>2</sup> Minnesota State Statute 15.99 requires local governments to review an application within 15 business days of its submission to determine if an application is complete and/or if additional information is needed to adequately review the subject request.

<sup>3</sup> Staff will determine when applications are reviewed based on the time needed to review the application and the number of items already scheduled on future agendas. Please note that meeting dates are ange due to holidays, lack of quorum, etc. Please contact City Hall to confirm all dates and times.



6. **Revisions:** If needed, the applicant revises the Final Plat to address City staff recommendation(s) and any outstanding review comments before City Council consideration.
7. **City Council Meeting:** Once the plans are finalized and ready for the City Council's consideration, staff reports are prepared and the Final Plat is placed on the next available City Council meeting agenda (1<sup>st</sup> or 3<sup>rd</sup> Tuesday of the month<sup>3</sup>). Applicants are advised to attend both the Planning Commission and City Council meetings and be open to questions regarding the request.
8. **Decision:** The City Council will review the request and either grant or deny the Final Plat.
9. **Title Work:** If the Final Plat application is approved by the City Council, all title work must be reviewed and approved by the City Attorney before the plat is recorded by the County. The applicant shall provide evidence in a form satisfactory to the City Attorney that he/she has fee interest in the subject property.

Above all else, it is imperative that an applicant begin preparations as early as possible and to ensure that a complete application is submitted. Review by the Planning Commission will not occur until at least three weeks have passed from when the City has deemed the application complete.

**Final Plat Fees:** The City Council has established a **non-refundable fee**<sup>4</sup> for processing Final Plat applications. Please see the current fee schedule on our website. In addition, the City requires that the applicant enter into an Escrow Agreement with the City and post an \$8,000 escrow to reimburse the City for all technical planning, engineering, public works and legal review.

You will find that a great deal of the information requested for a Final Plat application matches the requirements for Preliminary Plat application submittal. While we have your original applications, the City does require that all applicants submit a new and complete application at every stage of the development process (updating information as needed). This allows us to track changes as the application progresses through the various levels of review. With this in mind, the following materials must be submitted prior to deeming an application complete:

**Sub:   Req:   Item:**

- |                          |                          |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. <b>A completed land use application form</b> signed by <b>all</b> property owners along with payment of the proper filing fee, escrow and escrow agreement. |
|--------------------------|--------------------------|--|

<sup>4</sup> Applicant is also responsible for any additional fees incurred by the City (i.e. engineering, planning, postage, legal expenses, et cetera).

- ☐ ☐ 2. **Written statements** providing information regarding your proposal. Please provide a separate answer for each of the lettered items listed below (answers must be submitted in both hard copy and electronic form-- MS Word format or PDF):
- a. A listing of contact information including name(s), address(es) and phone number(s) of: the owner of record, authorized agents or representatives, engineer, surveyor, and any other relevant associates.
  - b. A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PID), and current legal description(s).
  - c. Final Subdivision and Lot Information:
    - i. The name of the Final Plat.
    - ii. A table listing the lot and block number, size of lot, width of lot, and depth of lot.
    - iii. Final exact area calculations of parks, trails, and any other dedicated public open space; and estimated values of all dedicated land and improvements (trails, park equipment, sports fields, etc.).
    - iv. Final exact area calculations of wetlands and buffers.
    - v. Final proposed area calculations for all dedicated right-of-ways.
    - vi. Proposed legal descriptions for: all lots, easements to be created (if not being dedicated on the plat), and easements to be vacated (if any).
  - d. An explanation of how issues have been addressed since the Preliminary Plat phase of the development.
  - e. A statement showing the final density of the project with the method of calculating said density shown.
  - f. Discuss proposed infrastructure improvements and phasing thereof (i.e. proposed roadways, sewer systems, water systems, sidewalks/trails, parking, etc) necessary to serve the subdivision.
  - g. If applicable, a narrative addressing how concerns/issues raised by neighboring properties have been addressed (discussing your proposal with the neighboring land owners is recommended to get a sense of what issues may arise as your application is processed).
  - h. If applicable, a description of how conflicts with nearby land uses (livability, value, potential future development, etc.) and/or disturbances to wetlands or natural areas are being avoided or mitigated.
  - i. Provide justification that the proposal will not place an excessive burden on roads (traffic), sewage, water supply, parks, schools, fire, police, or other public facilities/services (including traffic flows) in the area.

**Written statements continued:**

- j. If applicable, provide a description of proposed lakeshore access (i.e. shared dock with multiple slips, individual docks for each lot, etc.).
- k. A description of proposed parks and/or open space, including a brief statement of the overall land dedication of fees to be paid in lieu of land dedication that meets the public land dedication requirements of the Subdivision Ordinance.
- l. A proposed development schedule indicating the approximate date when construction of the project, or stages of the same, can be expected to begin and be completed (including the proposed phasing of construction of public improvements and recreational and common space areas).

☐☐

- 3. Plat & Associated Plans:** Ten (10) packets of reduced size (11x17) and five (5) packets of full plan size (24x36) containing each of the following required pieces of information depicting the proposed subdivision. Each document shall be at a consistent, readable, and measurable engineering scale, include a title and a page number (Sheet 1 of 5±, Sheet 2 of 5±, et cetera), ).Staff will assist you in determining what is required. The plan sets will not be considered complete unless all required elements are included. Additionally, each of the packet items must be submitted in an electronic format (.jpg, .pdf, etc.) for use in presentations.

The following pages outline the information that is required to deem your application complete.

Please refer to the City's Engineering Design and Construction Standards Manual to ensure compliance prior to submitting plans.

☐ **Final Plat:**


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**Sub:   Required:   Item:**

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <p>1. <b>Administrative Information:</b></p> <ul style="list-style-type: none"> <li>▪ <i>Appropriate identification of the drawing (i.e. final plat, grading plan, etc).</i></li> <li>▪ <i>Name of the subdivision, which shall not duplicate or too closely approximate the name of any existing platted subdivision in Washington County. Proposed names must be verified by the Washington County Recorder.</i></li> <li>▪ <i>Signature of surveyor, engineer, landscape architect, and all other professionals certifying the documents.</i></li> <li>▪ <i>Date of plan preparation with revision date(s) (if any).</i></li> <li>▪ <i>Graphic scale and true north arrow(engineering scale only, not less than one (1) inch equals one hundred (100) feet.</i></li> <li>▪ <i>A complete Legend depicting all line types and symbols used within the plans.</i></li> </ul> |
| <input type="checkbox"/> | <input type="checkbox"/> | <p>2. <b>General Property Information:</b></p> <ul style="list-style-type: none"> <li>▪ <i>Address(es) and PID(s) for the subject property.</i></li> <li>▪ <i>Existing legal description(s) for the subject property.</i></li> <li>▪ <i>Existing parcel boundaries shown with survey measurement data matching the existing legal description of the parcel of land to be platted.</i></li> <li>▪ <i>Date of survey.</i></li> <li>▪ <i>Name, address, and phone number of landowner (and subdivider if not the same)</i></li> <li>▪ <i>Name, address, and phone number of engineer, surveyor, landscape architect, or land planner preparing the plat (include registration #'s)</i></li> </ul>   |
| <input type="checkbox"/> | <input type="checkbox"/> | <p>3. Indication of the gross area being subdivided and the proposed number of lots shown in square feet and acres.</p>   |
| <input type="checkbox"/> | <input type="checkbox"/> | <p>4. Existing site improvements within the parcel of land to be platted and for a distance of 150 feet outside of the parcel boundaries.</p>   |
| <input type="checkbox"/> | <input type="checkbox"/> | <p>5. Zoning district(s) of the land being subdivided (if more than one zoning district, zoning boundary lines must be shown) and proposed future zoning for the subdivided land.</p>   |

- ☐ ☐ 6. Layout of proposed lots with future lot and block numbers. The boundary lines of the subdivision should be clearly distinguishable from other property lines. Denote outlots planned for public dedication and/or open space (schools, parks, trails, stormwater ponds, etc.).
- ☐ ☐ 7. Layout of existing property lines if (different from proposed lot lines). Existing lot lines should be easily distinguishable from the proposed lot lines and not be a prominent feature on the plat.
- ☐ ☐ 8. Denote the area within each of the proposed parcels (in the appropriate units of acres and/or square feet)
- ☐ ☐ 9. Existing contours at intervals of two feet. Contours must extend a minimum of 150 feet beyond the boundary of the parcel(s) in question.
- ☐ ☐ 10. Delineation of wetlands and/or watercourses on the plat and within 150 feet of the perimeter of the subdivision parcel. The ordinary high water elevation and the 100 year flood elevation shall be shown for all existing water bodies.
- ☐ ☐ 11. Location, width, and names of existing and proposed streets within and immediately adjacent to the subdivision parcel, showing pavement type and width.
- ☐ ☐ 12. All easements of record within or adjacent to the plat.
- ☐ ☐ 13. Lines establishing the buildable area on each lot (setbacks)
- ☐ ☐ 14. Boundary lines of adjoining parcels within three hundred fifty (350) feet beyond the plat. Individual parcels shall be identified by name and ownership including all contiguous land owned or controlled by the subdivider.
- ☐ ☐ 15. Location and dimensions of existing buildings or significant above ground structures on or within one hundred and fifty (150) feet of the outer plat boundary.
- ☐ ☐ 16. Location of any unique natural and/or historic features (if any)

☐ ***Final Grading, Drainage & Erosion Control Plan:***

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**Sub:   Required:   Item:**

- ☐ ☐ 1. Appropriate identification of the drawing as a “final grading, drainage and erosion control plan.”
- ☐ ☐ 2. Administrative information as required for the Final Plat.

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Final Grading Plan: The developer shall submit a final grading, drainage and erosion control plan utilizing a copy of the current certificate of survey as a base for the site in question, prepared and signed by a Minnesota licensed engineer, depicting the following information:         |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. North arrow and date of preparation.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Graphic Scale (engineering scale only, not less than one (1) inch equals fifth (50) feet).   |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. For each lot, provide lot and block numbers, easement locations, building pad location, building type and proposed building first floor elevation, low floor elevation and elevation at garage slab.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Stormwater Management Plan, with a narrative, including the configuration of drainage areas and calculations that meet the requirements of the City Code and City Engineering Stormwater Management Requirements and/or applicable Watershed Standards.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Location of all natural features on the tract. Natural features are considered to include, but are not limited to the following: tree lines, wetlands, ponds, lakes, streams, drainage channels, bluffs, steep slopes, etc.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. All delineated Wetlands and watercourse buffers per the City and Watershed standards; and wetland replacement plan, if needed.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Location of all existing storm sewer facilities, including pipes, manholes, catch basins, ponds, swales, and drainage channels within one hundred fifty (150) feet of the tract. Existing pipe type, grades, rim and invert elevations and normal and high water elevations must be included. |
| <input type="checkbox"/> | <input type="checkbox"/> | 11. Normal water level (NWL) and 100-year high water level (100-year HWL) for all water bodies, existing and proposed.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 12. Spot elevations at drainage break points and emergency overflows (in BOLD) with directional arrows indicating site, swale and lot drainage.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 13. Retaining Walls (wall heights and elevations).  |
| <input type="checkbox"/> | <input type="checkbox"/> | 14. Locations, grades, rim and invert elevations of all storm sewer facilities, including ponds and BMP's proposed to serve the tract.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 15. Locations and elevations of all street high and low points.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 16. Street grades shown.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 17. Provide phasing plan for site grading.  |

- |                          |                          |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 18. All soil erosion and sediment control measures to be incorporated during and after construction must be shown. Locations and standard detail plates for each measure must be included on the plan using Lake Elmo city standard details. Plan must meet the requirements of MPCA General Permit Construction Activity. |
| <input type="checkbox"/> | <input type="checkbox"/> | 19. All revegetation measures proposed for the tract, including seed and mulch types and application rates must be included on the plan.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 20. Existing contours at two (2) foot intervals shown as dashed lines (may be prepared by a Minnesota licensed surveyor). Existing contours shall extend one hundred fifty (150) feet outside of the tract.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 21. Proposed grade elevations at two (2) foot intervals shown as solid lines.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 22. Other information as required and outlined in the City Plan Sheet Format Requirements.   |

☐ ***Final Utility Plan:***

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**Sub:   Required:   Item:**

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Appropriate identification of the drawing as a “final utility plan.”   |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Administrative information as required for the Final Plat.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Final Utility Plan, prepared and signed by a Minnesota licensed engineer, depicting the following information:   |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Easements: Location, dimension and purpose of all utility easements.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Underground and Overhead Facilities: Location and size of existing utilities including sewers, water mains, culverts, gas, electric, phone, cable, fiberoptic, utility poles or other underground facilities within the tract and to a distance of one hundred fifty (150) feet beyond the tract. Such data as grades, invert elevations, and location of catch basins, manholes and hydrants shall also be shown. |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Proposed utility plans including sanitary sewer, watermain, and storm sewer, all in accordance with the current City of Lake Elmo engineering design standards manual.   |

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Water Supply, Public: Water mains shall be provided to serve the subdivision by extension of an existing community system wherever feasible. Service connections shall be stubbed to the property line. Extensions of the public water supply system shall be designed so as to provide public water in accordance with the engineering design standards as approved by the City Engineer and in accordance with the City's Comprehensive Water Plan. The Final Utility Plan shall indicate the location of all hydrants and valves. |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Water Supply, Private: In areas where public water supply is not available, individual wells shall be provided on each lot, properly placed in relationship to the individual sewage disposal facilities. Well plans must comply with the State Well Code, as may be amended, and be submitted for the approval of the City Engineer.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Sewage Disposal, Public: Sanitary sewer laterals and service connections shall be installed in accordance with the design standards of the City as approved by the City Engineer. The Final Utility Plan shall provide the locations, grades, rim and invert elevations, and sizes of all proposed sanitary sewer facilities to serve the tract. Demonstration of two separate and distinct land area of at least 10,000 square feet suitable for septic drainfields is required.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Sewage Disposal, Private: All individual sewage treatment systems shall be installed in accordance with all applicable State, County, and City requirements.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 11. Other information as required and outlined in the City Plan Sheet Format Requirements.  |

☐ ***Final Street & Storm Sewer Plan:***

---

**Sub:   Required:   Item:**

- |                          |                          |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Appropriate identification of the drawing as a "final street & storm sewer plan."   |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Administrative information as required for the preliminary plat.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Final Street and Storm Sewer Plan, prepared and signed by a Minnesota licensed engineer, depicting the following information:   |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Layout of proposed streets showing the proposed lot lines, right-of-way widths, and proposed names of streets in conformance with the County Uniform Street Naming and Addressing System. |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Locations and widths of proposed streets, alleys and pedestrian-ways.   |



- |                          |                          |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Location, dimensions and purpose of all easements.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Annotation of street geometrics for all horizontal curves, tangent lengths and corner radii.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Centerline profile and gradients for all streets, with vertical geometrics annotated on the plan profiles.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Typical cross section of proposed street improvements.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Minimum front and side street building setback lines.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 11. When lots are located on a curve, the width of the lot at the building setback line.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 12. Location and number of off-street parking spaces (guest, handicapped, bicycle, motorcycle, etc.) including typical dimensions of each. <i>Note: not required for single family residential developments.</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | 13. Other information as required and outlined in the City Plan Sheet Format Requirements.   |

☐ ***Final Tree Preservation Plan<sup>5</sup>:***

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**Sub:   Required:   Item:**

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Appropriate identification of the drawing(s) as the “final tree preservation plan.”  |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Administrative information as required for the Final Plat.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Final Tree Preservation Plan, prepared and signed by a Minnesota licensed forester or landscape architect, depicting the following information:  |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Tree inventory and survey, including a total listing of all healthy significant trees, all healthy significant trees to be removed and all healthy significant trees to remain. Information should be presented in both graphic (at a scale not less than one (1) inch equals one hundred (100) feet) and tabular form (charts listing significant trees by field tag number). |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. General description of the trees on the site not meeting the significant size threshold.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Locations of proposed buildings, structure, or impervious surfaces.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Delineation of all areas to be graded and limits of land disturbance.  |

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<sup>5</sup> All tree preservation plans shall be certified by a forester or landscape architect.

