Land Use Application

City of Minnetonka Beach

2945 Westwood Rd., P.O. Box 146, Minnetonka Beach, MN 55361
(952)471-8878 FAX (952)471-7416

CITY OF MTKA BEACH
FEB 26 2024
RECEIVED

Date 4 JAN 2024

Applicant Information:

Name GREGG MALSBARY, GM/COO Tel. (w) 952.471.8493

Address LAFAYETTE CLUB, 2800 NORTHVIEW RD Tel. (h) _____

Email Address gmalsbary@lafayetteclub.com Mobile/Cell _____

Applicant's Architect _____
Applicant's Surveyor/Engineer _____
Applicant's Builder _____

Type of Application:

☐ Variance ☐ Amendment to Zoning Code ☐ Appeal

☑ Conditional Use Permit ☐ Subdivision ☐ Other

Property Information:

Property Address 2800 NORTHVIEW ROAD PID# _____

Owner LAFAYETTE CLUB Date Acquired _____

Email Address _____

Describe request in detail (type of variance, etc.), including unusual property conditions/practical difficulties imposed by City Code: (Use back if needed)

75' EXTENSION TO DRIVING RANGE SAFETY FENCE

Proposed Schedule:

Your application will be heard on the following dates provided all requested information is received:

3/18/24 **Planning Commission Meeting**
4/8/24 **City Council Meeting**

The following must be provided to City Hall (if checked) by the dates indicated in order for this application to be heard in accordance with the schedule stated above:

(Check) (Last Date Due)

_____ _____ Mailing labels of owners within 350 feet of the property. (City Staff)

_____ _____ Current (current defined by Zoning Administrator) survey showing all existing and proposed improvements, and hardcover calculations on the site or other information requested by the City.

_____ _____ 1 set of full-sized plans with surveys, 1 set 11 x 17 inch, and 1 electronic copy of plans and survey. These are to include all elevations (including ground level elevations) shown drawn to scale showing proposed request.

_____ _____ Other _____

Fee and Costs

Application Fee: $250.00 submitted with this Land Use Application.

Additional Costs: The applicant requests processing of this application and agrees to pay to the City of Minnetonka Beach within Thirty (30) days after billing statement mailed or delivered, the actual costs incurred by the City for engineering, planning and zoning, legal and inspection expenses reasonably and necessarily required by the City for the processing of the application.

Such costs shall be in addition to the application fee.

Withdrawal of the application shall not relieve the applicant of the obligation to pay the costs incurred prior to withdrawal.

Applicant's Signature GREGG MALSBARY **Date** 1/4/24

Home Owner's Signature _____ **Date** _____

Office Use Only

Extension ☐ Discussed with Applicant ☐ Letter sent _____ Date

Application fee received on 2/26/24 (Date) Check Number 094279 Amount $250.00

Received by: _____ on behalf of the City.

Additional space if needed:

SEE ATTACHED PROJECT SUMMARY

Revised 8.20.2020

CUP Amendment – Driving Range Fencing

Request

The Lafayette Club (hereafter, the "Club") is requesting an amendment to its CUP to include improvements made to the safety fence along the existing practice range by a 75-foot extension the Northeast side of the driving range to continue protecting the downrange area. The system was installed in Summer 2023 along with replacement of the previously existing protective fence in that location.

Location:

The driving range is located on the northern portion of the Club property and is oriented northwesterly / southeasterly. The requested fence sits along the northeastern border of the property from the existing tree line and is connected to the replaced fencing running along that location of the property.

This area of the Club property is largely unseen by the neighborhood properties due to its distance from neighboring properties, the wide variety of mature trees and other landscaping layered through the property, and Club buildings including the Clubhouse. The fencing is located inline with trees parallel to the Lake that largely shield it from view. Additionally, the fencing is angled slightly away from the Lake, which increases the setback beyond that of the existing fence. The impact of the fencing is minimal. There are no residences within 800 feet of this request. To the southeast, only 3 homes are within 1,000 feet and positioned behind multiple layers of mature trees and landscaping across the Club property. From other sides of the property, the impact of the fencing is minimal or non-existent; it is over 1,200 feet from the nearest residence to the west-southwest and obscured by trees, landscaping, the Clubhouse and building, and the hills.

Purpose:

To improve the Club's driving range by upgrading the fencing to freshen its appearance, continuing to keep golf balls within the Club property, and to maintain the overall safety of the immediately surrounding area. This fence is an aesthetic upgrade and an improvement to the existing protective fencing to ensure that safety on and off the Club property keeps pace with changes in player capability.

