



STAFF REPORT

DATE: 8/2/2023

CONSENT MOTION

TO: City Council
FROM: Sophia Jensen, City Planner
AGENDA ITEM: Final Plat Extension for DPS Lake Elmo 3rd Addition

BACKGROUND:

The City Council adopted Resolution 2022-103 approving the DPS Lake Elmo 3rd Addition final plat on November 1, 2022. The City Council adopted Resolution 2022- 124 approving the DPS Lake Elmo 3rd Addition final PUD on December 20th 2022. The Subdivision Ordinance requires the subdivider to record final plat within 180 days otherwise the plat becomes void.

The applicant is currently working to finalize the structure and documentation with financial partners. The applicant was previously granted a final plat extension Resolution 2023-051 but has since had delays that caused the extension deadline to be unattainable. The applicant is diligently moving ahead and has applied for various permits. SRD 2.0 LLC (Shafer Richardson) is requesting a second extension of the final plat to August 1, 2024.

ISSUE BEFORE THE CITY COUNCIL:

The City Council is being requested to consider whether or not to extend the final plat deadline to August 1, 2024.

PROPOSAL DETAILS/ANALYSIS:

SRD 2.0 LLC is requesting an extension in order to work through final outstanding issues related to financing.

FISCAL IMPACT

None.

OPTIONS

The City Council should consider the following options:

- 1) To extend the final plat deadline to submit final plat to August 1st 2024
- 2) To reject the final plat extension request.

RECOMMENDATION:

Staff is recommending that the City Council approve the request to extend the Final Plat 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. 2023-068, extending the Final Plat deadline for the DPS 3rd Addition to August 1, 2024.”

ATTACHMENTS:

1. Resolution 2023-068
2. SRD 2.0 LLC Shafer Richardson Letter of Request

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

RESOLUTION NO. 2023-068

*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 DPS 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;

WHEREAS, the deadline for recording DPS Lake Elmo 3rd Addition was August 1st, 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, 2024.

Passed and duly adopted this 2nd day of August 2023 by the City Council of the City of Lake Elmo, Minnesota.

Charles Cadenhead, Mayor

ATTEST:

Julie Johnson, City Clerk



Date: July 13, 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 & Completion 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. The city previously approved an extension request by Resolution on May 16, 2023, extending the deadline to August 1, 2023.

Following the previous Plat Extension Approval, the applicant is seeking additional time to finalize the financial structure for this project. SRD2.0, LLC is hereby requesting an extension of the Final Plat recording date for an additional 12 months (**August 1, 2024**) in order to allow additional time to commence with construction.

Similarly, the applicant is requesting the Development Agreement for DPS Lake Elmo 3rd Addition to reflect a completion of Subdivision Improvements by June, 2025.

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 black ink, appearing to read "Peter Orth".

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