

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

RESOLUTION NO. 2017-072

*A RESOLUTION APPROVING AN AMENDMENT TO DEVELOPER'S AGREEMENT FOR THE
SOUTHWIND OF LAKE ELMO RESIDENTIAL TOWNHOME DEVELOPMENT*

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

WHEREAS, Southwind Builders Inc, 2372 Leibel Street, White Bear Lake, MN 55110 (“applicant”) has previously submitted an application to the City of Lake Elmo (“City”) for a Final Plat for Southwind of Lake Elmo Development; and

WHEREAS, on February 23, 2015, the Lake Elmo Planning Commission reviewed a General Sketch Plan of the property; and

WHEREAS, on March 3, 2015, the Lake Elmo City Council reviewed a General Sketch Plan, but took no action; and

WHEREAS, on July 7, 2015, the Lake Elmo Planning Commission reviewed and recommended approval of the preliminary plat; and

WHEREAS, on July 21, 2015, the Lake Elmo City Council adopted Resolution 2015-056 approving the Preliminary Plat for a 46-unit single family attached (townhouse) development, subject to 21 conditions; and

WHEREAS, on December 15, 2015, The Lake Elmo City Council adopted Resolution 2015-88 approving a 12-month extension to the final plat submittal deadline of the approved plat to allow for additional time to prepare for financing and other planning activities, thereby extending the final plat application deadline to December 1, 2016, and

WHEREAS, on November 15, 2016, The Lake Elmo City Council adopted Resolution 2016-102 approving a 12-month extension to the final plat submittal deadline of the approved plat to allow for additional time to prepare for financing and other planning activities, thereby extending the final plat application deadline to December 1, 2017, and

WHEREAS, on June 12, 2017, the Lake Elmo Planning Commission reviewed the Southwind of Lake Elmo Final plat and recommended approval subject to 16 conditions; and

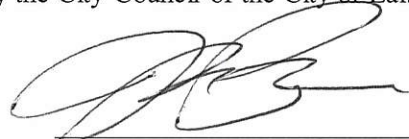
WHEREAS, on July 5, 2017, the Lake Elmo City Council reviewed the Southwind of Lake Elmo Final Plat and adopted Resolution 2017-068; and

WHEREAS, a condition of approval of said Resolution 2017-068, establishes that prior to execution of the Final Plat by City officials, the Applicant shall enter into a Developer’s Agreement with the City; and

WHEREAS, the Applicant and the City have agreed to enter into such a contract and a copy of the Developer's Agreement was submitted to the City Council for consideration at its July 5, 2017 meeting; and

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve an amendment to the Developer's Agreement for Southwind of Lake Elmo and authorizes the Mayor and City Clerk to execute the document.

Passed and duly adopted this 5th day of July, 2017 by the City Council of the City of Lake Elmo, Minnesota.



Mike Pearson, Mayor

ATTEST:



Julie Johnson, City Clerk