

MAPLE GROVE  
PLANNING COMMISSION  
July 26, 2021

CALL TO ORDER

A meeting of the Maple Grove Planning Commission was held at 7:00 p.m. on July 26, 2021 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, Susan Lindeman, Chuck Lenthe, and Michael Ostaffe. Absent was Joe Piket (excused). Present also were Karen Jaeger, City Council Liaison; Peter Vickerman, Planning Manager; Jesse Corrow, Associate Planner; Ben Blauert, Community Development Inspector; and Justin Templin, 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 – June 14, 2021

**Motion by Commissioner Ayika, 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. Vickerman reviewed with the Commission what items the City Council approved that was given direction at the Planning Commission level.

THEIR REGULAR  
MEETING OF JULY  
19, 2021

**OLD BUSINESS**

No items to present.

**NEW BUSINESS**

**PUBLIC HEARING**

**CUB WINE &  
SPIRITS**

**CUB FOODS, LLC**

8150

**WEDGEWOOD  
LANE NORTH**

**PUD CONCEPT  
STAGE PLAN  
AMENDMENT**

**AND**

**DEVELOPMENT  
STAGE PLAN TO  
CONSTRUCT AN  
8,650 SQUARE  
FOOT STAND-  
ALONE BUILDING  
AT THE**

**NORTHWEST  
CORNER OF THE  
PROPERTY**

Mr. Corrow stated the applicant is requesting a concept stage plan amendment and development stage plan approval for the purpose of constructing an 8,650 square foot “Cub Wine & Spirits” building on the existing Cub Foods property located at 8150 Wedgewood Lane North. Staff discussed the plans in further detail with the Planning 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 Cub Wine & Spirits PUD concept stage plan amendment development stage plan, 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 June 22, 2021
  - b. The Fire Department dated June 22, 2021
  - c. The Water Resources Engineer dated June 16, 2021

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.

Jim Horacher, Director of Real Estate for Cub Foods, thanked staff for working with him on this application. He appreciated their feedback to address internal congestion concerns, while allowing the branding images on the building intact.

Commissioner Ostaffe asked if this was Cub Foods first stand-alone liquor store. Mr. Hornacker reported Cub Foods had 27 liquor stores at this time. He discussed how this would be the first free standing Cub Wine & Spirits Store.

Commissioner Lenthe stated he would like to see more variety in the colors of the brick on the building to provide more contrast. He requested further comment on the windows along the front of the building. Darren Johnson, SEH Architecture, reported the windows along the front of the building would be clear vision glass with UV protection. He indicated the windows along the back of the building would be Spandrel. He commented further on how the architecture of the building was drawing off of the adjacent Cub Foods store.

Commissioner Ayika reported this corner has food vendors on the weekends. He asked if this would continue in the future. Mr. Hornacker stated there was enough room on the site for this to continue going forward.

Commissioner Ayika questioned when construction would begin, if Cub Foods receives all the necessary approvals. Mr. Hornacker anticipated construction would begin late this summer or early this fall with the building opening next spring.

Commissioner Klein inquired if the ash trees on the site would be treated for disease. Mr. Hornacker stated he would have to check on the landscape maintenance plan but noted several of the ash trees were failing and would be replaced.

Chair Lamothe asked if the fireworks tent would still be accommodated on this property in the summer months. Mr. Hornacker commented this would still occur.

Chair Lamothe stated he appreciated how this proposal would utilize the underutilized space. He supported Commissioner Lenthe's suggestions to enhance the building façade because it was on a main corner. Mr. Hornacker discussed the brand connection between this building and the main Cub Foods building.

Chair Lamothe opened the public hearing at 7:14 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 7:15 p.m. Upon call of the motion by Chair Lamothe, there were six ayes and no nays. Motion carried.**

**Motion by Commissioner Lindeman, 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 Cub Wine & Spirits PUD concept stage plan amendment development stage plan, 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 June 22, 2021**
  - b. The Fire Department dated June 22, 2021**
  - c. The Water Resources Engineer dated June 16, 2021****

**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**

**XCEL ENERGY**

**10131**

**FERNBROOK  
LANE NORTH**

**CONDITIONAL  
USE PERMIT TO**

Commissioner Ayika recused himself from taking action on this item because he works for Xcel Energy.

Mr. Blauert stated the Xcel Energy site is currently used as a substation and is comprised of transformers, among other electrical equipment. The substation pad is surrounded by a seven-foot-tall chain link fence with one foot of barbed wire on top. Turf grass area containing numerous trees exist south and east of the substation pad. The west and north sides of the substation

CONSTRUCT A  
PERMANENT  
STAGING AREA  
CONSISTING OF  
AN 89,900 SQUARE  
FOOT GRADED  
GRAVEL PAD TO  
INCLUDE AN  
EXPANDED  
METAL  
PERIMETER  
SUBSTATION  
FENCE

immediately abut wetlands. A paved driveway from Fernbrook Lane North provides access to the substation. Numerous electric transmission lines and transmission structures exist on and adjacent to the property. Staff discussed the requested conditional use permits in 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 Xcel Energy conditional use permit, 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 16, 2021
  - b. The Water Resources Engineer dated July 7, 2021.

