

Maple Grove City Council

Meeting minutes

October 2, 2023

Call to order

Pursuant to call and notice thereof, a regular meeting of the Maple Grove City Council was held at 7:30 p.m. on October 2, 2023 at the Maple Grove Government Center/Public Safety Facility, Hennepin County, Minnesota. Members present were Mayor Mark Steffenson and Councilmembers Judy Hanson, Kristy Barnett, Kristy Janigo, and Rachelle Johnson. Absent was none. Present also were Joe Hogeboom, Acting City Administrator / Community and Economic Development Director; Peter Vickerman, Planning Manager; Jesse Corrow, City Planner; Joe Amerman, Economic Development Manager; Eric Werner, Police Chief; Jupe Hale, Assistant Public Works Director; John Hagen, Transportation Operations Engineer, and Justin Templin, City Attorney.

Mayor Steffenson called the meeting to order at 7:30 p.m. and led the city in the Pledge of Allegiance.

Additions or deletions to the agenda

Mayor Steffenson asked if there were any additions and/or deletions to the consent agenda to which Joe Hogeboom stated the following:

Item removed from the agenda

6B. Public hearing for on sale intoxicating – Sunday sale liquor license for Broadway Bar and Pizza and Broad Axe

Item amended to the consent agenda

None

Item added to the agenda

None

Item removed from the consent agenda for discussion

30. Proclamation declaring October 2023 as Domestic Violence Awareness Month and recognition of community

awareness events and organizations

Consent items

The following consent items were presented for Council's approval:

MINUTES

- A. Regular meeting – September 18, 2023
- B. Work session meeting – September 18, 2023
- C. Work session meeting – September 13, 2023

HUMAN RESOURCES ITEMS

- D. Appointment of mechanic

Motion to approve the appointment of Trige Beach to the position of mechanic in the Public Works Department at an annual salary of \$78,355.68, subject to a twelve-month probationary period. Pending the successful completion of all pre-employment requirements and screenings.

COMMUNITY & ECONOMIC DEVELOPMENT ITEMS

- E. Village Hall demolition authorization

Motion to authorize the demolition and site restoration for Village Hall (9391 Fernbrook Lane North).

- F. Zoning ordinance text amendment - industrial district equipment rentals

Motion to direct the city attorney to draft an ordinance amending the zoning ordinance text in City Code Article VI regarding equipment rental in the industrial district.

ENGINEERING ITEMS

- G. Authorize funding for sediment removal in Fish Lake channel

Make a motion to authorize funding in the amount of \$5,000

for the removal of sediment near an outfall adjacent to a channel in Fish Lake.

H. Highway 610 Extension Project No. 19-24 Additional services

Motion to accept the proposal from SRF Consulting Services, Inc. to adjust the final design services scope and budget for the Highway 610 Extension (City Project No. 19-24) to include additional and/or modified services at a cost of \$136,525.

I. Highway 610 Extension Project No. 19-24 Construction services

Motion to accept proposal from SRF Consulting Group, Inc. to provide construction services for the Highway 610 Extension Project (City Project No. 19-24) in the amount of \$2,859,485.

J. Resolution of support for funding TH 169 - Elm Creek Boulevard Resolution No. 23-146

Motion to adopt Resolution No. 23-146, a resolution in support of the city's application for funding through the MnDOT's 2023 Minnesota highway freight program.

K. South Fork Rush Creek Stream Restoration Project No. 21-10 Environmental Assessment Worksheet (EAW) Resolution No. 23-145

Motion to adopt Resolution No. 23-145, making a negative declaration on the need for an environmental impact statement along with the findings of fact, conclusions, and record of decision.

L. Sureties - 10-02-23

Motion to approve the surety actions.

ADMINISTRATIVE ITEMS

M. Cancel tax levies - Resolution no. 23-144

Motion to adopt Resolution No. 23-144, a resolution canceling the new tax levy related to road reconstruction bonds, series 2023A.

