



STAFF REPORT

DATE: 05/16/23

CONSENT

ITEM #: 10

MOTION

TO: City Council
FROM: Jenni Faulkner, Planning Consultant
AGENDA ITEM: Preliminary Plat Extension for DPS Lake Elmo 3rd Addition
REVIEWED BY: Sophia Jensen, City Planner

BACKGROUND:

The City Council adopted Resolution 2022-103 approving the DPS Lake Elmo 3rd Addition preliminary plat and preliminary PUD on November 1, 2022. The Subdivision Ordinance requires the subdivider to submit the final plat within 180 days of preliminary plat approval or the preliminary plat becomes void. The applicant is currently working to finalize the structure and documentation with financial partners and address outstanding engineering items. The applicant is diligently moving ahead and has applied for various permits. SRD 2.0 LLC (Shafer Richardson) is requesting an extension of the preliminary plat to August 1, 2023.

ISSUE BEFORE THE CITY COUNCIL:

The City Council is being requested to consider whether or not to extend the preliminary plat, deadline to submit final plat, to August 1, 2023.

PROPOSAL DETAILS/ANALYSIS:

SRD 2.0 LLC is requesting an extension in order 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 preliminary plat deadline to submit final plat to June 20, 2024
- 2) To reject the preliminary plat extension request.

RECOMMENDATION:

Staff is recommending that the City Council approve the request to extend the Final Plat submission deadline for the DPS 3rd Addition as part of tonight'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. 2023-051, extending the Final Plat submission deadline for the DPS 3rd Addition to August 1, 2023.”

ATTACHMENTS:

1. Resolution 2023-051
2. SRD 2.0 LLC Shafer Richardson Letter of Request

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

RESOLUTION NO. 2023-051

*A RESOLUTION APPROVING AN EXTENSION FOR THE FINAL PLAT SUBMISSION
DEADLINE FOR THE DPS LAKE ELMO 3rd ADDITION*

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

WHEREAS, SRD 2.0 LLC, 900 North 3rd Street, Minneapolis, MN 55401 submitted an application to the City of Lake Elmo (City) for a Final Plat and Final PUD Plan for the DPS Lake Elmo 3rd Addition, a copy of which is on file in the City of Lake Elmo Community Development Department; and

WHEREAS, on May 23, 2022, the Lake Elmo Planning Commission reviewed and recommended approval of DPS Lake Elmo 3rd Addition; and

WHEREAS, on August 16, 2022, the Lake Elmo City Council reviewed and approved DPS Lake Elmo 3rd Addition Preliminary Plat; and

WHEREAS, on November 1, 2022, the Lake Elmo City Council adopted Resolution 2022-103 approving DPS Lake Elmo 3rd Addition Final Plat; and

WHEREAS, Resolution 2022-103 requires the final plat be recorded within 180 days of approval; and

WHEREAS, the deadline for recording GPS Lake Elmo 3rd Addition was April 30, 2023; and

WHEREAS, SRD 2.0 LLC submitted a request for an extension to the Final Plat recording deadline of the approved plat to allow for additional time to address engineering comments and financing items;

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve an extension to the Final Plat deadline for DPS Lake Elmo 3rd Addition subdivision, and hereby extends the Final Plat recording deadline to August 1, 2023.

Passed and duly adopted this 16th day of May 2023 by the City Council of the City of Lake Elmo, Minnesota.

Charles Cadenhead, Mayor

ATTEST:

Julie Johnson, City Clerk



Date: May 3, 2023

To: Kristina Handt, City Administrator, City of Lake Elmo

From: Peter Orth, Development Manager, SRD2.0, LLC

CC: Sarah Sonsalla, City Attorney, Kennedy & Graven
Katie Anthony, Vice President of Development, SRD2.0, LLC

Re: DPS Lake Elmo 3rd Addition Final Plat Extension Request

Dear Lake Elmo Staff,

Please accept this memo as a formal request from the applicant (SRD2.0, LLC) to extend the timeline relating to the recording of the final plat. As identified in Resolution No. 2022-103 approving the final plat (effective November 1, 2022), the applicant was required to record the approved plat with Washington County within 180 days of City Council approval.

Following the final plat approval, the applicant has been working diligently to finalize structure and documentation with financial partners for this project. In addition, the engineering review required multiple rounds of revisions due to the complicated nature of the approved plans (including public infrastructure improvements) which impacted delivery of final pricing for the construction as well as permitting approvals needed from the state.

Whereas the Final Plat cannot be recorded until the transfer of ownership and "closing" of the project, SRD2.0, LLC is hereby requesting an extension of the Final Plat recording date to **August 1, 2023** in order to allow additional time needed to complete final due diligence and commence with construction.

We appreciate our working relationship with the City of Lake Elmo and are eager to get Hendrix off the ground. Please don't hesitate to reach out to us with any additional questions or concerns related to this request.

Sincerely,

A handwritten signature in blue ink that reads "Peter Orth".

Peter Orth
Development Manager
SRD2.0, LLC (an affiliate of Schafer Richardson)