

RESOLUTION NO. 22-097

CITY OF MAPLE GROVE

RESOLUTION GRANTING FINAL PLAT APPROVAL FOR EVANSWOOD

WHEREAS, MN Landco/AREP 3 Evanswood, LP (hereinafter referred to as the “**Applicant**”) have made application for final plat of property located within the City of Maple Grove located at 10325 Troy Lane, 18100 101st Ave. N., and 17690 101st Ave. N., as shown on attached Exhibit A (hereinafter referred to as the “**Property**”); and

WHEREAS, the City staff studied the matter, made a report, and provided other information to the City Council; and

WHEREAS, the City Council at its May 16, 2022 meeting has considered the matter.

NOW, THEREFORE, the City Council of the City of Maple Grove makes the following:

FINDINGS

- A. On December 21, 2021, the City Council passed Resolution No. 21-181 conditionally approving (i) Planned Unit Development - Development Stage Plan to develop the Property with 227 single-family detached lots and 138 single-family attached lots and (ii) preliminary plat.
- B. The Applicant proposes to final plat the Property as the first phase of the preliminary plat with 60 of the 227 single-family detached lots and a reduced 138 single-family attached lots.
- C. The Applicant has submitted, for the City’s review and approval, the final plat of the Property entitled “Evanswood”, drafted by Pioneer Engineering (hereinafter referred to as the “**Final Plat**”).
- D. The proposed subdivision of the Property is governed by State Statute and City Code Chapter 30.
- E. Minn. Stat. §462.358, grants the City, for the purpose of protecting and promoting the public health, safety and general welfare, the authority to adopt subdivision regulations providing for the orderly, economic, and safe development of land within the City.
- F. City Code §30-7 states:

[With exceptions], no conveyance of land shall be filed or recorded if the land is described in the conveyance by metes and bounds, or by reference to an unapproved registered land survey made after April 21, 1961, or if the land is described by reference to an unapproved plat made after February 25, 1954, unless the transaction has been reviewed pursuant to Minn. Stats. § 272.162, if required.

- G. The Applicant, pursuant to City Code Chapter 30, has submitted the Final Plat for the City's review and approval.
- H. The Final Plat is consistent with the Preliminary Plat and meets the City Code requirements provided it is subject to and meets, to the satisfaction of the City, the conditions set forth in this Resolution.

DECISION

NOW, THEREFORE, and based upon the information received and the above Findings it is resolved by the City Council of the City of Maple Grove that the City Council does hereby conditionally approve the Final Plat and the Mayor and City Clerk are hereby authorized to execute the Final Plat, subject to the conditions set forth below that must be met, to the satisfaction of the City, prior to release of the Final Plat, unless otherwise expressly stated:

1. The approvals granted by this Resolution are subject to the completion of and compliance with all ministerial matters set forth in City Ordinance Code and required by the City, including, but not limited to, those of Engineering, Planning, Administrative and Legal Departments, *e.g.*, title examination, execution of Developer's Agreement, filing of letters of credit, and payment of fees. All construction on the Property shall conform and comply with the Plans, this Resolution, previous approvals, and applicable provisions of City Code. City Code §30-21.
2. Unless otherwise expressly provided for by this Resolution, the Applicant shall comply with the requirements of Resolution No. 21-181 within the timeframes set forth therein.
3. Pursuant to Statute Statute and City Code, the Final Plat requires park dedication via a land dedication and/or a cash equivalent based on the rate approved by the City Council when the Final Plat is released for recording. The park dedication obligation for the Final Plat is a combination of land dedication and cash dedication. Applicant shall donate to the City, via Warranty Deed, Outlots B, D, E, and I as shown on the preliminary plat (hereinafter referred to as the "**Outlots**"). A portion of the Outlots will be utilized for public trails. The trail corridor will be split into two designated trail corridors. The northern section of trail that connects Troy

Ln. to 105th Ave. is part of the planned regional trail system. The trail system located throughout the remaining outlots will be developed as a city parks trail corridor. Park dedication credit will be provided for the trail corridor totaling 7.79 acres of land (2.47 acres for regional trail and 5.32 acres for inter park trails) with the total net acreage of the Property is 118.83 acres. The remainder of the Outlots include floodplain and wetland areas that are not eligible for a park dedication credit. Grading permits for the Property will not be issued until such time that the location of the trail corridor is approved by the City. The Applicant, as part of the grading of the Property, shall engineer and grade the trail corridor to meet City standards.

The balance of the park dedication obligation shall be paid in cash. The City's current single-family rate is \$4,236 per unit/lot. The park dedication credit for the trail corridor land dedication is calculated as a percentage of land area against the per unit fee. The maximum land dedication is up to 10% of the net acreage (11.90 acres of 118.83 acres). The 7.79 acres of trail land dedication satisfies 65% of the obligation, the remaining obligation shall be satisfied with a cash dedication based on the adjusted single-family rate of \$1,483.00. Assuming the Final Plat is released prior to the City Council adjusting the park dedication rate, the park dedication amount to be paid for the Final Plat shall be \$293,634.00 (198 units times \$1,483.00 per unit). If the Final Plat is not released prior to the City Council adjusting the park dedication rate, the above-referenced payment shall be adjusted based upon the formula approved by City for the year in which the Final Plat is released for filing. The park dedication fee, as set forth above, shall be paid prior to the Final Plat being released for filing at the Hennepin County Government Center. The park dedication for future phases of the preliminary plat will be reviewed when application is made on a specific phase final plat.