N. Cartegraph-OpenGov 2024-2026 contract renewal

Motion to approve the OpenGov Agreement #OG-00MN2394 which will provide support for 2024 (\$78,306.90), 2025 (\$82,222.25), and 2026 (\$86,333.36). Total cost for three-year term of \$246,862.51. The yearly increases reflect the negotiated maximum increase of 5% per year with the vendor as the 2023 pricing was \$74,577.98.

O. Proclamation declaring October 2023 as Domestic Violence Awareness Month and recognition of community awareness events and organizations

This item was removed by Councilmember Hanson for discussion.

P. Approve claims

Motion to approve claims totaling \$ 511,773.68.

Motion by Councilmember Hanson, seconded by Councilmember Barnett, to approve the consent items as amended, removing item 30 (Proclamation declaring October 2023 as Domestic Violence Awareness Month and recognition of community awareness events and organizations). Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

**Consideration
of items pulled
from the
agenda**

The following items were pulled from the consent agenda.

Regarding Item 30 (Proclamation declaring October 2023 as Domestic Violence Awareness Month and recognition of community awareness events and organizations), Councilmember Hanson reviewed the Proclamation noting October would serve as Domestic Violence Awareness Month in the City of Maple Grove. She then asked Police Chief Werner to come forward.

Police Chief Werner thanked the Council for passing a

proclamation declaring October 2023 to be Domestic Violence Awareness Month and for recognizing the various events that would be held throughout the community with different organizations. He commented on the tragic loss of Sheila Wobbeking and recognized the efforts of the Domestic Response Team within the Maple Grove Police Department. He discussed the purple patch initiative and noted the department raised over \$2,000 for Maria's Voice last year. He stated this year's purple patch initiative would benefit Love Conquers Violence. He invited the Council to attend the 4th Annual Community Tribute to Domestic Violence Awareness which would be hosted by Maria's Voice and would be held on Thursday, October 5 at 5 p.m.

Motion by Councilmember Hanson, seconded by Councilmember Barnett, to approve October 2023 as Domestic Violence Awareness Month in Maple Grove and recognize Maria's Voice fourth annual Community Tribute to Domestic Violence Awareness Month at the Town Green on Thursday, October 5, the Maple Grove Police Department's second annual purple patch initiative, and Domestic Violence Awareness and Action's work to prevent domestic violence since 2004; and their partnership with the City of Maple Grove in the Purple Lights Initiative since 2017, which raises awareness to the issue of domestic violence. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

**Special
business**

Open forum

There were no open forum issues brought before the Council at this meeting.

Public hearings

Public hearing

Assistant City Engineer Hale explained the applicant desires to have the drainage and utility easements vacated as new drainage and utility easements will be established on the previously approved Loukusa Addition Plat. City staff notified affected property owners, private utility companies, and published the public hearing for proposed vacation in the Osseo-Maple Grove Press on September 14 and September 21,

**Easement
Vacation No.
23-07**

**Resolution No.
23-141**

2023. Comcast has utilities in the area proposed to be vacated and has no objections as long as relocation is not required. Lumen and Centerpoint Energy have no issues and responses were never received from Wright Hennepin nor Xcel Energy, which assumes there are no issues or concerns. Following the opening and closing of the public hearing, it is recommended that Council adopt the resolution vacating said easements.

Motion by Councilmember Hanson, seconded by Councilmember Johnson, to open the public hearing. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Mayor Steffenson opened the public hearing at 7:36 p.m. and asked if anyone would like to address this issue.

No public testimony was offered.

Motion by Councilmember Janigo, seconded by Councilmember Hanson, to close the public hearing at 7:37 p.m. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

Motion by Councilmember Hanson, seconded by Councilmember Johnson, to adopt Resolution No. 23-141 vacating certain easements located in the City of Maple Grove, County of Hennepin, State of Minnesota. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

**Public hearing
for on sale
intoxicating –
Sunday sale
liquor license
for Broadway
Bar and Pizza
and BroadAxe**

This item was removed from the agenda per the applicant's request.

