

DRAFT – MAPLE GROVE
PLANNING COMMISSION
July 25, 2022

CALL TO ORDER

A meeting of the Maple Grove Planning Commission was held at 7:00 p.m. on July 25, 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, Lorie Klein, Chuck Lenthe, Michael Ostaffe, and Joe Piket. Absent was Susan Lindeman. Present also were Karen Jaeger, City Council Liaison; Joe Hogeboom, Community and Economic Development Director; Peter Vickerman, Planning Manager; Jesse Corrow, Associate Planner; Brett Angell, Assistant Community and Economic Development Director; and Scott Landsman, City Attorney.

ITEMS TO BE
AMENDED FROM
THE AGENDA

Chair Lamothe requested Item 7D be discussed prior to Item 7C.

Motion by Chair Lamothe, seconded by Commissioner Ostaffe, to amend the agenda moving Item 7D before Item 7C. Upon call of the motion by Chair Lamothe, there were six ayes and no nays. Motion carried.

CONSENT ITEMS

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

MINUTES

A. Regular Meeting – June 13, 2022

Motion by Commissioner Lenthe, seconded by Commissioner Piket, 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
THEIR REGULAR
MEETING OF JULY
18, 2022

OLD BUSINESS

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

NEW BUSINESS

No items to present.

PUBLIC HEARING

10204 94TH
AVENUE NORTH

JULIAN
ELIZONDO

VARIANCE TO
CONSTRUCT A
GARAGE
EXPANSION

Mr. Corrow stated the applicant is requesting a variance to the side yard setback for the purpose of constructing a garage addition to the existing home at 10204 94th Avenue North. The proposed expansion would convert an existing single stall garage to a standard two-car garage. The property is located on a corner lot at the intersection of 94th Avenue North and Quaker Lane North. Since the construction of this home in 1964, city code has been amended to require setbacks on corner lots of at least fifteen feet on the side yard abutting a public right-of-way. The house faces 94th Avenue North and an attached single stall garage is currently placed 20.1 feet from the right-of-way along Quaker Lane North. Expanding the width of the garage by the proposed 6.5 feet would place the new garage 13.6 feet from the right of way line, resulting in an encroachment of 1.4 feet (1 foot, 5 inches). A variance is requested for the encroachment into the setback. In addition to expanding the garage, the applicant is planning to add on to the rear of their home. The home addition is illustrated on the attached plans and complies with the zoning code. The added impervious area of the entire project will not exceed the 40% lot coverage limit. 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 approving the 10204 94th Avenue North variance.

Discussion

Commissioner Picket asked why the City would need the 15 foot setback in place. Mr. Corrow stated this was an added buffer for a

corner lot to address traffic sight lines.

The applicant was at the meeting to answer questions.

Julian Elizondo, 10204 94th Avenue North, introduced himself to the Commission. He explained he moved into his home in 2016 and he was now looking to put an addition onto his home.

Chair Lamothe opened the public hearing at 7:40 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 Ayika, to close the public hearing at 7:40 p.m. Upon call of the motion by Chair Lamothe, there were six ayes and no nays. Motion carried.

Motion by Commissioner Klein, seconded by Commissioner Ayika, to recommend that the City Council direct the City Attorney to draft a resolution and approving the 10204 94th Avenue North variance. Upon call of the motion by Chair Lamothe, there were six ayes and no nays. Motion carried.

PUBLIC HEARING

PINTS AND
PADDLES

RYAN
COMPANIES, INC.

15550 GROVE
CIRCLE NORTH

PUD
DEVELOPMENT
STAGE PLAN AND
FINAL PLAT THAT
INCLUDES NEW
41,000 SQUARE
FOOT INDOOR

Mr. Angell stated the applicant is requesting PUD development stage plan and final plat approval for the purpose of adding an approximately 33,000 square foot building within The Grove development which would be utilized as Pints and Paddle, an indoor pickleball and a restaurant/beer hall. The proposed development would be built and share a common wall with Crunch fitness. 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 Pints and Paddle PUD non-residential development stage plan and final plat, subject to:

1. The applicant addressing to the satisfaction of the city any remaining applicable comments contained in the

PICKLEBALL AND
RESTAURANT/
BEER HALL IN
THE GROVE
DEVELOPMENT

memorandums from:

- a. The Community & Economic Development Department dated July 14, 2022
- b. The Engineering Department dated July 8, 2022
- c. The Fire Department dated July 8, 2022

Discussion

Commissioner Lenthe questioned if the restaurant and beer garden would be open to the public. Mr. Angell reported this would be the case.

