

RESOLUTION NO. 23-044

CITY OF MAPLE GROVE

**RESOLUTION APPROVING PLANNED UNIT DEVELOPMENT
CONCEPT STAGE PLAN FOR THE
BELLA WOODS DEVELOPMENT**

WHEREAS, US Home, LLC (hereinafter referred to as the “**Applicant**”) has made application for a Planned Unit Development (hereinafter referred to as “**PUD**”) - Concept Stage Plan on property located within the City of Maple Grove (PID Nos. 06-119-22-23-0002 and 06-119-23-31-0003) and depicted 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 Planning Commission and City Council; and

WHEREAS, the City Planning Commission held a public hearing and considered the matter on November 14, 2022, recommending approval; and

WHEREAS, the City Council at its meetings of December 5, 2022, December 5, 2022, January 3, 2023, and February 6, 2023, tabled the matter; and

WHEREAS, the City Council at its meeting of February 21, 2023, considered the matter and received the recommendation from the Planning Commission, the staff report, and other information.

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

FINDINGS

- A. The Applicant has made application for PUD – Concept Stage Plan to develop the Property with a 120-unit residential development (75 single-family detached lots and 45 townhome lots) on approximately 40 net acres of land.

- B. The Applicant has submitted, for the City Council’s review and approval the PUD – Concept Stage Plan plans for the Property drafted by ISG (CAD File Name 23192 Concept 5B), dated December 22, 2022 (hereinafter referred to as the “**Concept Plan**”) and the following information for consideration: (i) Bella Woods Site Context, undated and presented to the City Council at its February 21, 2023 meeting; (ii) Bella Woods Existing Conditions, undated and presented to the City Council at its February 21, 2023 meeting; (iii) Bella Woods Post Development, undated and presented to the City Council at its February 21, 2023

meeting; and (iv) elevation examples, drafted by Lennar, undated and presented to the City Council at its February 21, 2023 meeting.

- C. The Property is zoned R-A, Single-Family Agricultural District. The land surrounding the Property is zoned R-A, Single-Family Agricultural.
- D. Minn. Stat. §462.357 grants to the City, for the purpose of promoting the public health, safety, morals and general welfare, the authority to regulate use of land within the City through zoning regulations.
- E. City Code §36-61 states:

A PUD is intended to allow variation from the strict literal provisions of this chapter, including, but not limited to, requirements relating to setbacks, height, floor area, floor area ratio, lot area, width, depth, and yards. If a proposed development is approved by the city as a PUD as provided in this section, then the dimensions of the PUD as approved shall be deemed to be in compliance with all of the dimensional requirements of this chapter, including setbacks, height, floor area, floor area ratio, lot area, lot width, lot depth and yards.

- F. Pursuant to City Code §36-64(a)(1) the PUD – Concept Stage Plan provides an opportunity for an applicant to submit a plan to the City showing the basic intent and the general nature of the entire development. Any PUD – Concept Stage Plan approval is limited to the following:
 - a. Overall maximum PUD density.
 - b. General location of major streets and pedestrian ways.
 - c. General location and extent of public and common open space.
 - d. General location of residential and nonresidential land uses with approximate type and intensities of development.
 - e. Other special criteria for development.
- G. The proposed development is consistent with the land surrounding the Property and will not be detrimental to said properties, to existing roads and traffic, and the general health, safety, and welfare of the public, provided it is subject to and meets the conditions set forth in this Resolution.

DECISION

NOW, THEREFORE, BE IT RESOLVED, based upon the information received and the above Findings, that the City Council of the City of Maple Grove does hereby conditionally approve the PUD – Concept Stage Plan for the Property and the Concept Plan, limited, pursuant to City Code §36-64(a)(1), to the overall maximum density, general location of major streets and pedestrian ways, general location and extent of public and common open space, general location of land uses and approximate type and intensities of

development, and subject to the conditions set forth in below that must be met, to the satisfaction of the City, prior to the City Council approving any other applications for the Property, including, but not limited to, PUD - Development Stage Plan, unless otherwise expressly stated:

1. Single Family (55-FT (U)) on the Concept Plan shall be modified from 55-foot lots to 65-foot lots. The total number of single-family detached lots and townhome lots in the application shall be adjusted accordingly.
2. The Applicant shall comply with the following requirements, subject to the review and approval of the City Director of Community and Economic Development:
 - a. A street easement shall be provided through the property at 190050 101st Ave. N.
 - b. Utility easements shall be provided across the school property for sewer and water service.
 - c. The Plans show a utility easement across the school property that appears to dead-end at 18760 101st Ave N. Additional easement shall be required to utilize the potential easement across the school property.
 - d. The density calculations appear to take out the Stieg Road extension. Only additional right-of-way for County Road 101 shall be removed. Further, a 65-foot right-of-way from the centerline of County Road 101 shall be provided.
 - e. A ghost plat for the properties at 18800 101st Ave. N. and 18760 101st Ave. N. shall be provided.
 - f. Screening shall be provided at the end of the temporary cul-de-sac adjacent to the KOA campground property.
 - g. The center islands in the half cul-de-sacs shall be removed.
 - h. Amenity spaces shall be provided in the townhome area.
3. The Applicant shall comply with the following requirements, subject to the review and approval of the City Engineer:
 - a. Wetland impact and requirements shall be reviewed at the time of PUD – Development Stage Plan.
 - b. Stormwater management requirements shall be determined at the time of PUD – Development Stage Plan.

- c. The proposed public street access location of the 101st Ave. realignment over CSAH 101 is shown on the Concept Plan as an offset intersection with Stieg Road on the west side of CSAH 101. The realigned 101st Ave. shall be shifted to the south to align with the existing Stieg Road on the west side of CSAH 101.
 - d. The western access to the 45-foot lots on the 101st Avenue realignment shall be a minimum of 300 feet from the CSAH 101 and 101st Avenue/Stieg intersection.
 - e. Proposed public streets that dead-end shall have temporary turnarounds.
4. The Applicant shall comply with the following requirements, subject to the review and approval of the City Fire Inspector:
 - a. Fire apparatus access roads shall be provided for every facility, building, or portion of a building. City Code Chapter 18, Article III. At the time of PUD – Development Stage Plan, the submittals shall show fire apparatus roads in compliance with City Code.
 - b. All turnarounds shall meet the size requirements of the applicable Minnesota State Fire Code provisions.
5. Submittals for preliminary plat and final plat are subject to the review and approval of the City to determine the park dedication requirements.
6. Submittals for subsequent applications are subject to the review and approval of City staff and consultants, including, but not limited to, the City Director of Community and Economic Development, City Engineer, and City Fire Inspector.
7. 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.
8. If the Applicant fails to deliver an application for PUD - Development Stage Plan in compliance with and within the timeframe required by City Code §36-64(a)(5) the approvals granted by this Resolution shall become void and expire with no further action required of the City Council.

Motion to approve the foregoing findings, conclusions, and decision 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:

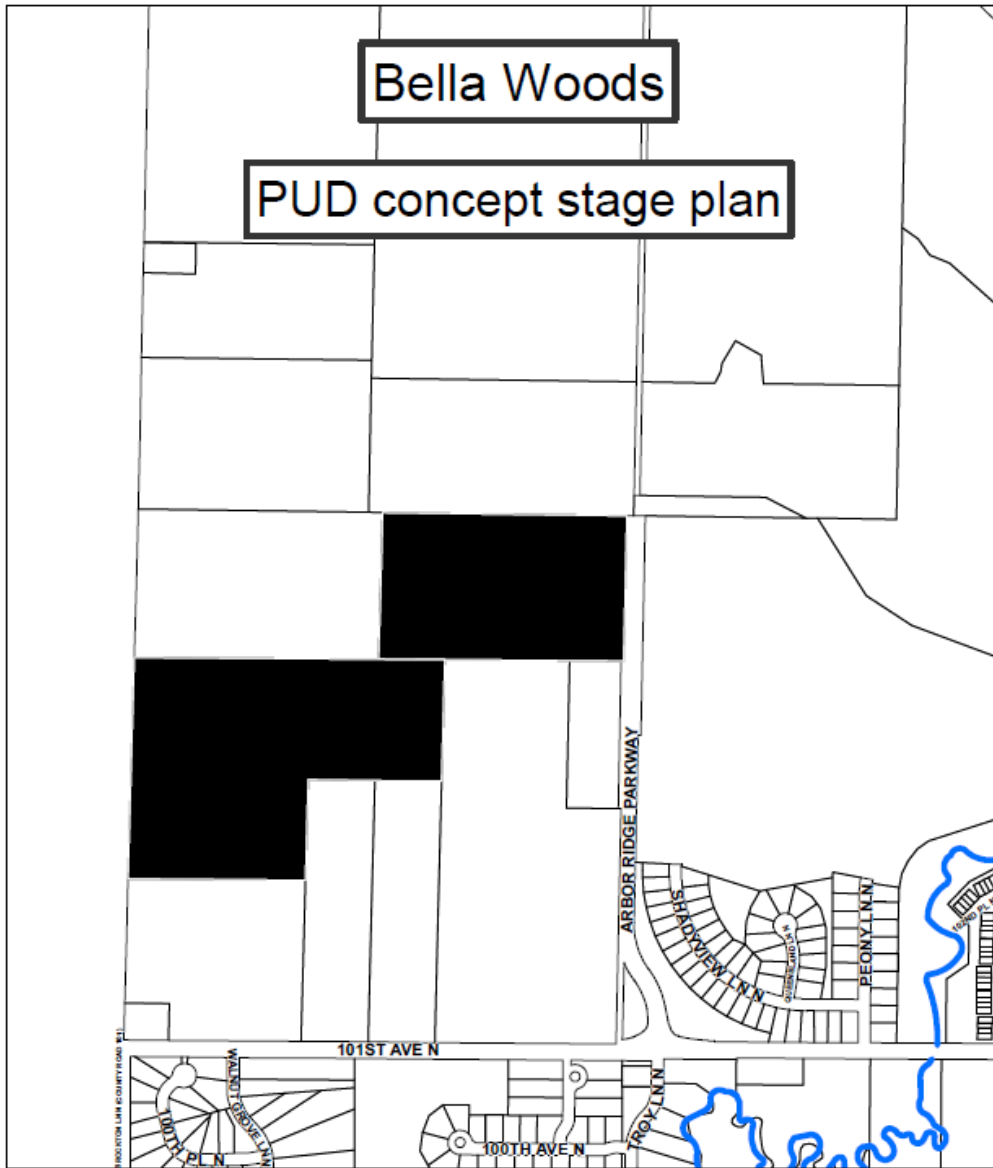
where upon, the resolution was declared duly passed and adopted the 6th day of March, 2023.

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. 23-044 is a true and correct copy of the Resolution as adopted by the City Council on the 6th day of March, 2023.

City Clerk

EXHIBIT A



NEIGHBORHOOD LOCATION MAP



City of
Maple Grove



0 250 500 Feet

Feet
05800200
1 1/2 1/4 1/8 1/16 1/32 1/64