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Certified, Filed and or Recorded on
December 04, 2019 2:38 PM

BENTON COUNTY MINNESOTA
CHERYL L. KANTOR
COUNTY RECORDER

By: KB



BENTON COUNTY ORDINANCE NO.476

**AN ORDINANCE AMENDING ORDINANCE NUMBER 387
THE COVE PLANNED UNIT DEVELOPMENT DISTRICT**

WHEREAS, an application has been made pursuant to Sections 11.8 and 7.13.5 of the Benton County Development Code to amend the Development Plan for the Planned Unit Development District known as Ordinance # 387; and,

WHEREAS, the applicant, and owner of the subject property, Cove Development Company and Next Phase LLC, has submitted an amended development plan for the subject property, which is attached hereto and incorporated herein by reference; and,

WHEREAS, on October 29th and November 2nd, 2019 Notice of Public Hearing and intent to amend Benton County Ordinance was published in the official newspaper of the county; and,

WHEREAS, on November 14th, 2019, the Benton County Planning Commission held a public hearing thereon and recommended same to the Benton County Board of Commissioners for approval and passage; and,

WHEREAS, on December 3rd, 2019, the Benton County Board of Commissioners held a public hearing and approved the proposed ordinance amendment; and,

WHEREAS, the Benton County Board of Commissioners find that the amendments to the Planned Unit Development District described herein comport with the Benton County Comprehensive Land Use Plan and are appropriate.

NOW PURSUANT TO THE AUTHORITY VESTED BY MINNESOTA STATUTES SECTION 394.25, THE BENTON COUNTY BOARD OF COMMISSIONERS ORDAINS: that the provisions of the Development Plan are hereby amended as follows:

Benton Co DOD
no fee

Land Description:

All areas known as THE COVE, according to the recorded plat thereof, excepting Lots 1 – 12, Block 1, Lot 1 Block 3 and Outlots B – G.

PUD Density:

The number of units for The Cove will be reduced by 17. This will bring the overall number of proposed dwellings from 321 down to 303.

Residential Building Type:

Single Family Home – increased from 77 units, to 91 units

Villa Units – decreased from 244 units, to 212 units

Villa Breakdown:

76 detached units with one residential unit per building

136 attached units with 2 units (20) or 4units (116) per building

Land Usage:

There will be no change to the percentage of area allotted for each use.

52.4% Common Lot Area

31.2% Residential Lot Area

15.0% Roadways

PUD Building Setbacks:

	97.5' – 130' wide lots	85' wide lots	65' Detached Villas	Attached Villas	Attached Villas w/alleys
Front Setback	35', if behind trail easement 55'	35', if behind trail easement 55'	25', if behind trail easement 45'	35'	15'
Sidyard Setback*	10' (house) & 10' (accessory)	10' (house) & 5' (accessory)	5' (house) & 5' (accessory)	7 1/2' to lot & 0' Common wall	7 1/2' to lot & 0' Common wall
Rearyard Setback	10'	10'	10'	10'	10'

*Driveways may be at 0'

PUD Layout

There will be no change to the PUD Layout. A detailed site plan showing the physical layout, design, street locations and public road access points is shown on Exhibit A.

This ordinance shall be effective upon publication.

Approved and adopted by the Benton County Board of Commissioners this 3rd day of December in the year of 2019.

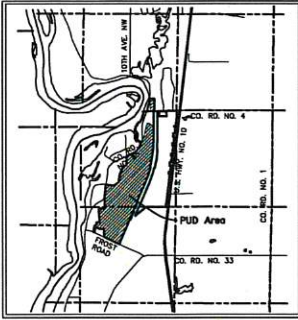

 A. Jake Bauerly, Chair
 Benton County Board of Commissioners

ATTEST:


 Montgomery Headley
 Benton County Administrator

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PUD Area (No Scale)



LAND OWNERS

New Pirates Cove LLC
c/o Jim Brownson @ DMSI
11343 39th Street North
Lake Elmo, MN 55042
(651)773-3000

PLANNER, ENGINEER, SURVEYOR

Westwood Professional Services, Inc.
3701 12th Street North, Suite 208
St. Cloud, MN 56303
320-253-9495