Commissioner Klein stated she had not visited a self-beer tap facility and requested further information on how this works. Mr. Angell explained the City recently passed an Ordinance for this type of facility. He described how these facilities operate stating all patrons were ID'ed and were then given a wrist band or card that would monitor the tap usage. He reported the beer garden would also have staff monitoring the taps.

Commissioner Klein commented she believed this would be a fun and unique amenity for the City.

Commissioner Pickett indicated there would be a shared wall between the proposed use and Crunch Fitness. He asked if this would be a full wall or would there be a passage way through. Mr. Angell stated there would not be a shared passage way between the two businesses.

Chair Lamothe reported this was a unique proposal. He explained he has visited other self-serve tap rooms and indicated they work quite well as patrons are able to purchase and pay for beer by the ounce. He stated the pickleball/taproom combination was quite unique and inquired if there were any other facilities like this in the metro area. Mr. Angell commented the ownership group was made up of Maple Grove residents and this would be a one of a kind facility.

The applicant was at the meeting to answer questions.

Patrick Daly, Ryan Companies, thanked the Planning Commission for considering his request. He explained Ryan Companies has a

long history with the City of Maple Grove. He indicated this was a unique entertainment concept and he looked forward to bringing Pints and Paddles to the community.

A.J. Stevens, Pints and Paddles partner, explained he was the owner of Malone's in Maple Grove and he understood the importance of properly serving alcohol in the community. He discussed how this new venture would be a blend of pickleball and Malone's with a self-pour tap system. He reported there would be staff members monitoring the taps at all times. He believed there was a huge opportunity with pickleball noting it was a fast growing sport. He commented on how an indoor facility would benefit the residents of Maple Grove.

Commissioner Picket asked if Pints and Paddles would be partnering with the City for pickleball. Mr. Stevens stated he has met with the City and he would be partnering with the City for leagues.

Chair Lamothe anticipated this use would bring additional traffic into the community later in the evenings. He inquired what the vision would be for weekly leagues. Mr. Stevens stated there would be opportunities for leagues as well as open play for people of all ages.

Chair Lamothe questioned when Pints and Paddles would be open for business. Mr. Stevens anticipated the facility would be open for use by August 1, 2023.

Motion by Commissioner Lenthe, seconded by Commissioner Picket, to recommend that the City Council direct the City Attorney to draft a resolution and a Planned Unit Development agreement approving the Pints and Paddle PUD non-residential development stage plan 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 July 14, 2022**
 - b. The Engineering Department dated July 8, 2022**
 - c. The Fire Department dated July 8, 2022**

PUBLIC HEARING

2022
COMPREHENSIVE
PLAN
AMENDMENT:
TERRITORIAL
ROAD

CITY OF MAPLE
GROVE

TERRITORIAL
ROAD AREA
STAGING PLAN,
FORECAST
ADJUSTMENT,
TEXT
AMENDMENT
AND LAND USE
MAP CHANGES

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

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

Mr. Vickerman stated due to the rapid residential growth that Maple Grove experienced over the past three years, combined with the earlier-than-expected potential development of the Rush Hollow site, the comprehensive plan needs to be amended to reflect more accurate population and household estimates, as well as to reflect the earlier development staging of the Territorial Road area. The currently language in our comprehensive plan estimates that Maple Grove will grow by approximately 10,000 people between 2020 to 2030. With the proposed forecast adjustment, Maple Grove is now expected to grow by approximately 16,000 people in this decade. According to the Metropolitan Council, the increase in total population estimates also requires that Maple Grove increase its goal for total affordable housing units added this decade. The current comprehensive plan figure indicates that Maple Grove needed to add 1,188 affordable housing units by 2030. The Metropolitan Council now expects Maple Grove to add a total of 2,015 housing units by 2030. To achieve this goal, the Metropolitan Council suggests increasing the amount of area within Maple Grove that is guided for high-density residential development. Based on calculations from our current land use guidance, this would leave Maple Grove needing to re-designate approximately 14 acres of land within the city to accommodate high-density residential development. Staff discussed the proposed changes 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 approving the 2022 comprehensive plan amendment.

