

**DRAFT** – MAPLE GROVE  
PLANNING COMMISSION  
February 14, 2022

CALL TO ORDER

A hybrid meeting of the Maple Grove Planning Commission was held at 7:00 p.m. on February 14, 2022 at the Maple Grove City Hall, Hennepin County, Minnesota. Chair Lamothe called the meeting to order at 7:00 p.m.

PLEDGE OF  
ALLEGIANCE

ROLL CALL

Planning Commission members present were Chair Craig Lamothe, Chris Ayika (attending remotely), Lorie Klein (attending remotely), Chuck Lenthe, Michael Ostaffe, and Joe Picket. Absent was Susan Lindeman. Present also were Karen Jaeger, City Council Liaison; Joe Hogeboom, Community and Economic Development Director; Jesse Corrow, Associate Planner; and Scott Landsman, City Attorney.

ITEMS TO BE  
REMOVED FROM  
THE AGENDA

None.

CONSENT ITEMS

The following Consent Items were presented for the Commission's approval:

**MINUTES**

A. Regular Meeting – January 31, 2022

**Motion by Commissioner Ostaffe, seconded by Commissioner Lenthe, to approve the Consent Items as presented. Upon call of the motion by Chair Lamothe, there were six ayes and no nays. Motion carried.**

CONSIDERATION  
OF ITEMS PULLED  
FROM CONSENT  
AGENDA

None.

REVIEW OF THE  
CITY COUNCIL  
MINUTES FROM

Mr. Hogeboom reviewed with the Commission what items the City Council approved that was given direction at the Planning Commission level.

THEIR REGULAR  
MEETING OF  
FEBRUARY 7, 2022

**OLD BUSINESS**

No items to present.

**NEW BUSINESS**

PUBLIC HEARING

FOX BRIAR RIDGE  
EAST

DONNAY HOMES

16001 BASS LAKE  
ROAD

PUD CONCEPT  
STAGE PLAN,  
DEVELOPMENT  
STAGE PLAN,  
REZONING AND  
PRELIMINARY  
PLAT FOR 17  
TWINHOMES AND  
ONE-SINGLE  
FAMILY  
RESIDENTIAL  
HOME

Mr. Corrow stated the applicant is requesting a PUD concept plan, development stage plan, rezoning and preliminary plat approval to construct 16 lots for twinhome units and 1 single family detached lot. The site is 4.44 acres with a proposed density of 3.83 units per acre, consistent with the low density residential guiding of the property which allows one to four units per acre. The project abuts the original Fox Briar Ridge development, a neighborhood made up of similar twinhome designs and comparable density calculations. The proposal closely follows ghost plat provided as part of the Original Fox Briar Ridge development that was approved in the early 2000's. Staff discussed the plans in further detail and made the following recommendation.

**STAFF RECOMMENDATION:**

Motion to recommend that the City Council direct the City Attorney to draft a Resolution and a Planned Unit Development agreement approving the Fox Briar Ridge East Planned Unit Development concept stage plan, development stage plan and preliminary plat subject to:

1. The applicant addressing to the satisfaction of the city any remaining applicable comments contained in the memorandums from:
  - a. The Community & Economic Development Department dated January 28, 2022
  - b. The Engineering Department dated January 21, 2022
  - c. The Fire Department dated January 12, 2022
  - d. The Parks & Recreation Department, dated January 24, 2022
  - e. Hennepin County Highway Department dated January 11, 2022

Motion to recommend that the City Council direct the City Attorney to draft an Ordinance approving the rezoning from RA,

Single-Family Agricultural to R3 PUD, Single and Two-Family Residential Planned Unit Development.

The applicant shall acknowledge that Park Dedication requirements are based on staff review and recommendation to the Park and Recreation Board and their subsequent board action. Board meetings are held on the third Thursday of each month.

*Discussion*

*Commissioner Ostaffe requested further information regarding the lot sizes and the displacement between the homes. Mr. Corrow anticipated the separation between the buildings would be 16 feet. He indicated the overall lot widths were between 80 and 85 feet, which was consistent with the district.*

*Commissioner Ostaffe questioned why the roadway would be ending with a t-bone instead of a cul-de-sac. Mr. Corrow reported the t-bone was allowed so long as all of the radiuses were being met. He anticipated a cul-de-sac would take up too much space within the development.*

*Commissioner Ostaffe inquired why the developer opted for a uniform style for all of the units. Mr. Corrow deferred this question to the applicant. He noted this project was not required to go through the project points system.*

The applicant was at the meeting to answer questions.