- |                          |                          |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Identification of all significant trees to be removed in the construction area, presented in both graphic and tabular form.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Measures to protect the significant trees that are to remain.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Size, species, number and location of all replacement trees proposed to be planted on the property in accordance with the Mitigation Plan, if necessary, presented in both graphic (at a scale not less than one (1) inch equals one hundred (100) feet) and tabular form. |

☐ ***Final Landscaping Plan<sup>6</sup>:***

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**Sub:   Required:   Item:**

- |                          |                          |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Appropriate identification of the drawing(s) as the “final landscaping plan.”   |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Administrative information as required for the Final Plat.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. The proposed location, size, quantity, and species of all existing and proposed plant materials as required in §154.258. Information should also be provided in tabular form. |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Methods for protecting existing trees and other landscape material, consistent with §154.257.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Proposed structural and ground cover materials.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Proposed provisions for irrigation and other water supplies. Irrigation plan must comply with the City Standard Specifications Standards.                                     |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. If required, proposed screening showing details and typical cross-sections.   |

☐ ***Ghost Plat*** (Note: Ghost Plat may be required dependent on potential future land uses of adjacent property as guided by the City’s Comprehensive Plan):

---

**Sub:   Required:   Item:**

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Appropriate identification of the drawing as a “ghost plat.”   |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Administrative information as required for the Final Plat.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Show potential future subdivision possibilities for the land if your proposal was approved (i.e. if you are not subdividing to the maximum density, how might the land be further divided in the future to reach the maximum density). |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Indicate how the proposed subdivision will relate to potential future subdivisions of adjacent properties (you may need to ghost plat development on adjacent properties to establish this relation).                                  |

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<sup>6</sup> All landscape plans shall be certified by a landscape architect.

☐ **Electronic files**


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**Sub:   Required:   Item:**

- |                          |                          |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. A flash drive must be submitted which includes electronic files for the written statements regarding the proposal, the plat and all associated plans. Staff can generally work with most file formats (.jpg or .pdf files are preferred). An electronic drop-box to access all project files and plans also are acceptable. |
|--------------------------|--------------------------|--|

**Sub:   Req:   Item:**

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 4. <b>Supplemental Information.</b> Depending upon the submittal, the following items may also be required:   |
| <input type="checkbox"/> | <input type="checkbox"/> | Feasibility report(s) for proposed individual on-site sewer and water systems. Such reports will be required with any future plat;  |
| <input type="checkbox"/> | <input type="checkbox"/> | Proposed protective covenants;  |
| <input type="checkbox"/> | <input type="checkbox"/> | Ten (10) copies of a context diagram that graphically depicts how the development plan relates to its surrounding neighborhood or community context including the pedestrian, bike, and street (vehicular access) network (existing and potential); |
| <input type="checkbox"/> | <input type="checkbox"/> | A Traffic Impact Study (TIS) (6 copies) prepared in accordance with State, County and/or City Engineering guidelines;   |
| <input type="checkbox"/> | <input type="checkbox"/> | A soil survey and report; Include a report indicating results of deep soil tests and percolation tests at the rate of no fewer than 2 successful test results for reach proposed septic disposal area (4) tests per lot.;                           |
| <input type="checkbox"/> | <input type="checkbox"/> | Signed letters of intent indicating that all required off-site easements and off-site rights-of-way necessary for the project could be negotiated and obtained;   |
| <input type="checkbox"/> | <input type="checkbox"/> | A hydrological/groundwater report;  |
| <input type="checkbox"/> | <input type="checkbox"/> | Any other special natural area or environmental study or report pursuant to Lake Elmo Code as requested by the City, if such exists or is deemed necessary;   |
| <input type="checkbox"/> | <input type="checkbox"/> | Any <b>other information</b> required by Staff, Commissioners, or Council Members necessary to provide a complete review of the preliminary plat and associated plans <sup>7</sup> . Additional items include:                                      |

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<sup>7</sup> Number of copies, size, and other such administrative details may also be imposed when requiring additional information.

**Sub:   Req:   Item:**

- ☐   ☐   **5. Variances:** If you are requesting variances in any portion of the submitted Final Plat, the City asks that you list each of the requested variances and provide an explanation as to why each is necessary and cannot be avoided. Additionally, you must provide written answers to the following questions:

- (1) Identify the unusual hardship on the land that necessitates the variance request; and
- (2) Explain the nature of the proposed use of land and the existing use of land in the vicinity of the property; and
- (3) Estimate the number of persons to reside or work in the proposed subdivision; and
- (4) Indicate the anticipated effect of the proposed subdivision upon traffic conditions in the vicinity.

**Sub:   Req:   Item:**

- ☐   ☐   **6. Additional Applications:** If your request involves a rezoning or a vacation request, additional applications and materials will be required.
- ☐   ☐   Zoning Map Amendment Application
- ☐   ☐   Vacation Application

Upon City Council approval of Final Plat, and before any construction commencing, a pre-construction meeting must occur for both grading and street utility construction. These meetings may be combined into one meeting provided all items on both check lists are completed. Pre-construction meetings may not occur before the City Council approves the Final Plat and Development Agreement.

**Checklist for Pre-Construction Conference for Grading**

1.   ☐   Payment of Development Fees
2.   ☐   Issuance of securities on City of Lake Elmo approved form
3.   ☐   Copy of Certificate of Insurance for both Developer and General Contractor identifying City of Lake Elmo as additional insured on City of Lake Elmo approved form
4.   ☐   Copy of NPDES card
5.   ☐   Grading specifications
6.   ☐   Proposed construction schedule

7. ☐ List of subcontractors and contacts
8. ☐ List of materials and suppliers

Prior to grading operations commencing, contractor shall install all perimeter erosion control and other required erosion control best management practices and have the site inspected and approved by the City of Lake Elmo's Field Inspector or Observer.

#### **Checklist for Pre-Construction Conference for Streets and Utilities**

1. ☐ Payment of Development Fees
2. ☐ Issuance of securities on City of Lake Elmo approved form
3. ☐ Copy of Certificate of Insurance for both Developer and General Contractor identifying City of Lake Elmo as additional insured on City of Lake Elmo approved form
4. ☐ Approved construction plans and specifications. (Note: these may not be the same as the approved Final Plat Street and Utility Plans. Questions about construction plans and specifications should be directed to the City Engineer)
5. ☐ Minnesota Department of Health Watermain Permit
6. ☐ Minnesota Pollution Control Agency Sanitary Sewer Extension Permit
7. ☐ Proposed construction schedule
8. ☐ List of subcontractors and contacts
9. ☐ List of materials and suppliers

State Statutes provide City staff with fifteen (15) business days to review an application to determine if it is complete. Applications found to be incomplete will be returned to the applicant. Please contact staff at (651) 747-3900 if you have any questions.

Thank you!

*This handout last updated on 1/15/2020*



**PUBLIC WORKS DEPARTMENT  
SURVEY & LAND MANAGEMENT  
DIVISION**

**Donald J. Theisen, P.E.**  
Director

**Michael J. Welling, P.L.S.**  
County Surveyor/Division Manager

Washington County Government Center • 14949 62nd Street North • P.O. Box 6 • Stillwater, MN 55082  
Phone 651-430-6875 • Fax 651-430-6888 • TTY 651-430-6246

Date of request \_\_\_\_\_

Parcel Search File No. \_\_\_\_\_

**REQUEST FOR SURROUNDING PROPERTY OWNERS AND ADDRESSES**

Requested by: Name \_\_\_\_\_  
Business \_\_\_\_\_  
Street address \_\_\_\_\_  
City/State/Zip code \_\_\_\_\_

Daytime Phone (     ) \_\_\_\_\_

List of owner names and addresses for parcels located within \_\_\_\_\_ feet of:

Parcel ID (if known) \_\_\_\_\_  
Owner's Name \_\_\_\_\_  
Street address of subject parcel \_\_\_\_\_  
City or Township \_\_\_\_\_

Date needed: \_\_\_\_\_

Mail report \_\_\_\_\_ Pick up report \_\_\_\_\_

Mailing labels: Yes \_\_\_\_\_ No \_\_\_\_\_

# of sets of labels: \_\_\_\_\_

**PARCEL SEARCH FEES**

1st 25 parcels, including subject parcel (\$50.00) \$ \_\_\_\_\_

1 sheet of 30 labels (\$1.00/set) \_\_\_\_\_

Postage, if parcel search is mailed (\$2.00) \_\_\_\_\_

Fee, if parcel search is faxed (\$2.00) \_\_\_\_\_

Completion date \_\_\_\_\_

Service Rep \_\_\_\_\_

Total # of parcels \_\_\_\_\_

Total # of labels \_\_\_\_\_

# of additional parcels \_\_\_\_\_ x .50 = \$ \_\_\_\_\_

# of add'l sheets of labels \_\_\_\_\_ x 1.00 = \_\_\_\_\_

**Amount due:** \$ \_\_\_\_\_

Visa/MC \_\_\_\_\_ Check/Cash \_\_\_\_\_ Invoice \_\_\_\_\_

Payment date \_\_\_\_\_ Payment received by \_\_\_\_\_

THIS INFORMATION WAS COMPILED FROM WASHINGTON COUNTY SURVEYOR MAPS AND COUNTY ASSESSOR DATA FILES. THE SURVEYOR'S OFFICE IS NOT RESPONSIBLE FOR ANY INACCURACIES IN THE INFORMATION RELIED UPON IN THIS PARCEL SEARCH.



## City of Lake Elmo

### Escrow Agreement for Municipal Review Services

### Deposit Agreement

**THIS AGREEMENT** is made this 24th day of September 2021, by the Applicant and Owner (hereinafter individually and collectively referred to as "Applicant") in favor of the City of Lake Elmo, a municipal corporation of Minnesota (hereinafter referred to as "City").

A. "Applicant" whose name and address is:

U.S. Home Corporation d/b/a Lennar

16305 36th Avenue North, Suite 600

Plymouth, MN 55446

B. "Owner" whose name and address is:

H.C. Golf Land, LLC

941 Hillwind Road NE, Suite 301

Fridley, MN 55432

#### RECITALS

**WHEREAS**, the Applicant has applied to the City for approval for one or more of the following:  
(Circle One)

- |                                     |    |                          |
|-------------------------------------|----|--------------------------|
| <input type="checkbox"/>            | 1. | Concept / Sketch Plan    |
| <input type="checkbox"/>            | 2. | Preliminary Plat         |
| <input checked="" type="checkbox"/> | 3. | Final Plat               |
| <input type="checkbox"/>            | 4. | Planned Unit Development |
| <input type="checkbox"/>            | 5. | Open Space Development   |
| <input type="checkbox"/>            | 6. | Conditional Use Permit   |
| <input type="checkbox"/>            | 7. | Commercial Zoning / Use  |
| <input type="checkbox"/>            | 8. | EAW Review               |

**WHEREAS**, the Applicant acknowledges the receipt of benefit to the property, from the City's technical and compliance review of the application; and

**WHEREAS**, under authority granted to it, including Minnesota Statutes Chapters 412 and 462, the City will process the application on the condition that the Applicant enter into this Deposit Agreement, which agreement defines certain duties and responsibilities of the Applicant, as well as the City; and the Applicant shall provide cash to the City in the amount satisfactory to the City; and provide security to the City for the payment of all review costs incurred by the City.

**NOW THEREFORE**, the City and Applicant agree as follows:

1. **Requirement.** The Applicant is required to make the necessary deposits prior to the process of municipal planning, public works, legal & engineering review commences.
2. **Review Process.** Applicant acknowledges and agrees that the City shall commence to review and process the review request checked above at such a time that this Agreement is executed by all parties and the cash required for the specific review is deposited and posted by the City's Finance Department. The City may provide a review completion schedule to the Applicant at the time of deposit. The City reserves the right to modify the schedule based on the completeness of the application, the need for additional information for review, or revisions to the application that may occur during the scheduled review.
3. **Use of Deposited Funds.** The City may draw upon the deposits to pay the costs it incurs in connection with reviewing the application. The City shall determine all of its costs, including both administrative and consulting services, at the rates charged by the City or its consultants, determined according to the City's adopted fee schedule. A copy of the current administrative and consulting rates is attached as Exhibit "A", which rates are subject to change by the City, without notice to the Applicant. Exhibit "A" should not be construed as an exhaustive list of consultants and Applicants shall be responsible for all other consulting fees related to the application. The City shall provide Applicant with the applicable rates for consultants used in the review prior to commencement. This Agreement does not pertain to ancillary charges incurred by reviewing of other governmental bodies, including but not limited to, Soil & Water Conservation Districts, Washington County Government, Water Shed, or any other unit of government that may, by right, have review authority.
4. **Conditions of Deposit.** The following stipulations and conditions shall apply to the deposit account for review services contemplated under this Agreement.
  - a. Payment shall be made to City consultants, included but not limited to legal and planning, in the amounts billed to the City, according to consulting rates in effect at the time of the execution of the agreement. Such consulting deemed necessary for the proper review of the application shall be at a usual and customary rate as it relates to the subject matter of the application for payment as determined by the City.
  - b. The City shall reimburse itself from deposit accounts for all costs and expense incurred by the City in connection with the implementation and enforcement of this Agreement. Reimbursement shall occur on a monthly basis and the City's Finance Department shall notify Applicant of the reimbursement via account reconciliation report.
  - c. The City shall not be responsible for paying any interest on the money deposited under the Agreement.
  - d. If in the discretion of both the City's Finance Department and the Community Development Department, there is deemed to be an inadequate balance in the deposit account to pay for all fees and costs incurred by the City, the City will notify the Applicant for the need for an additional deposit. The total of the additional deposit shall be calculated by City staff based on the amount of work yet to be completed in the review of the application. Applicant



agrees to make the additional deposit within (10) days of a receipt of such notice. For purposes hereof, receipt of notice shall be deemed made upon the depositing of the notice in the U.S. Mail, postage paid. In the event, the Applicant fails to make the additional deposit with (10) days of receipt of the notice, the City will terminate its review process and not re-commence until the appropriate deposit is made and posted by the City's Finance Department.

e. No applications will be processed or forwarded to the appropriate governing reviewing body by the City until all amounts due under this Agreement have been paid in full.