**Community
and economic
development**

items

Lil Explorers Childcare planned unit development concept stage plan amendment, development stage plan, and final plat

City Planner Corrow stated at its meeting on September 25, 2023, the Planning Commission recommended approving the Lil Explorers proposal on a vote of 4 – 1, with one commissioner abstaining. As part of the public hearing, a neighboring business owner informed the Planning Commission that the architecture of the proposed childcare center may not have been reviewed by the proper Wedgwood Commerce Center property owners association (POA). While the applicant did receive architectural approval from the Wedgwood Court POA, the architectural plans were not reviewed by the larger Wedgwood Commons POA. The neighboring business owner also stated that his daycare center was subject to changing the exterior building materials to an all-brick façade when he was requesting city approval in 2007. He feels the applicant should be subject to the same review and should be required to change their exterior materials to brick or concrete to match the nearby businesses. Staff has since received an email from the president of the larger Wedgwood Commons POA stating that their agreement was modified in recent years and the association no longer reviews the architecture within Wedgwood Commerce Center. Staff notes that the City of Maple Grove does not typically enforce covenants and requirements of a private association. However, the Planning Commission felt that this matter should be resolved ahead of City Council meeting.

City Planner Corrow reported the applicant is requesting a planned unit development concept stage plan amendment, development stage plan, and final plat approval to construct a 15,000 square foot childcare center located in the Wedgwood Commerce Center near Wedgwood Road and 67th Avenue North. The proposal includes replatting the property lines on two vacant lots which are currently unused parking lots. The childcare center would occupy the southerly 1.88 acres lot and a separate 1.46-acre lot will remain for future development to the north. The requested concept plan amendment would allow for a daycare use within the Wedgwood Commerce Center PUD.

Councilmember Hanson asked if there were any renderings or

concept drawings of what the play areas look like. City Planner Corrow stated staff did not receive drawings for this area. He indicated staff had requested using muted colors on the playground equipment given the close proximity to residential properties.

Councilmember Janigo requested further comment on the types of trees that were in the established berm. City Planner Corrow reported there were a number of spruce trees on the property along with several apple, maple and ash trees.

Councilmember Janigo recommended the health of the ash trees be investigated to see if they should be removed.

Councilmember Johnson indicated this structure would fill in a vacant parking lot. She asked what had changed and why the parking lot was no longer needed. City Planner Corrow explained this site was formerly used for overflow parking for the building south of 67th Avenue. He indicated this user was no longer there. He stated this parking lot has not been used for the past 15 years.

Councilmember Barnett asked if the play area would be fenced off. City Planner Corrow reported all three play areas would be fenced off.

Councilmember Janigo requested further comment from the applicant on what security measures would be put in place onsite. Jennifer Schulz, the applicant, explained she would have one main entrance and a key code would be provided to each family that would only work during business hours.

Susan Divine Kinney, 8377 Rice Lake Road - #209, stated as a rehabilitation nurse she understood there may be children with disabilities that may want to be enrolled in this daycare. She suggested an ADA compliance officer look at the plans for the playground to ensure the site was compliant.

Jennifer Schulz reported the property and playgrounds were ADA compliant.

Motion by Councilmember Barnett, seconded by

Councilmember Johnson, to direct the city attorney to draft a resolution and a planned unit development agreement approving the Lil Explorers Childcare planned unit development concept stage plan amendment, 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 and Economic Development Department dated September 20, 2023**
 - b. The Engineering Department dated September 15, 2023**
 - c. The Fire Department dated September 15, 2023**
 - d. The Parks & Recreation Department dated September 20, 2023**

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 Mayor Steffenson, there were five ayes and no nays. Motion carried.

Popeyes at Dunkirk Square planned unit development stage plan amendment, development stage plan, and final plat

City Planner Corrow explained the applicant is proposing a 2,500 square foot Popeyes Chicken restaurant with drive thru on a vacant outlot on the west side of Becker Furniture World and Metro Self Storage. The proposal seeks to amend the current Dunkirk Square concept plan which currently allows for a 6,400 square foot auto service/retail building on this lot. The replat would shift the property to the south by 58 feet in order to maintain visibility of the Becker Furniture mattress showroom on the west side of their building. All of the impacted real estate is retained by the same ownership group and all of the tenants have been notified of the plans.