Discussion

Commissioner Piket asked which Met Council requirements were not being met through this plan amendment. Mr. Vickerman explained the City's Comprehensive Plan was in conformance with

Met Council requirements. He stated by adding in this additional area, along with the rapid amount of development occurring in Maple Grove, that was what triggered the comprehensive plan amendment.

Commissioner Ostaffe indicated the Met Council has the authority to dictate to the City of Maple Grove planning going forward. Mr. Vickerman reported this was the case.

Commissioner Ayika questioned what the increase in population would be from the proposed plan by 2030. Mr. Vickerman estimated the population of the City would increase by 16,000 by 2030.

Chair Lamothe inquired if this action was moving up development that was already planned to occur in 2030. Mr. Vickerman stated this was the case.

Chair Lamothe opened the public hearing at 7:38 p.m.

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

Eric Krause, 15834 Territorial Road, stated he was confused over what this meeting was. He expressed concern with the confusing communication between the City and the residents regarding the new development coming to the area. He summarized the comments from the Park and Recreation Board when that group discussed the future park for this area.

Chair Lamothe requested staff speak to the request before the Commission. Mr. Hogeboom explained the item discussed in June was the master plan, which was when the park was brought up. He noted the Parks Board recommended the park be built on the western side of the Alano building, but there were no immediate plans at this time. He reported the request before the Commission this evening was for a development proposal for some of the land to the eastern side called Rush Hollow. He stated this request required the City to make some decisions on the Comprehensive Plan, which had to be addressed prior to discussing the Rush Hollow development.

Mr. Krause expressed frustration with the fact the City was discussing matters without including the public.

Chair Lamothe commented on the process that was followed for planning cases noting all final approvals were made by the City Council. He noted the item before the Commission was advancing development numbers that were going to occur anyway.

Jessica Galant, 14832 Territorial Road, asked if more high density was being added to the area.

Chair Lamothe stated generally, the City was moving up development that was supposed to occur from 2030 to 2040, to 2020 to 2030.

Ms. Galant requested further information on what type of high-density housing was being proposed within the new development. Mr. Vickerman stated this would include multi-level apartment buildings, senior housing or condos.

Ms. Galant asked if the apartment buildings would be affordable housing. Mr. Vickerman commented the units could be affordable, but this would not be required. Further discussion ensued regarding the proposed development, the number of units proposed, and how it will be accessed.

Emmett Smith, 14832 Territorial Road, feared this entire situation as a bait and switch situation. He explained the neighbors felt like they were getting shoved around and the City does not take them seriously. He understood the developer has been working on this project for several years and questioned why the neighbors were only recently told about the plans. He indicated he moved to Maple Grove because his home was in a quiet and beautiful area of the community. He stated his property would now have an apartment complex directly across the street. He was of the opinion the development of this area was being rushed and that the City did not care about the existing residents in this area. He believed the City would rather have the revenue from the new development than to hear from their existing residents. He stated he fought for two different branches for this country and he felt like the City was failing him at this time. He anticipated none of the Commissioners would like to have 600 apartments directly in front of their homes.

Betsy Krause, 15834 Territorial Road, stated she and her neighbors were annoyed. She explained the terminology previously used with the neighbors was that there was nothing concrete in the works, and promises were made that the neighbors would be filled

in and notified of anything that happens on Territorial Road. However, this has not occurred. She discussed the four choices that were presented to the neighbors for the City park and noted the park would now be on location five. She reported the anger and angst was due to perceived shell games that the City was playing with the residents. She anticipated the Commissioners would feel the same way if they were in the neighbor's shoes. She explained it was very discouraging not getting up front answers from City officials, along with being told the neighbors would be notified and then not having information sent. She encouraged the City and its officials to do better. She understood Pulte Homes has paid close to \$30 million for the land and there would be no stopping this project. However, she asked that the City consider the voices of the residents who have lived in Maple Grove for 25 to 30 years.

Erin Shelby, 15133 Territorial Road, stated she lives across from the cemetery. She explained she has three young children, one who has special needs. She reported she purchased her home a year ago and her family loves living in Maple Grove. She discussed how the proposed development would impact her family, noting she moved to this area because it was more rural. She explained she was very sad that the residents in this area of the City didn't matter and she worried that she would not be able to stay in the community. She indicated she was also concerned about how the proposed development in this area would overload the school system.