Paul Donnay explained he has built a lot of homes in Maple Grove and he has never been told his product looks like an apartment building. He was of the opinion the architecture on the proposed units was beautiful. He noted this was the concept plan and anticipated stone and shakes would be added to the front façade of the buildings.

Dave Nash, Alliant Engineering, commented on the fence and noted he would discuss this further with City staff.

Commissioner Lenthe asked if this community would walk outs or decks. Mr. Donnay reported this was the case.

Commissioner Lenthe requested further information regarding the retaining wall. Mr. Donnay stated he anticipated the retaining wall would be built out of boulders.

Commissioner Picket questioned why the cul-de-sac was changed to a hammerhead. Mr. Nash indicated staff suggested the hammerhead be used.

Commissioner Ayika stated he understood the applicant would be building eight homes that were exactly the same and asked if this was the case.

Chair Lamothe reported the applicant was proposing eight units with uniformity between the eight buildings. Mr. Donnay stated he could amend the elevations if this would appease the Planning Commission. However, in this small of a community he did not believe this was appropriate.

Commissioner Ayika supported the developer mixing up the front elevations slightly for these eight units.

Commissioner Ostaffe asked if these would be for sale units. Mr. Donnay reported this was the case.

Commissioner Ostaffe questioned what the garage width and depth would be. He inquired if the garages would be able to house refuse containers. Mr. Donnay indicated the garages would be built to City specifications or larger. Mr. Corrow commented further on the size of the garages that would be built within this development.

Chair Lamothe discussed how a recent development had constructed garages that fit a vehicle and not much else. He indicated this was why the question came up. He recommended staff review the dimensions of the garages further with the applicant. Mr. Donnay stated he has built this product in other communities and noted the garages would be sized to accommodate garbage cans.

Chair Lamothe opened the public hearing at 7:27 p.m.

The public was asked by Chair Lamothe if they had any comments to make regarding this application.

Sheila Ferguson, president of the Fox Briar Ridge HOA, asked if the new development would be included in her HOA. He questioned if there would be a privacy barrier with trees and shrubs between the two neighborhoods. She inquired if her taxes would increase to pay for the road. She asked where the heavy equipment would be entering and exiting this development. She questioned

what impact the construction would have on the soil and would there be a shifting.

Jeff Versteeg, 6900 Weston Lane, explained he lived at the end of Weston Lane for the past two and a half years. He noted he spoke with nine of his neighbors and three of them did not receive a letter from the City. He indicated his neighbors had questions with why they had not received information and the majority opposed the proposed twin homes. He questioned why 17 homes were being put on this small plot of land. He discussed the amount of traffic already using Nottingham and he feared how this development would increase traffic in the area. He commented further on how the wildlife and trees would be impacted by the proposed development.

Tonya Scott, president of Heritage Christian Academy, noted this property was just east of the proposed plan at 15655 Bass Lake Road. She reported she has not seen the plans for the property until this meeting. She indicated she was disappointed this property was being rezoned and believed the proposed density was too high. She asked that a barrier or buffer be put in place between the proposed units and Heritage Christian Academy. She reported there was currently a substantial tree line in place.

Rachel Smith, 6912 Weston Lane North, stated she was against the high density housing. She commented on how bad the traffic was in her neighborhood already and feared how the 17 additional units would adversely impact her family. She indicated this project would also impact the wildlife and trees in her neighborhood.

**Motion by Chair Lamothe, seconded by Commissioner Picket, to close the public hearing at 7:39 p.m. Upon call of the motion by Chair Lamothe, there were six ayes and no nays. Motion carried.**

Commissioner Picket asked how this land was designated within the Comprehensive Plan. Mr. Corrow reported this land was guided for Low Density, which matched the proposal of one to four units per acre.

Mr. Corrow discussed the landscaping plan for the development and noted there would be conifer trees along the west side of the development to separate the two neighborhoods. He noted taxes would not be impacted by this development of these public roadways. He reported the existing driveway may be used for the

heavy equipment entering and exiting this project. He then described the drainage plan and noted the way the water would drain within the project. He stated based on the drainage plan he did not see any water leaving the site.