Historical Context:

In 2022, the Club's Grounds Superintendent requested repairs and replacement of the existing fence. In 2023, the Golf & Grounds Committee unanimously approved the replacement and recommendation by Club staff to improve the ball-stopping capabilities by extending the fence seventy-five feet downrange, which angles inland from the Lake on tree covered arear about 30

feet from the Lake, due to current golf skills and equipment technology improvements which have led to more players increasing the distances off the tee box. The driving range fence replacement and extension was vetted and approved by the G&G Committee and Board. The system was replaced and re-installed by Town & Country Fence Inc. during the summer of 2023. The extended improvement is angled away from the lake and is 40 feet from the high-water level. See Surveyor's Report.

The Club has been in existence since 1899 and has maintained a fence along the northeast boundary of the practice range since construction of the practice area, which predated the original CUP. In Fall, the Zoning Administrator and City officials informed the Club that, while repairs and like-replacement would be permitted without an amendment to the CUP, the realigned extension would require an amendment.

Fence System Material:

The fence system is built with the following high-quality materials and measurements:

- 1-3/4" x 10' x 120 KK 11 gauge coated black chain link fabric
- 1-5/8" top and middle rail.
- 2-1/2" line posts, driven 48" into the ground
- 3" terminal post, set in concrete footings

Common Elements

The City has permitted the Club to install similar protective screening, netting, and fencing, elsewhere on Club property, such as behind the 2nd green, behind the 6th tee box, entire tennis court complex and along the 9th tee box. In addition, Three Rivers Park District was permitted to install similar chain-link fence along the entirety of the trail adjoining the 5th and 8th holes. The fencing in this request is of similar type and impact as the existing fencing on the driving range and throughout the Club. This is also typical of golf clubs throughout the twin cities area.

Conditional Use Permit Criteria Checklist:

A. The conditional use will not be detrimental to the health, safety, morals or welfare of persons residing or working near the use.

The request improves the protection provided along the edge of the existing practice range and will improve the health, safety, and welfare of those using the surrounding area by continuing to keep golf balls contained within the property. The function of the

fence is typical of fencing around practice ranges and is constructed of a material type that is common, inoffensive, and does not cause moral turpitude or indecency. The fence will not contribute to illness or disease, nor cause waste, rot, poverty, smog, noises, noxious fumes. There is no negative impact on the health, safety, morals, or welfare.

B. The conditional use will not impede the normal and orderly development of surrounding property for permitted uses predominate in the area.

The fence is not an impediment to normal and orderly development within the area. It is nestled into a tree line located fully upon the Club property. The fence is screened from neighboring properties by a wide variety of mature trees and landscaping, the general changes in topography on the Club property, and other improvements of the Club. The nearest adjoining property line is over 800 feet away and only 2 homes exist within 1,000 feet. The fence does not cause and does not prohibit, any change to or the use of the neighboring properties or the Club.

C. The conditional use will not pose an undue burden on public utilities or roads, and adequate sanitary facilities are provided.

The fence has no impact on public utilities, roads, or sanitary facilities.

D. The conditional use can provide adequate parking and loading spaces, and all storage on the site can be done in conformance with city code requirements.

The fence has no impact on parking, loading spaces, of storage on site.

E. The conditional use will not result in any nuisance, including but not limited to odor, noise, or sight pollution

The fence is professionally designed and installed as an accessory to the Club to protect the area near the edge of the practice range. It is common to and compatible with existing fencing in the immediate area and upon the Club property more generally. The fence does not harm any surrounding properties or uses, does not present any hazard to the public, and is not a nuisance. There are no odors, amplified noises, or negative uses stemming from the fence. Overall, it has a positive impact on the neighboring area by maintaining the protections provided by the existing fence.

F. The conditional use will not unnecessarily impact nature features such as woodlands, wetlands and shorelines, and all erosion will be properly controlled.

The fence will not contribute to erosion and has only a minor impact the natural environment because it is connected with an existing fence and embedded within existing tree cover. It does not result in the loss of any trees or woodlands. The fencing

is located and designed to coordinate with the trees and landscaping as laid out along the northeastern border of the Club. The fencing is limited to only those portions of the practice range area where such fencing will have a meaningful impact.