Ms. Galant explained she has been in contact with the City numerous times because she understood the area behind her home would develop. However, she was told this area would not be developed until at least 2030. She reported the only reason she knew about this project was because her neighbors sold their farmhouse to Pulte Homes. She asked again why the neighbors were not included or told about the plans for this area.

Motion by Chair Lamothe, seconded by Commissioner Ayika, to close the public hearing at 8:03 p.m. Upon call of the motion by Chair Lamothe, there were six ayes and no nays. Motion carried.

Commissioner Ayika requested further information on what process was followed for the master plan.

Chair Lamothe recalled that the Commission held a robust discussion on the master plan for Territorial Road and the item was

passed onto the City Council, but not unanimously. Eric Zweber, WSB, reported this was the case. He explained the Planning Commission recommended approval to the City Council, but this was not unanimous. The Commission also recommended the Parks Director reevaluate the park area. He noted the Parks Board did not pick up this issue so their previous approval of the area to the west was their recommendation. This recommendation was brought to the City Council and the Council approved as recommended by the Park Board.

Commissioner Ayika indicated the Commission encouraged the residents to attend the City Council meeting and noted these meetings are not typically noticed. Mr. Zweber stated this was the case.

Commissioner Ayika commented it was disheartening to hear the neighbors felt alienated. He noted there was a lot of discussion at the Planning Commission level and there was not a unanimous decision of support sent to the City Council for the master plan. He explained the Commission is now being asked to amend the Comprehensive Plan in order to allow for the development of the Territorial Road area sooner than intended.

Chair Lamothe thanked Commissioner Ayika for the recap noting this was his recollection on the matter as well. He noted the Commission voted 6-1 to recommend the City Council approve the master plan. He asked for further comments from the Commission prior to taking action on the motion.

Commissioner Ostaffe noted he was the member who voted against the master plan. He indicated his concerns were not addressed within the last discussion and his concern has not been addressed with the new plans.

Commissioner Piket commented the last vote was largely around the recommendation for the location of the park. He explained he voted to support the recommendation of the Park Board. He stated the matter before the Commission this even was a whole new issue noting densities needed to be adjusted per Met Council requirements.

Commissioner Ayika thanked Commissioner Piket for the clarification.

Commissioner Piket discussed how projects like this were approved in different pieces and he stated he understood and heard the concerns of the neighbors.

Commissioner Ostaffe stated he thought he has seen the proposed Comprehensive Plan Amendment at a previous meeting.

Chair Lamothe reiterated that the Commission was being asked to address development that was supposed to occur from 2030 to 2040 and moving this up to 2020 to 2030. In addition, the City is changing where the development was occurring and how properties have been guided. He asked if the Commission had seen this image before. Mr. Vickerman commented this whole area was initially planned for development between 2030 and 2040. He stated with this proposal, the City was hoping to move this up to 2020 to 2030. In addition, this triggered changes to the high density numbers within the Comprehensive Plan. He discussed how the master plan for this area had been overlayed over the City's Comprehensive Plan and that this image may have been viewed by the Planning Commission at a previous meeting.

Commissioner Lenthe questioned if the plan that was approved by the Council in June was consistent with the Comprehensive Plan Amendment that was being approved tonight. Mr. Vickerman stated this was the case.

Chair Lamothe reported the matter reviewed in June approved the geographical reallocation on how property was guided. However, the master plan did not address the timing, which was being adjusted this evening. Mr. Vickerman commented this was the case.

Commissioner Ayika asked if the Commission would support reopening the public hearing for further comments.

Chair Lamothe stated he would only support reopening the public hearing for two minutes for new information.

Motion by Commissioner Ayika, seconded by Chair Lamothe, to reopen the public hearing. Upon call of the motion by Chair Lamothe, there were six ayes and no nays. Motion carried.

The public hearing was reopened at 8:23 p.m.

Emmett Smith, 14832 Territorial Road, explained he has the plans that were given to the residents previously and discussed how the plans had changed. He stated the previous plans did not show high density in front of his house and now they do. He indicated he has a job and he cannot always be attending City meetings and he would hate to have to get an attorney involved in order to properly advocate his concerns to the City. He reported he works really hard in order to live in Maple Grove. He commented on how he and all of his neighbors have been blindsided by the City's new bait and switch plans. He was extremely frustrated because he feels like his land was under attack.

Chair Lamothe stated there may have been a disconnect with the different parties throughout this process, when the residents were given an option to provide feedback on four different options and the option that was selected was something that was not part of those four options. He indicated there appears to have been a disconnect with the public on this as other options were developed and considered.

