

**CITY OF PLYMOUTH
AGENDA
Regular Planning Commission
Council Chambers
3400 Plymouth Boulevard, Plymouth, MN
November 5, 2025, 7:00 PM**

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. PUBLIC FORUM - Individuals may address the commission about any item not contained on the regular agenda. A maximum of three minutes is allotted per individual with a total of 15 minutes for the forum. If the full 15 minutes are not needed for the forum, the commission will continue with the agenda. The commission will take no official action on items discussed at the forum, with the exception of referral to staff for future report.

3. APPROVE AGENDA - Planning Commission members may add items to the agenda for discussion purposes or staff direction only. The commission will not normally take official action on items added to the agenda.

4. CONSENT AGENDA - These items are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a commission member or individual so requests, in which event the item will be removed from the consent agenda and placed elsewhere on the agenda.

4.1 Approve the September 17, 2025, minutes.

1. PC Minutes 9-17-2025

4.2 Approve the October 15, 2025, minutes.

1. PC Minutes 10-15-2025

5. PUBLIC HEARINGS

6. NEW BUSINESS

6.1 Variance request to the bluff setback to allow the construction of an inground pool at 630 Brockton Lane North (Ira & Paige Miller - 2025057)

1. Planning Report
2. Location Map
3. Variance Standards Responses
4. Surveys
5. Resolution

7. ADJOURNMENT

Proposed Minutes Planning Commission Meeting September 17, 2025

Chair Boo called a Meeting of the Plymouth Planning Commission to order at 7:00 p.m. in the Council Chambers of City Hall, 3400 Plymouth Boulevard, on September 17, 2025.

COMMISSIONERS PRESENT: Chair Michael Boo, Julie Olson, Bill Wixon, Josh Fowler, and Jim Willis

COMMISSIONERS ABSENT: Marc Anderson and Neha Markanda

STAFF PRESENT: Planning Manager Lori Sommers, Senior Planner Shawn Drill, Associate Planner Sophia Kucera, and City Council Liaison Julie Pointner

Chair Boo led the Pledge of Allegiance.

Call to Order

Public Forum

Approval of Agenda

Chair Boo noted that Item 4.2 will be removed from the agenda and rescheduled for a future agenda.

Motion was made by Commissioner Willis and seconded by Commissioner Olson to approve the agenda as amended. With all Commissioners voting in favor, the motion carried.

Consent Agenda

(4.1) Planning Commission minutes from meeting held on August 6, 2025.

~~**(4.2) Variance request for a detached garage in the front yard at 2319 West Medicine Lake Drive (Sandcon Remodeling, Inc. 2025055)**~~

Motion was made by Commissioner Fowler and seconded by Commissioner Olson to approve the consent agenda. With all Commissioners voting in favor, the motion carried.

Public Hearing

(5.1) Conditional use permit for a “sports and fitness club” use within an existing industrial building, for property located at 1940 Fernbrook Lane (Summit Dance Shoppe – 2025052)

Senior Planner Drill presented the staff report.

Chair Boo introduced Missy Olson-Elm, who spoke in representation of the applicant and stated that she was present to answer any questions that may arise.

Chair Boo opened the public hearing.

No comments.

Chair Boo closed the public hearing.

Motion was made by Willis, and seconded by Commissioner Fowler, to recommend approval of the conditional use permit for a “sports and fitness club” use within an existing industrial building, for property located at 1940 Fernbrook Lane, subject to the conditions within the draft resolution. With all Commissioners voting in favor, the motion carried.

(5.2) Conditional use permit for a “sports and fitness club” use within an existing industrial building, for property located at 12700 Industrial Park Boulevard (Golf Specifics – 2025054)

Associate Planner Kucera presented the staff report.

Chair Boo opened the public hearing.

No comments.

Chair Boo closed the public hearing.

Motion was made by Fowler, and seconded by Commissioner Wixon, to recommend approval of a conditional use permit for a “sports and fitness club” use within an existing industrial building for property at 12700 Industrial Park Boulevard, subject to the conditions within the draft resolution. With all Commissioners voting in favor, the motion carried.

New Business

Planning Manager Sommers provided an update on items of interest to the commission and noted upcoming meeting dates.

Adjournment

Chair Boo adjourned the meeting at 7:18 p.m.

Proposed Minutes Planning Commission Meeting October 15, 2025

Chair Boo called a Meeting of the Plymouth Planning Commission to order at 7:00 p.m. in the Council Chambers of City Hall, 3400 Plymouth Boulevard, on October 15, 2025.