*Discussion*

*Commissioner Lindeman asked why Xcel was requesting to increase the fence height from seven feet to ten feet. Mr. Blauert explained Xcel was federally mandated to have the higher fence for security purposes.*

*Commissioner Lenthe questioned if the fence would be intertwined with something to block the view. Mr. Blauert reported this was the case noting two fences would be in place, the interior fence would be a woven fence which would greatly assist with blocking the view.*

The applicant was at the meeting to answer questions.

Shawn Lawler, Xcel Energy Representative, thanked staff for the detailed presentation. He reported the higher fence was needed to meet federal mandates for security purposes. He indicated the perimeter lighting would be downcast. He noted the second CUP request would allow for grading of the staging yard.

Commissioner Ostaffe asked if there was a separate entrance to the yard. Mr. Lawler discussed how the staging yard and substation would be accessed off of Fernbrook Lane North.

Chair Lamothe opened the public hearing at 7:24 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 Klein, to close the public hearing at 7:25 p.m. Upon call of the motion by Chair Lamothe, there were five ayes and no nays. Motion carried.**

Commissioner Lenthe asked if the Commission should be making two separate motions for the two different CUP's. Mr. Vickerman supported this recommendation.

**Motion by Commissioner Lindeman, seconded by Commissioner Lenthe, to recommend that the City Council direct the City Attorney to draft a Resolution approving the Xcel Energy fencing conditional use permit, 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 16, 2021**
  - b. The Water Resources Engineer dated July 7, 2021.**

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

**Motion by Commissioner Lenthe, seconded by Commissioner Ostaffe, to recommend that the City Council direct the City Attorney to draft a Resolution approving the Xcel Energy staging area grading conditional use permit, subject to:**

- 2. The applicant addressing to the satisfaction of the City any remaining applicable comments contained in the memorandums from:**
  - c. The Community & Economic Development Department dated July 16, 2021**
  - d. The Water Resources Engineer dated July 7,**

**2021.**

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

**PUBLIC HEARING**

**NORTHWOOD  
CHURCH**

**KINGHORN  
CONSTRUCTION**

**15980 105<sup>TH</sup>  
AVENUE NORTH**

**CONDITIONAL  
USE PERMIT TO  
CONSTRUCT A  
CHURCH**

Mr. Vickerman stated the applicant is requesting conditional use permit (CUP) approval to build a church at 15980 105<sup>th</sup> Avenue. The applicant has owned this site and the adjacent site for several years with the intent to build a church on the property. A previous concept plan for this site that was approved in 2019 has now expired. The total site area is 10.56 acres. Staff discussed the plans in further detail with the Planning 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 Northwood Church conditional use permit, 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, 2021
  - b. The Engineering Department dated July 8, 2021
  - c. The Fire Department dated July 12, 2021

*Discussion*

*Commissioner Lenthe asked if the building was being considered. Mr. Vickerman reported the use of the site was being considered and the building itself.*

*Commissioner Lenthe discussed the stormwater situation on the site and requested further comment from staff on how the stormwater would be addressed. Mr. Vickerman stated the applicant was showing overland travel of stormwater to the north and then a storm pond around the power line easement.*

*Commissioner Ostaffe inquired if the property to the north could be built on in the future. Mr. Vickerman stated if the church wanted to propose something different, this would require a*

*Planned Unit Development request in the future.*

The applicant was at the meeting to answer questions.

Scott Fjellman, 7461 Merrimac Lane, stated he was a Maple Grove resident and have lived in the City for the past 20 years. He thanked staff for the detailed presentation. He noted his church bought this property in 2009 and has since been raising money and making plans for a church building. He reported the proposed church would be built in three phases. He appreciated the Commission's consideration of his request.

Commissioner Lindeman asked if the applicant was willing to work with staff to provide more screening along 105<sup>th</sup> Avenue. Mr. Fjellman stated this would not be a problem.

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.

No one wished to address the Commission.