INDEX TO DRAWINGS

- SHEET 1 - Preliminary PUD Plan - Trails/Open Space Plan
- SHEET 2 - Preliminary PUD Plan Detail A (northwest area)
- SHEET 3 - Preliminary PUD Plan Detail B (west central area)
- SHEET 4 - Preliminary PUD Plan Detail C (southeast area)
- SHEET 5 - Preliminary PUD Plan Architectural Character

DEVELOPMENT DATA

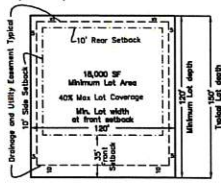
SITE DATA

PUD Area: 208.2 ac±
Buildable Area: 187.9 ac±
Units Allowed: 481
Proposed Units: 32± 303±
Proposed Trails
Public: 1.4 mi± 0.3 mi±
Future Public: 0.4 mi± 0.2 mi±
Private: 1.9 mi± 3.2 mi±

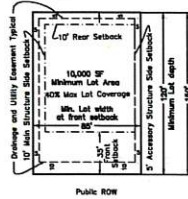
	Area Ac.	%
Total Site	354.8	
PUD Area	208.2	100.0
Residential	65.0	31.2
Luxury Lots	8.0	3.6
Traditional	17.9	8.6
Fractional or Pseudo Date	2.1	1.0
Detached Villas	23.5	11.3
2 unit Attached Villas	5.8	2.8
4 unit Attached Villas	0.7	0.3
Common Lots	199.1	92.4
County ROW	4.5	2.2
Township ROW	20.0	9.6
Outlot Roads	7.3	3.5
Trailways	0.4	0.2
Outlots	1.8	0.9



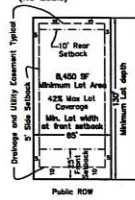
TYPICAL LUXURY LOT (No Scale)



TYPICAL TRADITIONAL LOT (No Scale)



TYPICAL DETACHED VILLA LOT (No Scale)



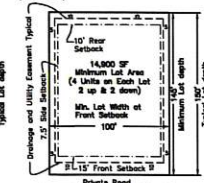
RESIDENTIAL LOT NOTES

All lots with trail easements at the front (Road "A") will have an additional 20' setback from the ROW

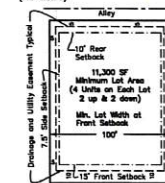
TYPICAL ATTACHED 2 UNIT VILLA (No Scale)



TYPICAL ATTACHED 4 UNIT VILLA (No Scale)



TYPICAL ATTACHED 4 UNIT VILLA W/ALLEY (No Scale)



LEGEND

- Deciduous tree line
- Open spaces
- Wetlands
- Rock outcrops
- Private Trail (8' Surface)
- County Trail (10' Bituminous)
- Future County Trail

Amendment 1 Replat

Westwood
Phone: (320) 253-9495 3701 12th Street North, Suite 208
Fax: (320) 258-2001 St. Cloud, MN 56303
Tel/Fax: (800) 278-9495 westwoodpro.com

I hereby certify that this plan was prepared by me or a duly licensed Professional Engineer, Surveyor or Architect under my direct supervision and that I am a duly licensed Professional Engineer, Surveyor or Architect in the State of Minnesota.
William R. Houten
Date: 11/07/19 License No. 44984

Drawn: WSH
Checked: CH
Designed: JH
Revised: Drawing No./Date

Prepared for:
New Pirates Cove LLC
11343 39th Street North
Lake Elmo, MN 55042

The Cove
Amendment 1
Wabab Township
Benton County, Minnesota

Date: 11/07/19 Sheet: 1 OF 5
**Final PUD Plan W/
Trails/Open Space**

PROPOSED PUD LEGAL DESCRIPTION

That part of the East Half of the Northeast Quarter, that part of the Southwest Quarter of the Northeast Quarter, that part of Government Lot 1, that part of Government Lot 2, that part of the Southeast Quarter and that part of the East Half of the Southwest Quarter of Section 27, that part of Blocks 7, 13 and 14, TOWN OF WATAB, that part of vacated 2nd street and Perry street as dedicated in said TOWN OF WATAB, the East Half of the Northwest Quarter, the Northwest Quarter of the Northeast Quarter and Government Lot 1, Section 34, all in Township 37 North, Range 31 West, Benton County, Minnesota described as follows:

Commencing at the northeast corner of said Section 27; thence South 88 degrees 23 minutes 18 seconds West, along the north line of said Section 27, a distance of 1295.90 feet to the westerly right of way line of the Burlington Northern Railroad; thence South 00 degrees 04 minutes 16 seconds West, along said westerly right of way line, a distance of 767.82 feet to the point of beginning of the tract of land to be described; thence continuing South 00 degrees 04 minutes 16 seconds West, along said westerly right of way line, a distance of 978.61 feet; thence southerly, a distance of 377.68 feet, along said westerly right of way line, along a tangential curve, concave to the west, having a radius of 5623.08 feet and a central angle of 03 degrees 50 minutes 54 seconds; thence North 86 degrees 04 minutes 50 seconds West, along said westerly right of way line, not tangent to said curve, a distance of 25.00 feet; thence southwesterly, a distance of 977.05 feet, along said westerly right of way line, along a non-tangential curve, concave to the west, having a radius of 5598.08 feet, a central angle of 10 degrees 00 minutes 00 seconds and a chord bearing of South 08 degrees 55 minutes 10 seconds West; thence South 76 degrees 04 minutes 50 seconds East, along said westerly right of way line, not tangent to last described curve, a distance of 25.00 feet; thence southwesterly, a distance of 943.53 feet, along said westerly right of way line, along a non-tangential curve, concave to the northwest, having a radius of 5623.08 feet, a central angle of 09 degrees 36 minutes 30 seconds and a chord bearing of South 18 degrees 43 minutes 35 seconds West; thence South 23 degrees 32 minutes 00 seconds West, along said westerly right of way line, tangent to last described curve, a distance of 3673.06 feet to the centerline of Frost Road as monumented; thence North 64 degrees 46 minutes 33 seconds West, along said centerline, a distance of 957.42 feet; thence North 01 degrees 31 minutes 35 seconds East, a distance of 431.31 feet; thence North 82 degrees 36 minutes 17 seconds West, a distance of 285.68 feet; thence North 71 degrees 39 minutes 30 seconds West, a distance of 211.70 feet; thence South 13 degrees 24 minutes 13 seconds West, a distance of 288.20 feet to said centerline; thence North 64 degrees 46 minutes 33 seconds West, along said centerline, a distance of 52.72 feet; thence northwesterly, a distance of 14.67 feet, along said centerline, along a tangential curve, concave to the southwest, having a radius of 596.32 feet and a central angle of 01 degree 24 minutes 33 seconds; thence North 13 degrees 23 minutes 19 seconds East, a distance of 274.51 feet; thence northeasterly, a distance of 226.35 feet, along a tangential curve, concave to the southeast, having a radius of 207.89 feet and a central angle of 62 degrees 23 minutes 00 seconds; thence North 14 degrees 08 minutes 48 seconds West, not tangent to last described curve, a distance of 98.14 feet to the south line of Olive Street as dedicated in said TOWN OF WATAB; thence South 88 degrees 48 minutes 02 seconds East, along the line of Olive Street, a distance of 162.34 feet to the east line of said TOWN OF WATAB; thence North 02 degrees 53 minutes 05 seconds West, along said east line of the TOWN OF WATAB, a distance of 775.65 feet to the north line of said Section 34; thence North 87 degrees 38 minutes 26 seconds East, along the north line of Section 34, a distance of 328.03 feet, to the west line of said East Half of the Southwest Quarter of Section 27; thence North 00 degrees 58 minutes 26 seconds East, along said west line of the East Half of the Southwest Quarter of Section 27, a distance of 733.45 feet to the centerline of County Road No. 55; thence North 06 degrees 43 minutes 54 seconds East, along said centerline of County Road No. 55, a distance of 571.70 feet; thence South 83 degrees 17 minutes 43 seconds East, a distance of 436.55 feet; thence North 55 degrees 56 minutes 03 seconds East, a distance of 320.95 feet; thence North 10 degrees 16 minutes 21 seconds East, a distance of 510.41 feet; thence North 23 degrees 30 minutes 17 seconds East, a distance of 414.21 feet; thence North 63 degrees 58 minutes 26 seconds East, a distance of 195.94 feet; thence North 00 degrees 58 minutes 41 seconds East, a distance of 479.90 feet to said centerline of County Road No. 55; thence North 67 degrees 13 minutes 08 seconds East, along said centerline, a distance of 436.37 feet; thence northeasterly, a distance of 398.85 feet, along said centerline, along a tangential curve, concave to the northwest, having a radius of 573.01 feet and a central angle of 39 degrees 52 minutes 52 seconds; thence North 27 degrees 20 minutes 16 seconds East, along said centerline, a distance of 333.31 feet; thence northeasterly, a distance of 437.77 feet, along said centerline, along a tangential curve, concave to the northwest, having a radius of 1960.50 feet and a central angle of 12 degrees 47 minutes 37 seconds; thence North 14 degrees 32 minutes 38 seconds East, tangent to last described curve, a distance of 716.63 feet; thence South 75 degrees 27 minutes 22 seconds East, a distance of 125.74 feet; thence southeasterly, a distance of 129.67 feet, along a tangential curve, concave to the southwest, having a radius of 154.00 feet and a central angle of 48 degrees 14 minutes 36 seconds; thence South 89 degrees 55 minutes 35 seconds East, not tangent to last described curve, a distance of 129.30 feet to the point of beginning.