COMMISSIONERS PRESENT: Chair Michael Boo, Marc Anderson, Julie Olson, Bill Wixon, Josh Fowler, and Neha Markanda

COMMISSIONERS ABSENT: Jim Willis

STAFF PRESENT: Planning Manager Lori Sommers, Engineering Services Manager Chris McKenzie, Senior Planner Kip Berglund, Community and Economic Development Director Grant Fernelius, and City Council Liaison Julie Pointner

Chair Boo led the Pledge of Allegiance.

Call to Order

Public Forum

Tim Peshman, Ward 3, stated that he is representing the Twinhomes of French Ridge Homeowners Association and Rockford Estates Townhome Association related to the Cornerstone/closed landfill site. He spoke about the contamination that has been identified on the eastern portion of the site through continued monitoring completed by the Minnesota Pollution Control Agency (MPCA) and recommendation that the site be covered to the extent possible with blacktop to prevent surface water infiltration. He stated that the westerly site has been minimally characterized or monitored. He spoke of the water problems the two associations have experienced, which they believe are related to groundwater from the site. He noted recent activity of the City Council to declare the site a brownfield site for remediation. He commented that the site has been a blight, and the associations hope that any development of the site would not occur until complete characterization of the site is completed to determine the level of contamination, with a related site safety plan created and implemented. He asked that the testing and related development not disturb the pavement that has been installed as a measure of remediation. He provided the Commission with a written copy of his comments.

Approval of Agenda

Motion was made by Commissioner Fowler and seconded by Commissioner Anderson to approve the agenda. With all Commissioners voting in favor, the motion carried.

Consent Agenda

- (4.1) Planning Commission minutes from meeting held on September 17, 2025.**
- (4.2) Variance request for a detached garage in the front yard at 2319 West Medicine Lake Drive (Sandcon Remodeling, Inc. – 2025055)**
- (4.3) Variance request for a detached accessory structure that would exceed the height limit at 17840 4th Avenue North (Brad Kramer and Paula Prah – 2025060)**

Motion was made by Commissioner Anderson and seconded by Commissioner Olson to approve the consent agenda. With all Commissioners voting in favor, the motion carried.

Commissioner Markanda stated that the link within the packet for the minutes brings up the July minutes.

Planning Manager Sommers apologized for the error, noting that the wrong set of minutes must have been uploaded, and stated that the September 17, 2025, minutes will be brought to the next meeting for consideration.

Public Hearing

- (5.1) Comprehensive plan regarding, rezoning, PUD general plan, and preliminary plat for Plymouth Plaza located at 1455 County Road 101 (Marco McLane – 2025042)**

Planning Manager Sommers presented the staff report.

Engineering Services Manager McKenzie provided additional information related to the traffic study overview.

Commissioner Anderson referenced the requested right-of-way from the county and asked if there are plans to expand the roadway.

Engineering Services Manager McKenzie replied that while there are no current plans for expansion, the right-of-way could assist with the county's future zero-death plan for the corridor.

Commissioner Fowler asked who controls the intersection of CR 6 and Olive Lane.

Planning Manager Sommers replied that the county controls that intersection.

Commissioner Fowler asked if there are any concerns with visibility due to the reduced setback at CR 6 and 101.

Engineering Services Manager McKenzie replied that the county has not expressed any such concern.

Commissioner Fowler asked if the stormwater treatment proposed as part of the PUD would be above and beyond what would otherwise be required for the project.

Engineering Services Manager McKenzie replied that the applicant meets the requirements, noting that this is a sandy part of the city and therefore infiltration will be achieved, and the system will be better than is typically found in Plymouth.

Chair Boo asked how the patios fit into the setback, noting the reduced setback for Olive Lane.

Planning Manager Sommers replied that patios are not counted as a setback encroachment and therefore could exist within that area.

Chair Boo referenced the requirement for tree replacement and asked for more details, noting that if there are more trees required than would be feasible, it would appear that something is wrong with the code or the site layout.

Planning Manager Sommers stated that the landscaping code is really geared towards greenfield development, new development, and subdivisions; therefore, this issue is arising on all PUDs and redevelopment applications. She agreed that is something the city needs to review within its code.

Chair Boo referenced the PUD flexibilities requested in the application. He asked if different options were reviewed to provide emergency vehicle access and circulation for the site to avoid the encroachment.

Planning Manager Sommers stated that the applicant, staff, engineer, and public safety reviewed the application to determine the best layout. She noted the concerns expressed with parking and stormwater management for the site. She explained that it was determined that the encroachment, as proposed, was the best way to provide that access while also achieving the other desired goals.