Betsy Krause, 15834 Territorial Road, noted she missed the meeting when the park was discussed. She explained there was a misunderstanding that the Parks Board would discuss the park location, but rather this was discussed internally and option five was approved by the City Council on June 20. She noted the neighbors were feeling deceived at this time and more than a little miffed because they were asked for feedback on options that weren't even considered by the Park Board or City Council.

Commissioner Ayika recalled the actions of the Park Board noting it was not the purview of the Planning Commission to decide on park locations.

Ms. Krause thanked Commissioner Ayika for the clarification. She noted a number of items were tabled at the June 13 Planning Commission meeting to this meeting. She explained that the neighbors were told during the Zoom meeting that was held that staff would let them know when Territorial Road was going to be discussed by the City Council and this simply has not happen.

Motion by Chair Lamothe, seconded by Commissioner Ayika, to close the public hearing at 8:36 p.m. Upon call of the motion by Chair Lamothe, there were six ayes and no nays. Motion carried.

Motion by Commissioner Ayika, seconded by Commissioner Lenthe, to recommend that the City Council direct the City Attorney to draft a resolution approving the 2022 comprehensive plan amendment.

Commissioner Lenthe indicated this was a large area that would be under consideration for development, such as Rush Hollow and others. He questioned what type of feedback staff was receiving on the other parcels. Mr. Vickerman commented staff has had a few different property owners expressing the desire to sell, some properties further to the west. He indicated no developers have come forward with any other specific plans, except for Rush Hollow.

Commissioner Picket requested further clarification on what the Commission was being asked to vote on this evening. Mr. Vickerman stated the Commission was being asked to amend the Comprehensive Plan in order to change the staging of the Territorial Road area to 2020 to 2030 instead of 2030 to 2040. He noted this change would also include adjusting the land use plan map and adjusting the land use guiding along Rush Creek Boulevard.

Commissioner Picket stated he was feeling boxed in that because the Commission approved the Territorial Road Master Plan they now had to approve the Comprehensive Plan amendment. Mr. Vickerman stated the master plan was its own thing and staff was working now working to further development along Territorial Road, which required an amendment to the Comprehensive Plan for staging purposes.

Commissioner Picket indicated he did not like the way the high density was stretched across Territorial Road. He explained he would like to see the high density in a square shape versus stretched into a rectangle.

Chair Lamothe stated he has concerns for other reasons, but the fact was the Commission approved what was on the lower level in June. Based on the testimony received this evening, he would not have supported the master plan in June.

Commissioner Ostaffe questioned who was giving the estimated population growth numbers. Mr. Vickerman stated these numbers

were coming from the Met Council and the City based on the proposed density for the land that has yet to develop in the next 10 years.

Commissioner Ostaffe inquired if the City had to get to a certain population per Met Council requirements. Mr. Vickerman stated the population was based on regional models and each City had to plan future development accordingly.

Commissioner Ostaffe reported the City was looking at a 60% increase in its population yet the City was driving a 70% increase in high density housing. He questioned why more high density housing was being added. Mr. Vickerman commented this was to meet the need for the rising population, noting some of the units would have fewer people per unit than others. He explained when the 2040 Comp Plan was approved the City estimated 3,300 units would be developed between 2020 and 2030 and 36% of these units would be affordable. He stated the City was now proposing to construct 5,600 units.

Commissioner Ostaffe stated the population increases are leading to more and more apartment complexes and townhome developments which was increasing density in the community. Mr. Vickerman indicated there has been tremendous growth in the number of apartment units in the City over the past few years.

Chair Lamothe explained he has appreciated the discussion held this evening. He commented he may have missed the boat in June and there were questions he did not ask. He noted the members of the Planning Commission were volunteers. He indicated he was a stickler when it came to following process and he was disappointed with how the feedback loop was followed with the neighbors. He anticipated expectations were set within the four options that were presented to the neighbors and understood why they were upset when the City moved forward with a fifth option. He stated he missed this within the June meeting. With that being said he understood that the Territorial Road area would develop as it was within the urban core. He encouraged the City to remain transparent when these changes would occur and he was uncertain that the City did this when the master plan was considered. He stated he was unsure he would be able to support this and may abstain from voting.

Chair Lamothe called the question.