City Planner Corrow stated at its meeting on September 25, 2023, the Planning Commission recommended approving the Popeyes at Dunkirk Square proposal on a vote of 5-1. Their discussion focused primarily on the traffic levels at the

intersection at 94th Avenue North and Maple Grove Parkway. The city's transportation operations engineer was present and offered remedies that will improve service at this intersection. Completion of the Highway 610 extension was also identified as a factor which will reduce traffic demand in the overall area. Staff commented further on the request and recommended approval.

Councilmember Hanson stated she understood the existing grade for the surrounding intersection was poor. She asked if the dual left turn lanes and optimal timing could be addressed in order to improve the traffic at this intersection. Mr. Hagen explained from an overall level of service the intersection was operating at an acceptable level. However, there were some movements from the side streets, such as from the driveway approach or on the 94th Avenue approach, that experience delays during certain times. He stated the recommended improvements were twofold and he recommended they be completed whether or not this project is approved. He commented further on how the west approach would be reconfigured and noted the signal could be retimed.

Councilmember Barnett asked what improvements could be made at the four-way stop at Sam's Club and Walmart. Mr. Hagen explained the backups were occurring due to the heavy volumes of traffic wanting to make a left-hand turn. He stated some of the congestion concerns would be addressed by adding another left-hand turn lane. Further discussion ensued regarding the levels of traffic in this area.

Councilmember Johnson inquired who would be paying for the improvements at the 94th Avenue intersection. Mr. Hagen explained improvements on arterial/collector roadways would be funded by the city's trunk transportation fund.

Councilmember Johnson questioned where the space would come from for the additional left turn lane. Mr. Hagen reported there would be no new lanes, but rather the current lanes would be reconfigured.

Councilmember Janigo asked if the TH610 extension would help this intersection. Mr. Hagen discussed how the TH610 extension would relieve some of the traffic at this intersection.

Councilmember Johnson inquired when work would begin on this intersection. Mr. Hagen stated he was in the process of engaging with a consultant in order to complete the work on this intersection. He reported the consultant would assist with retiming the signal. After this work was done, the lanes would have to be repainted and new signs would have to be posted.

Councilmember Janigo requested the applicant be asked to swap out a few of the shrubs for more ornamental trees. City Planner Corrow stated he understood there were some site visibility concerns, but noted he could speak with the applicant regarding this matter.

Mayor Steffenson asked the applicant to come forward at this time.

Mike Brant, Kimley Horn, thanked the Council for considering his request.

Councilmember Barnett questioned if this site would use Door Dash or online ordering. Mr. Brant stated he was uncertain how online ordering would be managed.

Councilmember Johnson asked what the hours of operation would be. Mr. Brant explained the restaurant would be open from 10:30 a.m. to 9 p.m., with later weekend hours.

Councilmember Johnson noted she drove by another Popeyes' location and she was concerned about the condition of the building along with the litter that was scattered around. Mr. Brant stated this would not be acceptable for this location. He stated the location Councilmember Johnson drove by may have been undergoing new management. He explained this location would be a franchise, with the franchisee being located out of New Jersey. He noted the site would be maintained by local management.

Motion by Councilmember Hanson, seconded by Councilmember Janigo, to direct the city attorney to draft a resolution and a planned unit development agreement approving the Popeyes at Dunkirk Square planned unit development concept stage plan amendment, development stage plan, and final plat, directing staff to speak with the

applicant regarding the landscaping plan and to complete the intersection improvements as described, 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 30, 2023**
 - b. The Engineering Department dated June 30, 2023**
 - c. The Fire Department dated June 28, 2023**
 - d. The Parks & Recreation Department dated July 20, 2023****

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.

Councilmember Barnett expressed concern with adding a busy drive thru restaurant to this intersection and how this would adversely impact traffic for the entire area.