G. The conditional use will adhere to any applicable additional criteria outlined in Chapter 5 for the proposed use.

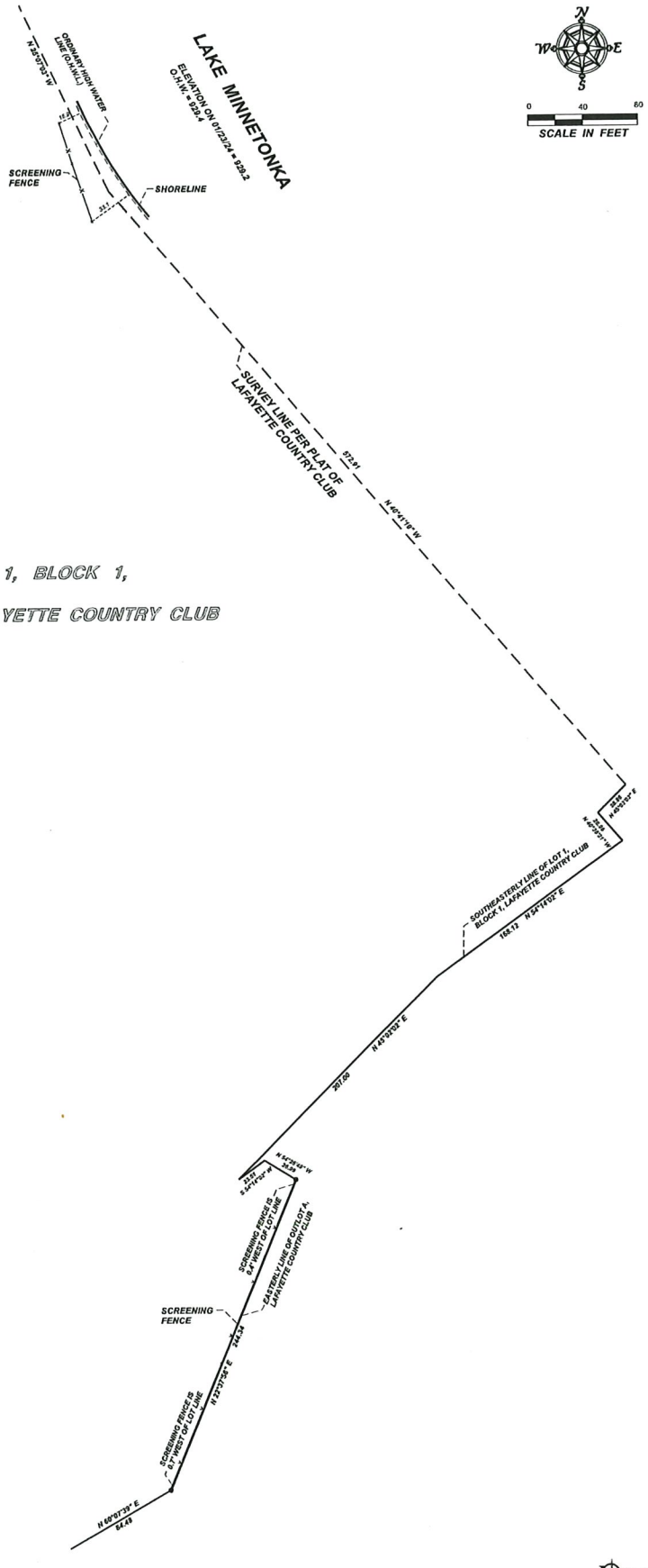
The fence is an accessory and compatible to the use of the property as a recreational facility under the City zoning ordinance. It is common to and compatible with fencing in the immediate vicinity and throughout the Club. Chain link fencing is common on private golf courses throughout the Twin Cities, where it is typically used to protect borders and select areas of the course and neighboring property owners, and this fence is made of premium quality materials that far exceed typical chain link fencing.

Summary

The Club has met the required conditions of approval and hereby requests that the City approve this amendment to the CUP to allow the protective fence along the practice range.

Certificate of Survey

~ for ~ Lafayette Club
2800 Northview Road
Minnetonka Beach, MN 55391



NOTE:

THE PURPOSE OF THIS SURVEY IS TO LOCATE THE THE EXISTING SCREENING FENCE ALONG THE EASTERLY AND NORTHERLY SIDES OF THE PROPERTY.

LEGEND
• Found Iron Monument

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Minnesota.

Steven V. Ische | 22703 License No. | 02/07/14 Date

PROJ. #2348-00

PREMIER LAND SURVEYING, LLC
1600 Arboretum Blvd., Suite 203
Victoria, MN 55386
952-443-3010

Traverse PC

LAFAYETTE CLUB
2800 NORTHVIEW ROAD
P.O. BOX 128
MINNETONKA BEACH, MN 55361
WWW.LAFAYETTECLUB.COM

OLD NATIONAL BANK
WAYZATA, MN 55391
71-1/863

No. 094279

CHECK NO. 94279

CHECK DATE 1/4/2024

PAY Two Hundred Fifty Dollars and Zero Cents********** DOLLARS $250.00

TO THE
ORDER OF

City Of Minnetonka Beach
Po Box 146
Minnetonka Beach, MN 55361

LAFAYETTE CLUB

GREGG MALSBARY MP

MP

AUTHORIZED SIGNATURES

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