PUBLIC HEARING

RUSH HOLLOW

PULTE HOMES

14300

TERRITORIAL
ROAD, 15024

TERRITORIAL
ROAD, 14768

TERRITORIAL
ROAD AND 14301

TERRITORIAL
ROAD

PUD CONCEPT
STAGE PLAN,
DEVELOPMENT
STAGE PLAN,
REZONING,
PRELIMINARY
PLAT AND FINAL
PLAT THAT
INCLUDES A 74
UNIT, FOUR
STORY MULTI-
FAMILY
BUILDING FOR
INDIVIDUALS 62
YEARS AND
OLDER, 239
SINGLE FAMILY
HOMES AND 223

Upon call of the motion by Chair Lamothe, there were three ayes, two nays (Commissioner Piket and Commissioner Ostaffe opposed, and one abstention (Chair Lamothe). Motion carried.

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

Mr. Vickerman stated Pulte Homes, the applicant and developer, seeks Planned Unit Development (PUD) concept stage plan, development stage plan, rezoning and final plat approvals for the purpose of developing four parcels, a total area of about 161 acres, into 239 single family detached homes, 217 attached townhomes and 80 senior living units for a total of 536 units. The development is to be known as Rush Hollow. The area in question is situated around the redesigned intersection of Territorial Road and Maple Grove Parkway. CSAH 81 is immediately south of the proposed development. Staff discussed the plans in further detail and made the following recommendation.

STAFF RECOMMENDATION:

Motion to recommend the City Council direct the City Attorney to draft a resolution and a planned unit development agreement approving the Rush Hollow PUD concept stage plan, development stage plan, preliminary plat, 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 July 20, 2022.
 - b. The Water Resources Engineer dated July 20, 2022.

Motion to recommend the City Council direct the City Attorney to draft an ordinance approving the rezoning from R-A, Single-Family Agricultural to R-2 PUD, Single-Family Residential Planned Unit Development, R-4 PUD Medium Density Residential Planned Unit Development District, and R-5 PUD High Density Residential Planned Unit Development District.

TOWNHOMES

The Park Board voted (5-1) on May 19, 2022 that the Park Service Area (PSA) #4 neighborhood park will not be located within the Rush Hollow plat. The park will be located on Three Rivers Park District property and as called out in the Territorial Road master plan. Negotiations are underway with the TRPD on how the land will be acquired and further developed for the park.

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.

The applicant was at the meeting to answer questions.

Paul Hoyer, Pulte Homes, introduced himself to the Commission. He explained he was partnering with Lifestyle Communities on this project in order to bring a variety of housing options to the community. He provided the Commission with a high level presentation on the Rush Hollow site plan. He commented on the physical constraints of this property which included wetlands, bluffs, major roadways, a pipeline and the placement of open space. He explained the plan features 536 homes on 160 acres noting there would be six different housing types that would be targeted to a wide range of demographics. This development would resolve the alignment of Maple Grove Parkway and Territorial Road, while also preserving a large amount of greenspace along Rush Creek.

Ben Lanhauser, Lifestyle Communities, described the types of housing that was constructed by his company noting this included senior housing cooperatives. He commented further on how cooperative living works noting all owner were shareholders within the building. He indicated this ownership model was more community centric and would have valuable amenity/common areas. Further discussion ensued regarding the proposing housing types and he asked for comments or questions from the Commission.

Discussion

Commissioner Picket asked if the cooperative units required a mortgage. Mr. Lanhauser stated the majority of shareholders make payments from equity from the sale of their single-family home. He noted the property would have a master 40-year

mortgage.

Commissioner Ostaffe expressed concern with the proposed 50 foot wide lots. He noted the Evanswood development had smaller lot sizes, but noted the Council did not approve 50 foot wide lots, but rather increased this to 60 or 65 foot wide lots. He stated this was very small for the City of Maple Grove. He questioned why staff had brought this request forward when 50 foot wide lots had been recently rejected by the Council. Mr. Hoyer reported the setbacks between the homes was 7.5 feet, which meant there would be a minimum of 15 feet between homes. He noted he would have a variety of lots sizes ranging from 50 feet to 80 feet in width. He commented these were standard lot sizes across the country given the cost for constructing a new home and housing affordability.

Commissioner Klein asked if the HOA would allow for alternative lawns in order to reduce the use of chemicals near Rush Creek. Mr. Hoyer stated the townhomes on the east side of Maple Grove Parkway would have an HOA that maintain the exterior lawns. He noted all other properties within the development would have lots that were owned by the homeowner.