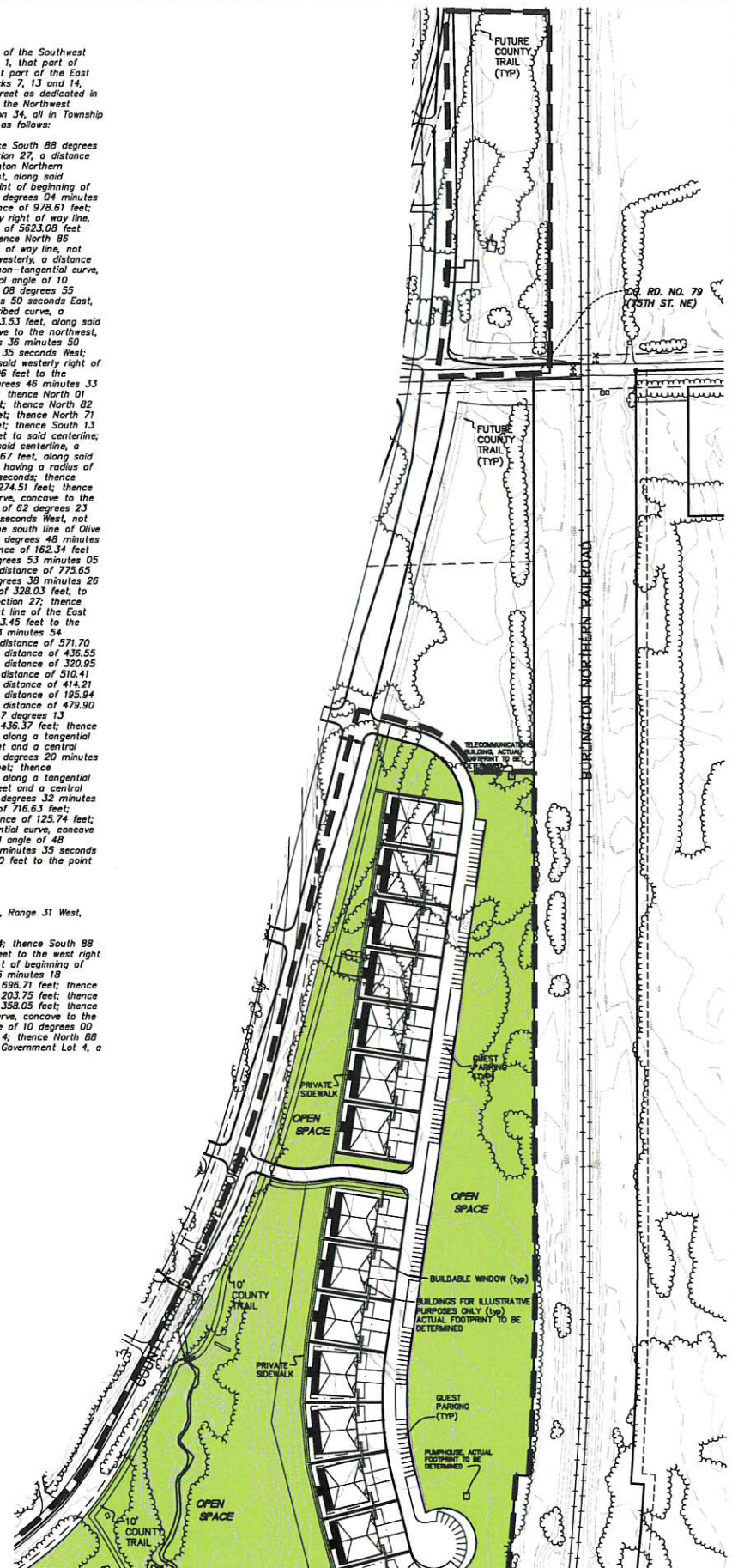
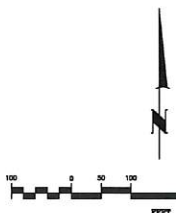
and