Councilmember Johnson agreed this was a concern and noted she was also concerned about the quality of the building. She noted there were a lot of pedestrians that used Maple Grove Parkway, which was a concern given the number of cars that would be visiting this site.

Mayor Steffenson asked if there was an elevation change from this property to Maple Grove Parkway. City Planner Corrow reported there was not much of an elevation change. He reviewed the landscaping plan in further detail and noted how the proposed trees would separate the drive thru lane from the pedestrian walkway.

Councilmember Janigo questioned if the traffic situation at Raising Cane's has worked itself out since opening.

Mayor Steffenson stated he believed this was the case. Community and Economic Development Director Hogeboom reported staff has not been receiving very many complaints

**Nörsq Maple
Grove planned
unit
development
concept stage
plan,
development
stage plan,
comprehend-
sive plan
amendment,
rezoning,
preliminary
plat, final plat**

since COVID waned.

Upon call of the motion by Mayor Steffenson, there were four ayes and one nay (Councilmember Barnett opposed). Motion carried.

Planning Manager Vickerman explained from a land use perspective, staff wanted to reiterate that under the current land use guiding of high-density residential, around 400 units could be built, with the most likely use being rental apartments. So, regardless of this project, with the land use change to mixed use, or a project that was consistent with the current high-density land use, all of the units would likely be rental. He noted that townhomes are not allowed in the high-density residential guiding. So, a key question is whether the City Council would like to see the site develop under the current guiding with around 400 rental apartments, or the applicant's plan of 155 rental townhomes, 200 rental apartments, and 9,000 square foot of commercial.

Planning Manager Vickerman stated the Planning Commission voted 3-3 regarding the Nörsq Maple Grove planned unit development concept stage plan, development stage plan, comprehensive plan amendment, rezoning, preliminary plat, and final plat. From the discussion at the Planning Commission, the primary concern expressed by those who voted against the project was that the townhomes were rental versus home ownership. Staff commented further on the request and recommended approval.

Councilmember Hanson asked if the development had any sidewalks or pedestrian walkways. Planning Manager Vickerman reported no sidewalks were proposed on the private drives. He noted this was typical for townhome projects. He stated internal sidewalks would be installed between the buildings as well as near the clubhouse building.

Councilmember Hanson requested further information regarding the landscaping plan. Planning Manager Vickerman reviewed the landscaping plan in further detail with the Council.

Councilmember Hanson stated she would like to see more

greenspace and less concrete within this development.

Councilmember Barnett questioned if the development would have a playground. Planning Manager Vickerman stated a tot lot was proposed to the west of the clubhouse.

Councilmember Barnett indicated she was concerned that this development was not geared towards families with children because there was very little greenspace. She feared that a pool and one pickleball court would properly accommodate all of the children and families. She asked where the nearest park was to this development. Planning Manager Vickerman reported there were no public parks in this area. He stated there would be a park further to the north near Elm Creek at some point in the future. He anticipated the proposed units would have a mix of families, young people and older couples within this development.

Councilmember Hanson agreed this was a tight development with little greenspace. She questioned where snow would be stored in the winter months. Planning Manager Vickerman explained the applicant had provided the city with a snow storage/removal plan. He understood this was a tight site and there were areas on the edges that would hold snow.

Councilmember Johnson asked if the development would have any guest parking spaces. Planning Manager Vickerman reviewed the location of the 47 dedicated guest parking stalls within the development.

Councilmember Janigo stated she was wrestling with the definition of a mixed-use development. She understood the site would have one retail space, but asked if was truly meeting the intent of the 2040 comp plan. Planning Manager Vickerman explained the city has been flexible when it comes to mixed use areas. He commented on how the city encourages mixed use developments, but noted staff has allowed the market to drive these developments.

Mayor Steffenson asked the applicant to come forward at this time.

Jeff Cook, Nörsq Companies, introduced himself to the Council

and discussed the thought provoking, Scandinavian design that was chosen for this project. He reported he has been working with staff for the past six months on this development. He explained this land was guided for high density but he was proposing a less dense project.