**Motion by Chair Lamothe, seconded by Commissioner Lindeman, 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.**

**Motion by Commissioner Ostaffe, seconded by Commissioner Lenthe, to recommend that the City Council direct the City Attorney to draft a Resolution approving the Northwood Church conditional use permit, 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, 2021**
  - b. The Engineering Department dated July 8, 2021**
  - c. The Fire Department dated July 12, 2021**

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

PUBLIC HEARING

NORTHWOOD  
TOWNHOMES

LENNAR

16100 105<sup>TH</sup>  
AVENUE NORTH

PUD CONCEPT  
STAGE PLAN,  
DEVELOPMENT  
STAGE PLAN,  
REZONING,  
PRELIMINARY  
AND FINAL PLAT  
TO CONSTRUCT  
72 NEW  
TOWNHOMES

Mr. Vickerman stated the applicant is requesting PUD concept plan, development plan, rezoning, preliminary and final plat approval to construct 72 townhomes. The site is 10.9 gross acres in size with 0.4 acres of wetlands for a net acreage of 10.5 acres. The proposed density is 6.9 units per acre, consistent with the medium density residential guiding of the property which allows 4 to 10 units per acre. Staff discussed the plans in further detail with the Planning 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 Northwood Townhomes PUD residential 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 July 21, 2021
  - b. The Engineering Department dated July 9, 2021
  - c. The Fire Department dated July 12, 2021
  - d. The Parks & Recreation Department dated July 20, 2021

Motion to recommend that the City Council direct the City Attorney to draft an Ordinance for rezoning from R-A, Single-Family Agricultural to R-4, Medium Density 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 Lindeman asked if there would be on-street parking within the townhome development. Mr. Vickerman stated on-street parking would be allowed on both sides of the public street. He noted the private streets would not support on-street parking.*

*Commissioner Ayika questioned what would happen to the existing homes on the property. Mr. Vickerman reported both homes would be demolished as part of this project.*

*Commissioner Ostaffe anticipated these townhomes, based on their size would have little to no storage. Mr. Vickerman deferred this question to the applicant.*

*Commissioner Ostaffe inquired if there were any attempts to break up the development and make it look less like barracks. Mr. Vickerman stated staff worked with the applicant to make improvements to the plan and had conversations about alternatives. He noted the applicant may have more to say about this matter.*

*Commissioner Lenthe stated he supported a public street being installed in this townhouse development. Mr. Vickerman reported the proposed public street would provide access to the property to the west.*

*Commissioner Klein discussed the fire department memo and asked how the required turnaround would be addressed. Mr. Vickerman reported a temporary turnaround would be installed at the end of the street, either a hammerhead or small cul-de-sac.*

*Commissioner Ayika anticipated when the property to the west develops that the existing townhouse owners would be upset when the road is pushed through. Mr. Vickerman reported the City could install signs stating this road would continue in the future.*

*Commissioner Ayika supported this recommendation as it would keep the public informed of the future intention for this road to be pushed through.*

*Chair Lamothe supported this recommendation as well.*

*Commissioner Ostaffe asked why there would be no parking on the private streets. Mr. Vickerman reported City Code does not allow for parking on either side of the street for roadways that are less than 28 feet wide. It was noted the proposed private roadways*

would be 24 feet wide.

*Commissioner Lenthe questioned if the City would have an easement for the proposed sidewalk. Mr. Vickerman explained the City would need to be granted an easement for the sidewalk and recommended this be made a condition for approval.*

The applicant was at the meeting to answer questions.

Paul Tabone Lennar representative, thanked staff for their assistance on this project. He indicated this project would have two different townhome types, back to back and row townhomes. He noted the row townhomes would have a basement which would assist with storage concerns. He stated he had great success with the Rush Creek Townhomes, which led him to propose this development. He reported he heard the concerns regarding architecture and visual appeal, and noted he worked on the landscaping plan with enhancements. He commented the project would have an open space and play area to the south with another activity node to the north with a fire pit. He stated he would appreciate the Commission's support this evening.

Chair Lamothe explained he appreciated the fact the trees had been brought to the public street in order to create a boulevard feel with the meandering trail. He stated this was a nice feature.

Commissioner Ayika requested the applicant address the sidewalk easement concern. Mr. Tabone reported he would be able to grant an easement for the sidewalk.

Chair Lamothe opened the public hearing at 7:57 p.m.

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

LeAnn Blanchard Peterson, 15967 105<sup>th</sup> Avenue North, stated she lives directly across from the church property. She noted she has lived in her home for the past 11 years. She indicated she was much happier with the proposed plan than the plan that was submitted in 2019 that consisted of 261 apartment units, several four-plexes and villas. She explained the newer plan has fewer units and less density, which she appreciated. She commented there was no water or sewer along this portion of 105<sup>th</sup> Avenue. She noted 105<sup>th</sup> Avenue was now paved and questioned how water and sewer would be brought in. She indicated she was concerned

about how the additional units would increase the volume and speed of traffic along 105<sup>th</sup> Avenue. She reminded the church and the developer that the surrounding property was zoned agriculture.

Mr. Vickerman discussed where water and sewer lines were currently and described how water/sewer lines would be brought to this property.

Commissioner Ayika asked how many units this development would have. Mr. Vickerman reported there would be 72 units and not 76.

Commissioner Ayika recommended the City look into the speed of traffic along this roadway, especially given the fact residents have to cross this street to get their mail.