Commissioner Ayika requested further information regarding the HOA. Mr. Corrow indicated the HOA's could partner, but it was also possible the HOA's could be independent.

Chair Lamothe requested staff speak to the City's notification process. Mr. Corrow reported residents within 500 feet of this parcel were notified of this project at least 10 days prior to this meeting.

Mr. Donnay stated he has been approached and he has talked to the president of the adjacent HOA. He indicated he would be reviewing their documents and believed it was a good idea to have these two communities joined. Mr. Harper commented further on how the site would be accessed by construction equipment. He noted he would have to speak with the County regarding this matter.

Chair Lamothe discussed the landscaping plan and asked if the trees on the east side of the stormwater pond would be removed. Mr. Donnay indicated these trees would remain in place. He commented on the ghost plat for this property and indicated he had not strayed from the original plan (put in place in 2001) for this property.

Commissioner Lenthe requested comment on when construction would begin on this project. Mr. Donnay reported this would depend on how long it takes for the Council to approve the project. However, if this were to occur, he would begin grading the project this spring and after the infrastructure was installed he could begin building the units.

Commissioner Ayika asked if a neighborhood meeting was held for this project. He discussed the benefits of developers meeting with the neighbors prior to attending a Planning Commission meeting. Mr. Donnay reported a neighborhood meeting was not held for this project.

Chair Lamothe questioned if staff had suggested a neighborhood meeting should be held. Mr. Corrow indicated the applicant was not directed to hold a neighborhood meeting given the similarities

of this development to the adjacent property.

City Attorney Landsman provided the Commission with a further definition on a ghost plat. He reported that the proposed project was in line with the Comprehensive Plan. He described how the public improvements within this project would be assessed to the property and would not be passed onto any adjacent property owners. He explained if the developer were damage to any public right of way or property, it would be the developer's responsibility to repair this.

Chair Lamothe thanked City Attorney Landsman for this information.

**Motion by Commissioner Lenthe, seconded by Commissioner Ayika, to recommend that the City Council direct the City Attorney to draft a Resolution and a Planned Unit Development agreement approving the Fox Briar Ridge East Planned Unit Development concept stage plan, development stage plan and preliminary plat subject to:**

- 1. The applicant addressing to the satisfaction of the city any remaining applicable comments contained in the memorandums from:**
  - a. The Community & Economic Development Department dated January 28, 2022**
  - b. The Engineering Department dated January 21, 2022**
  - c. The Fire Department dated January 12, 2022**
  - d. The Parks & Recreation Department, dated January 24, 2022**
  - e. Hennepin County Highway Department dated January 11, 2022**

Chair Lamothe stated he was willing to support this development and noted he supported the rights of property owners' ability to develop their property. He commented he did not appreciate the fact that the developer had not spoken to the neighbors and discussed the value of holding a neighborhood meeting.

Commissioner Ostaffe stated he would have liked to have seen a

neighborhood meeting as well and encouraged the developer to diversify the front elevations of the proposed twinhome units. He believed this would greatly enhance the neighborhood.

Chair Lamothe questioned if the final plat would be coming back to the Planning Commission for consideration. Mr. Corrow indicated the final plat would be going to the City Council for consideration and would not be heard by the Planning Commission.

Commissioner Ayika questioned what the working hours could be for the construction crews. Mr. Corrow stated crews could begin working at 7:00 a.m. on weekdays and must be done by 9:00 p.m. He stated on weekends the hours were 8:00 a.m. to 9:00 p.m.

Commissioner Ostaffe asked if there were rules in place that restricts the placement of construction crew parking. Mr. Corrow stated he was not aware of any restrictions within City Code.

**Upon call of the motion by Chair Lamothe, there were six ayes and no nays. Motion carried.**

**Motion by Commissioner Lenthe, seconded by Commissioner Piket, to recommend that the City Council direct the City Attorney to draft an Ordinance approving the rezoning from RA, Single-Family Agricultural to R3 PUD, Single and Two-Family Residential Planned Unit Development.**

**The applicant shall acknowledge that Park Dedication requirements are based on staff review and recommendation to the Park and Recreation Board and their subsequent board action. Board meetings are held on the third Thursday of each month.**