Commissioner Lenthe inquired if the streets in this area would be private or public. Mr. Hoyer reported the streets within the townhome development would be private, except for Territorial Road.

Commissioner Lenthe questioned if there would be a sidewalk associated with all of the streets. Mr. Hoyer stated there would be no sidewalks on the private streets but there would be sidewalks on the public streets.

Commissioner Lenthe expressed concern with the fact there was very little room for snow storage within the townhome association. Mr. Hoyer commented on the amount of space that had been provided for guest parking and snow storage. It was noted each unit would have a two car garage along with two parking spaces in each driveway.

Commissioner Lenthe questioned what amenities would be located around the pond. Mr. Hoyer reviewed the greenspace that would be located around the pond, noting there would be a tot lot and sidewalk connections.

Commissioner Lenthe asked why a cooperative was being pursued

over condominiums. Mr. Lanhauser explained this cooperative was more affordable than condos. Further discussion ensued regarding how individuals are able to sell their shares within the cooperative.

Commissioner Pickett inquired if an individual could own multiple shares within the in order to rent a unit. Mr. Lanhauser stated residents could own multiple shares but noted he has never had people purchase multiple shares for rental purposes.

Commissioner Ostaffe questioned if the developer could commit the townhomes to being owner-occupied. Mr. Hoyer commented he would be selling the townhomes and noted if this was a major concern for the City he would be happy to have a discussion on how to restrict the units from becoming rental.

Commissioner Ostaffe discussed the number of townhomes have turned into rentals over the past two or three years and noted he did not want to see this happen with this development. Mr. Hoyer stated this was not his goal.

Commissioner Lenthe requested further information regarding the temporary access into the cooperative. Mr. Lanhauser explained after meeting with the fire department it was determined the site would not have a full access onto Maple Grove Parkway, but in the event of an emergency a reinforced turf area could be used for emergency vehicles.

Commissioner Ostaffe questioned how many 50 foot wide or smaller lots does the City have. Mr. Vickerman commented he does not have this information in front of him. He noted the Edgewater lots were 45 feet and the Avery Park lots were 50 feet wide.

Chair Lamothe stated he was concerned with the number of 50 foot lots. He explained he may be able to support several lots being 50 feet wide, but not the majority. He indicated he had concerns with the number of 50 foot wide lots and recommended these be changed to 65 foot wide lots.

Commissioner Ostaffe agreed.

Chair Lamothe reported he appreciated the mix of housing within this development, but noted he was concerned with the number of 50 foot wide lots.

Commissioner Ayika asked for a response from the applicant regarding this matter. Mr. Hoyer stated this plan provides housing for a variety of homebuyers. He discussed how the price of new homes was on the rise. He reported it was very difficult to build homes for first time homebuyers. He indicated this was a very large piece of property that could hold a variety of housing types. He commented further on how incomes were not matching the rate of housing increases.

Chair Lamothe understood these concerns and noted the metro area was greatly lacking affordable housing. He explained he would like the developer to consider increasing the size of Lots 1-4, 18-20 and the eight lots leading up to the dog park. He recommended these lots be 65 feet lot. Mr. Hoyer stated these lots were 50 feet wide in order to match the lots across the street.

Chair Lamothe commented he had concerns with the how much of the front elevations of the narrow lots would be garage.

Commissioner Lenthe asked if the developer would consider adding landscaping or trees to the rear lots along Territorial Road. Mr. Hoyer commented he would be open to this.

Chair Lamothe opened the public hearing at 9:52 p.m.

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

Laramie Otto, 15615 Territorial Road, stated Territorial Road was quite busy and with both cars and pedestrians. She requested the sidewalk be extended further down Territorial Road for the safety of pedestrians. She also asked that the City do better to address the speed of traffic along Territorial Road. She requested the City be more sensitive and considerate to those residents who choose to live in this area because they value their land and their 100 year old houses.

Jessica Galant, 14832 Territorial Road, commented on the proposed site plan for the development and noted she was not impressed by the proposed lot sizes. She explained this plan would remove all of the privacy her lot has. She expressed frustration that her concerns have not been taken into consideration in this development.