4. The Applicant shall provide a platting title commitment as required by Minn. Stat. §505.03. The above-mentioned evidence of title shall be subject to the review and approval of the City Attorney to determine the entities must execute the Final Plat and other documents to be recorded against the Property. Further, Applicant shall provide the City with evidence, which sufficiency shall be determined by the City, that all documents required to be recorded pursuant to this Resolution, previous resolutions and by the City Attorney are recorded and all conditions for release of the Final Plat have been met prior to the City processing or approving any building permits or other permits applicable to the development of the Property.
5. The Applicant shall pay upon demand all expenses, determined by the City, that the City incurs in relation to this development and Resolution, and shall provide an escrow deposit in an amount to be determined by the

City. Said expenses shall include, but are not limited to, staff time, including, but not limited to, hourly wage, overhead and benefits, engineering, legal and other consulting fees incurred in relation to the development.

6. The Final Plat must be filed and recorded with Hennepin County within two years of the date of this Resolution. If the Final Plat is not timely filed or recorded, this Resolution and all approvals herein shall be void with no further action required by the City Council.

Motion to approve the foregoing findings, conclusions, and decisions was made by _____ and seconded by _____, upon a vote being duly taken thereon, the following voted in favor thereof:

and the following were against:

and the following were absent:

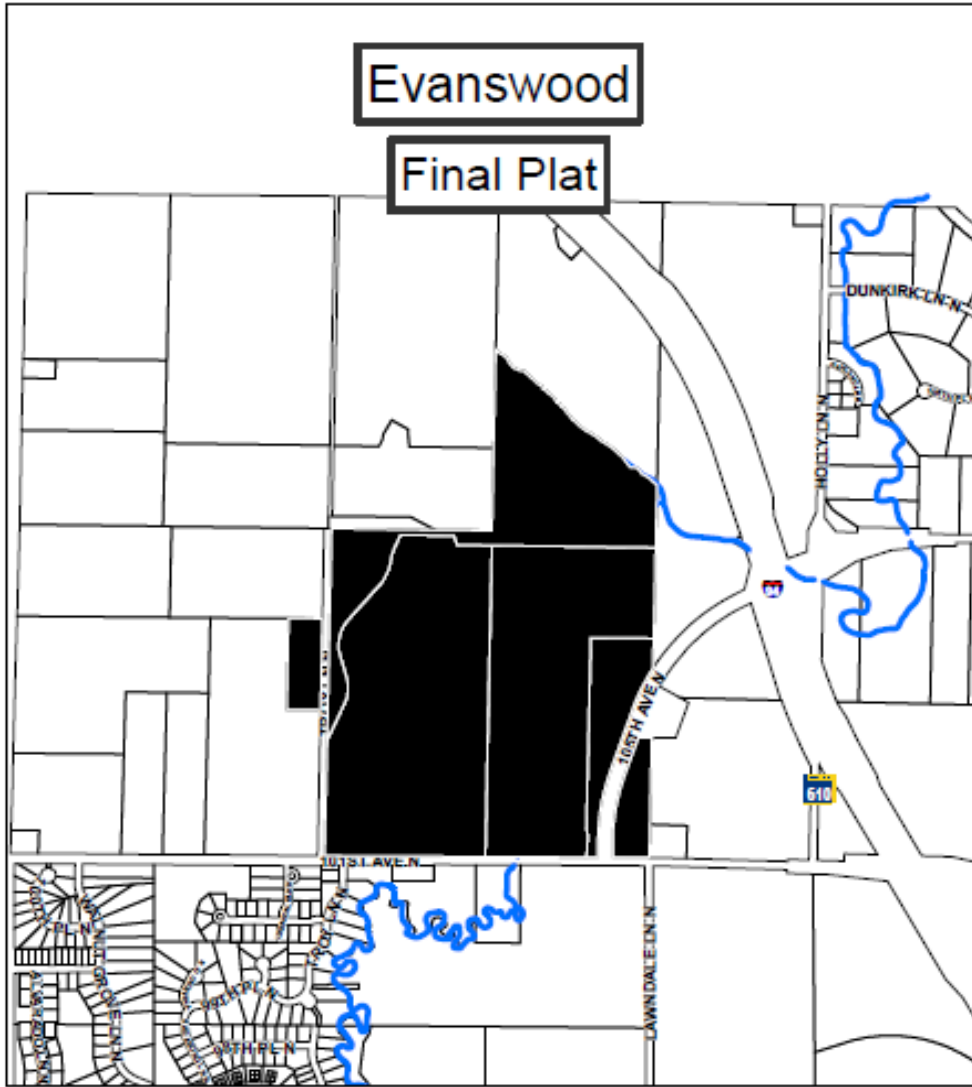
whereupon, the resolution was declared duly passed and adopted the 6th day of June, 2022.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
CITY OF MAPLE GROVE)

I, the undersigned, being the duly qualified and acting Clerk of the City of Maple Grove, Hennepin County, Minnesota, a Minnesota municipal corporation, hereby certify that the above and foregoing Resolution No. 22-097 is a true and correct copy of the Resolution as adopted by the City Council on the 6th day of June, 2022.

City Clerk

EXHIBIT A



NEIGHBORHOOD LOCATION MAP