5. **Positive Balance in Escrow Accounts.** Upon the happening of any of the following events, the balance in the deposit account less outstanding fees shall be paid to the Applicant within (90) days of receipt by the City of a written request by the Applicant for payment: (1) completion of the development process; or (2) the application is withdrawn by the Application; (3) the applicant is denied by the City for any reason.
6. **Deposit Amounts.** The initial deposit amount contemplated for each the purposes described under the Agreement, which may be revised by the City from time to time, are set forth for Exhibit "B" attached hereto.
7. **Accounting.** If there has been activity in the account, the City will provide a monthly accounting of all expenses charged against the account or when requested by the Applicant. An accounting will also be provided when the City notices the need for an additional escrow deposit.
8. **Terms of Breach.** In the event of any terms of this Agreement are breached by the Applicant, including, but not limited to failure to make additional deposits when required by the City, the City may cease processing any application submitted by the Applicant or order the Applicant to cease any further development or progress under the terms of this Agreement, or both. Applicant indemnifies and holds the City harmless from any liability, claim, action or suit by or any obligation to the Applicant arising from or in connection with the City exercising or enforcing the terms and conditions of this Agreement or action on the Application. The Applicant shall pay all costs and expenses, including reasonable attorney fees and suit costs, incurred by the City arising from or in connection with the City any terms and conditions of this Agreement.
9. **Validity.** If any portion, section, subsection, sentence, clause, paragraph or phrase of this Agreement is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portion of this Agreement.
10. **Binding Agreement.** The parties mutually recognize and agree that all terms and conditions of this Agreement shall run with the land herein described and shall be binding upon the heirs, successors, administrators and assigns of the parties referenced in this Agreement.
11. **Amendments.** The terms of this Agreement shall not be amended without the written consent of the City and all parties hereto.

[ Signature Page Follows ]

OWNER:

By: [Signature]  
Its: 15

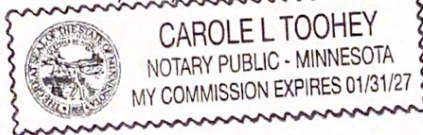
By: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF MINNESOTA )  
COUNTY OF WASHINGTON ) ss.  
Hennepin )

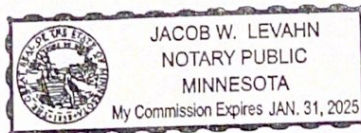
On this 24<sup>th</sup> day of September, 2021, before me a Notary Public within and for said County, personally appeared John Doe and \_\_\_\_\_ to me personally known, to be the person described in and who executed the foregoing instrument and acknowledged that he / she / ~~they executed that same~~ as his / her / their free act and deed.



Notary Public

[illegible]

On this 21 day of Sept, 2011, before me a Notary Public within and for said County, personally appeared Joe Leblond and \_\_\_\_\_ to me personally known, to be the person described in and who executed the foregoing instrument and acknowledged that he / she / they executed that same as his / her / their free act and deed.



as his / her / their free act and deed.

Paul M. Belcher  
Notary Public

**CITY OF LAKE ELMO**

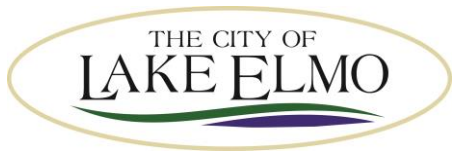
\_\_\_\_\_  
By: Kristina Handt  
Its: City Administrator

\_\_\_\_\_  
Attest: Julie Johnson, City Clerk

STATE OF MINNESOTA        )  
  ) ss.  
COUNTY OF WASHINGTON    )

On this \_\_\_\_ day of \_\_\_\_\_, 201 , before me a Notary Public within and for said County, personally appeared \_\_\_\_\_ and \_\_\_\_\_ to me personally known, to be the person described in and who executed the foregoing instrument and acknowledged that he / she/ they executed that same as his / her / their free act and deed.

\_\_\_\_\_  
Notary Public



Lake Elmo City Hall  
651-747-3900  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

## **ACKNOWLEDGEMENT OF RESPONSIBILITY**

This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application.

I have read and understand the instructions supplied for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I will keep myself informed of the deadlines for submission of material and of the progress of this application.

I understand that this application may be reviewed by City staff and consultants. I further understand that additional information, including, but not limited to, traffic analysis and expert testimony may be required for review of this application. I agree to pay to the City upon demand, expenses, determined by the City, that the City incurs in reviewing this application and shall provide an escrow deposit to the City in an amount to be determined by the City. Said expenses shall include, but are not limited to, staff time, engineering, legal expenses and other consultant expenses.

I agree to allow access by City personnel to the property for purposes of review of my application.

Signature of applicant Melissa Duce Date September 24, 2021

Name of applicant Melissa Duce Phone 651-261-8273  
(Please Print)

Name and address of Contact (if other than applicant) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_





Lake Elmo City Hall  
651-747-3900  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

## **AFFIRMATION OF SUFFICIENT INTEREST**

I hereby affirm that **I am the fee title owner** of the below described property or that I have written authorization from the owner to pursue the described action.

Name of applicant Joel T. LeKahn  
(Please Print)

Street address/legal description of subject property \_\_\_\_\_  
Outlot B, The Royal Golf Club at Lake Elmo, Washington County, Minnesota

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Signature]  
Signature

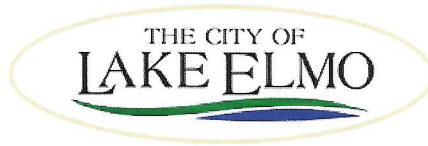
9/24/21  
Date

**If you are not the fee owner**, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

**If a corporation is fee title holder**, attach a copy of the resolution of the Board of Directors authorizing this action.

**If a joint venture or partnership is the fee owner**, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.

Date Received: \_\_\_\_\_  
Received By: \_\_\_\_\_  
LU File #: \_\_\_\_\_



651-747-3900  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

## ***FINAL PLAT APPLICATION***

Applicant: U.S. Home Corporation d/b/a Lennar

Address: 16305 36th Avenue North, Suite 600, Plymouth MN 55446

Phone #: 651-261-8273

Email Address: melissa.duce@lennar.com

Fee Owner: Royal Development, Inc.

Address: 11455 20th Street North, Lake Elmo MN 55042

Phone #: 651-414-1948

Email Address: jfelten@royalclubmn.com

Property Location (Address): SEC of 20th Street North and Lake Elmo Avenue North

Complete (long) Legal Description: \_\_\_\_\_  
Outlot C The Royal Golf club at Lake Elmo 3rd Addition, Washington County Minnesota

PID#: 25-029-21-22-0002

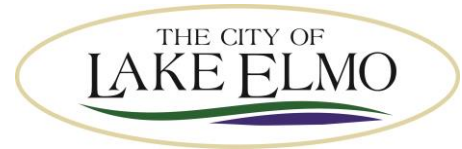
General information of proposed subdivision: Creation of outlot plat for conveyance purposes.

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning Ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: Melissa Duce Date: October 8, 2021

Fee Owner Signature: [Signature] Date: 10/8/21





## **FINAL PLAT APPLICATION REQUIREMENTS<sup>1</sup>**

### **All Subdivisions of Land creating four (4) or more lots**

This handout is intended to provide guidance on putting together and submitting a Final Plat application for the subdivision of property in Lake Elmo. The purpose of the Final Plat is to incorporate all conditions placed on the Preliminary Plat application into the final plans, and to finalize all documentation for legal recording at the County. This steps completes the subdivision process.

In order to have your Final Plat application be complete and reviewed in a timely fashion, there are a number of steps that must be followed:

1. **Pre-submittal Meeting:** Contact City Staff to discuss the status of any outstanding Preliminary Plat conditions, to discuss the requirements for Final Plat application submittal and obtain another land use application.
2. **Final Plat Submittal:** Prepare an informational packet (described herein) that fulfills the Final Plat submittal requirements. Providing a detailed and thorough application packet will greatly reduce the overall review time. Submit your completed packet to Staff to initiate review.
3. **Completeness Review:** Staff will examine your submittal to determine if the application is complete, and contact you if additional information is required or was omitted. It is to your advantage to submit your materials as early as possible so Staff can assist you in meeting all requirements. Applications found to be incomplete will be returned to the applicant.<sup>2</sup>
4. **Final Plat Review/Processing:** Staff will process completed applications. This process typically requires at least one applicant revision and resubmittal of plans to work through review comments. The process may also include additional applicant meetings, requesting review comments from partnering agencies, and writing reports.
5. **City Council Meeting:** Once the plans are revised to fully meet the Zoning and Subdivision Ordinance and Engineering Design Standards as outlined by Staff, planning and engineering reports are prepared and the item is scheduled for the next available City Council meeting (1<sup>st</sup> or 3<sup>rd</sup> Tuesday of the month<sup>3</sup>). If the proposed final plat has significant changes from the approved preliminary plat, the City requires the Planning Commission to make a recommendation about the proposal before the City Council considers the final plat.

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<sup>1</sup> The information provided in this document is intended to be a correct statement of the law as set forth in the Lake Elmo City Code and the laws of the State of Minnesota. However, the applicant should refer to the actual sources and consult with their own legal advisor regarding applicability to their application. In providing this information, the City makes no representations nor provides any legal advice or opinion.

<sup>2</sup> Minnesota State Statute 15.99 requires local governments to review an application within 15 business days of its submission to determine if an application is complete and/or if additional information is needed to adequately review the subject request.

<sup>3</sup> Staff will determine when applications are reviewed based on the time needed to review the application and the number of items already scheduled on future agendas. Please note that meeting dates are ange due to holidays, lack of quorum, etc. Please contact City Hall to confirm all dates and times.

6. **Revisions:** If needed, the applicant revises the Final Plat to address City staff recommendation(s) and any outstanding review comments before City Council consideration.
7. **City Council Meeting:** Once the plans are finalized and ready for the City Council's consideration, staff reports are prepared and the Final Plat is placed on the next available City Council meeting agenda (1<sup>st</sup> or 3<sup>rd</sup> Tuesday of the month<sup>3</sup>). Applicants are advised to attend both the Planning Commission and City Council meetings and be open to questions regarding the request.
8. **Decision:** The City Council will review the request and either grant or deny the Final Plat.
9. **Title Work:** If the Final Plat application is approved by the City Council, all title work must be reviewed and approved by the City Attorney before the plat is recorded by the County. The applicant shall provide evidence in a form satisfactory to the City Attorney that he/she has fee interest in the subject property.

Above all else, it is imperative that an applicant begin preparations as early as possible and to ensure that a complete application is submitted. Review by the Planning Commission will not occur until at least three weeks have passed from when the City has deemed the application complete.

**Final Plat Fees:** The City Council has established a **non-refundable fee**<sup>4</sup> for processing Final Plat applications. Please see the current fee schedule on our website. In addition, the City requires that the applicant enter into an Escrow Agreement with the City and post an \$8,000 escrow to reimburse the City for all technical planning, engineering, public works and legal review.

You will find that a great deal of the information requested for a Final Plat application matches the requirements for Preliminary Plat application submittal. While we have your original applications, the City does require that all applicants submit a new and complete application at every stage of the development process (updating information as needed). This allows us to track changes as the application progresses through the various levels of review. With this in mind, the following materials must be submitted prior to deeming an application complete:

**Sub:   Req:   Item:**

- |                          |                          |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. <b>A completed land use application form</b> signed by <b>all</b> property owners along with payment of the proper filing fee, escrow and escrow agreement. |
|--------------------------|--------------------------|--|

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<sup>4</sup> Applicant is also responsible for any additional fees incurred by the City (i.e. engineering, planning, postage, legal expenses, et cetera).



- ☐ ☐ 2. **Written statements** providing information regarding your proposal. Please provide a separate answer for each of the lettered items listed below (answers must be submitted in both hard copy and electronic form-- MS Word format or PDF):
- a. A listing of contact information including name(s), address(es) and phone number(s) of: the owner of record, authorized agents or representatives, engineer, surveyor, and any other relevant associates.
  - b. A listing of the following site data: Address, current zoning, parcel size in acres and square feet, property identification number(s) (PID), and current legal description(s).
  - c. Final Subdivision and Lot Information:
    - i. The name of the Final Plat.
    - ii. A table listing the lot and block number, size of lot, width of lot, and depth of lot.
    - iii. Final exact area calculations of parks, trails, and any other dedicated public open space; and estimated values of all dedicated land and improvements (trails, park equipment, sports fields, etc.).
    - iv. Final exact area calculations of wetlands and buffers.
    - v. Final proposed area calculations for all dedicated right-of-ways.
    - vi. Proposed legal descriptions for: all lots, easements to be created (if not being dedicated on the plat), and easements to be vacated (if any).
  - d. An explanation of how issues have been addressed since the Preliminary Plat phase of the development.
  - e. A statement showing the final density of the project with the method of calculating said density shown.
  - f. Discuss proposed infrastructure improvements and phasing thereof (i.e. proposed roadways, sewer systems, water systems, sidewalks/trails, parking, etc) necessary to serve the subdivision.
  - g. If applicable, a narrative addressing how concerns/issues raised by neighboring properties have been addressed (discussing your proposal with the neighboring land owners is recommended to get a sense of what issues may arise as your application is processed).
  - h. If applicable, a description of how conflicts with nearby land uses (livability, value, potential future development, etc.) and/or disturbances to wetlands or natural areas are being avoided or mitigated.
  - i. Provide justification that the proposal will not place an excessive burden on roads (traffic), sewage, water supply, parks, schools, fire, police, or other public facilities/services (including traffic flows) in the area.