Erin Shelby, 15133 Territorial Road, asked what conversations have been held with the school district. She explained Fernbrook Elementary School was full and this development would further overwhelm this school. She questioned if the City has spoken to the school district regarding this project. Mr. Hogeboom explained the Osseo School District was always interested to know what was happening in Maple Grove and noted they have property on the other side of I-94 for a new elementary school that would serve Maple Grove and Dayton. He commented further on how the school district was looking to even out where students were going and would be holding a planning session in August to address this matter further with Maple Grove, Osseo and Dayton.

Emmett Smith, 14832 Territorial Road, agreed the smaller lots were not desirable. He encouraged the City to not allow this, because he did not want this to become the norm in Maple Grove. He reported this was a desirable area in the community and anticipated the homes that were built would not be for first time homebuyers.

Motion by Chair Lamothe, seconded by Commissioner Picket, to close the public hearing at 10:04 p.m. Upon call of the motion by Chair Lamothe, there were six ayes and no nays. Motion carried.

Commissioner Lenthe stated he has spent a great deal of time reviewing the plat and amenities within this development. He questioned if the developer had given enough greenspace within this PUD in order to support the 50 foot wide lots. He indicated his initial thought was that he has provided a dog park, trails, a tot lot and a fair amount of greenspace. While he was still struggling with the 50 and 60 foot wide lots, he understood that first time homebuyers also needed properties to purchase and he appreciated the variety of homes that would be constructed within this development. He requested the developer plant more trees along Territorial Road.

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 Rush Hollow PUD concept stage plan, development stage plan, preliminary plat, 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 July 20, 2022.**
 - b. The Water Resources Engineer dated July 20, 2022.**
 - c. The applicant be required to supply additional landscaping in the rear lots along Territorial Road.**

Commissioner Ayika asked if the sidewalk along Territorial Road could be extended. Mr. Hogeboom stated there were no plans to extend this sidewalk to the west. He noted he could speak with the City Engineer about interim plans for this sidewalk.

Commissioner Ostaffe explained much of the open space within this development could not be built upon as there was an easement for a gas pipeline, stormwater ponds, wetlands, a creek and bluffs. He stated he had an issue with the fact the tot lot would be located south side of Territorial Road when 85% of the homes in this development would be located on the north side of Territorial Road. He questioned why it was okay to have a 60 foot wide lot across from an 80 foot wide lot, but the developer could not have a 50 foot wide lot across from a 60 foot wide lot.

Commissioner Klein indicated she would be supporting this project.

Commissioner Ayika commented he appreciated the comments from the applicant as to why the 50 foot wide lots were being requested. He requested the applicant consider if the number of 50 food wide lots could be reduced.

Commissioner Ostaffe stated he did not hope changes could be made in the future, but rather would like for the Commission to have a solid plan from the developer in place. He commented he did not see that the 50 foot lots would be the same price as the townhomes. He anticipated the single-family homes on the 50 foot wide lots would cost more than the townhomes.

Chair Lamothe explained he believed this was a good development, not a great development. He indicated he was understood the arguments made by the developer for the 50 foot

wide lots. However, he stated he would not be able to support the PUD unless the 50 foot wide lots were changed to 65 feet. He explained he supported the additional landscaping down Territorial Road and recommended the City look into installing a sidewalk to the west along Territorial Road for the safety of the residents in the area.

Upon call of the motion by Chair Lamothe, there were three ayes and three nays (Commissioner Ostaffe, Commissioner Piket and Chair Lamothe opposed). This item would move onto the City Council with no recommendation.

Motion by Commissioner Lenthe, seconded by Commissioner Ayika, to recommend that the City Council direct the City Attorney to draft an ordinance approving the rezoning from R-A, Single-Family Agricultural to R-2 PUD, Single-Family Residential Planned Unit Development, R-4 PUD Medium Density Residential Planned Unit Development District, and R-5 PUD High Density Residential Planned Unit Development District.

The Park Board voted (5-1) on May 19, 2022 that the Park Service Area (PSA) #4 neighborhood park will not be located within the Rush Hollow plat. The park will be located on Three Rivers Park District property and as called out in the Territorial Road master plan. Negotiations are underway with the TRPD on how the land will be acquired and further developed for the park.

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 four ayes and two nays (Commissioner Ostaffe and Chair Lamothe opposed). Motion carried.

**DISCUSSION
ITEMS**

There were no discussion items.

ADJOURNMENT

Motion by Commissioner Lenthe, seconded by Commissioner Ayika, 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 10:20 p.m. to the next regularly scheduled meeting of the Planning Commission scheduled for August 8, 2022.