**Motion by Chair Lamothe, seconded by Commissioner Lenthe, to close the public hearing at 8:08 p.m. Upon call of the motion by Chair Lamothe, there were six ayes and no nays. Motion carried.**

**Motion by Commissioner Lindeman, seconded by Commissioner Klein, to recommend that the City Council direct the City Attorney to draft a Resolution and a Planned Unit Development agreement approving the Northwood Townhomes PUD residential 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 July 21, 2021**
  - b. The Engineering Department dated July 9, 2021**
  - c. The Fire Department dated July 12, 2021**
  - d. The Parks & Recreation Department dated July 20, 2021**
  - e. The City be granted an easement for the sidewalk.**

Commissioner Ostaffe questioned if the new residents would be made aware of the fact, they were moving into townhouses that were surrounded by farming and agricultural land. Mr. Tabone reported disclosures would be made within the purchase

agreements.

Chair Lamothe supported this recommendation because the adjacent agricultural uses would not be going away anytime soon.

Commissioner Lindeman stated she could amend her motion to include another condition that requires the applicant to disclose the fact that the townhomes were surrounded by agricultural uses.

**f. The developer shall disclose to future property owners the fact that the townhomes are surrounded by agricultural uses.**

Commissioner Ayika asked if this would be a problem for the developer. Mr. Tabone stated he would have to speak with his land coordinators, but he did not believe this would be a concern.

Chair Lamothe thanked staff for all of their efforts on this project.

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

**Motion by Commissioner Lindeman, seconded by Commissioner Klein, to recommend that the City Council direct the City Attorney to draft an Ordinance for rezoning from R-A, Single-Family Agricultural to R-4, Medium Density 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

REO PLASTICS

KRAUS

ANDERSON

CONSTRUCTION

Mr. Corrow stated the applicant seeks approval for a rezoning, short plat (preliminary and final plat) and comprehensive plan amendment for the purpose of combining an adjacent lot to the existing REO Plastics property. The site is located at the junction of County Road 30 and County Road 81 and borders a residential neighborhood to the west. The request involves combining an adjacent residential property and rezoning it to industrial. The

COMPANY  
11850 93<sup>RD</sup>  
AVENUE NORTH  
REZONING,  
SHORT PLAT AND  
COMPREHENSIVE  
PLAN  
AMENDMENT FOR  
THE PURPOSE OF  
COMBINING AN  
ADJACENT  
PROPERTY

residential lot was purchased by REO Plastics and is at the south west corner of its current site. The lot is one acre in size and currently contains a home and outbuildings with a driveway leading directly onto County Road 30 (93<sup>rd</sup> Avenue). Upon combining the lot, the applicant plans to reconfigure its parking area and shift one of its driveways farther to the west. Based on the configuration of the residential lot and the less than ideal driveway access directly onto a minor arterial roadway, staff is supportive of the request.

Mr. Corrow reported a site plan review was also submitted for the 39,000 sq. ft. addition on the north west corner of the existing building. The building expansion is not subject to Planning Commission approval and is being reviewed administratively per City Code. Staff will require that all zoning and building code standards are met as part of the addition. Memos relating to the site plan review are included for informational purposes only. Staff discussed the plans in further detail with the Planning 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 REO Plastics Phase 2 comprehensive plan amendment and short 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 9, 2021
  - b. The Parks & Recreation Department, dated July 20, 2021
  - c. The Fire Department dated July 14, 2021
  - d. The Water Resources Engineer dated July 20, 2021
  - e. Hennepin County dated July 7, 2021

Motion to recommend that the City Council direct the City Attorney to draft an Ordinance approving rezoning from R-2, Single-Family Residential to I, Industrial for the purpose of combining an adjacent property.

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 Lindeman asked if the building addition was being considered by the Commission. Mr. Corrow explained the Commission was being asked to address the rezoning and comprehensive plan amendment for the purpose of combining two properties.*

*Commissioner Lindeman questioned if there would be screening along the driveway. Mr. Corrow reviewed the landscaping plan noting the screening that would be placed along the driveway and berm.*

*Commissioner Ayika inquired how long REO Plastics has owned the residential property. Mr. Corrow indicated REO Plastics purchased this property in 2019.*

*Commissioner Lenthe asked what motions staff was seeking from the Commission. Mr. Vickerman reported staff was seeking approval of a comprehensive plan amendment and short plat, and a second motion that would approve the rezoning of the property.*

*Commissioner Ostaffe discussed the drive that would be created to enter the property and noted the significant berm that would be created along the north property line. He asked if this berm would be landscaped. Mr. Corrow reported the applicant provided quite a bit of screening at this corner and staff was satisfied with the proposed plans.*

The applicant was at the meeting to answer questions.

Paul Evanson, REO Plastics, explained his company has been in business since 1960 and at this location in Maple Grove since 1968. He stated he was excited to be able to expand his business in the community. He indicated he would continue to work to be a good neighbor in the community.

Commissioner Lindeman thanked Mr. Evanson for reaching out to his neighbors prior to coming to this meeting.

Chair Lamothe concurred.