***Written statements continued:***

- j. If applicable, provide a description of proposed lakeshore access (i.e. shared dock with multiple slips, individual docks for each lot, etc.).
- k. A description of proposed parks and/or open space, including a brief statement of the overall land dedication of fees to be paid in lieu of land dedication that meets the public land dedication requirements of the Subdivision Ordinance.
- l. A proposed development schedule indicating the approximate date when construction of the project, or stages of the same, can be expected to begin and be completed (including the proposed phasing of construction of public improvements and recreational and common space areas).

☐☐

- 3. Plat & Associated Plans:** Ten (10) packets of reduced size (11x17) and five (5) packets of full plan size (24x36) containing each of the following required pieces of information depicting the proposed subdivision. Each document shall be at a consistent, readable, and measurable engineering scale, include a title and a page number (Sheet 1 of 5±, Sheet 2 of 5±, et cetera), ). Staff will assist you in determining what is required. The plan sets will not be considered complete unless all required elements are included. Additionally, each of the packet items must be submitted in an electronic format (.jpg, .pdf, etc.) for use in presentations.

The following pages outline the information that is required to deem your application complete.

Please refer to the City's Engineering Design and Construction Standards Manual to ensure compliance prior to submitting plans.

☐ **Final Plat:**


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**Sub:   Required:   Item:**

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <p>1. <b>Administrative Information:</b></p> <ul style="list-style-type: none"> <li>▪ <i>Appropriate identification of the drawing (i.e. final plat, grading plan, etc).</i></li> <li>▪ <i>Name of the subdivision, which shall not duplicate or too closely approximate the name of any existing platted subdivision in Washington County. Proposed names must be verified by the Washington County Recorder.</i></li> <li>▪ <i>Signature of surveyor, engineer, landscape architect, and all other professionals certifying the documents.</i></li> <li>▪ <i>Date of plan preparation with revision date(s) (if any).</i></li> <li>▪ <i>Graphic scale and true north arrow(engineering scale only, not less than one (1) inch equals one hundred (100) feet.</i></li> <li>▪ <i>A complete Legend depicting all line types and symbols used within the plans.</i></li> </ul> |
| <input type="checkbox"/> | <input type="checkbox"/> | <p>2. <b>General Property Information:</b></p> <ul style="list-style-type: none"> <li>▪ <i>Address(es) and PID(s) for the subject property.</i></li> <li>▪ <i>Existing legal description(s) for the subject property.</i></li> <li>▪ <i>Existing parcel boundaries shown with survey measurement data matching the existing legal description of the parcel of land to be platted.</i></li> <li>▪ <i>Date of survey.</i></li> <li>▪ <i>Name, address, and phone number of landowner (and subdivider if not the same)</i></li> <li>▪ <i>Name, address, and phone number of engineer, surveyor, landscape architect, or land planner preparing the plat (include registration #'s)</i></li> </ul>   |
| <input type="checkbox"/> | <input type="checkbox"/> | <p>3. Indication of the gross area being subdivided and the proposed number of lots shown in square feet and acres.</p>   |
| <input type="checkbox"/> | <input type="checkbox"/> | <p>4. Existing site improvements within the parcel of land to be platted and for a distance of 150 feet outside of the parcel boundaries.</p>   |
| <input type="checkbox"/> | <input type="checkbox"/> | <p>5. Zoning district(s) of the land being subdivided (if more than one zoning district, zoning boundary lines must be shown) and proposed future zoning for the subdivided land.</p>   |

- ☐ ☐ 6. Layout of proposed lots with future lot and block numbers. The boundary lines of the subdivision should be clearly distinguishable from other property lines. Denote outlots planned for public dedication and/or open space (schools, parks, trails, stormwater ponds, etc.).
- ☐ ☐ 7. Layout of existing property lines if (different from proposed lot lines). Existing lot lines should be easily distinguishable from the proposed lot lines and not be a prominent feature on the plat.
- ☐ ☐ 8. Denote the area within each of the proposed parcels (in the appropriate units of acres and/or square feet)
- ☐ ☐ 9. Existing contours at intervals of two feet. Contours must extend a minimum of 150 feet beyond the boundary of the parcel(s) in question.
- ☐ ☐ 10. Delineation of wetlands and/or watercourses on the plat and within 150 feet of the perimeter of the subdivision parcel. The ordinary high water elevation and the 100 year flood elevation shall be shown for all existing water bodies.
- ☐ ☐ 11. Location, width, and names of existing and proposed streets within and immediately adjacent to the subdivision parcel, showing pavement type and width.
- ☐ ☐ 12. All easements of record within or adjacent to the plat.
- ☐ ☐ 13. Lines establishing the buildable area on each lot (setbacks)
- ☐ ☐ 14. Boundary lines of adjoining parcels within three hundred fifty (350) feet beyond the plat. Individual parcels shall be identified by name and ownership including all contiguous land owned or controlled by the subdivider.
- ☐ ☐ 15. Location and dimensions of existing buildings or significant above ground structures on or within one hundred and fifty (150) feet of the outer plat boundary.
- ☐ ☐ 16. Location of any unique natural and/or historic features (if any)

☐ ***Final Grading, Drainage & Erosion Control Plan:***

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**Sub:   Required:   Item:**

- ☐ ☐ 1. Appropriate identification of the drawing as a “final grading, drainage and erosion control plan.”
- ☐ ☐ 2. Administrative information as required for the Final Plat.

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Final Grading Plan: The developer shall submit a final grading, drainage and erosion control plan utilizing a copy of the current certificate of survey as a base for the site in question, prepared and signed by a Minnesota licensed engineer, depicting the following information:         |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. North arrow and date of preparation.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Graphic Scale (engineering scale only, not less than one (1) inch equals fifth (50) feet).   |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. For each lot, provide lot and block numbers, easement locations, building pad location, building type and proposed building first floor elevation, low floor elevation and elevation at garage slab.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Stormwater Management Plan, with a narrative, including the configuration of drainage areas and calculations that meet the requirements of the City Code and City Engineering Stormwater Management Requirements and/or applicable Watershed Standards.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Location of all natural features on the tract. Natural features are considered to include, but are not limited to the following: tree lines, wetlands, ponds, lakes, streams, drainage channels, bluffs, steep slopes, etc.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. All delineated Wetlands and watercourse buffers per the City and Watershed standards; and wetland replacement plan, if needed.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Location of all existing storm sewer facilities, including pipes, manholes, catch basins, ponds, swales, and drainage channels within one hundred fifty (150) feet of the tract. Existing pipe type, grades, rim and invert elevations and normal and high water elevations must be included. |
| <input type="checkbox"/> | <input type="checkbox"/> | 11. Normal water level (NWL) and 100-year high water level (100-year HWL) for all water bodies, existing and proposed.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 12. Spot elevations at drainage break points and emergency overflows (in BOLD) with directional arrows indicating site, swale and lot drainage.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 13. Retaining Walls (wall heights and elevations).  |
| <input type="checkbox"/> | <input type="checkbox"/> | 14. Locations, grades, rim and invert elevations of all storm sewer facilities, including ponds and BMP's proposed to serve the tract.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 15. Locations and elevations of all street high and low points.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 16. Street grades shown.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 17. Provide phasing plan for site grading.  |

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|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 18. All soil erosion and sediment control measures to be incorporated during and after construction must be shown. Locations and standard detail plates for each measure must be included on the plan using Lake Elmo city standard details. Plan must meet the requirements of MPCA General Permit Construction Activity. |
| <input type="checkbox"/> | <input type="checkbox"/> | 19. All revegetation measures proposed for the tract, including seed and mulch types and application rates must be included on the plan.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 20. Existing contours at two (2) foot intervals shown as dashed lines (may be prepared by a Minnesota licensed surveyor). Existing contours shall extend one hundred fifty (150) feet outside of the tract.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 21. Proposed grade elevations at two (2) foot intervals shown as solid lines.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 22. Other information as required and outlined in the City Plan Sheet Format Requirements.   |

☐ ***Final Utility Plan:***

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**Sub:   Required:   Item:**

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Appropriate identification of the drawing as a “final utility plan.”   |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Administrative information as required for the Final Plat.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Final Utility Plan, prepared and signed by a Minnesota licensed engineer, depicting the following information:   |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Easements: Location, dimension and purpose of all utility easements.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Underground and Overhead Facilities: Location and size of existing utilities including sewers, water mains, culverts, gas, electric, phone, cable, fiberoptic, utility poles or other underground facilities within the tract and to a distance of one hundred fifty (150) feet beyond the tract. Such data as grades, invert elevations, and location of catch basins, manholes and hydrants shall also be shown. |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Proposed utility plans including sanitary sewer, watermain, and storm sewer, all in accordance with the current City of Lake Elmo engineering design standards manual.   |

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Water Supply, Public: Water mains shall be provided to serve the subdivision by extension of an existing community system wherever feasible. Service connections shall be stubbed to the property line. Extensions of the public water supply system shall be designed so as to provide public water in accordance with the engineering design standards as approved by the City Engineer and in accordance with the City's Comprehensive Water Plan. The Final Utility Plan shall indicate the location of all hydrants and valves. |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Water Supply, Private: In areas where public water supply is not available, individual wells shall be provided on each lot, properly placed in relationship to the individual sewage disposal facilities. Well plans must comply with the State Well Code, as may be amended, and be submitted for the approval of the City Engineer.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Sewage Disposal, Public: Sanitary sewer laterals and service connections shall be installed in accordance with the design standards of the City as approved by the City Engineer. The Final Utility Plan shall provide the locations, grades, rim and invert elevations, and sizes of all proposed sanitary sewer facilities to serve the tract. Demonstration of two separate and distinct land area of at least 10,000 square feet suitable for septic drainfields is required.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Sewage Disposal, Private: All individual sewage treatment systems shall be installed in accordance with all applicable State, County, and City requirements.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 11. Other information as required and outlined in the City Plan Sheet Format Requirements.  |

☐ ***Final Street & Storm Sewer Plan:***

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**Sub:   Required:   Item:**

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|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Appropriate identification of the drawing as a "final street & storm sewer plan."   |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Administrative information as required for the preliminary plat.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Final Street and Storm Sewer Plan, prepared and signed by a Minnesota licensed engineer, depicting the following information:   |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Layout of proposed streets showing the proposed lot lines, right-of-way widths, and proposed names of streets in conformance with the County Uniform Street Naming and Addressing System. |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Locations and widths of proposed streets, alleys and pedestrian-ways.   |

- |                          |                          |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Location, dimensions and purpose of all easements.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Annotation of street geometrics for all horizontal curves, tangent lengths and corner radii.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Centerline profile and gradients for all streets, with vertical geometrics annotated on the plan profiles.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Typical cross section of proposed street improvements.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Minimum front and side street building setback lines.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 11. When lots are located on a curve, the width of the lot at the building setback line.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 12. Location and number of off-street parking spaces (guest, handicapped, bicycle, motorcycle, etc.) including typical dimensions of each. <i>Note: not required for single family residential developments.</i> |
| <input type="checkbox"/> | <input type="checkbox"/> | 13. Other information as required and outlined in the City Plan Sheet Format Requirements.   |

☐ ***Final Tree Preservation Plan<sup>5</sup>:***

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**Sub:   Required:   Item:**

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|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Appropriate identification of the drawing(s) as the “final tree preservation plan.”  |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Administrative information as required for the Final Plat.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Final Tree Preservation Plan, prepared and signed by a Minnesota licensed forester or landscape architect, depicting the following information:  |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Tree inventory and survey, including a total listing of all healthy significant trees, all healthy significant trees to be removed and all healthy significant trees to remain. Information should be presented in both graphic (at a scale not less than one (1) inch equals one hundred (100) feet) and tabular form (charts listing significant trees by field tag number). |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. General description of the trees on the site not meeting the significant size threshold.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Locations of proposed buildings, structure, or impervious surfaces.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Delineation of all areas to be graded and limits of land disturbance.  |

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<sup>5</sup> All tree preservation plans shall be certified by a forester or landscape architect.



- |                          |                          |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Identification of all significant trees to be removed in the construction area, presented in both graphic and tabular form.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. Measures to protect the significant trees that are to remain.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Size, species, number and location of all replacement trees proposed to be planted on the property in accordance with the Mitigation Plan, if necessary, presented in both graphic (at a scale not less than one (1) inch equals one hundred (100) feet) and tabular form. |

☐ ***Final Landscaping Plan<sup>6</sup>:***

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**Sub:   Required:   Item:**

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|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Appropriate identification of the drawing(s) as the “final landscaping plan.”   |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Administrative information as required for the Final Plat.  |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. The proposed location, size, quantity, and species of all existing and proposed plant materials as required in §154.258. Information should also be provided in tabular form. |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Methods for protecting existing trees and other landscape material, consistent with §154.257.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Proposed structural and ground cover materials.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Proposed provisions for irrigation and other water supplies. Irrigation plan must comply with the City Standard Specifications Standards.                                     |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. If required, proposed screening showing details and typical cross-sections.   |

☐ ***Ghost Plat*** (Note: Ghost Plat may be required dependent on potential future land uses of adjacent property as guided by the City’s Comprehensive Plan):

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**Sub:   Required:   Item:**

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|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Appropriate identification of the drawing as a “ghost plat.”   |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Administrative information as required for the Final Plat.   |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Show potential future subdivision possibilities for the land if your proposal was approved (i.e. if you are not subdividing to the maximum density, how might the land be further divided in the future to reach the maximum density). |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Indicate how the proposed subdivision will relate to potential future subdivisions of adjacent properties (you may need to ghost plat development on adjacent properties to establish this relation).                                  |

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<sup>6</sup> All landscape plans shall be certified by a landscape architect.