That part of Government Lot 4, Section 22, Township 37 North, Range 31 West, said Benton County described as follows:

Commencing at the southeast corner of said Government Lot 4; thence South 88 degrees 23 minutes 18 seconds West, a distance of 1264.29 feet to the west right of way line of said Burlington Northern Railroad, being the point of beginning of the tract of land to be described; thence North 00 degrees 05 minutes 18 seconds East, along said west right of way line, a distance of 696.71 feet; thence North 89 degrees 08 minutes 42 seconds West, a distance of 203.75 feet; thence South 00 degrees 54 minutes 08 seconds East, a distance of 358.05 feet; thence southwesterly, a distance of 349.33 feet, along a tangential curve, concave to the northwest, having a radius of 2000.00 feet and a central angle of 10 degrees 00 minutes 27 seconds to the south line of said Government Lot 4; thence North 88 degrees 23 minutes 18 seconds East, along said south line of Government Lot 4, a distance of 222.06 feet to the point of beginning.

LEGEND

- Deciduous tree line
- Open spaces
- Wetlands
- Rock outcrops



SEE SHEET 3 OF 5 SHEETS

0023155.0059702.dwg

Date: 11/07/19 Sheet: 2 OF 5

Westwood

Phone: (202) 353-8489 3191 12th Street North, Suite 206
 Fax: (202) 348-2001
 Toll Free: (800) 270-6455
 westwoodpro.com

Westwood Professional Services, Inc.

I hereby certify that this plan 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.

William B. Thibault
 Date: 11/07/19 License No. 44884

Revisions

Drawn by: WBL
 Checked by: CWF
 Date: 11/07/19
 Revised: 11/07/19

Prepared for:

New Pirates Cove LLC





1043 39th Street North
 Lake Elmo, MN 55042

The Cove
 Amendment 1
 Watab Township
 Benton County, Minnesota

Final
PUD Plan

Detail A - Northwest Area

LEGEND

-  Deciduous tree line
-  Open spaces
-  Wetlands
-  Rock outcrops



SEE SHEET 4 OF 5 SHEETS

0023155.005PFD3.dwg

Date 11/07/19 Sheet 3 OF 5

Westwood

Phone (202) 253-8465 2781 12th Street North, Suite 200
 Fax (202) 258-2001 St. Cloud, MN 56303
 Toll free (800) 277-6463 westwoodpro.com

Westwood Professional Services, Inc.