**Upon call of the motion by Chair Lamothe, there were six ayes and no nays. Motion carried.**

## PUBLIC HEARING

EDISON  
APARTMENTS

JPL  
DEVELOPMENT,

Mr. Hogeboom stated the applicant is requesting a planned unit development concept stage plan amendment to allow the construction of a 248-unit apartment project in two buildings. The site is on the north end of the Tri-Care property, between Garland Lane and the future extension of 610. Each building is proposed to five stories in height, with two stories of underground parking. The proposal shows a number of outdoor amenities, including a



LLC  
GARLAND LANE  
NORTH AND  
COUNTY ROAD 30  
PUD CONCEPT  
STAGE PLAN  
AMENDMENT TO  
ALLOW  
CONSTRUCTION  
OF A 248 UNIT  
APARTMENT  
PROJECT IN TWO  
BUILDINGS

pool, playground, dog park, gazebo, and trail system. The narrative describes a number of interior amenities as well. Staff discussed the plans in further detail with the Commission and made the following recommendation.

**STAFF RECOMMENDATION:**

Motion to recommend that the City Council direct the City Attorney to draft a Resolution approving the Edison Apartments PUD concept stage plan amendment subject to:

1. The applicant addressing to the satisfaction of the city any remaining applicable comments contained in the memorandums from:
  - a. The Community & Economic Development Department dated February 4, 2022
  - b. The Fire Department dated December 17, 2021
  - c. The Engineering Department dated December 17, 2021
  - d. The Parks & Recreation Department, dated February 9, 2022

The applicant shall acknowledge that Park Dedication requirements are based on staff review and recommendation to the Park and Recreation Board and their subsequent board action. Board meetings are held on the third Thursday of each month.

*Discussion*

*Commissioner Ostaffe asked how many apartments would have to be removed in order to achieve 18 units per acre. Mr. Hogeboom stated 38 units would have to be removed.*

*Commissioner Ostaffe clarified that this was not a mixed use development, but rather was an apartment building. He questioned why the City would want to approve the higher density. Mr. Hogeboom described how the City defines mixed use, which meant there were mixed uses on adjacent parcels.*

*Commissioner Ostaffe stated he supported the development being reduced by 38 units in order to adhere to the 18 units per acre*

*because this was the manner in which the property was guided.*

*Commissioner Ayika commented he could support the development being slightly over the density requirements because the development was going vertical and was making good use of the space.*

The applicant was at the meeting to answer questions.

Elwyn Tinklenberg, 11234 Forest Court NE in Blaine, stated he was a representative of JPL Development. He introduced the folks on his team. He discussed how JPL designs its projects for the long-term because they maintain and manage their properties. He described the other projects JPL had completed in the metro area.

Commissioner Lenthe asked what drove this project to increase its size. Mr. Tinklenberg reported this was due to the economics of the site. He indicated this was an expensive property, along with the roadway and therefore more units were required to make the project work.

Commissioner Klein stated she appreciated the fact electrical charging stations had been included in this parking lot. She inquired if these would be included in the garage area. Mr. Tinklenberg stated he was not planning to include charging stations within the garage for safety reasons.

Commissioner Klein questioned what the proper number of charging stations would be for this development. Mr. Tinklenberg stated he has not seen a standard but rather he would be providing a fixed number for tenants that opt to have an electric vehicle. He reported additional charging stations would be added if the need should arise.

Commissioner Klein indicated the dog park was a great amenity for this development. She asked what the price point would be for these apartments and questioned if there would be an additional fee for renters that have pets. Mr. Tinklenberg noted there would be an additional fee for pets. He stated a lot of his renters have pets. Michael Lange, JPL representative, noted the one bedroom units would rent for \$1,800 per month, the two bedroom units were \$2,100 to \$2,200 per month and the three bedroom units would be \$2,300 to \$2,400. He estimated 62% of his residents have pets.

Further discussion ensued regarding the right of way needed for the

project.

Commissioner Ostaffe asked if the right of way were granted to another property owner, how would this property be accessed. Mr. Tinklenberg stated this would have to be done through interior roadways. Mr. Hogeboom discussed the excess right of way that was in place from the TH610 project.

Mr. Tinklenberg reviewed several slides that showed photographs of the apartment complexes that he has completed in the metro area.

Commissioner Piket recommended a fence be placed around the playground area for safety purposes. Mr. Tinklenberg noted the playground area would be fenced.

Commissioner Ostaffe asked if the building would be three or four stories with balconies. Mr. Tinklenberg indicated this building would be five stories and every unit would have a balcony.