☐ **Electronic files**


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**Sub:   Required:   Item:**

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|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. A flash drive must be submitted which includes electronic files for the written statements regarding the proposal, the plat and all associated plans. Staff can generally work with most file formats (.jpg or .pdf files are preferred). An electronic drop-box to access all project files and plans also are acceptable. |
|--------------------------|--------------------------|--|

**Sub:   Req:   Item:**

- |                          |                          |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 4. <b>Supplemental Information.</b> Depending upon the submittal, the following items may also be required:   |
| <input type="checkbox"/> | <input type="checkbox"/> | Feasibility report(s) for proposed individual on-site sewer and water systems. Such reports will be required with any future plat;  |
| <input type="checkbox"/> | <input type="checkbox"/> | Proposed protective covenants;  |
| <input type="checkbox"/> | <input type="checkbox"/> | Ten (10) copies of a context diagram that graphically depicts how the development plan relates to its surrounding neighborhood or community context including the pedestrian, bike, and street (vehicular access) network (existing and potential); |
| <input type="checkbox"/> | <input type="checkbox"/> | A Traffic Impact Study (TIS) (6 copies) prepared in accordance with State, County and/or City Engineering guidelines;   |
| <input type="checkbox"/> | <input type="checkbox"/> | A soil survey and report; Include a report indicating results of deep soil tests and percolation tests at the rate of no fewer than 2 successful test results for reach proposed septic disposal area (4) tests per lot.;                           |
| <input type="checkbox"/> | <input type="checkbox"/> | Signed letters of intent indicating that all required off-site easements and off-site rights-of-way necessary for the project could be negotiated and obtained;   |
| <input type="checkbox"/> | <input type="checkbox"/> | A hydrological/groundwater report;  |
| <input type="checkbox"/> | <input type="checkbox"/> | Any other special natural area or environmental study or report pursuant to Lake Elmo Code as requested by the City, if such exists or is deemed necessary;   |
| <input type="checkbox"/> | <input type="checkbox"/> | Any <b>other information</b> required by Staff, Commissioners, or Council Members necessary to provide a complete review of the preliminary plat and associated plans <sup>7</sup> . Additional items include:                                      |

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<sup>7</sup> Number of copies, size, and other such administrative details may also be imposed when requiring additional information.

**Sub:   Req:   Item:**

- ☐   ☐   **5. Variances:** If you are requesting variances in any portion of the submitted Final Plat, the City asks that you list each of the requested variances and provide an explanation as to why each is necessary and cannot be avoided. Additionally, you must provide written answers to the following questions:

- (1) Identify the unusual hardship on the land that necessitates the variance request; and
- (2) Explain the nature of the proposed use of land and the existing use of land in the vicinity of the property; and
- (3) Estimate the number of persons to reside or work in the proposed subdivision; and
- (4) Indicate the anticipated effect of the proposed subdivision upon traffic conditions in the vicinity.

**Sub:   Req:   Item:**

- ☐   ☐   **6. Additional Applications:** If your request involves a rezoning or a vacation request, additional applications and materials will be required.
- ☐   ☐   Zoning Map Amendment Application
- ☐   ☐   Vacation Application

Upon City Council approval of Final Plat, and before any construction commencing, a pre-construction meeting must occur for both grading and street utility construction. These meetings may be combined into one meeting provided all items on both check lists are completed. Pre-construction meetings may not occur before the City Council approves the Final Plat and Development Agreement.

**Checklist for Pre-Construction Conference for Grading**

1.   ☐   Payment of Development Fees
2.   ☐   Issuance of securities on City of Lake Elmo approved form
3.   ☐   Copy of Certificate of Insurance for both Developer and General Contractor identifying City of Lake Elmo as additional insured on City of Lake Elmo approved form
4.   ☐   Copy of NPDES card
5.   ☐   Grading specifications
6.   ☐   Proposed construction schedule

7. ☐ List of subcontractors and contacts
8. ☐ List of materials and suppliers

Prior to grading operations commencing, contractor shall install all perimeter erosion control and other required erosion control best management practices and have the site inspected and approved by the City of Lake Elmo's Field Inspector or Observer.

#### **Checklist for Pre-Construction Conference for Streets and Utilities**

1. ☐ Payment of Development Fees
2. ☐ Issuance of securities on City of Lake Elmo approved form
3. ☐ Copy of Certificate of Insurance for both Developer and General Contractor identifying City of Lake Elmo as additional insured on City of Lake Elmo approved form
4. ☐ Approved construction plans and specifications. (Note: these may not be the same as the approved Final Plat Street and Utility Plans. Questions about construction plans and specifications should be directed to the City Engineer)
5. ☐ Minnesota Department of Health Watermain Permit
6. ☐ Minnesota Pollution Control Agency Sanitary Sewer Extension Permit
7. ☐ Proposed construction schedule
8. ☐ List of subcontractors and contacts
9. ☐ List of materials and suppliers

State Statutes provide City staff with fifteen (15) business days to review an application to determine if it is complete. Applications found to be incomplete will be returned to the applicant. Please contact staff at (651) 747-3900 if you have any questions.

Thank you!

*This handout last updated on 1/15/2020*



**PUBLIC WORKS DEPARTMENT  
SURVEY & LAND MANAGEMENT  
DIVISION**

**Donald J. Theisen, P.E.**  
Director

**Michael J. Welling, P.L.S.**  
County Surveyor/Division Manager

Washington County Government Center • 14949 62nd Street North • P.O. Box 6 • Stillwater, MN 55082  
Phone 651-430-6875 • Fax 651-430-6888 • TTY 651-430-6246

Date of request \_\_\_\_\_

Parcel Search File No. \_\_\_\_\_

**REQUEST FOR SURROUNDING PROPERTY OWNERS AND ADDRESSES**

Requested by: Name \_\_\_\_\_  
Business \_\_\_\_\_  
Street address \_\_\_\_\_  
City/State/Zip code \_\_\_\_\_

Daytime Phone (     ) \_\_\_\_\_

List of owner names and addresses for parcels located within \_\_\_\_\_ feet of:

Parcel ID (if known) \_\_\_\_\_  
Owner's Name \_\_\_\_\_  
Street address of subject parcel \_\_\_\_\_  
City or Township \_\_\_\_\_

Date needed: \_\_\_\_\_

Mail report \_\_\_\_\_ Pick up report \_\_\_\_\_

Mailing labels: Yes \_\_\_\_\_ No \_\_\_\_\_

# of sets of labels: \_\_\_\_\_

**PARCEL SEARCH FEES**

1st 25 parcels, including subject parcel (\$50.00) \$ \_\_\_\_\_

1 sheet of 30 labels (\$1.00/set) \_\_\_\_\_

Postage, if parcel search is mailed (\$2.00) \_\_\_\_\_

Fee, if parcel search is faxed (\$2.00) \_\_\_\_\_

Completion date \_\_\_\_\_

Service Rep \_\_\_\_\_

Total # of parcels \_\_\_\_\_

Total # of labels \_\_\_\_\_

# of additional parcels \_\_\_\_\_ x .50 = \$ \_\_\_\_\_

# of add'l sheets of labels \_\_\_\_\_ x 1.00 = \_\_\_\_\_

**Amount due:** \$ \_\_\_\_\_

Visa/MC \_\_\_\_\_ Check/Cash \_\_\_\_\_ Invoice \_\_\_\_\_

Payment date \_\_\_\_\_ Payment received by \_\_\_\_\_

THIS INFORMATION WAS COMPILED FROM WASHINGTON COUNTY SURVEYOR MAPS AND COUNTY ASSESSOR DATA FILES. THE SURVEYOR'S OFFICE IS NOT RESPONSIBLE FOR ANY INACCURACIES IN THE INFORMATION RELIED UPON IN THIS PARCEL SEARCH.



**City of Lake Elmo**  
**Escrow Agreement for Municipal Review Services**  
**Deposit Agreement**

**THIS AGREEMENT** is made this 24th day of September 2021, by the Applicant and Owner (hereinafter individually and collectively referred to as "Applicant") in favor of the City of Lake Elmo, a municipal corporation of Minnesota (hereinafter referred to as "City").

A. "Applicant" whose name and address is:

U.S. Home Corporation, d/b/a Lennar  
16305 36th Avenue North, Suite 600  
Plymouth, MN 55446

B. "Owner" whose name and address is:

Royal Development, Inc.  
11455 20th Street North  
Lake Elmo, MN 55042

**RECITALS**

**WHEREAS**, the Applicant has applied to the City for approval for one or more of the following:  
(Circle One)

- |                                     |    |                          |
|-------------------------------------|----|--------------------------|
| <input type="checkbox"/>            | 1. | Concept / Sketch Plan    |
| <input type="checkbox"/>            | 2. | Preliminary Plat         |
| <input checked="" type="checkbox"/> | 3. | Final Plat               |
| <input type="checkbox"/>            | 4. | Planned Unit Development |
| <input type="checkbox"/>            | 5. | Open Space Development   |
| <input type="checkbox"/>            | 6. | Conditional Use Permit   |
| <input type="checkbox"/>            | 7. | Commercial Zoning / Use  |
| <input type="checkbox"/>            | 8. | EAW Review               |

**WHEREAS**, the Applicant acknowledges the receipt of benefit to the property, from the City's technical and compliance review of the application; and

**WHEREAS**, under authority granted to it, including Minnesota Statutes Chapters 412 and 462, the City will process the application on the condition that the Applicant enter into this Deposit Agreement, which agreement defines certain duties and responsibilities of the Applicant, as well as the City; and the Applicant shall provide cash to the City in the amount satisfactory to the City; and provide security to the City for the payment of all review costs incurred by the City.

**NOW THEREFORE**, the City and Applicant agree as follows:

1. **Requirement.** The Applicant is required to make the necessary deposits prior to the process of municipal planning, public works, legal & engineering review commences.
2. **Review Process.** Applicant acknowledges and agrees that the City shall commence to review and process the review request checked above at such a time that this Agreement is executed by all parties and the cash required for the specific review is deposited and posted by the City's Finance Department. The City may provide a review completion schedule to the Applicant at the time of deposit. The City reserves the right to modify the schedule based on the completeness of the application, the need for additional information for review, or revisions to the application that may occur during the scheduled review.
3. **Use of Deposited Funds.** The City may draw upon the deposits to pay the costs it incurs in connection with reviewing the application. The City shall determine all of its costs, including both administrative and consulting services, at the rates charged by the City or its consultants, determined according to the City's adopted fee schedule. A copy of the current administrative and consulting rates is attached as Exhibit "A", which rates are subject to change by the City, without notice to the Applicant. Exhibit "A" should not be construed as an exhaustive list of consultants and Applicants shall be responsible for all other consulting fees related to the application. The City shall provide Applicant with the applicable rates for consultants used in the review prior to commencement. This Agreement does not pertain to ancillary charges incurred by reviewing of other governmental bodies, including but not limited to, Soil & Water Conservation Districts, Washington County Government, Water Shed, or any other unit of government that may, by right, have review authority.
4. **Conditions of Deposit.** The following stipulations and conditions shall apply to the deposit account for review services contemplated under this Agreement.
  - a. Payment shall be made to City consultants, included but not limited to legal and planning, in the amounts billed to the City, according to consulting rates in effect at the time of the execution of the agreement. Such consulting deemed necessary for the proper review of the application shall be at a usual and customary rate as it relates to the subject matter of the application for payment as determined by the City.
  - b. The City shall reimburse itself from deposit accounts for all costs and expense incurred by the City in connection with the implementation and enforcement of this Agreement. Reimbursement shall occur on a monthly basis and the City's Finance Department shall notify Applicant of the reimbursement via account reconciliation report.
  - c. The City shall not be responsible for paying any interest on the money deposited under the Agreement.
  - d. If in the discretion of both the City's Finance Department and the Community Development Department, there is deemed to be an inadequate balance in the deposit account to pay for all fees and costs incurred by the City, the City will notify the Applicant for the need for an additional deposit. The total of the additional deposit shall be calculated by City staff based on the amount of work yet to be completed in the review of the application. Applicant

agrees to make the additional deposit within (10) days of a receipt of such notice. For purposes hereof, receipt of notice shall be deemed made upon the depositing of the notice in the U.S. Mail, postage paid. In the event, the Applicant fails to make the additional deposit with (10) days of receipt of the notice, the City will terminate its review process and not re-commence until the appropriate deposit is made and posted by the City's Finance Department.

e. No applications will be processed or forwarded to the appropriate governing reviewing body by the City until all amounts due under this Agreement have been paid in full.

5. **Positive Balance in Escrow Accounts.** Upon the happening of any of the following events, the balance in the deposit account less outstanding fees shall be paid to the Applicant within (90) days of receipt by the City of a written request by the Applicant for payment: (1) completion of the development process; or (2) the application is withdrawn by the Applicant; (3) the applicant is denied by the City for any reason.
6. **Deposit Amounts.** The initial deposit amount contemplated for each the purposes described under the Agreement, which may be revised by the City from time to time, are set forth for Exhibit "B" attached hereto.
7. **Accounting.** If there has been activity in the account, the City will provide a monthly accounting of all expenses charged against the account or when requested by the Applicant. An accounting will also be provided when the City notices the need for an additional escrow deposit.
8. **Terms of Breach.** In the event of any terms of this Agreement are breached by the Applicant, including, but not limited to failure to make additional deposits when required by the City, the City may cease processing any application submitted by the Applicant or order the Applicant to cease any further development or progress under the terms of this Agreement, or both. Applicant indemnifies and holds the City harmless from any liability, claim, action or suit by or any obligation to the Applicant arising from or in connection with the City exercising or enforcing the terms and conditions of this Agreement or action on the Application. The Applicant shall pay all costs and expenses, including reasonable attorney fees and suit costs, incurred by the City arising from or in connection with the City any terms and conditions of this Agreement.
9. **Validity.** If any portion, section, subsection, sentence, clause, paragraph or phrase of this Agreement is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portion of this Agreement.
10. **Binding Agreement.** The parties mutually recognize and agree that all terms and conditions of this Agreement shall run with the land herein described and shall be binding upon the heirs, successors, administrators and assigns of the parties referenced in this Agreement.
11. **Amendments.** The terms of this Agreement shall not be amended without the written consent of the City and all parties hereto.

