



## **STAFF REPORT**

DATE: 01/16/2024

**CONSENT**

**MOTION**

**TO:** City Council  
**FROM:** Nathan Fuerst, Planning Consultant  
**AGENDA ITEM:** Final Plat Extension for Landucci Construction  
**REVIEWED BY:** Sophia Jensen, City Planner

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### **BACKGROUND:**

The City Council adopted Resolution 2023-076 approving the request of Landucci Construction for the Prairie Sky final plat and PUD on August 15, 2023. The Subdivision Ordinance requires the subdivider to record the final plat within 180 days of final plat approval or the final plat becomes void unless extended and approved by the Council. The applicant is currently working to finalize and address outstanding engineering items. The applicant is moving ahead and has made progress on plan revisions and fulfilling the conditions of their final plat approval. Landucci Construction is requesting an extension of the final plat recording deadline to February 11, 2025.

### **ISSUE BEFORE THE CITY COUNCIL:**

The City Council is being requested to consider whether to extend deadline to record the final plat, to February 11, 2025.

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

Landucci Construction is requesting an extension to work through final outstanding issues related to engineering comments and financing.

### **FISCAL IMPACT**

None.

### **OPTIONS**

The City Council should consider the following options:

- 1) To extend the deadline to record the final plat to February 11, 2025.
- 2) To extend the deadline to record the final plat for less than one year.
- 3) To reject the final plat recording deadline extension request.

**RECOMMENDATION:**

Staff is recommending that the City Council approve the request to extend the Final Plat recording deadline for the Prairie Sky Final Plat as an item on the City Council's consent agenda.

If removed from the consent agenda, then Staff recommends the City Council approve the request with the following motion:

*“Move to adopt Resolution No. 2024-011, extending the Final Plat recording deadline for Prairie Sky Final Plat to February 11, 2025.”*

**ATTACHMENTS:**

1. Resolution 2024-011
2. Landucci Construction Request

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

**RESOLUTION NO. 2024-011**

*A RESOLUTION APPROVING AN EXTENSION FOR THE FINAL PLAT RECORDING  
DEADLINE FOR THE PRAIRIE SKY FINAL PLAT*

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

**WHEREAS**, Landucci Construction, 13230 20<sup>th</sup> Streett Court North submitted an application to the City of Lake Elmo (City) for a Final Plat and Final PUD Plan for the Prairie Sky development, a copy of which is on file in the City of Lake Elmo Community Development Department; and

**WHEREAS**, on August 15, 2023, the Lake Elmo City Council reviewed and approved Prairie Sky Final Plat through Resolution 2023-076; and

**WHEREAS**, Lake Elmo Municipal Code section 103.00.100 (b) (7) requires final plats to be recorded within 180 days after approval, unless an extension is approved by the City Council; and

**WHEREAS**, the deadline for recording Prairie Sky Final Plat is February 11, 2024; and

**WHEREAS**, Landucci Construction submitted a request for an extension to the recording deadline of the approved Final Plat to allow for additional time to address engineering comments and complete a development agreement with the City.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council does hereby approve an extension to the deadline for recording the Final Plat of the Prairie Sky subdivision, and hereby extends the Final Plat recording deadline to February 11, 2025.

Passed and duly adopted this 16th day of January 2024 by the City Council of the City of Lake Elmo, Minnesota.

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Charles Cadenhead, Mayor

ATTEST:

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Julie Johnson, City Clerk

## **Nathan Fuerst**

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**From:** Nathan Landucci <landucnl@gmail.com>  
**Sent:** Thursday, January 4, 2024 11:59 AM  
**To:** Nathan Fuerst; Sophia Jensen  
**Subject:** Re: Prairie Sky Twinhomes-Final recording extension

Hello Nathan and Sophia,

This is a formal request for the city council on 1/16/24 to extend the recording period given to the final plat of Prairie Sky Twinhomes. Currently the deadline is in February 2024, would like to extend one year to a new deadline of February 2025. This would give us additional time to wrap up the DA with the city and any and all remaining loose ends items.

Nathan Landucci  
Landucci Companies  
651-894-2582

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

**RESOLUTION NO. 2023-076**

***RESOLUTION APPROVING THE FINAL PLAT AND PUD REQUEST FOR PRAIRIE SKY  
(PIDS 13.029.21.21.0009 AND 13.029.21.21.0017)***

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

**WHEREAS**, the City of Lake Elmo has established a Comprehensive Plan that includes background data, policy statements, standards, and maps that help to guide the future physical, social, and economic development of the City; and

**WHEREAS**, Landucci Construction, (the “Applicant”) has requested a Final Plat and PUD for Prairie Sky, on property legally described on Exhibit A attached hereto (the “Property”), consisting of approximately 5.35 acres for development of 15 twinhome buildings with 30 units; and,

**WHEREAS**, the final plat is further depicted on Exhibit B attached hereto; and

**WHEREAS**, the plans submitted to the City on April 28, 2023 along with subsequent revisions; and

**WHEREAS**, the applications for Final Plat and PUD were not found by the city to be complete until June 23, 2023; and

**WHEREAS**, the Lake Elmo City Council reviewed the Final Plat and PUD requests at its meeting held on August 15, 2023 and voted to approve the item with the following findings of fact:

1. That all the requirements of City Code Section 103.00.100 related to the Final Plans and Final Plat have been met by the Applicant.
  2. That the Prairie Sky Final Plat and PUD Plan consists of 30 twin-home units for residential use.
  3. That the Prairie Sky Final Plat and PUD is generally consistent with the Preliminary Plat and PUD Plans as approved by the City of Lake Elmo on March 21, 2023.
  4. That the Prairie Sky Final Plat and PUD Plan are consistent with the intent of the 2040 Lake Elmo Comprehensive Plan and the 2040 Land Use Map for this area.
  5. That the Prairie Sky Final Plat and PUD Plan complies with the general intent of the Village Mixed-Use (V-MX) zoning district with PUD modifications.
  6. That the Prairie Sky Final Plat and PUD Plan generally complies with the Lake Elmo Design Guidelines and Standards Manual.
  7. That the Prairie Sky Final Plat and PUD generally comply with the City’s Subdivision regulations.
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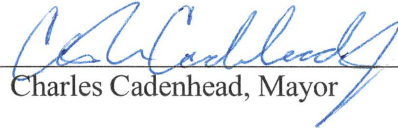
8. That the Prairie Sky Final Plat and PUD generally comply with the City's Zoning Code (including Shoreland Zoning) with the exceptions provided for in the PUD and associated Variance request.
9. That the Prairie Sky Final Plat and PUD Plan is generally consistent with the City's engineering standards with the exceptions noted by the City Engineer in his review comments to the City dated July 12, 2023, and as otherwise identified in future reviews.

**NOW, THEREFORE, BE IT RESOLVED THAT** the City Council does hereby approve Prairie Sky Final Plat, and PUD requests subject to the following conditions:

1. Prior to the City signing or approving recording of the Final Plat or Development Prior to the City signing or approving recording of the Final Plat or Development Agreement, the Applicant shall fully address all comments in the following review memos, or any subsequently revised memo, to the satisfaction of the City:
  - a. City Engineer's memos dated July 12, 2023,
  - b. City Landscape Architect's memo dated June 30, 2023,
  - c. City Fire Chief's memo dated May 11, 2023.
2. That prior to the City permitting the recording of the Final Plat and Development Agreement, the applicant shall demonstrate that the plans reflect compliance with Valley Branch Watershed District (VBWD) review requirements and provide the City evidence that all conditions attached to a VBWD permit will be met before the starting any grading activity on the site.
3. That the applicant shall obtain all necessary permits for the Subdivision Improvements including but not limited to all applicable City permits (building, grading, sign, etc.), MDH, MPCA, County R/W, NPDES/SWPPP permits and Valley Branch Watershed District approval before starting any grading or construction activities.
4. No deviations are provided for signage. When construction of the subdivision monument sign is desired, the Applicant must apply for a sign permit with the City, and will provide a complete sign plan detailing signage proposed.
5. The applicant/developer is responsible, at their own expense, for installing all required improvements to the property. Any improvements in Stillwater Boulevard shall be consistent with Washington County standards.
6. A storm water maintenance and easement agreement in a form acceptable to the City shall be executed and recorded with the final plat.
7. No stormwater impacts shall be created on CSAH 14 (Stillwater Boulevard).
8. The applicant/developer shall provide the City a fee in lieu of park land dedication as required by Section 103.00.150 to be paid prior to recording of the final plat.
9. The applicant/developer shall pay the City the required AUAR fee prior to recording of the final plat.
10. A landscape and irrigation license agreement in a form acceptable to the City shall be executed and recorded with the final plat.
11. Existing drainage and utility easements shall be vacated prior to recording final plat.
12. All easements as requested by the City Engineer and Public Works Department shall be documented on the Final Plat before the execution of the final plat by City Officials.
13. Finalization, adoption, and publication of an overlay PUD district ordinance shall occur before the recording of the final plat.
14. If necessary, the applicant shall provide the City with a copy of written permission for any off-site grading work and storm sewer discharges to adjacent properties before starting any site work, grading and as part of any final plat or final PUD application.

15. Before the execution and recording of a final plat for the development, the developer or applicant shall enter into a Developer's Agreement or a Site Work Agreement with the City. Such an Agreement must be approved by the City Attorney and by the City Council. The Agreement shall delineate who is responsible for the design, construction and payment for the required improvements with financial guarantees, therefore.
16. The Applicant must notify all home builders about the City's outdoor watering restrictions and that all home builders must notify all home buyers that the City has imposed limits on outdoor water use including a limit of 2 days per week of watering. Said decision about whether this notice is no longer required shall be made at the sole discretion of the City.
17. The Applicant shall have the City approve the notification message before the release of the Final Plat by the City.

Passed and duly adopted this 15<sup>th</sup> day of August, 2023 by the Lake Elmo Minnesota City Council.

  
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Charles Cadenhead, Mayor

ATTEST:

  
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Julie Johnson, City Clerk



**Resolution 2023-076**  
**Exhibit A**  
**Legal Description of Subject Property**

Lot 2, Block 3, BROOKMAN 3RD ADDITION, according to the plat on file and of record in the office of the County Recorder, Washington County, Minnesota, lying Easterly of the following described line: Commencing at the Northwest corner of said Lot 2; thence North 89 degrees 21 minutes 23 seconds East, assumed bearing, along the North line of said Lot 2, 264.71 feet to the point of beginning of said line; thence South 11 degrees 13 minutes 30 seconds West, 328.54 feet to the South line of said Lot 2 and said line there terminating, Washington County, Minnesota.

and

Outlot N, WILDFLOWER AT LAKE ELMO 1ST ADDITION, Washington County, Minnesota. (not part of the above mentioned title commitment.