Chair Lamothe opened the public hearing at 8:43 p.m.

The public was asked by Chair Lamothe if they had any comments to make regarding this application.

No one wished to address the Commission.

**Motion by Chair Lamothe, seconded by Commissioner Piket, to close the public hearing at 8:44 p.m. Upon call of the motion by Chair Lamothe, there were six ayes and no nays. Motion carried.**

**Motion by Commissioner Piket, seconded by Commissioner Lenthe, to remove this item from the table. Upon call of the motion by Chair Lamothe, there were six ayes and no nays. Motion carried.**

**Motion by Commissioner Lenthe, seconded by Commissioner Piket, to recommend that the City Council direct the City Attorney to draft a Resolution approving the Edison Apartments PUD concept stage plan amendment subject to:**

- 1. The applicant addressing to the satisfaction of the city any remaining applicable comments contained in the memorandums from:**

- a. **The Community & Economic Development Department dated February 4, 2022**
- b. **The Fire Department dated December 17, 2021**
- c. **The Engineering Department dated December 17, 2021**
- d. **The Parks & Recreation Department, dated February 9, 2022**

**The applicant shall acknowledge that Park Dedication requirements are based on staff review and recommendation to the Park and Recreation Board and their subsequent board action. Board meetings are held on the third Thursday of each month.**

Commissioner Ostaffe expressed concern with the height of this building. He suggested the building density be reduced by 38 units along with the height of the building.

Chair Lamothe questioned if the City had any other apartment buildings that were five stories high. Mr. Hogeboom indicated there was one other apartment building that was five stories in height, with one of those stories being used for parking.

Commissioner Ayika believed this was a good use of the land and noted he supported the five story building, along with the proposed amenities within the apartment complex.

Commissioner Piket agreed stating he supported the proposed project.

Commissioner Ostaffe questioned what would be located to the west of this property. Mr. Hogeboom stated the adjacent property was guided for high density residential housing. He reviewed a map of the area in further detail with the Commission.

Chair Lamothe indicated he believed this was a really good concept for this property and the five stories would fit well into the area.

**Upon call of the motion by Chair Lamothe, there were five ayes and one nay (Commissioner Ostaffe opposed). Motion carried.**

PUBLIC HEARING

WESTON  
COMMONS 2<sup>ND</sup>  
ADDITION

U.S. HOME  
CORPORATION,  
DBA LENNAR

16232 105<sup>TH</sup>  
AVENUE NORTH

PUD CONCEPT  
STAGE PLAN,  
DEVELOPMENT  
STAGE PLAN,  
REZONING,  
PRELIMINARY  
AND FINAL PLAT  
FOR A  
NEIGHBORHOOD  
CONSISTING OF 82  
TOWNHOMES

**Motion by Chair Lamothe, seconded by Commissioner Lenthe, to remove the item from the table. Upon call of the motion by Chair Lamothe, there were six ayes and no nays. Motion carried.**

Mr. Hogeboom stated the applicant is requesting PUD concept plan, development plan, rezoning, preliminary and final plat approval to construct 82 townhomes. This is the second addition and companion property to the recently approved Weston Commons neighborhood directly to the east. The two additions will function as a single, unified neighborhood. The site is 15.5 gross acres in size with 1.6 acres of wetlands for a net acreage of 13.9 acres. The proposed density is 5.9 units per acre, consistent with the medium density residential guiding of the property which allows 4-10 units per acre. The applicant has stated in their narrative that a portion of the units will be sold to Lennar single-family rentals. They did not indicate the breakdown between rentals and for-sale units anticipated. Staff discussed the plans in further detail with the Commission and made the following recommendation.

**STAFF RECOMMENDATION:**

**Motion** to recommend that the City Council direct the City Attorney to draft a Resolution and a Planned Unit Development agreement approving the Weston Commons 2nd Addition Planned Unit Development concept stage plan, development stage plan, preliminary and final plat subject to:

1. The applicant addressing to the satisfaction of the city any remaining applicable comments contained in the memorandums from:
  - a. The Community & Economic Development Department dated February 8, 2022
  - b. The Engineering Department dated December 17, 2021
  - c. The Fire Department dated January 25, 2022
  - d. The Parks & Recreation Department, dated January 24, 2022

**Motion** to recommend that the City Council direct the City Attorney to draft an Ordinance approving the rezoning from RA,

### Single-Family Agricultural to R4-PUD.

The applicant shall acknowledge that Park Dedication requirements are based on staff review and recommendation to the Park and Recreation Board and their subsequent board action. Board meetings are held on the third Thursday of each month.