[ Signature Page Follows ]



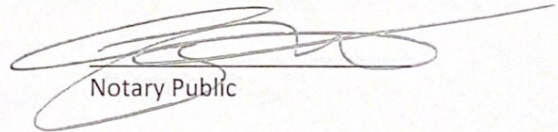
OWNER:

By: IF FELTEN  
Its: President

By: \_\_\_\_\_  
Its: \_\_\_\_\_

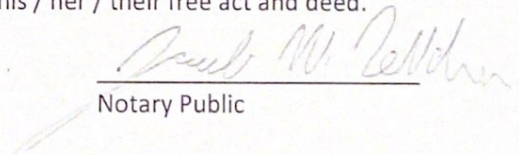
Hennepin ) SS  
COUNTY OF ~~WASHINGTON~~ )

On this 24<sup>th</sup> day of September, 201<sup>st</sup>, before me a Notary Public within and for said County, personally appeared John Doe and \_\_\_\_\_ to me personally known, to be the person described in and who executed the foregoing instrument and acknowledged that he / she / they executed that same as his / her / their free act and deed.



STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF WASHINGTON )

On this 24<sup>th</sup> day of September, 201<sup>st</sup>, before me a Notary Public within and for said County, personally appeared Jim Tatten and \_\_\_\_\_ to me personally known, to be the person described in and who executed the foregoing instrument and acknowledged that he / she / they executed that same as his / her / their free act and deed.



**CITY OF LAKE ELMO**

\_\_\_\_\_  
By: Kristina Handt  
Its: City Administrator

\_\_\_\_\_  
Attest: Julie Johnson, City Clerk

STATE OF MINNESOTA       )  
  ) ss.  
COUNTY OF WASHINGTON   )

On this \_\_\_\_\_ day of \_\_\_\_\_, 201 , before me a Notary Public within and for said County, personally appeared \_\_\_\_\_ and \_\_\_\_\_ to me personally known, to be the person described in and who executed the foregoing instrument and acknowledged that he / she/ they executed that same as his / her / their free act and deed.

\_\_\_\_\_  
Notary Public



Lake Elmo City Hall  
651-747-3900  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

## **ACKNOWLEDGEMENT OF RESPONSIBILITY**

This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am the party whom the City should contact regarding any matter pertaining to this application.

I have read and understand the instructions supplied for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I will keep myself informed of the deadlines for submission of material and of the progress of this application.

I understand that this application may be reviewed by City staff and consultants. I further understand that additional information, including, but not limited to, traffic analysis and expert testimony may be required for review of this application. I agree to pay to the City upon demand, expenses, determined by the City, that the City incurs in reviewing this application and shall provide an escrow deposit to the City in an amount to be determined by the City. Said expenses shall include, but are not limited to, staff time, engineering, legal expenses and other consultant expenses.

I agree to allow access by City personnel to the property for purposes of review of my application.

Signature of applicant Melissa Duce Date September 24, 2021

Name of applicant Melissa Duce Phone 651-261-8273  
(Please Print)

Name and address of Contact (if other than applicant) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_





Lake Elmo City Hall  
651-747-3900  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

### **AFFIRMATION OF SUFFICIENT INTEREST**

I hereby affirm that **I am the fee title owner** of the below described property or that I have written authorization from the owner to pursue the described action.

Name of applicant James F Feltner  
(Please Print)

Street address/legal description of subject property \_\_\_\_\_

Outlot C, The Royal Golf Club at Lake Elmo 3rd Addition, Washington County, Minnesota

[Signature]  
Signature

9/24/21  
Date

**If you are not the fee owner**, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

**If a corporation is fee title holder**, attach a copy of the resolution of the Board of Directors authorizing this action.

**If a joint venture or partnership is the fee owner**, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.



October 12, 2021

City of Lake Elmo  
Attention: Corrin Bemis, Interim City Planner  
3880 Laverne Avenue North, Suite 100  
Lake Elmo, MN 55042

**RE: Narrative – Royal Golf Club 4th Addition Final Outlot Plat**

Dear Corrin:

U.S. Home Corporation, dba Lennar, is pleased to submit this Final Outlot Plat for Royal Golf Club 4<sup>th</sup> Addition. Lennar is under contract to purchase the 4<sup>th</sup> phase of the Royal Golf Club from H.C. Golf Land, LLC and will develop a villa and single family product to complement the existing homes found in the area. This Final Outlot Plat will be utilized for conveyance purposes and will assist in facilitation of the transaction.

The Final Outlot Plat consists of two (2) existing outlots located at the SEC of 20<sup>th</sup> Street North and Lake Elmo Avenue North:

**PID# 25-029-21-22-0002 (70.68 acres / 3,078,809 sf)**  
**Outlot C The Royal Golf Club at Lake Elmo 3<sup>rd</sup> Addition, Washington County, Minnesota**  
**Currently zoned GCC – Golf Course Community**

And

**PID# 25-029-21-12-0005 (17.22 acres / 750,230 sf)**  
**Outlot B The Royal Golf Club at Lake Elmo, Washington County, Minnesota**  
**Currently zoned GCC – Golf Course Community**

The Final Outlot Plat will create five (5) new outlots.

**Outlot A (0.9 acres / 39,076 sf)**  
**Outlot B (61.53 acres / 2,680,384 sf)**  
**Outlot C (7.59 acres / 330,779 sf)**  
**Outlot D (1.86 acres / 80,884 sf)**  
**Outlot E (16.02 acres / 697,916sf)**

The gross area being subdivided into five (5) outlots on this Final Outlot Plat is **87.9 acres (3,829,039 sf)**. The enclosed Area Map details the layout of proposed outlots including boundary lines and area(s) within each of the proposed outlots.

The Final Outlot Plat will be named The Royal Golf Club at Lake Elmo 4<sup>th</sup> Addition Washington County Minnesota, to remain consistent with previous phases of The Royal Golf Club at Lake Elmo. As this Final

Outlot Plat is only for conveyance purposes: there is currently no table available for homesites, there is not final exact area calculations or parks, trails, or dedicated public open space nor any values associated with dedicated land and improvements. Final exact area calculations of wetland and buffers is not available, final proposed area calculations for all dedicated right-of-ways is not available, proposed legal descriptions for all lots, easements to be created or vacated are also not available. A final plat for the newly created Outlot B will be submitted at a later date which will include the future homesites, right-of-ways and all associated information. As mentioned above, Lennar will be purchasing Outlot B and H.C. Golf Land, LLC will retain the newly created Outlots A, C, D and E.

Final density of the 4<sup>th</sup> and final phase of The Royal Golf Club at Lake Elmo will be calculated with the final plat of the newly created Outlot B. Associated infrastructure, improvements and wetland or natural area disturbances will be included in the same final plat of the newly created Outlot B. This Final Outlot Plat will not place excessive burdens on roads or facilities/services as it is only creating outlots consistent with the Preliminary Plat approved on June 6, 2017. Land dedication fees will be calculated in accordance with underlying PUD requirements at the time the final plat of the newly created Outlot B is proposed and is not applicable to this Final Outlot Plat.

Please contact me with any questions and/or concerns.

Thank you,

Melissa Duce  
Land Entitlement Manager  
Lennar Minnesota

# THE ROYAL GOLF CLUB AT LAKE ELMO 4TH ADDITION

**KNOW ALL PERSONS 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 B, THE ROYAL GOLF CLUB AT LAKE ELMO, according to the recorded plat thereof, Washington County, Minnesota

and that Royal Development, Inc., a Minnesota corporation, owner of the following described property situated in the County of Washington, State of Minnesota, to wit:

Outlot C, THE ROYAL GOLF CLUB AT LAKE ELMO 3RD ADDITION, according to the recorded plat thereof, Washington County, Minnesota

Have caused the same to be surveyed and platted as THE ROYAL GOLF CLUB AT LAKE ELMO 4TH ADDITION and do hereby dedicate to the public 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

\_\_\_\_\_  
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.

\_\_\_\_\_(Signed)  
\_\_\_\_\_(Printed)  
Notary Public, \_\_\_\_\_  
My commission expires \_\_\_\_\_

In witness whereof said Royal Development, Inc., a Minnesota corporation, has caused these presents to be signed by James F. Felten, President, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ROYAL DEVELOPMENT, INC.

\_\_\_\_\_  
James F. Felten, President

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by James F. Felten, President of Royal Development, Inc., a Minnesota corporation, on behalf of the corporation.

\_\_\_\_\_(Signed)  
\_\_\_\_\_(Printed)  
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.

\_\_\_\_\_(Signed)  
\_\_\_\_\_(Printed)  
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: \_\_\_\_\_ By: \_\_\_\_\_  
Washington County Surveyor

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: \_\_\_\_\_ By: \_\_\_\_\_  
Washington County Auditor/Treasurer 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: \_\_\_\_\_ By: \_\_\_\_\_  
Washington County Recorder Deputy



# THE ROYAL GOLF CLUB AT LAKE ELMO 4TH ADDITION

Northwest corner of  
Section 25, Township  
29, Range 21  
(Cast Iron Monument)

SCHWARTZ - MARTINCO

ADD.

20TH STREET COURT NORTH

20TH

73

N89°41'47"E  
2540.78

STREET

NORTH

73

LEGION AVE. N.

S89°21'57"E  
221.35

LAKE ELMO AVENUE N.  
(C.S.A.H. NO. 17)

West line of Outlot C, THE ROYAL GOLF CLUB AT LAKE ELMO 3RD ADDITION

N00°08'14"E  
1747.41

LAKE ELMO AVENUE NORTH

West Quarter corner of Section 25, Township 29, Range 21  
(Cast Iron Monument)

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487.12

30.64

S00°18'13"E

Drainage & Utility Easement  
per THE ROYAL GOLF CLUB AT  
LAKE ELMO 3RD ADDITION

666.43

666.55

Drainage & Utility Easement  
per THE ROYAL GOLF CLUB AT  
LAKE ELMO 3RD ADDITION

60.25

N84°53'33"E

153.42

(N84°04'31"E)

N84°53'33"E

151.30

05

149.19

S84°53'33"W

326.73

N76°40'13"W

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Drainage & Utility Easement  
per THE ROYAL GOLF CLUB AT  
LAKE ELMO 3RD ADDITION