Councilmember Hanson thanked the developer for bringing forward a lower density project. However, she noted there was no easy pedestrian flow through the space and there was a lack of greenspace. She encouraged the developer to also consider installing a larger tot lot or playground. She noted she did not have a problem with the units being rental versus owner occupied. She thanked the developer for completing a traffic study and she appreciated the fact a roundabout would be installed.

Councilmember Barnett asked how many parking stalls were available to guests around the clubhouse. Mr. Cook stated there were 47 parking stalls available for guests.

Councilmember Janigo questioned if the apartment building would have underground parking. Mr. Cook indicated he has considered a two-level underground parking structure conceptually.

Councilmember Johnson expressed concern with the demand for this type of housing product given the fact it was very similar to other products on the market in this area. She explained the Council had to consider what was best for the community as a whole, when it comes to housing. She feared the city was becoming unbalanced when it came to the number of rentals versus owner occupied housing units in the city. She indicated she also had concerns regarding guest parking, the size of the tot lot and lack of greenspace.

Councilmember Hanson understood this property was zoned for high density and she appreciated how the developer had reduced the density.

Councilmember Johnson stated she understood the level of density could have been higher. However, her fear remained that the city needed to find a balance to the housing being provided in this northwest quadrant of Maple Grove. She

indicated she had concerns about the viability and sustainability of these units in the future. She supported the Council taking a step back and further discussing the housing goals and vision for this area. She encouraged the developer to reconsider the layout of the townhomes in order to have more corner lots with backyards and increase the level of greenspace.

Councilmember Barnett explained she visited several townhome developments in Maple Grove from the early 2000's and noted the older developments felt more like the community. She feared the newer developments had a different feel and were lacking when it came to greenspace and pedestrian friendly amenities. She commented on how higher rents led to more people having roommates. She suggested the City Council take a look at its parking codes because rental developments had more cars. She thanked the developer for bringing forward a project that had a unique design and for providing a commercial element.

Councilmember Janigo stated she had many of the same concerns as Councilmember Johnson. She discussed how she has been receiving comments from the public and these individuals are concerned with the fact the Council does not have a plan when it comes to housing. She commented further on the housing study that was completed in 2020 and asked if the city had a shortage on any housing types at this time. Community and Economic Development Director Hogeboom explained it would be worth taking a closer look at where the city was at and how the city has developed in the last couple of years to see where the city was at. He reported the city had already achieved the level of growth it expected to achieve through 2030.

Councilmember Hanson asked if the developer would consider extending the 60-day deadline in order to allow staff to work with the developer on some of the concerns that have been voiced by the City Council. She believed the Council liked many things about this project, but there were several items that could be further improved.

Mr. Cook reported the 2040 comp plan took into consideration housing versus rental and this property was guided for high

density residential. He explained he was bringing forward a project with a lower density than the site was guided for and aligns with all of the intended uses. He commented further on how the high interest environment was driving up the cost for construction. He stated he believed he had brought forward a great project that was more diverse.

Councilmember Johnson asked what the rental rates would be for the townhomes. Mr. Cook stated the two-bedroom units would be \$2,685 per month and the three-bedroom units would be \$3,100 per month. He discussed how it was cheaper to rent right now for young families than buying a home. He explained the United States was at an all time high in disparities because rental was more affordable. He stated the economics for home ownership just don't work right now.

Councilmember Johnson expressed concern with how this development may be maximizing the current dollar but may not be what was best for the community as a whole. She did not believe this was a product the boomers would be flocking to given the fact they were two or three stories. She anticipated young families would be looking for more greenspace and a larger playground if looking for a rental unit.

Councilmember Hanson explained it was rare of the Planning Commission to move an item forward with no recommendation. She indicated many of their concerns were being voiced by the City Council as well.

Mr. Cook stated the main feedback from the Planning Commission was ownership versus rental.

Councilmember Hanson indicated she was not concerned with this, but rather had more concerns regarding how tight this project was and how it was lacking greenspace.