Chair Lamothe opened the public hearing at 8:24 p.m.

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

Chris Williamson, 12055 93<sup>rd</sup> Place North, thanked the Commission for their time. He explained he lived in the cul-de-sac that backs up to REO Plastics. He commented his main concern was having a parking lot installed on the newly rezoned land. He stated when he purchased his home, this lot was zoned residential and not industrial. He indicated he met with Mr. Evanson today and understood the corner on the northwest would not be used as a parking lot. He appreciated the landscaping that was being proposed as this would assist with screening the business from the adjacent residential homes. He requested that a stipulation be placed on the property that there will not be a parking lot on the rezoned lot.

Commissioner Ayika questioned where the parking lot was proposed. Mr. Corrow explained the applicant was proposing to add warehousing space and did not require additional parking. He noted the rezoned lot did have space set aside for proof of parking, but not an actual parking lot.

Chair Lamothe inquired what would happen if REO Plastics were to sell and a more intense use were to move onto the site that required more parking. Mr. Corrow reported if the property were to sell, the new owner would be allowed to install additional parking but the screening would have to remain in place.

Chair Lamothe asked if the Commission could make a recommendation to restrict the location of future surface parking. City Attorney Templin explained the Commission could make this recommendation but it would be contrary to what City Code requires.

Commissioner Ayika stated if the current applicant does not require the parking lot, he believes this suffices. Mr. Vickerman reported there was space on the east side of the new entrance drive that could be set aside for proof of parking.

Chair Lamothe believed the applicant was an upstanding member

of the community and had no intention to move outside the City of Maple Grove. However, if the property were to be transferred to another owner, he wanted to ensure the parking was pushed to the east side of the entrance and that the screening remain in place so as to protect the adjacent residential properties. Mr. Vickerman stated this could be done and noted he would work with the applicant to make this change.

Ted Schirck, 12074 93<sup>rd</sup> Place North, reported he has lived in his home for the past 23 years. He stated REO Plastics has been a good neighbor this entire time. He questioned if the new drive had to be pushed further to the west, or could the existing driveway be used. He reported this would keep the existing tree barrier in place to buffer the industrial use from the adjacent residential properties. He inquired if trucks would be coming and going from the new entrance.

Chair Lamothe requested staff speak to any concerns that have arisen from the existing driveway and what might be achieved with the new driveway alignment. Mr. Corrow discussed the comments staff received from Hennepin County noting the current left turning truck traffic aligns from County Road 30 into the existing parking lot aligns with outgoing traffic on Hemlock Lane. He stated shifting the driveway would reduce this concern.

Chair Lamothe questioned where the request for a new driveway came from. He asked if this came from the County and this was addressing an existing problem or was this a request from the applicant. Mr. Corrow reported this was a preference from Hennepin County. Mr. Evanson commented the current driveway approach had grade concerns. He noted the intent would be to have a clockwise rotation for the trucks to use to get in and out of the property. He explained he would support moving the proof of parking to the east side of the new driveway.

Chair Lamothe asked how many trees would be lost due to the new driveway. Mr. Corrow discussed the tree loss with the Commission and noted new trees would be planted along the property line.

Commissioner Lindeman commented if the existing driveway were regraded and used, additional parking would be lost. She stated this meant additional parking would have to be added elsewhere on the lot.

Chair Lamothe questioned if there has been any look at preserving additional trees through a new driveway alignment. Mr. Corrow stated he was working with the applicant on improving the landscaping plan. He does not believe preserving any of the larger trees on the left-hand side of the drive aisle was possible. However, he could look at potentially installing a retaining wall at the corner to assist in saving some trees.

Commissioner Lamothe supported staff looking at a new alignment for the entrance in order to save trees, but indicated Hennepin County may have something to say about this. He encouraged the applicant to work on this matter further in order to minimize the loss of trees. Mr. Corrow stated he would work with the applicant on this.

Commissioner Ostaffe stated when it comes to realign the driveway, he understood there was some grading concerns. He reported he has seen a truck completely stopped and blocking County Road 30. He questioned if the current option would be a better option versus the new proposed drive aisle. Mr. Corrow explained he was not overly familiar with the topography on this property but stated shifting the drive aisle to the east may be a possibility. Mr. Evanson agreed, but noted there was a rise that may have to be knocked down.

Mary Alice Mulloy Fatta, 12035 93<sup>rd</sup> Avenue North, stated she supported local businesses and their expansion, but noted she was concerned with the fact the business was being pushed closer to the residential neighborhood. She explained her property line abutted this business and the new driveway would be extremely close to her home. She expressed concern with how the truck traffic and noise would impact her property.

Dan Dittes, 12044 93<sup>rd</sup> Avenue North, explained he lived just west of the property REO Plastics purchased. He noted he has lived in his home since 1977. He indicated he met with Mr. Evanson today and stated the neighbors would like to maintain their privacy. He suggested staff and the applicant see if the driveway could remain on the east side of the property.

Julie Duffner, 12086 93<sup>rd</sup> Place North, stated she lives between County Road 30 and 81 on the berm line. She reported she shares a property line with REO Plastics. She reviewed several photos with the Commission and discussed the history of this property. She

understood a minor change was being proposed to the Comprehensive Plan, but explained the adjacent property owners would be adversely impacted due to the large number of trees that would be lost due to the new driveway alignment. She reported the trees that would be taken out were required when REO Plastics constructed their first addition. She did not support the City requiring REO Plastics to remove this landscaping when it was previously required. She noted the applicant was proposing to remove 50% of the berm that was in place. This berm was put in place to screen the business from the neighborhood. She encouraged the Commission to keep in mind this was a very significant piece of property and changes to this property would dramatically impact the adjacent residential neighbors. She commented further on how the view would be impacted when all of these trees are removed.

Bill Duffner, 12086 93<sup>rd</sup> Place North, discussed the poor design REO Plastics had at the entrance and noted trucks have a difficult time getting in and out of the site. He suggested the existing entrance be regraded to address this concern.

Michelle Einstein, 12062 93<sup>rd</sup> Place North, stated she bordered the REO Plastics property. She explained she was concerned about the proposed parking lot or proof of parking and the loss of the landscaping.

Debra Nelson, 12034 94<sup>th</sup> Avenue North, discussed the notice she received from the City and the applicant. She believed the notice was misleading and questioned why residents could not discuss the entire addition. She commented on how the proposed addition would impact her property. She requested the City require the previous buffer to remain in place and that the driveway be reconsidered.

Commissioner Lenthe asked if there were any fences along the rear property lines.

Ms. Nelson stated she does not have a fence in place.

Mr. Duffner discussed how the new driveway would cut into the existing berm because it is being pushed so far to the west. He requested the driveway alignment be reconsidered.

**Motion by Chair Lamothe, seconded by Commissioner Klein, to close the public hearing at 9:15 p.m. Upon call of the**

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

Commissioner Lindeman stated she would be in favor of staff and the applicant reviewing this plan further moving the driveway to the east in order to save more trees. She suggested the Commission table action on this item.

Commissioner Ayika explained he would like to hear from the applicant and questioned when the City had to take action on this item.

Chair Lamothe stated he had questions regarding this request as well and noted the Commission has to keep in mind what it has jurisdiction over and what it does not have jurisdiction over. He noted he supported the proposed expansion, but has questions regarding the new driveway. He explained he wanted to learn more about the previous site and landscaping requirements. He reported he was struggling with what alternatives the applicant may have regarding the driveway access. He indicated he could not support the project as proposed and would support action being tabled until his questions were answered.

Commissioner Ostaffe commented the applicant was willing to add a berm or trees in the area of the new driveway. He explained the new driveway would be 40 to 50 feet from the property line. He understood the existing driveway was dangerous for trucks and he believed the new driveway was a better alternative.

Commissioner Ayika asked what the 60-day deadline was for this project. Mr. Vickerman reported the deadline was August 27, 2021.

Commissioner Lenthe supported this item being tabled to August 9, 2021 in order to allow the applicant and planning staff to address the concerns that were raised at this meeting. He understood Hennepin County's interest in relocating the driveway entrance but recommended staff further consider the driveway situation.

Commissioner Ostaffe reported the Commission does not have jurisdiction over the berms and landscaping plan. Rather, the Commission can offer feedback to staff. Mr. Corrow stated this was the case noting staff would be overseeing the site plan review.

Commissioner Lindeman reiterated that she would not be able to support the rezoning without more questions being answered.

Chair Lamothe concurred stating he would need to understand if the change in access was needed or required and what other options were considered.

Commissioner Ayika requested comment from the applicant on how he feels about this item being tabled. Mr. Evanson stated his desire would be to move this project forward. He explained he was willing to work with staff to address the questions that have been raised. He discussed the grade change at the existing entrance and exit. He indicated it was his intent to make the best-case scenario with fencing and plantings to screen the new driveway from the adjacent residential lots. He reported the existing berm was significant in size and noted he was willing to work through the issues that had been brought up by the neighbors.

Commissioner Ayika supported the applicant working with the neighbors, staff and his engineering firm to see what alternatives could be considered for the driveway entrance. He recommended action on this item be tabled to allow this to occur and noted the Commission could consider this item again on August 9<sup>th</sup>.

**Motion by Commissioner Lindeman, seconded by Chair Lamothe, to table action on this item to the August 9, 2021 Planning Commission meeting to allow the applicant and staff to address concerns regarding the new driveway alignment. Upon call of the motion by Chair Lamothe, there were five ayes and one nay (Commissioner Ostaffe opposed). Motion carried.**

PUBLIC HEARING

CROCUS GROVE

PULTE GROUP

15024  
TERRITORIAL  
ROAD

PLANNED UNIT  
DEVELOPMENT

**Motion by Chair Lamothe, seconded by Commissioner Lindeman, 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. Corrow stated the applicant is requesting Planned Unit Development (PUD) concept stage plan, development stage plan, preliminary plat, rezoning approval and lot division for a 52 lot, single-family detached home neighborhood. The property is located at the northern end of Maple Grove, just west of Fernbrook Lane and directly adjacent to The Enclave at Rush Creek neighborhood that was approved in 2016. Similar to that

(PUD) CONCEPT  
STAGE PLAN,  
DEVELOPMENT  
STAGE PLAN,  
PRELIMINARY  
PLAT, REZONING  
AND  
ADMINISTRATIVE  
LOT DIVISION  
FOR THE  
PURPOSE OF A  
SINGLE-FAMILY  
RESIDENTIAL  
DEVELOPMENT  
CONSISTING OF 52  
LOTS

development, there is no direct access to this area from the south so the site will be accessed from the City of Dayton by way of Rush Creek Parkway. 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 Crocus Grove PUD residential concept stage plan, development stage plan, preliminary plat, and administrative lot division, subject to:

1. The applicant addressing to the satisfaction of the city any remaining applicable comments contained in the memorandums from:
  - a. The Fire Department dated April 28, 2021
  - b. The Water Resources Engineer dated May 7, 2021
  - c. The Parks and Recreation Department dated July 21, 2021
  - d. Three Rivers Park District dated May 10, 2021
  - e. The City of Dayton dated June 2, 2021

Motion to recommend the City Council direct the City Attorney to draft an Ordinance rezoning property from R-A, Single-Family Agricultural to R2 PUD Single-Family Residential (Planned Unit Development) subject to the approval of the final plat.

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 discussed the lot size within this development and noted the vast majority of the lots would be much smaller than 10,000 square feet. Mr. Corrow indicated the majority of the lots were around 7,800 square feet in size.*

*Commissioner Lenthe indicated this plat was proposing 65-foot-wide lots. He noted he had concerns about a previous development that made this same request. He stated he was not a big proponent*

*for reducing lot sizes. He questioned if this was to the advantage of the developer or if this assisted in reducing home prices. He explained he did not support this development as proposed because one of the lots would require a retaining wall next to a wetland. He recommended slightly larger lots be considered. He asked if the infiltration pond would be maintained by the City. Mr. Corrow reported this was the case.*

*Commissioner Lenthe suggested the infiltration pond land be deeded to the City in order to provide the City with proper access to this property.*

*Commissioner Ostaffe supported Commissioner Lenthe's comments. He indicated these lots were quite narrow and dense which were not in keeping with the surrounding neighborhoods. He recommended the City set itself apart with larger lots that were 10,000 square feet or above.*

*Commissioner Lindeman asked if the Council supported smaller lot sizes in the Evanswood development. Mr. Vickerman reported the Council did not support the 28, 45 and 50-foot-wide lots. He explained Evanswood came back with a combination of 65 and 80-foot-wide lots in exchange for open space. He noted the Edgewater at Cook Lake development had 45-foot-wide lots with shoreland involved with a different product type.*

*Commissioner Ayika inquired if Wetland 3 was the responsibility of the City. Mr. Corrow stated the wetland was not maintained by the City, but the pond to the south would be maintained by the City.*

*Commissioner Klein indicated she was not opposed to smaller lots such as 65 feet if it increased the amount of housing available in the community. She explained she did want to understand if the smaller lot size made the homes more affordable or accessible. She asked what the price range would be for these homes. Mr. Corrow deferred this question to the applicant.*

*Chair Lamothe stated he did not have a concern regarding the lot width. He indicated he did have a concern with why the lot width was being requested and how the lot width would impact the future home values. He discussed the size of his lot, which was smaller and noted there was a market for narrower lots.*

The applicant was at the meeting to answer questions.

Paul Hoyer, Pulte Homes, thanked the Commission for their consideration. He noted he has been working with staff on a variety of options for this project. He explained what drove the site plan was dedicating enough land as possible for the future open space trail through the area and trying to save as many trees as possible within the T-zone. He stated he made an assumption the City would rather see more open space as opposed to having large lots that encroach into the open space. He understood the Rush Creek trail was important to the City and the region. He indicated if this was not the direction he should pursue, the plans could be reconsidered. He apologized about the table and lot averages, noting he was not trying to hide anything. He reported he was trying to preserve as much open space as possible, which led to slightly smaller sized lots. He indicated he would be fine offering the City an easement or outlot for the wetlands. He stated the proposed homes would have three car garages and estimated the home values would be \$450,000 to \$550,000. He commented the property was more dense in order to preserve more open space.

Commissioner Ayika stated it was his understanding the developer needed this number of units in order to make the project feasible. Mr. Hoyer indicated this was the case, but noted more land was also preserved than was necessary.

Commissioner Ostaffe asked if there was a pipeline or other easement running through the property. Mr. Hoyer explained the property did have a pipeline in place that had to be worked around.

Commissioner Lenthe spoke to the economics of the project and asked if a variety of lot widths could be considered within this development. Mr. Hoyer stated this piece of land was part of a larger piece that was south of the creek. He explained north of the creek was ready to be developed and south of the creek he would have a wide variety of housing types and lot widths. He indicated this project was much smaller and therefore the smaller lot size was being proposed.

Chair Lamothe questioned if the setbacks were only five feet. Mr. Hoyer reported the setbacks were five and ten feet.

Chair Lamothe opened the public hearing at 10:15 p.m.

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

Matt Spitzka, 10887 Orchid Lane, reported he lived to the west of Lot 1, Outlot 1 in Avalon Run. He stated the lot widths may be trivial but noted the lot size was a concern to him. He explained if the three largest lots were removed from this plat, the average lot size was 8,800 square feet and if the five largest lots out the lots are only 7,800 square feet in size. He indicated Pulte wants the City to believe that there is either larger lots or open space. He understood there was a pipeline that ran through this property. He stated this was not a neighborhood being placed on a busy roadway, but rather was within existing neighborhoods. He noted this was not affordable housing just because the lot sizes were smaller. He recommended this development more closely reflect the adjacent neighborhoods.

**Motion by Chair Lamothe, seconded by Commissioner Ayika, to close the public hearing at 10:18 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 a Planned Unit Development agreement approving the Crocus Grove PUD residential concept stage plan, development stage plan, preliminary plat, and administrative lot division, subject to:**

- 1. The applicant addressing to the satisfaction of the city any remaining applicable comments contained in the memorandums from:**
  - a. The Fire Department dated April 28, 2021**
  - b. The Water Resources Engineer dated May 7, 2021**
  - c. The Parks and Recreation Department dated July 21, 2021**
  - d. Three Rivers Park District dated May 10, 2021**
  - e. The City of Dayton dated June 2, 2021**

Commissioner Lenthe asked staff to speak about a potential outlot within this development. Mr. Corrow stated this was a possibility that has been practiced in other developments and he anticipated an easement would make this happen.

Commissioner Lenthe requested a friendly amendment to the motion modifying the plat to include an outlot in the areas of the wetland and infiltration basin.

**Motion amendment by Commissioner Lenthe, seconded by Chair Lamothe, to modify the plat to include an outlot in the areas of the wetland and infiltration basin.**

Commissioner Lindeman stated she was struggling with how small these lots would be if the outlot was created. She indicated the small lot size was not making the homes within the development affordable and for this reason, she would not be supporting this project.

Commissioner Klein explained she made the motion to support this project because 13 acres of important open space were being preserved. She feared that if the project were denied, this land may not be preserved through a future development proposal.

Commissioner Ostaffe stated he agreed with Commissioner Lindeman noting he did not support the proposed lot width. He indicated he would like to see what other proposals the developer had for this site.

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

Chair Lamothe stated he lived on a 65-foot-wide lot and this was not a concern to him. He reported his development was dense and walkable because it was close to the downtown area of Maple Grove. He explained the context or location of this development was different. He indicated he was not supportive of the proposed lot size within this development. He questioned what the City would get if this development were not approved and how would the open space be impacted. Mr. Vickerman reported the open space would be impacted.

Commissioner Ayika stated this development needed 50 units in order to be accessible. However, he was hearing what the applicant was saying that the proposed development was protecting a large portion of open space.

Commissioner Ostaffe questioned if the Commission should table

action on this item to have the applicant bring back other options for this property. He stated he would like to see other options that make the project economically viable, but with larger lot sizes in order for the Commission to consider the options.

Commissioner Ayika asked if the Commission could table action on this item. Mr. Corrow reported this item required action from the Commission this evening in order to move along to the City Council for final consideration prior to the 60-day deadline.

Commissioner Lenthe stated he could support this project without Lot 21. He suggested Lot 4 in Block 2 also be removed.

Commissioner Ayika indicated the Commission cannot take action to eliminate lots within developments, but rather the Commission can make a recommendation to the developer.

Chair Lamothe called the question.

**Upon call of the amended motion by Chair Lamothe, there were three ayes and three nays (Commissioner Ostaffe, Commissioner Lindeman and Chair Lamothe opposed). Motion failed.**

**Motion by Commissioner Klein, seconded by Chair Lamothe, to recommend that the City Council direct the City Attorney to draft an Ordinance rezoning property from R-A, Single-Family Agricultural to R2 PUD Single-Family Residential (Planned Unit Development) subject to the approval of the final plat.**

**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.**

There were no discussion items.

**DISCUSSION  
ITEMS**

**ADJOURNMENT**

**Motion by Chair Lamothe, seconded by Commissioner Lenthe, 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 10:41 p.m. to the next regularly scheduled meeting of the Planning Commission scheduled for August 9, 2021.