#### *Discussion*

*Commissioner asked if the units would be owner occupied versus sold off as rental. He questioned what was happening with the adjacent development and was it moving towards 100% rental. He expressed concern with the fact this development had no amenities and believed this would not bode well for a rental community. Mr. Hogeboom deferred this question to the applicant.*

*Commissioner Picket inquired what type of exterior building materials would be used on this development. Mr. Hogeboom reviewed the preliminary drawings for the townhome units.*

The applicant was at the meeting to answer questions.

Paul Tabone, Lennar representative, thanked staff for the detailed report. He noted the proposed townhomes were similar to those that were built on the western side of Weston Commons. He noted the units would be 1,700 to 1,800 square feet with three bedrooms, two baths, and a two car garage. He indicated he did not know what the percentage would be for the rental versus for sale split, noting this would depend on the market. He commented the intent behind the rental option would be to have a portion sold to Lennar Single Family Rentals depending on what is seen in the marketplace. He stated the rentals would be maintained by the Lennar HOA but no large down payment would be required by the tenants. He explained because there is a back log in the supply chain on building materials, some individuals were moving into apartments short term while their homes were being built. He discussed the materials that would be used on the exterior of the buildings noting there would be vinyl siding with shakes and composite stone.

Commissioner Ostaffe asked how many of the units within the first phase have been sold to Lennar Single Family Housing versus being offered for sale. Mr. Tabone stated he did not have the exact numbers in front of him.

Commissioner Ostaffe expressed concern with the fact Lennar would be controlling the HOA board for the units that turn into rentals. He indicated he was looking for single family homeowner options in the City and he did not support developers changing this on the fly.

Commissioner Piket commented the uncertainty of the number of rentals versus owner occupied was a concern to him as well. He stated it did not appear that the developer wanted to put all of the cards down on the table at this time which did not make him feel good about approving this project.

Commissioner Lenthe asked if the applicant would have one HOA for both phases or would there be two separate HOA's. Mr. Tabone reported there would be one HOA that would serve both additions.

Commissioner Lenthe requested further information regarding how Lennar determines when a development should have a clubhouse or other amenities. Mr. Tabone explained this varies from community to community. He indicated there typically was a clubhouse, pool, or other amenity once the numbers are higher. He stated with the townhome price point, Lennar was working to keep the units affordable. He commented further on how numerous amenities increase the HOA dues for the members. He reported the proposed townhomes would have access to all of the amenities within the first addition of this development.

Commissioner Ostaffe indicated the garage sizes on these units was quite small and noted the City has restrictions in place that garbage bins must be stored in a garage or on an improved surface on the size of home. He commented that the interior units may not be able to accommodate the two trash bins on the exterior of the units. Mr. Tabone reported the garages would accommodate two vehicles and two garbage bins.

Commissioner Ostaffe asked if the parcel of land to the west would be included in this development at some point in the future. Mr. Tabone reported he has spoken to the property owner to the west and he has not reached an agreement for the purchase of this land. He stated the hope would be to include this land at some point in the future.

Commissioner Ostaffe questioned if there would be signs indicating which units were corporate owned rental units and those that were owner occupied. Mr. Tabone stated did not need to be disclosed. He commented if the property was managed by the Lennar HOA he did not believe this would be an issue.

Commissioner Picket discussed the differences between renters and owners noting owners typically took better care of their units and were not as transitory in nature.

Chair Lamothe opened the public hearing at 9:25 p.m.

The public was asked by Chair Lamothe if they had any comments to make regarding this application.

No one wished to address the Commission.

**Motion by Chair Lamothe, seconded by Commissioner Lenthe, to close the public hearing at 9:26 p.m. Upon call of the motion by Chair Lamothe, there were six ayes and no nays. Motion carried.**

**Motion by Commissioner Lenthe, seconded by Commissioner Ayika, to recommend that the City Council direct the City Attorney to draft a Resolution and a Planned Unit Development agreement approving the Weston Commons 2nd Addition Planned Unit Development concept stage plan, development stage plan, preliminary and final plat subject to:**

- 1. The applicant addressing to the satisfaction of the city any remaining applicable comments contained in the memorandums from:**
  - a. The Community & Economic Development Department dated February 8, 2022**
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Commissioner Ostaffe expressed concern with the fact the City does not know if this will be an owner occupied or rental development. He stated if the development were to be 100% rental,



there were no amenities to serve the tenants and therefore he would not be able to support this project.