Josh McKinney, Measure Group, explained he was a consultant with Norsq Group. He reported excluding the 47 guest parking stalls, each unit would have a two-car garage and two parking spaces on the driveway. He indicated this project required 87 trees and he was proposing to have almost 500 trees. He encouraged the Council to consider how this project would have significantly more when it came to amenities and

landscaping then an apartment building would.

Mayor Steffenson asked what would be included in the amenity center. Mr. Cook stated the amenity center would include a fitness center, yoga studio, work from home space, central conference room, coffee bar, convenience store, rentable party space, a pet spa, and a central main corridor that will have a large fireplace.

Mayor Steffenson questioned what amenities would be provided outdoors. Mr. Cook explained the property would have a pool, hot tub, grill stations, a sauna, tot lot, and a pickleball court.

Mayor Steffenson inquired how big the playground area would be. Mr. McKinney reported the playground area would have a 50-foot radius. He indicated he could work to shift the pool building to the north in order to gain more area for the tot lot. Mr. Cook commented further on the monument sign, lighting and landscaping that would be installed at the entrance of the community.

Councilmember Barnett asked if the rental rates covered the use of the amenities, or would future tenants be charged an HOA fee. Mr. Cook noted all amenities could be used by the tenants and HOA fees would not be charged. He explained snow removal would be included in the rent.

Councilmember Johnson questioned what the monthly rent would be for the apartment building. Mr. Cook stated he has not yet considered these rental rates.

Mayor Steffenson inquired if the apartment building would have a tot lot. Mr. Cook stated he was considering this.

Councilmember Hanson asked if the apartment dwellers would have access to the amenity center. Mr. Cook reported both the townhome renters and apartment dwellers would have access.

Councilmember Johnson discussed how she did not believe the site was overparked noting when she lived in a townhome, she used her driveway for entertaining space and her cars were moved to the street.

Councilmember Janigo questioned who would be managing the property. Mr. Cook stated this project was a joint venture with Enclave Development. He noted Enclave would be the property manager for this building and they would be responsible for the upkeep of the greenspace, shrubs and trees as well.

Councilmember Janigo requested further information regarding the vision for the retail space. Mr. Cook reported the building was a 9,000 square foot space. He anticipated the site would have a drive-thru. He noted he has one coffee vender interested, as well as a chiropractic office.

Councilmember Barnett asked when construction would begin on the townhouses. Mr. Cook stated he had equity and debt lined up for the project. He anticipated he would break ground yet this fall which would mean some of the buildings would be open by next June.

Councilmember Barnett inquired if the developer would consider shifting these units to owner occupied if the market was flooded with rental units next June. Mr. Cook indicated he was individually metering these units in order keep this option open at some point in the future.

Councilmember Johnson thanked Mr. Cook for fielding so many questions from the Council. She stated she appreciated developers who choose to come to Maple Grove and who choose to invest in this community. She recognized there was a risk involved with this investment. She hoped Mr. Cook could look past the reservations that have been voiced. She indicated she would like to see the Council working together better to provide housing that meets the vision, goals and needs of the city. She noted she would be offering her support for this project but urged the developer to consider the concerns that have been voiced by the Council.

Mayor Steffenson recommended the clubhouse be built along with the first units and that this be made part of the motion for approval.

Motion by Councilmember Barnett, seconded by Councilmember Hanson, to direct the city attorney to draft a

resolution and a planned unit development agreement approving the Nörsq Maple Grove planned unit development concept stage plan, development stage plan, comprehensive plan amendment, rezoning, preliminary plat, final plat, requiring the developer to construct the clubhouse along with phase one of this project, 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 September 21, 2023
 - b. The Engineering Department dated July 21, 2023
 - c. The water resources engineer updated August 8, 2023
 - d. The Parks & Recreation Department dated August 4, 2023
 - e. The Department of Natural Resources dated August 10, 2023
 - f. The Fire Department dated August 10, 2023
 - g. The traffic operations engineer dated September 20, 2023

Upon call of the motion by Mayor Steffenson, there were four ayes and one nay (Councilmember Janigo opposed). Motion carried.

