

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

RESOLUTION NO. 2016-102

*A RESOLUTION APPROVING EXTENSION FOR DIEDRICH PROPERTY PRELIMINARY
PLAT TO FILE FOR 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, Gerhart Rieder, property owner, 7401 Wyndham Way, Woodbury, MN 55125, submitted an application to the City of Lake Elmo (City) for a preliminary plat for a 46-unit singled family attached (townhouse) development on approximately 15 acres in the RT Rural Development Transitional Zoning District (PID#s: 36.029.21.32.0002 and 36.029.21.0034) referred to as Diedrich Property Preliminary Plat, a copy of which is on file in the City of Lake Elmo Community Development Department; and

WHEREAS, the Preliminary Plat includes Outlot D of Hunters Crossing and is still owned by Ryland Group, Inc.; and

WHEREAS, on July 7, 2015, the Lake Elmo Planning Commission reviewed and recommended approval of the Diedrich Preliminary Plat; and

WHEREAS, on July 21, 2015, the Lake Elmo City Council adopted Resolution 2015-056 granting preliminary plat approval for a 46-unit singled family attached (townhouse) Development; 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, the property was granted a Comprehensive Plan Amendment amending the Property's planned land use to Medium Density Residential but has not yet been granted a Zoning Map Amendment to amend the property's zoning to Urban Medium Density Residential; and

WHEREAS, a condition of Final Plat was that the applicant update all of the landscaping and construction plans to reflect the updated site plan that includes a public right-of-way within the project area, and these plans have not yet been submitted; and

WHEREAS, Gerhart Reider has requested an additional 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;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve a 12-month extension for the Diedrich Property Preliminary Plat, thereby extending the final plat application deadline to December 1, 2017, with the following conditions:

1. Fee owner of Outlot D of Hunters Crossing (Ryland Group, Inc.), must provide a letter approving the Preliminary Plat, and negotiations must be executed between the Applicant and owner of Outlot D of Hunters Crossing to include this outlot in the Final Plat.
2. The Council shall approve the Zoning Text Amendment to rezone the Property to Urban Medium Density Residential.
3. The applicant shall resubmit all of the landscaping and construction plans to reflect the updated site plan that includes a public right-of-way within the project area at the time of final plat.

Passed and duly adopted this 15th day of November, 2016 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk