

**RESOLUTION NO. 22-037**

**CITY OF MAPLE GROVE**

**RESOLUTION GRANTING PLANNED UNIT DEVELOPMENT – CONCEPT STAGE PLAN, PLANNED UNIT DEVELOPMENT - DEVELOPMENT STAGE PLAN, PRELIMINARY PLAT, AND FINAL PLAT FOR PET SUITES**

WHEREAS, TM Crowley and Associates (hereinafter referred to as the “**Applicant**”) has made application for a Planned Unit Development (hereinafter referred to as “**PUD**”) – Concept Stage Plan, PUD – Development Stage Plan, preliminary plat, and final plat (hereinafter collectively referred to as the “**Application**”) for property located in Maple Grove, Minnesota 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 Application on January 10, 2022, recommending approval; and

WHEREAS, the City Council considered the Application at its January 18, 2022 meeting, receiving the recommendation from the Planning Commission, the report from City staff, and other information.

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

FINDINGS

- A. The Applicant, the developer for PetSuites of America, has made the Application to develop the Property with a 11,000 square foot animal boarding, daycare, and grooming facility with additional fenced exterior areas on Upland Lane.
- B. The Applicant has submitted, for the City Council’s review and approval: (i) the PUD – Development Stage Plan plans for the Property, drafted by Sambatek, Inc., dated December 6, 2021 (hereinafter referred to as the “**Plans**”), which Plans Title Sheet (Sheet C1.01) is attached hereto as Exhibit B; (ii) the Plans include the elevations, drafted by GPD Group, Inc., which are attached hereto as Exhibit C; (iii) the preliminary plat of the Property, drafted by Sambatek, Inc., dated December 3, 2021 (hereinafter referred to as the “**Preliminary Plat**”); and (iii) and the final plat of Pet Suites, drafted by Sambatek, Inc. (hereinafter referred to as the “**Final Plat**”).

- C. The Property is currently zoned B, Business. The land to the north of the Property is zoned PUD, Planned Unit Development. The land to the east and west of the Property is zoned B, Business. The land to the south of the Property is zoned R-3 PUD, Single and Two-Family Residential District.
- D. Minnesota Statutes §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. City Code §36-61 further provides that a PUD is intended to result in a development in which the living or working environment is better than or could otherwise have been achieved through strict enforcement of the dimensional requirements of other applicable sections of this chapter, or, in this case, a change from the approved PUD.
- H. City Code §36-64(a)(3) allows the simultaneous submission of an application for Concept Stage Plan and Development Stage Plan.
- I. The Applicant, pursuant to City Code Chapter 36, Article II, Division 2, has submitted the Plans for the City’s review and approval.

- J. The development as proposed in the Application is consistent with the current zoning and the properties to the north, south, east, and west, 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, to the satisfaction of the City, the conditions set forth in this Resolution.
- K. The proposed subdivision of the Property is governed by City Code Chapter 30.
- L. 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.
- M. The Applicant, pursuant to City Code Chapter 30, has submitted the Preliminary Plat and Final Plat for the City's review and approval.
- N. The Preliminary Plat and Final Plat meet the City Code requirements provided they are subject to and meet, to the satisfaction of the City, the conditions set forth in this Resolution.

DECISION

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Maple Grove and based upon the information received and the above Findings:

- 1. The City Council does hereby conditionally approve the PUD – Concept Stage Plan, PUD - Development Stage Plan, and the Plans for the Property to construct an 11,000 square foot animal boarding, daycare, and grooming facility with fenced in exterior areas that is consistent with the B, Business Zoning District, the Plans, and this Resolution, subject to the conditions set forth in Section 3 below that must be met, to the satisfaction of the City, prior to the release of the Final Plat, unless otherwise expressly stated.
- 2. The City Council does hereby conditionally approve the Preliminary Plat and Final Plat and the Mayor and City Clerk are hereby authorized to execute the Final Plat, subject to the conditions set forth in Section 3 below that must be met, to the satisfaction of the City, prior to release of the Final Plat, unless otherwise expressly stated.

3. The following conditions must be met to the satisfaction of the City prior to release of the Final Plat, unless otherwise expressly stated:
  - a. 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, to the extent applicable. City Code §30-21.
  - b. The Property is currently owned by the City and subject to a purchase agreement dated September 7, 2021. The Property must be conveyed pursuant to the purchase agreement prior to release of the Final Plat.
  - c. The Applicant shall comply with the following requirements subject to the satisfaction of the City Fire Chief:
    - i. Per MNSFC 503.1.1.1, fire apparatus roads may be to within 300 feet of all portions of the building due to the topography and shape of the Property.
    - ii. The building is required to be sprinkled per City Code and Minnesota Building Code Chapter 1306. The Plans shall be modified to identify the size of the water main feed the building and to identify the location of the sprinkler riser room and the fire department location.
    - iii. The Plans shall be modified to provide verification of the number and spacing of hydrants to meet the requirements of City Code and the MNSFC Appendix C.
    - iv. The Plans shall be modified to meet the following requirements regarding the location and general requirements for fire hydrants:
      1. Hydrants shall be located within a reasonable distance from driving surface; five feet minimum from curb (fire department access). If hydrant is located in a safety island and cannot be located back five (5) feet from the curb, the hydrant shall be centered in the safety island. It is the fire department's preference to locate a fire hydrant along the driveway entrance, unless only one fire hydrant is being installed and needs to be located closer to the fire department connection. NFPA 14, Section 3-13.1. A five (5) foot clear space shall be

maintained around the circumference of fire hydrants except as otherwise required or approved. Hydrants shall be at least fifteen (15) feet away from all utilities except as otherwise required or approved. Hydrants and valves shall not be located closer than 40 feet from the building. NFPA 14, Section 3-13.2.

2. Double steamers shall be utilized on all hydrants. NFPA 14, 3-13.1. Double steamers on fire hydrants shall be aligned so that steamers are facing the fire department access road. NFPA 14, Section 3-13.1.
3. Hydrants, gate valves, and valve boxes, etc., and installation of said, shall be in accordance with City specifications. NFPA 14, Section 3-13.1.
4. Hydrants shall be protected if subject to mechanical damage. 2020 MSFC, Section 507.5.6.
5. Pipe shall not be run under buildings. NFPA 24, Section 8-3.1.
6. Underground piping to be flushed and tested in accordance with NFPA 24. Contractor's Material & Test Certificate for Underground Piping is required. NFPA 24, 9-2.1.
7. A minimum of a five (5) foot in width by five (5) foot in depth clear space is required around fire department connections. A minimum of ten (10) feet separation shall be provided between the fire department connection and all utilities.
8. Locking caps are required on all fire department connections serving water-based fire protection systems.
9. All buildings must have an approved fire lane within thirty (30) feet of at least one entire side of the structure as identified by the fire code official.
10. Knox or DAMA Corporation are the approved key box vendors. Key box shall be located above the fire department connection in sprinkled buildings at five (5) feet above finished grade or as approved by the fire code official. Additional boxes may be provided at

more than one location when required because of the size of the building, number of keys, or other special hazard.

11. Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Numbers shall contrast with their background. All commercial occupancy addresses shall be a minimum of eight (8) inches in height. Approved numbers or addresses shall be placed on all construction sites in such a way as to be plainly visible and legible from the street or road fronting the Property.

- d. The Applicant shall comply with the following requirements subject to the satisfaction of the City Community and Economic Development Director:
- i. Sheet C3.01 of the Plans shall be modified to label what the structures are within the fenced area.
  - ii. The Plans shall be modified to provide for details regarding the exact placement of light poles and parking lot lighting.
  - iii. The Plans shall be modified to provide for additional detail regarding the proposed trash enclosure that comply with City Code §36-817(e).
  - iv. Any signage on the Property is not part of the Application. A separate sign permit application is required, subject to the review and approval of the City Community and Economic Development Director.
  - v. Operation of the proposed use shall require, prior to commencing operations, separate application for a kennel license, subject to the review and approval of the Maple Grove Police Department.
  - vi. A shared access agreement between the Property owner and the owner of the adjacent property shall be submitted to the City Community and Economic Development Director for review and approval. The City shall not issue any permits for the development of the Property until it is provided with recording information.

- vii. The Plans exceed the 20% limit on any one genus for overstory trees based on the proposed number of birches to be planted. The Plans shall be modified to reduce the number of birches by two and increase a separate genus or add another genus.
- e. The Applicant shall comply with the following requirements subject to the satisfaction of the City Building Official:
  - i. The Plans shall be modified to provide for a second means of egress on the elevation other than into the fenced area. Further, the existing means of egress shall be one-third the diagonal of the sprinkled building away from each other, including coming out through the fence.
- f. The Applicant shall comply with the following requirements subject to the satisfaction of the City Engineer:
  - i. The Applicant shall submit executed copies of the Plans.
  - ii. The Applicant shall enter into a Stormwater BMP Maintenance Agreement that is drafted by the City.
  - iii. The Plans shall be modified to provide for runoff from outside the kennel area to be routed to the sanitary sewer.
  - iv. The Plans shall be modified by Applicant submitting updated Hydrocad and MIDS models.
  - v. The Plans shall be modified to have the parking lot be able to accommodate a single-unit truck to safely maneuver in and out of the Property.
  - vi. The Plans shall be modified to show a pedestrian connection from the Property to the existing sidewalk on the west side of Upland Lane.
  - vii. The Plans shall be modified to ensure that the proposed landscaping located near the driveway entrance does not obstruct sightlines along the shared driveway with the current office building located at 9325 Upland Lane.
  - viii. The Plans shall be modified to provide for floor drains in kenneled areas to be directed towards sanitary sewer.
  - ix. Sheet C4.01 of the Plans shall be modified to show drainage and utility easements, provide 15-foot unobstructed

maintenance access to biofiltration basin no steeper than 15%, and removal of the EOF reference on the north side of the parking lot.

- x. Sheet C5.01 of the Plans shall be modified to add inlet protection to nearest CB in Upland Lane and 3:1 slopes having an erosion control blanket.
- g. An irrigation reduced pressure zone (hereinafter referred to as “**RPZ**”) is required for any irrigation systems and must be installed by the Applicant and/or eventual lot owner and tested in accordance with the Minnesota Department of Health Guidelines for Designing Backflow Prevention Assembly Installations (hereinafter referred to as “**Guidelines**”). The initial test results and certification shall be submitted to the City of Maple Grove Public Works Department. Subsequently, the RPZ must be tested, per the Guidelines, at least annually by a certified tester with the results reported to the City of Maple Grove Building Department and the RPZ must be rebuilt as needed in accordance with the Guidelines. Test/rebuilt reports shall be mailed or faxed to the City of Maple Grove Building Department at (763) 494-6424. The irrigation system shall be designed, and the Plans shall be modified accordingly, prior to the issuance of any permits for the development of the Property, to accommodate a 1-inch water meter and a maximum flow of 50 gallons per minute. This is not a condition of release of the Final Plat, but an on-going requirement, that will be a term and obligation within the PUD Agreement (see PUD Agreement requirement below).
- h. The Applicant shall enter into a PUD agreement (hereinafter referred to as “**PUD Agreement**”), drafted by the City, memorializing the Applicant’s obligations under this Resolution and City Code. The PUD Agreement shall be recorded against and run with the Property. The City will not issue any permits for the development of the Property prior to being provided recording information for the PUD Agreement.
- i. The Applicant shall enter into a Site Improvement Performance Agreement (hereinafter referred to as “**SIPA**”), if required by the City Community Development Director, drafted by the City, which SIPA shall establish site improvement items and terms of completion of said items. Under the SIPA, a surety shall be provided to the City for two full growing seasons to guaranty the proper installation and growth of all landscaping items.
- j. Pursuant to Minnesota Statutes and City Code, the Final Plat requires a land dedication, or a cash equivalent based on the rate approved by the City Council at the time the Final Plat is released for recording. The



current commercial land use park dedication rate for the City is \$11,000.00 per acre. 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 Property shall be \$20,240.00 (1.84 acres times \$11,000.00). 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 actually 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.

- k. 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, the 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 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.
- l. Construction on the Property shall comply with the Plans, this Resolution, previous and subsequent approvals, and local, state, and federal rules and regulations, except as otherwise subsequently approved in writing by the City Engineer and City Planner.
- m. Maintenance of the Property shall, at all times, comply with the Plans, this Resolution, previous and subsequent approvals, and local, state, and federal rules and regulations, except as otherwise subsequently approved in writing by the City Engineer and City Planner.
- n. 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.
- o. The Applicant shall make application for and receive (on the condition that the Applicant complies with the requirements of this Resolution and City Code) a building permit and construction activities on the Property

shall commence, pursuant to the Plans, this Resolution and City Code, in compliance with City Code Section 36-64(b)(5).

- p. 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:

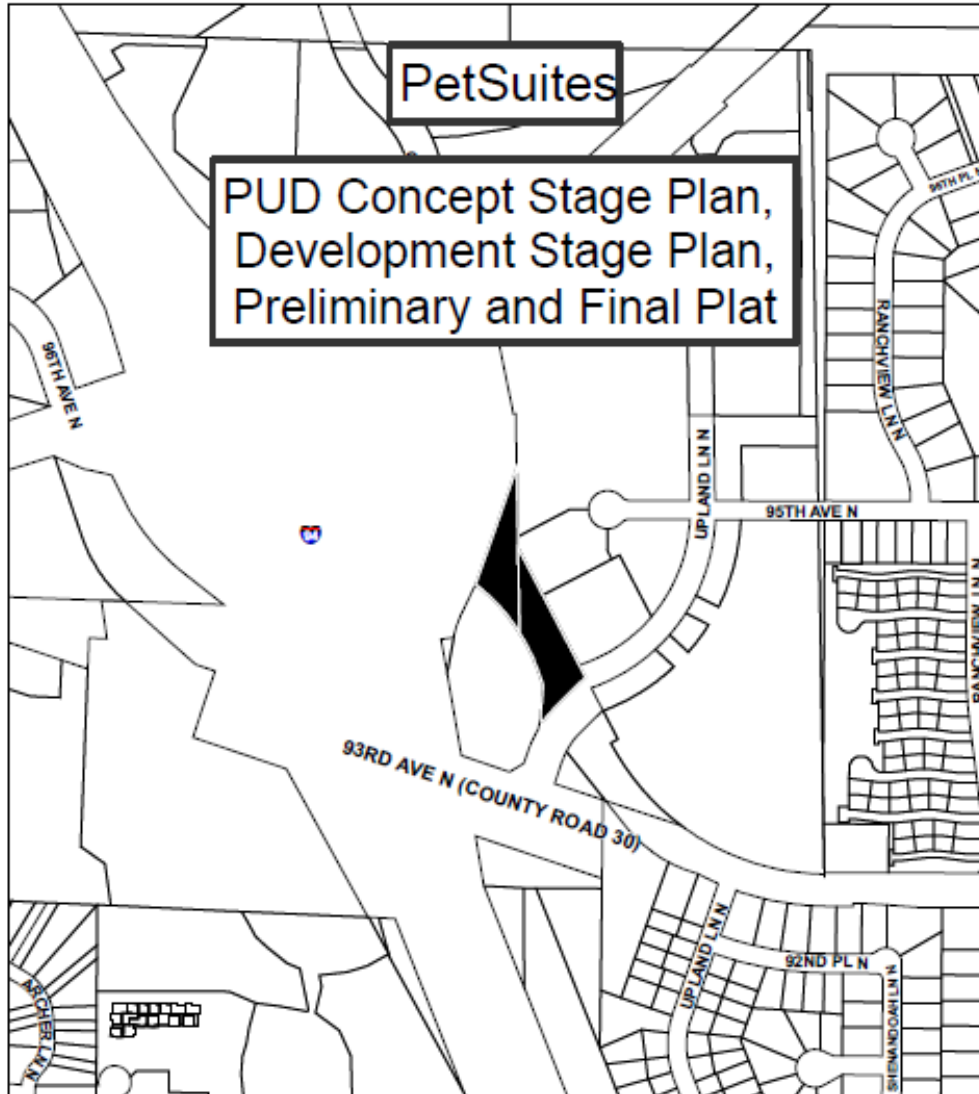
whereupon, the resolution was declared duly passed and adopted the 7<sup>th</sup> day of February, 2022.

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

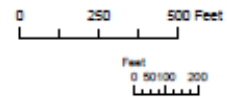
I, the undersigned, being the duly qualified and acting Clerk of the City of Maple Grove, Hennepin County, Minnesota, a Minnesota municipal corporation, hereby certify that the above and foregoing Resolution No. 22-037 is a true and correct copy of the Resolution as adopted by the City Council on the 7<sup>th</sup> day of February, 2022.

\_\_\_\_\_  
City Clerk

EXHIBIT A



NEIGHBORHOOD LOCATION MAP



**EXHIBIT B**

# Preliminary Site Development Plans

## for **Pet Suites** Maple Grove, Minnesota Presented by: **TM Crowley & Associates**

**CONSULTANT CONTACT LIST**  
**ARCHITECTS:**  
 TM CROWLEY & ASSOCIATES  
 1000 PLYMOUTH AVENUE, SUITE 200  
 MAPLE GROVE, MN 55127  
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 FAX: 763-424-1201  
 WWW.TMCROWLEY.COM  
 CONTACT: JIMMY BAILEY

**ENGINEERS:**  
 WILSON ENGINEERING, INC.  
 1000 PLYMOUTH AVENUE, SUITE 200  
 MAPLE GROVE, MN 55127  
 TEL: 763-424-1200  
 WWW.WILSONENGINEERING.COM  
 CONTACT: MARK GARD

**LANDSCAPE ARCHITECTS:**  
**STUDIO 700:**  
 1000 PLYMOUTH AVENUE, SUITE 200  
 MAPLE GROVE, MN 55127  
 TEL: 763-424-1200  
 WWW.STUDIO700.COM  
 CONTACT: JIMMY BAILEY

**PERMITS/ASBESTOS:**  
 MNR HOLDINGS, INC.  
 1000 PLYMOUTH AVENUE, SUITE 200  
 MAPLE GROVE, MN 55127  
 TEL: 763-424-1200  
 WWW.MNRHOLDINGS.COM  
 CONTACT: JIMMY BAILEY



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002	GENERAL NOTES
003	EXISTING CONDITIONS
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**PROVISIONAL SPECIFICATIONS**  
 CITY OF MAPLE GROVE  
 1000 PLYMOUTH AVENUE, SUITE 200  
 MAPLE GROVE, MN 55127  
 TEL: 763-424-1200  
 WWW.CITYOFMAPLEGROVE.COM  
 CONTACT: JIMMY BAILEY

<b>SHEET</b> <b>C1.01</b> 1 OF 18 REV. ---		<b>TITLE SHEET</b> TM CROWLEY & ASSOCIATES PET SUITES MAPLE GROVE, MN	
<b>DATE</b> 11/15/2023		<b>PROJECT</b> PET SUITES	
<b>CLIENT</b> MNR HOLDINGS, INC.		<b>LOCATION</b> MAPLE GROVE, MN	
<b>DESIGNED BY</b> JIMMY BAILEY		<b>CHECKED BY</b> JIMMY BAILEY	
<b>DRAWN BY</b> JIMMY BAILEY		<b>SCALE</b> NO SCALE	
<b>PROJECT NO.</b> 2023-001		<b>DATE</b> 11/15/2023	

# SHEET INDEX

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C5.01	PHASE I EROSION CONTROL PLAN
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C5.04	EROSION CONTROL NOTES
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C9.01	DETAILS
C9.02	DETAILS
L1.01	LANDSCAPE PLAN
L1.02	LANDSCAPE DETAILS AND NOTES

**EXHIBIT C**

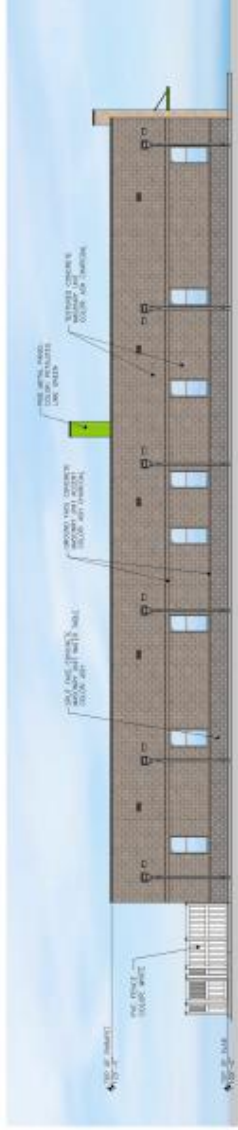




FRONT ELEVATION  
 1.00' - 1.00'



BACK ELEVATION  
 1.00' - 1.00'



SIDE ELEVATION  
 1.00' - 1.00'



BACK ELEVATION  
 1.00' - 1.00'

**PETSUITES**  
 Maple Grove, MN



THE COLORS AND MATERIALS SHOWN IN THESE DRAWINGS ARE CLOSE APPROXIMATIONS TO THE ACTUAL COLORS AND MATERIALS TO BE USED. MATCH ELEVATIONS TO BE COORDINATED FOR VISUAL COHESIVENESS AND NOT FOR CONSTRUCTION.



**PETSUITES**  
Maple Grove, MN



THE RENDERING AND MATERIALS SHOWN ARE FOR ILLUSTRATION PURPOSES ONLY AND DO NOT REPRESENT THE FINAL DESIGN. MATERIALS TO BE USED IN CONSTRUCTION SHALL BE DETERMINED BY THE ARCHITECT AND CONTRACTOR.



**PETSUITES**  
Maple Grove, MN

THE OFFICE ARCHITECTURE SHOWN IS FOR INFORMATIONAL PURPOSES ONLY. ARCHITECTURE SUBJECT TO CHANGE WITHOUT NOTICE. RENDERINGS DO NOT CONSTITUTE AN OFFER, INVESTMENT OR PROMISE OF ANY KIND. CONTACT US AT 763.479.1111 FOR MORE INFORMATION.