Motion by Councilmember Hanson, seconded by Councilmember Johnson, to direct the city attorney to draft an ordinance approving the rezoning from RA, Residential Agricultural to PUD, 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 Mayor Steffenson, there were four ayes and one nay (Councilmember Janigo opposed). Motion carried.

Ice Castles event and property use agreement

Economic Development Manager Amerman stated early this summer the city was approached by Ice Castles LLC and Experience Maple Grove with the proposal to move the Ice Castles seasonal winter art installation 'Ice Castles' from its current location in New Brighton to Maple Grove. After considering a number of locations, they determined their preferred location would be 12499 82nd Avenue North, the southernmost of two undeveloped lots owned by the city, just east of Lifetime Fitness and the Hennepin County Library. In discussions over the weeks since, which included an onsite meeting with Ice Castles, Experience Maple Grove, and a dozen members of staff from multiple city departments, staff has identified several components of the operation that would require city agreement. It was noted Ice Castles would have a meter placed on the fire hydrant adjacent to the lot in order to account for all water usage over the course of the project. Staff summarized the issues that have been addressed by the city attorney in the events and property use agreement and recommended the Council direct staff to enter into an agreement for the Ice Castles.

Greg Ancelz, Experience Maple Grove, provided further background information on the proposed agreement. He stated he was very excited about bringing an Ice Castle event to Maple Grove this winter. He reported initial conversations began this summer where parcels of land were evaluated and tours of Central Park were given. He explained a lot was chosen for the Ice Castle and noted parking, power, water, and drainage were taken into consideration. He believed the Ice Castle event would help in bringing a winter wonderland to Maple Grove and would assist in driving tourism. He estimated 100,000 tickets would be sold in January and February, noting the tickets were sold for a predetermined time.

Councilmember Barnett asked if there were any security concerns that the city should be considering. Economic Development Manager Amerman reported Ice Castles has agreed to hire any police or security that they may require to ensure safety of the space.

Councilmember Hanson recommended the city pursue a second agreement with Ice Castles that requires them to hire

any police or security that may be required to ensure the safety of the space. Economic Development Manager Amerman explained this would be done by staff.

Councilmember Johnson asked how the ice castle would be lit. Economic Development Manager Amerman reported the ice castle would be lit internally. He noted no spotlights or strobe lights would be used by Ice Castle at the event.

Councilmember Johnson thanked staff for all of their work to bring this event to the City of Maple Grove.

Motion by Councilmember Janigo, seconded by Councilmember Johnson, to direct the city to enter into an event and property use agreement with Ice Castles LLC for the winter of 2023-2024, subject to final review and approval by the city attorney and community and economic development director. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

**Report on
upcoming
community
and economic
development
items**

Community and Economic Development Director Hogeboom updated the Council regarding the following:

- There was minor storm damage to Fire Station 4 this past weekend.
- The Planning Commission would meet next on Monday, October 9 at 7 p.m.

**Engineering-
Public works
items**

**Report on
upcoming
engineering
items**

Community and Economic Development Director Hogeboom updated the Council regarding the following:

- Former Public Works Director/City Engineer Ashfeld has retired and the interim public works director would start with the city on Monday, October 9.
- Highway 101 was open to traffic.

**Administration
items**

**Report on
upcoming
administration
items**

Community and Economic Development Director Hogeboom reported the Maria's Voice candle light vigil would be held on Thursday, October 5 from 5 to 7 p.m. at the Town Green. Staff invited the Council to also attend Harvestober at Central Park on Saturday, October 7 from 1 to 8 p.m.

**Items added to
the agenda**

None

Adjournment

Motion by Councilmember Hanson, seconded by Councilmember Barnett, to adjourn to the regular City Council meeting on October 16, 2023 at 7:30 p.m. Upon call of the motion by Mayor Steffenson, there were five ayes and no nays. Motion carried.

The meeting was adjourned at 9:58 p.m. by Mayor Steffenson.

Respectfully submitted,

Joe Hogeboom
Acting City Administrator / Community &
Economic Development Director