I hereby certify that this plan was prepared by
 a duly licensed professional engineer, architect,
 or a duly licensed professional land surveyor,
 and is the true and correct copy of the same.
 William R. Thoman
 Date 11/07/19 License No. 44984

Revisions

Revised: YES

Checked: CM

Designed: PM

Based on: Existing

Prepared for:

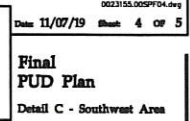
New Pirates Cove LLC

1343 39th Street North
 Lake Reno, MN 55042

The
Cove
 Amendment 1
 Wetab Township
 Benton County, Minnesota

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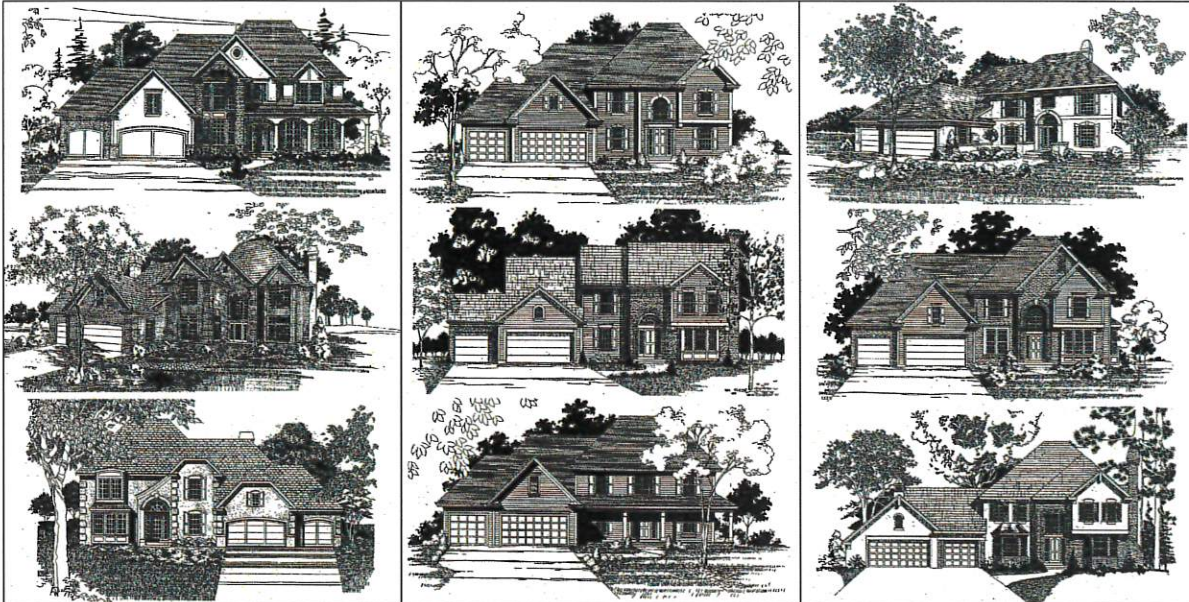
Detail B - West Central Area



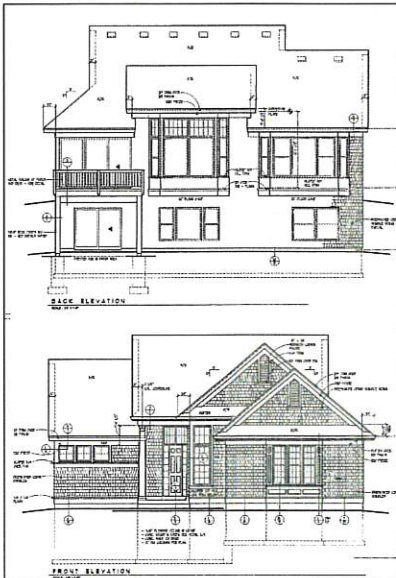
Luxury Lots



Traditional Lots



Detached Villas



Attached Villas - 2 Unit



Attached Villas - 4 Unit



Entry Monument



Westwood

Phone (202) 253-6400 3701 12th Street North, Suite 206
Fax (202) 253-6401 St. Cloud, MN 56301
Web Site (202) 253-6401 westwoodpro.com

I hereby certify that this plan was prepared by
me or under my direct supervision and that I
am a duly Licensed Professional Architect
under the laws of the State of Minnesota.
William J. Thakur
Date: 11/07/19 License No. 44984

Revisions
1
2
3

Drawn: WJB
Checked: CWF
Designed: WJB
Based Drawing: JLD

Prepared for:
New Pirates Cove LLC
11543 39th Street North
Lake Elmo, MN 55042

The
Cove
Amendment 1
Wabab Township
Benton County, Minnesota

Date: 11/07/19 Sheet: 5 OF 5
Final
FUD Plan
Architectural Character