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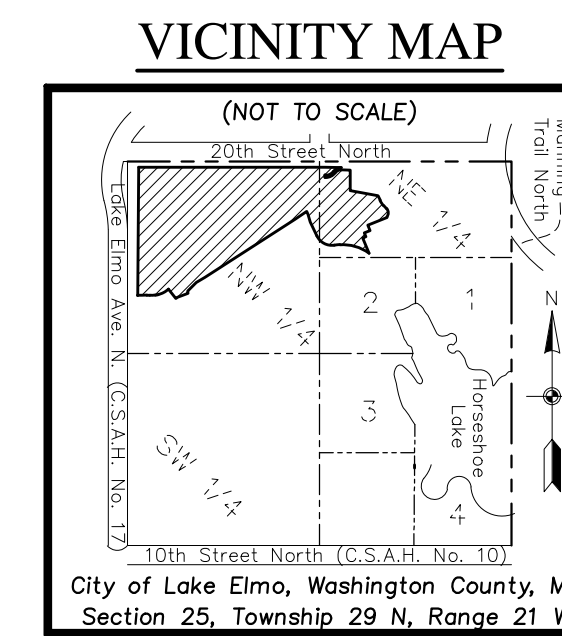
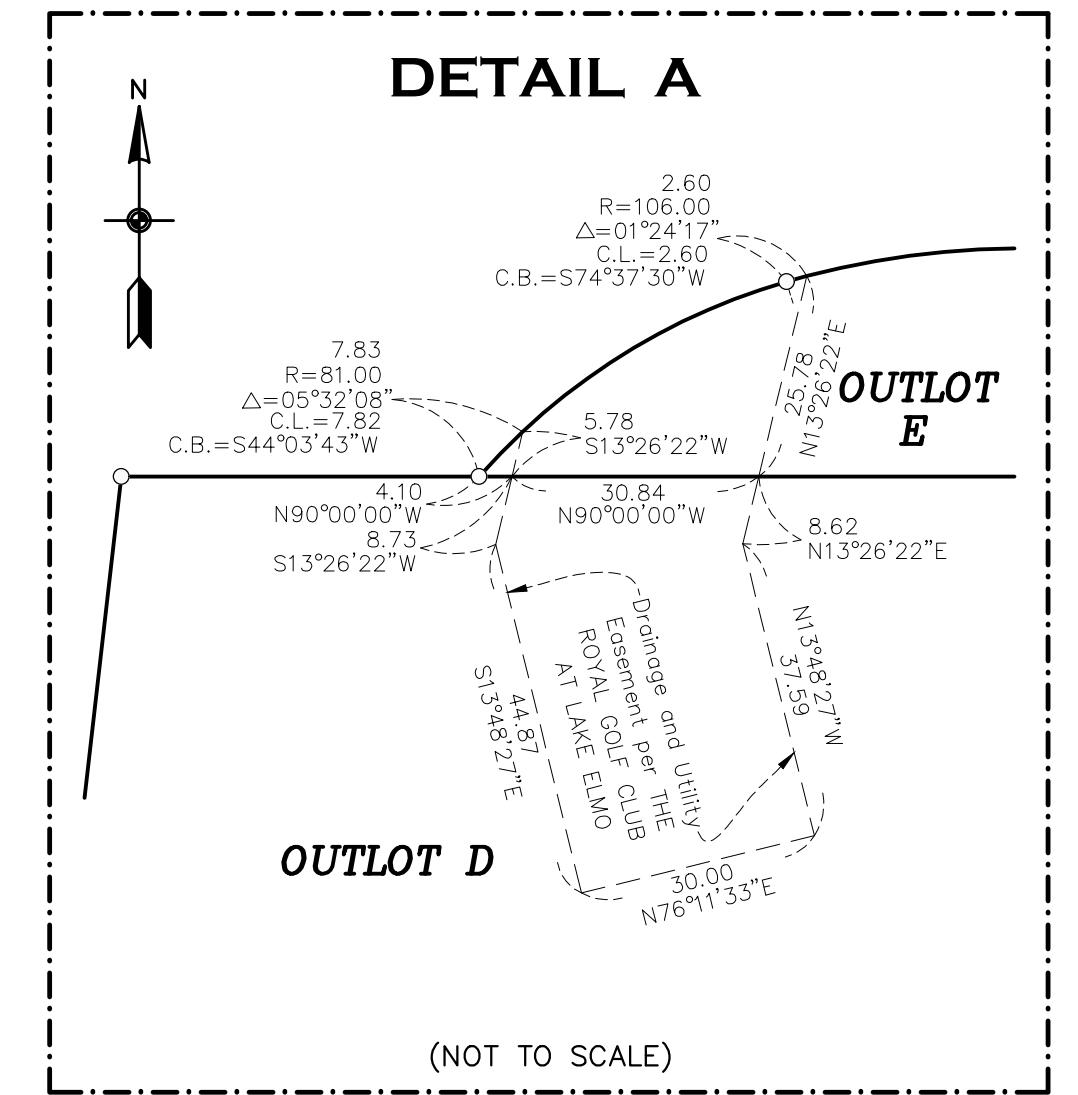
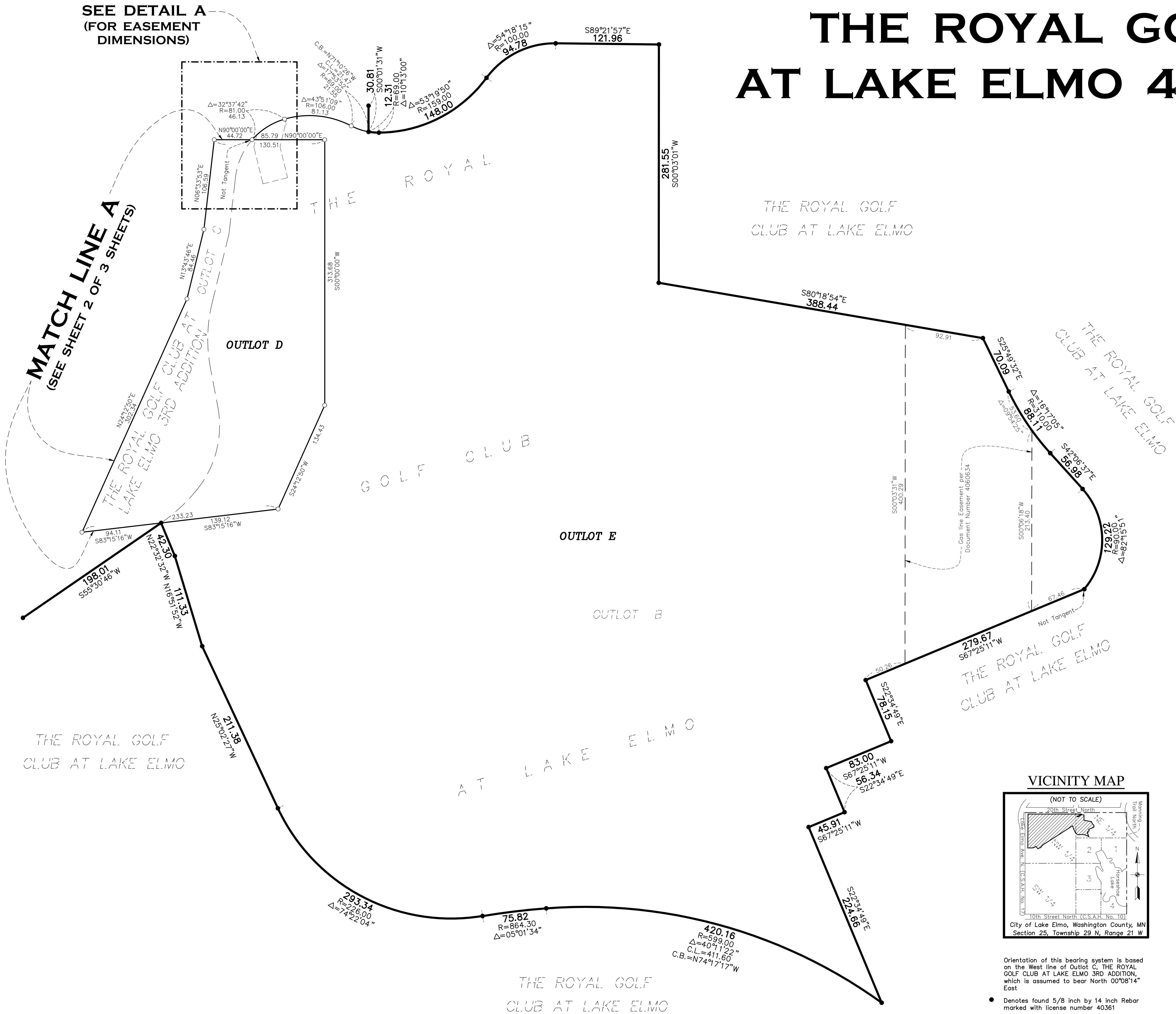
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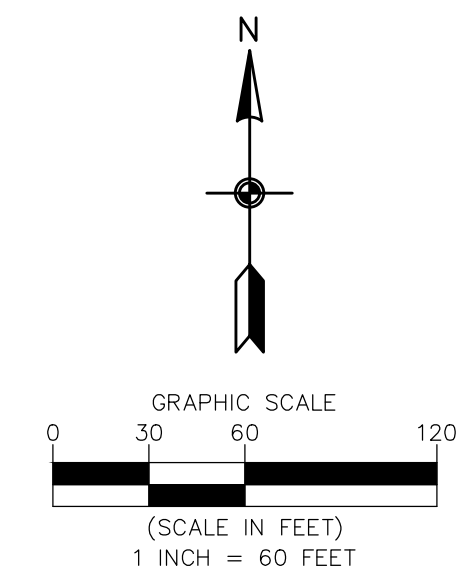


# THE ROYAL GOLF CLUB AT LAKE ELMO 4TH ADDITION

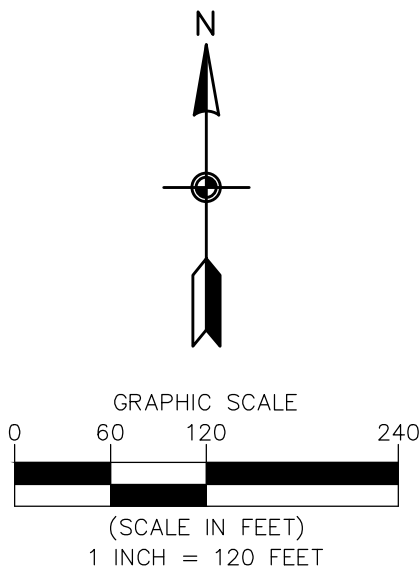
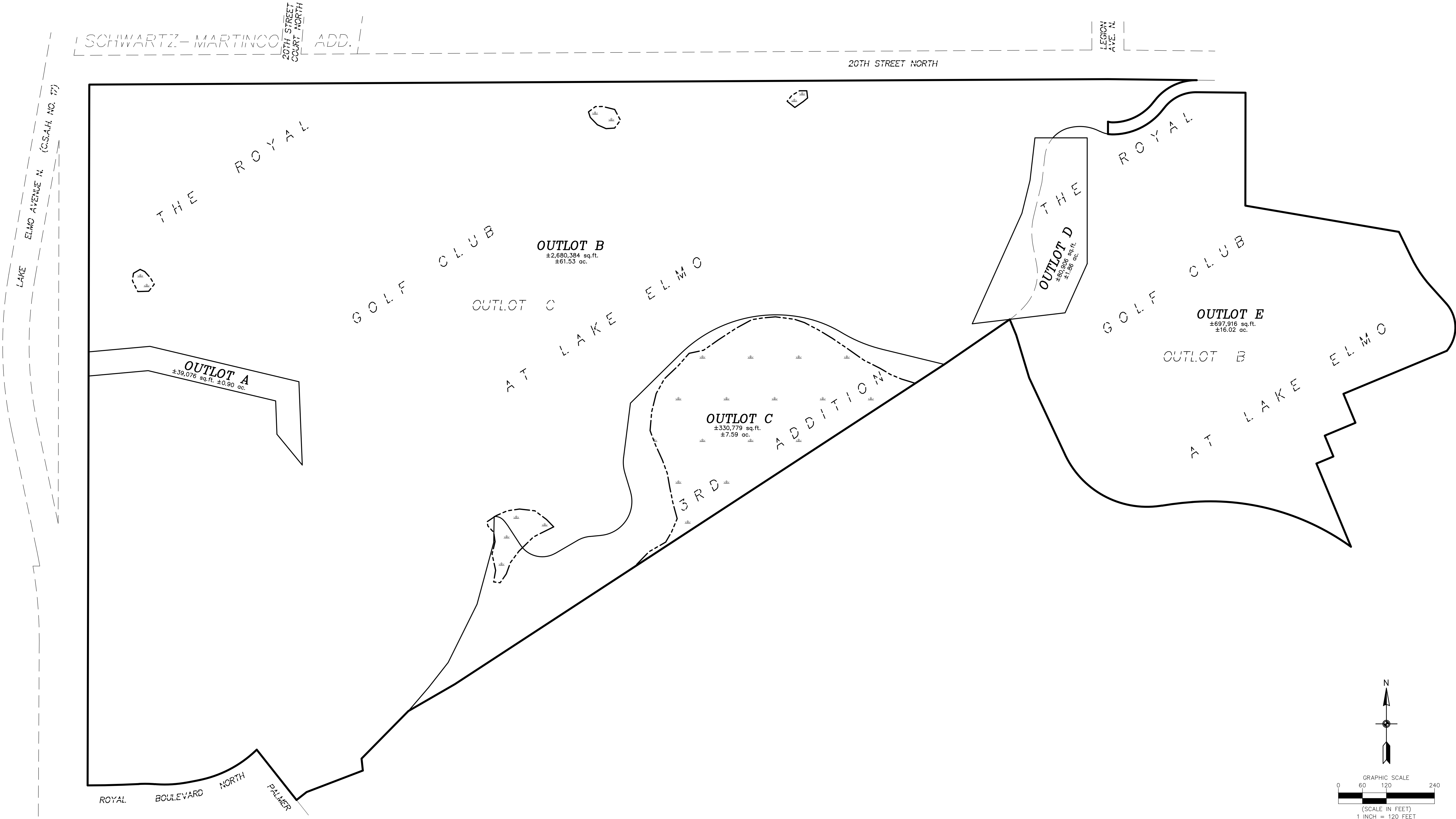


Orientation of this bearing system is based on the West line of Outer C, THE ROYAL GOLF CLUB AT LAKE ELMO 3RD ADDITION, which is assumed to bear North 00°08'14" East

- Denotes found 5/8 inch by 14 inch Rebar marked with license number 40361
- Denotes 5/8 inch by 14 inch Rebar, set or to be set within one year of recording of this plat and marked with license number 40361



# THE GOLF CLUB AT LAKE ELMO 4TH ADDITION AREA MAP







# Royal Golf Club



VICINITY MAP

## SHEET INDEX:

1. Cover
- 2-7. Existing Conditions
8. Preliminary Plat Index
- 9-27. Preliminary Plat
28. Site Index
- 29-45. Preliminary Site and Utility Plan
46. Grading Index
- 47-59. Preliminary Grading and Erosion Control Plan
- 60-62. Details
- 63-65. Retaining Wall Profiles
- L1-L17. Landscape Plans
- T1-T25. Tree Preservation Plan
- P1-P3. Phasing Plan

## BENCHMARKS

- 1) MN/DOT GSID Station #33653 (NYBECK MN163) - Top of Control Disk  
Elevation = 941.54 (NAVD 88).
- 2) MN/DOT GSID Station #33601 (KRAFTHOFER MN163) - Top of Control Disk  
Elevation = 913.04 (NAVD 88).

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I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota

Print Name: Brian J. Krystofak, P.E.  
Signature: *Brian J. Krystofak*  
Date: 09/21/16 License #: 25063

Drawn: SDB  
Designed: BJK  
Date: 09/21/16

Revisions:  
1. 02/10/17 Revise per City Comments  
2. 02/28/17 Revise per City Comments  
3. 04/07/17 Revise per City Comments  
4. 07/07/17 Revise per City Comments  
5. 07/19/17 Revise per City Comments  
6. 07/26/17 Revise per City Comments

7. 08/08/17 Revise Per City Comments

H.C. Golf Course Development, LLC.  
11074 Radisson Rd NE,  
Blaine, MN 55449

THE ROYAL GOLF CLUB AT LAKE ELMO  
Lake Elmo, Minnesota

COVER

1  
of  
65





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**SARAH J. SONSALLA**

Attorney at Law

Direct Dial: (612) 337-9284

Email: [ssonsalla@kennedy-graven.com](mailto:ssonsalla@kennedy-graven.com)

November 22, 2021

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

**VIA E-MAIL ONLY**

***RE: Plat Opinion for THE ROYAL GOLF CLUB AT LAKE ELMO 4TH ADDITION***

Dear Molly:

At your request, I have reviewed the title commitment issued by Stewart Title Company, as agent for Stewart Title Guaranty Company, with an effective date of September 16, 2021, (the "Commitment"). I have also reviewed the final plat drawing prepared by Thomas R. Balluff, of Carlson McCain, Inc., which is titled **THE ROYAL GOLF CLUB AT LAKE ELMO 4<sup>TH</sup> ADDITION** (the "Plat"):

The Commitments purport to cover the following described property:

Parcel 1:

Outlot B - The Royal Golf Club at Lake Elmo

Parcel 2:

Outlot C - The Royal Golf Club at Lake Elmo 3rd Addition

All in Washington County, Minnesota

Abstract Property

(the "Property").

Based on my review of the Commitment and the Plat, I have the following comments regarding the Plat.

1. **Plat Execution.** The Plat must be executed with all the formalities of a deed of title. The names and signatures of all of the following parties must appear on the Plat in black ink (not ballpoint):

- a. The fee owner, as shown on the Commitment: H.C. Golf Land, LLC, a Minnesota limited liability company (as to Parcel 1); and Royal Development, Inc., a Minnesota corporation (as to Parcel 2). *The Plat is set up to be signed by Joel T. LeVahn, Chief Financial Officer, H.C. Golf Land, LLC, a Minnesota limited liability company. The Commitment does not show a conveyance requirement at Schedule B-I; that said, an additional signature/notary block must be added to the Plat to accommodate fee owner, Royal Development, Inc. Also, the legal description on the Plat will need to be separated into two parts, so that each fee owner may sign beneath their respective parcels. However, if Royal Development, Inc. conveys its interest in Parcel 2 (Outlot C, The Royal Golf Club at Lake Elmo 3<sup>rd</sup> Addition) to H.C. Golf Land, LLC, the legal description may remain intact. I require review of such a conveyance document.*

*The Plat must be executed with all the formalities of a deed of title. I require a certificate of good standing from the Minnesota Secretary of State and evidence that H.C. Golf Land, LLC, a Minnesota limited liability company, and Royal Development, Inc., a Minnesota corporation, are authorized to convey the easements dedicated in the Plat, and that the signatories for each company are authorized to execute the Plat on behalf of said company.*

- b. The mortgagee, as indicated on the Commitment: Northeast Bank. *In lieu of signing the Plat, a consent to Plat may be signed by the mortgagee or a satisfaction or release of mortgage may be provided. I require review of this instrument.*
2. **Taxes and Special Assessments.** The County Auditor will require that all taxes and assessments due on the Property be paid in full before approving the Plat for recording. The following tax and assessment information is provided in the Commitment:

Tax I.D. No.: 25.029.21.12.0005.