Commissioner Picket commented he did not support the development because there was too much unknown regarding if this would be a rental or owner occupied community. For this reason, he would not be able to support the development.

Commissioner Ayika stated he believed the City Council needs to decide how to handle rental versus owner occupied units. He indicated he did not believe the Planning Commission could not support a project that meets City Code requirements just because a portion of the project may be rented. He recommended that future tenants be notified that units would be rented and owned.

Commissioner Picket stated he would like the developer to put a stake in the ground now, on whether or not these would be rental units for clarity purposes for the future owners.

Commissioner Ostaffe reported a stake was put in the ground on Lennar's previous development and all of the proposed owner-occupied units were now 100% rental.

Chair Lamothe stated he too opposed this motion. He indicated he had the same concerns with the fact the developer was not being forthright with the rental/owner occupied information. He explained he could support a mix of rental and owner occupied units, but wanted this information to be forthright versus being fluid. He understood why the developer wanted the fluidity, but feared the lack of transparency would cause concerns in the future. He anticipated that this mix was a new concept in the housing market and he had concerns over how the HOA would function. He wanted to better understand how the seats at the table would be arranged. He stated he could support this project if more clarity were brought forward, but he would not be supporting the project at this time.

**Upon call of the motion by Chair Lamothe, there were two ayes and four nays (Commissioners Klein, Picket, Ostaffe and Chair Lamothe opposed). Motion failed.**

City Attorney Landsman stated the Commission has two options on the next vote noting the Commission could vote table action on the rezoning or could vote to deny the request.

Chair Lamothe indicated he supported the property being rezoned, noting he supported the proposed use on the site, but did not support the proposed split between rental and owner occupied without having further information from the applicant.

**Motion by Chair Lamothe, seconded by Commissioner Lenthe, to recommend that the City Council direct the City Attorney to draft an Ordinance approving the rezoning from RA, Single-Family Agricultural to R4-PUD.**

**The applicant shall acknowledge that Park Dedication requirements are based on staff review and recommendation to the Park and Recreation Board and their subsequent board action. Board meetings are held on the third Thursday of each month.**

**Upon call of the motion by Chair Lamothe, there were five ayes and one nay (Commissioner Klein opposed). Motion carried.**

City Attorney Landsman explained the Commission would now need to make a motion to either deny or table action directing the City Attorney to draft a Resolution and a Planned Unit Development agreement for the Weston Commons 2<sup>nd</sup> Addition Planned Unit Development concept stage plan. He explained that tabling action would allow the applicant time to address the concerns that were raised this evening regarding the development. He stated either way the Commission wished to proceed, a clear recommendation would be brought to the City Council.

Commissioner Picket commented in order for him to support this project he would need to understand what portion of the project would be rental and where the rental units would be located within the development.

Commissioner Ostaffe concurred and noted he would also like to know more about the HOA and how the rental units would be represented. He stated because he does not have this information at this time, he would not be able to support this project.

Mr. Tabone explained he could pull together information to answer the Commissions questions prior to the next meeting. He requested the Commission table action on this item.

**Motion by Chair Lamothe, seconded by Commissioner Ostaffe, to table action on this item to the Monday, February 28, 2022 Planning Commission meeting. Upon call of the motion by Chair Lamothe, there were five ayes and one nay (Commissioner Klein opposed). Motion carried.**

Commissioner Lenthe stated he would like additional information from staff regarding the number of rentals in the City of Maple Grove. He indicated he was growing concerned regarding the status and number of rentals in the community. City Attorney Landsman explained he would work with staff to provide this information to the Planning Commission.

**DISCUSSION  
ITEMS**

There were no discussion items.

**ADJOURNMENT**

**Motion by Chair Lamothe, seconded by Commissioner Pickett, to adjourn the Planning Commission meeting. Upon call of the motion by Chair Lamothe, there were six ayes and no nays. Motion carried.**

Chair Lamothe adjourned the meeting at 9:50 p.m. to the next regularly scheduled meeting of the Planning Commission scheduled for February 28, 2022.