Taxes for the year 2021 are \$2,760.00 and are paid.

Base tax: \$2,760.00.

Non-Homestead.

There are no delinquent taxes of record.

Tax I.D. No.: 25.029.21.22.0001.

Taxes for the year 2021 are \$25,022.00 and are paid.

Base tax: \$25,022.00.

Non-Homestead.

There are no delinquent taxes of record.

Tax I.D. No.: 25.029.21.31.0041.

Taxes for the year 2021 are \$5,358.00 and are paid.

Base tax: \$5,358.00.

Non-Homestead.

There are no delinquent taxes of record.

*The Commitment does not indicate any levied or pending special assessments. Special assessment searches must be completed, and I must be provided with the results of those searches. Additionally, 2021 taxes must be updated for Tax I.D. No. 25-029-21-12-0005.*

3. **Title Commitment Exceptions.** Based on the information in the Commitment, the Plat is subject to the following:

- a. Terms and conditions of Easement Grant dated March 30, 1956, filed April 11, 1956, in Book 199 of Deeds, page 508-509, as Document No. 185072, in favor of Northern Natural Gas Company, a Delaware corporation.

As amended by Modification and Amendment of Easement Grant dated February 24, 2016, filed March 17, 2016, as Document No. 4060634.

*This easement is initially granted by Harry and Adelaide McNeely (and further by Tartan Park, LLC via modification), for the construction and maintenance of pipelines and appurtenances along, with the right of ingress/egress, over and through the West Half of the Northeast Quarter, Section 25, Township 29, Range 21; as such, it appears to overlap with the Plat and is marked therein with a reference number (4060634). The City should review the easement in order to ensure that it does not interfere with any public improvements.*

- b. Terms and conditions of Surface Water Drainage Easement dated February 6, 1990, filed February 21, 1990, as Document No. 623371, in favor of Valley Branch Watershed District, a Minnesota Municipal Corporation. *Lake Elmo Foundation, Inc. grants a perpetual easement to the Valley Branch Watershed District for the installation and maintenance of storm sewers and other surface drainage improvements over parts of lands contained within Section 25, Township 29 North, Range 21 West and Section 30, Township 29 North, Range 20 West. This easement overlaps with the Plat and is marked thereon with a reference number. The City should review the easement in order to ensure that it does not interfere with any public improvements.*

- c. Terms and conditions of Storm Water Quality Treatment Facility Maintenance Agreement between H.C. Golf Course Development, LLC and the Valley Branch Watershed District dated June 9, 2016, filed July 12, 2016, as Document No. 4074234.

Amended Storm Water Quality Treatment Facility Maintenance Agreement, as to the above, dated July 13, 2017, filed July 28, 2017, as Document No. 4121597.

As amended by Partial Release of Storm Water Quality Treatment Facility Maintenance Agreement, as to the above, dated March 28, 2019, filed May 8, 2019, as Document No. 4192257.

As amended by Second Partial Release of Storm Water Quality Treatment Facility Maintenance Agreement, as to the above, dated July 13, 2017, filed September 15, 2021, as Document No. 4333580.

*This maintenance agreement with the Valley Branch Watershed District sets up certain conditions for the construction of storm water treatment facilities located within parts of Section 25, Township 29 North, Range 21 West, part of which appears to reside within the Northwest Quarter, the City should review this agreement and determine its impact on the current phase of the development.*

- d. Terms and conditions of Site Grading Agreement between the City of Lake Elmo and H.C. Golf Land, LLC dated June 1, 2017, filed June 28, 2017, as Document No. 4117554.

Amendment to Site Grading Agreement, as to the above, dated October 17, 2017, filed November 9, 2017, as Document No. 4134802.

Partial Release of Site Grading Agreement, as to the above, dated April 30, 2019, filed May 8, 2019, as Document No. 4192258.

*This agreement, amendment, and partial release pertain to the site development of The Royal Golf Club at Lake Elmo situated in various parts of Section 25, Township 29 North, Range 21 West, and appear to overlap with the Plat. The City should review this agreement with the developer and determine if the conditions have been met and whether an amendment is required for the current phase of the development.*

- e. Terms and conditions of City of Lake Elmo Site Improvement Agreement between the City of Lake Elmo and H.C. Golf Land, LLC, dated August 15, 2017, filed August 25, 2017, as Document No. 4125499. *This agreement pertains to the site development of The Royal Golf Club at Lake Elmo situated in various parts of Section 25, Township 29 North, Range 21 West, and appear to overlap with the Plat. The City should review this agreement with the developer and determine if the conditions have been met and whether an amendment is required for the current phase of the development.*
- f. Terms and conditions of Development Agreement between the City of Lake Elmo and Royal Development, Inc., dated September 19, 2017, filed September 29, 2017, as Document No. 4129865.

Second Amendment to Development Agreement dated August 10, 2021, filed August 19, 2021, as Document No. 4330026.

*This development agreement between the City and Royal Development, Inc. sets out to regulate the construction of certain public and private improvements, drainage and utility easements, storm water agreements, park dedication requirements, and phased development. The amendment provides for cash donations from the developer to the*

*City parks fund before permits may be issued. The City and the developer should review this agreement to determine if all the conditions have been met, and whether further amendments are required for the current phase of the development.*

- g. Terms and conditions of Master Declaration of Royal Golf Club Master Community dated September 28, 2017, filed September 29, 2017, as Document No. 4129866.

First Amendment to the Master Declaration of Royal Golf Club Master Community dated July 26, 2018, filed August 3, 2018, as Document No. 4163569

Second Amendment to the Master Declaration of Royal Golf Club Master Community dated January 4, 2019, filed January 10, 2019, as Document No. 4181540.

Third Amendment to the Master Declaration of Royal Golf Club Master Community dated August 18, 2021, filed August 19, 2021, as Document No. 4330028.

*This master declaration (and its amendments) by Royal Development, Inc. sets out to establish a general plan and uniform improvements scheme to develop residential lots with single family dwellings, including provisions for the enforcement of covenants, conditions, and restrictions. No further action is required.*

- h. Terms and conditions of Development Agreement between the City of Lake Elmo and Royal Development, Inc. dated July 26, 2018, filed August 3, 2018, as Document No. 4163573.

First Amendment to Development Agreement dated August 10, 2021, filed August 19, 2021, as Document No. 4330025.

*This development agreement between the City and Royal Development, Inc. sets out to regulate the construction of certain public and private improvements, drainage and utility easements, storm water agreements, park dedication requirements, and phased development. The amendment provides for cash donations from the developer to the City parks fund before permits may be issued. The City and the developer should review this agreement to determine if all the conditions have been met, and whether further amendments are required for the current phase of the development.*

- i. Terms and conditions of Development Agreement between the City of Lake Elmo and U.S. Home Corporation (Lennar) dated August 10, 2021, filed August 19, 2021, as Document No. 4330024. *This development agreement between the City and U.S. Home Corporation (dba Lennar) sets out to regulate the construction of certain public and private improvements, drainage and utility easements, storm water agreements, park dedication requirements, and phased development. The agreement provides for cash donations from the developer to the City parks fund before permits may be issued. The City and the developer should review this agreement to determine if all*



*the conditions have been met, and whether further amendments are required for the current phase of the development.*

- j. Terms and conditions of Declaration of Covenants, Conditions, Restrictions and Easements dated August 18, 2021, filed August 19, 2021, as Document No. 4330027. *This declaration by Royal Development, Inc. establishes provisions for adding future development property to the master community. No further action is required.*
- k. The rights of the State of Minnesota and the Department of Natural Resources, if any, in and to the wetlands as shown on the Plat of The Royal Golf Club at Lake Elmo and The Royal Golf Club at Lake Elmo 3rd Addition. *See number 5 below.*
- l. Drainage and utility easements as shown on the Plat of The Royal Golf Club at Lake Elmo 4th Addition. *Drainage and utility easements shown on the Plat have been carried over from the plats of The Royal Golf Club at Lake Elmo and The Royal Golf Club at Lake Elmo 3<sup>rd</sup> Addition.*
- 4. **Compliance with Minnesota Statutes Section 505.03.** Minnesota law requires any preliminary plat abutting upon an existing or proposed county road to be submitted to the County Engineer for review in accordance with Minnesota Statutes Section 505.03, subdivision 2. The Property abuts the existing County State Aid Highway No. 17 (aka Lake Elmo Avenue North). As such, the Plat should be submitted, if it has not been already, to the County Engineer for review and an opportunity to provide written comments. *Upon recording, the City will be required to also submit a certificate or other evidence showing submission of the preliminary plat to the County Engineer.*
- 5. **Wetlands.** The Plat includes wetlands and thus may be subject to additional restrictions by the Minnesota Department of Natural Resources and other water management agencies. *Contained within Outlot C on the Plat is a notation delineating Minnesota DNR protected waters (No. 82-417W). This area is currently not contained within a drainage and utility easement. The City should determine whether a drainage and utility easement is necessary.*
- 6. **Additional Comments on the Plat and Commitment.**
  - a. The notification paragraph on the Plat needs to begin with “KNOW ALL PERSONS BY THESE PRESENTS.” *Presently, the Plat notification reads as “KNOW ALL BY THESE PRESENTS.”*
  - b. Drainage and utility easements shown around all of the lot lines within the Plat appear to be those carried over from The Royal Golf Club at Lake Elmo 3<sup>rd</sup> Addition, and there are no drainage and utility easements marked on new Outlot E of the Plat. *The City should review the Plat and determine if additional drainage and utility easements are needed in these locations.*

Ms. Molly Just  
November 22, 2021  
Page 7

This letter does not purport to set forth every matter relevant to a determination of whether title to the Property is marketable, and no one should rely upon it for that purpose. The sole purpose of this letter is to identify required signatories to the Plat and related issues of interest to the City in connection with platting, as evidenced by the Commitment.

This opinion is subject to and conditioned upon the issuance of a title policy in favor of the City of Lake Elmo, insuring the interests as they appear in the Plat, in an amount acceptable to the City.

Please contact me if you have any questions regarding this information. Thank you.

Sincerely,

*Sarah J. Sonsalla*

Sarah J. Sonsalla

SJS:pat

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

**RESOLUTION NO. 2021-135**

*A RESOLUTION APPROVING A FINAL PLAT FOR THE ROYAL GOLF CLUB AT LAKE  
ELMO 4TH ADDITION*

**WHEREAS**, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

**WHEREAS**, U.S. Home Corporation d/b/a Lennar has submitted an application to the City of Lake Elmo (“City”) for a Final Plat for the Royal Golf Club at Lake Elmo Fourth Addition, a copy of which is on file in the City of Lake Elmo Community Development Department; and

**WHEREAS**, the City approved the Crossroads East Preliminary Plat and Preliminary PUD Plan on June 6, 2017; and

**WHEREAS**, the proposed Royal Golf Club at Lake Elmo Fourth Addition Final Plat includes five outlots on 87.9 acres of land located at the southeast corner of Lake Elmo Avenue and 20<sup>th</sup> Street N; and

**WHEREAS**, the outlots will be used for conveyance purposes to facilitate the sale of the fourth phase of the Royal Golf Club from H.C. Golf Land, LLC to U.S. Home Corporation, d/b/a Lennar; and

**WHEREAS**, future development of the outlots will require review and approval of a Final PUD; and

**WHEREAS**, the Lake Elmo Planning Commission adopted a motion recommending approval of the Final Plat subject to 4 conditions of approval on November 22, 2021; and

**WHEREAS**, the City Council reviewed the Royal Golf Club at Lake Elmo Fourth Addition Final Plat at its meeting held on December 7, 2021 and made the following findings of fact:

- 1) That all the requirements of City Code Section 103.00.100 – Final Major Subdivisions have been met by the Applicant.
- 2) That the Royal Golf Club at Lake Elmo 4th Addition Final Plat complies with the City’s subdivision ordinance.
- 3) That the Royal Golf Club at Lake Elmo 4th Addition Final Plat complies with the City’s Engineering Standards, as noted by the City Engineer on November 5, 2021.

- 4) That the Final Outlot Plat will be utilized for conveyance purposes and will assist in facilitation of U.S. Home Corporation, d/b/a Lennar's, purchase of the 4th phase of the Royal Golf Club from H.C. Golf Land, LLC.
- 5) That the Final Outlot Plat will create five (5) new outlots from Outlot C of the Royal Golf Club at Lake Elmo 3rd Addition and Outlot B of the Royal Golf Club at Lake Elmo.
  - a. Outlot A (0.9 acres / 39,076 sf)
  - b. Outlot B (61.53 acres / 2,680,384 sf)
  - c. Outlot C (7.59 acres / 330,779 sf)
  - d. Outlot D (1.86 acres / 80,884 sf)
  - e. Outlot E (16.02 acres / 697,916sf)
- 6) That the Final Outlot Plat will be named The Royal Golf Club at Lake Elmo 4th Addition Washington County Minnesota, to remain consistent with previous phases of The Royal Golf Club at Lake Elmo.
- 7) That consistency with Preliminary Plat and PUD Plans approved by the City of Lake Elmo on June 6, 2017 will be reviewed at the time of submittal for a final PUD for the Royal Golf Club 4th Addition.
- 8) That consistency with the Lake Elmo Comprehensive Plan and Zoning Code will be reviewed at the time of submittal for a final PUD for the Royal Golf Club 4th Addition.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council does hereby approve the Royal Golf Club at Lake Elmo Fourth Addition Final Plat subject to the following conditions:

- 1) Prior to the City issuing building permits, the developer shall receive City Council approval on a Final PUD for the Royal Golf Club 4th Addition and enter into a Developer's Agreement acceptable to the City Attorney and approved by the City Council. This agreement shall delineate who is responsible for the design, construction, and payment of the required improvements with financial guarantees.
- 2) 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.
- 3) The Final Plat approval is conditioned upon the applicant meeting all City standards and design requirements unless specifically addressed otherwise in this resolution.

Passed and duly adopted this 7<sup>th</sup> day of December, 2021 by the City Council of the City of Lake Elmo, Minnesota.

---

Mayor Charles Cadenhead

ATTEST:

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Julie Johnson, City Clerk