Chair Boo asked for more information on parking and whether the proposed parking on each lot would be adequate for the related use.

Planning Manager Sommers explained how the site is studied as it stands alone, for each use, and holistically through shared parking agreements that are required.

Chair Boo asked how the site could be protected against changing uses that could have related changes to parking demand and shared parking.

Planning Manager Sommers explained the review that was done related to hours of operation and peak parking demands for the different uses. She stated that if a building permit is pulled for another use, the parking needs would be reviewed, and any required changes would be specified.

Chair Boo introduced Tim Marco, in representation of the applicant, who introduced the members of the team present tonight to present this plan. He stated that they have been working on this for almost one year, recognizing the challenges of infill development. He was thankful that they were able to begin the process through a sketch plan and the input they received

throughout the process, including public engagement. He stated that they have tried to achieve a plan that responds to the comments while still fitting into the constraints of the site. He commented on the challenges and constraints of the site, along with the opportunities they saw for the site in terms of mixed-use redevelopment. He commented that the initial plan pushed the boundaries a bit more, and they have stepped back from that with how the apartment building was designed and interacts with the other properties and buildings. He presented information on the phasing of the development and anticipated construction timeline. He reviewed the details of the PUD policy points as proposed.

Chair Boo introduced Evan Jacobson, Tushie Montgomery Architects, who provided additional background information on the process followed and reasoning for the proposed layout for the site. He displayed a rendering of the site, which highlights the reasons he described for the proposed layout, as well as renderings of the different buildings within the proposed development. He noted the input that was received from the City of Plymouth, the County, and the community, and how they have worked to address those concerns. He also compared the proposed apartment building height to the Coachman Trails Apartment building, noting that the building heights will match.

Commissioner Olson asked if there are fewer units proposed than what had been proposed in the concept.

Mr. Marco confirmed that they did reduce the number of units by about five.

Commissioner Olson referenced the PUD scoring, which mentions rooftop amenities, but noted that the pool appears to be located in another area.

Mr. Marco confirmed that the pool will be located in another area and provided details on the proposed rooftop amenities.

Chair Boo asked for details on the new western wall of the retail, as the apartments would have a view of that wall.

Mr. Marco replied that they will do a design-build and can provide cross-sections of what that will look like. He confirmed that there will be articulation there and a matching veneer to the new design.

Chair Boo referenced the summary of comments received from the previous concept review, noting the issue of density was missing from that list. He believed that density remains an issue. He commented that it appears the developer is maximizing the opportunity on the site based on what the parking allows.

Mr. Marco recognized that parking is one of the site constraints, along with the appropriate height. He stated that they are not incentivized to build as many units as they can, as they want to ensure that the supply and demand meet their programming. He stated that parking is one component, as they would not want the residential or retail to be underparked.

Chair Boo asked for details on the mix of units.

Mr. Marco provided information on the mix of studio, one-bedroom, one-bedroom plus den, two-bedroom, and three-bedroom units.

Chair Boo received confirmation on the location of the entrances for the apartment building as proposed, noting that delivery and visitor traffic would come through the horseshoe entrance on the east side. He asked how firm the inclusionary/affordable housing is as proposed.

Mr. Marco replied that is their plan and they will work through the next steps with tax increment financing and the other elements that go along with affordable housing.

Chair Boo asked if there would be more parking to the east of the Pancake House.

Mr. Jacobson confirmed that there would be a larger contiguous field of parking east of the Pancake House, as the current parking area for the business has wasted space.

Chair Boo opened the public hearing.

Chair Boo introduced Josh McKinney, Ward 2, who spoke in support of the project, as he believes that the site is in need of redevelopment. He believes that the project, as designed, would fit into the surrounding area. He shared concerns with traffic but recognized that the city and developer have limited control over the county road. He acknowledged that this project would generate less traffic than a fully occupied commercial center. He was disappointed that many neighbors spoke against apartments, noting that apartments are a needed housing type in a community that meets the needs of people in all phases of life.

Chair Boo introduced Corey Miskwik, Ward 2, stated that he is not completely opposed to the project but leans that way. He expressed concern that a change in the retail tenants could cause different demands on parking that would no longer complement the peak time of the apartments. He stated that while the height comparison noted for the apartment is the same in structure, the grades of those sites are not the same. He stated that this development would pigeonhole the intersection for future traffic needs and improvements. He stated that reducing the number of units within the apartment building would allow a reduction in parking and more flexibility for placement of buildings on the site.

Chair Boo introduced Jean Mersch, Ward 2, who stated that her primary concerns for the development relate to traffic, parking, and walkability. She commented that she has always walked to her doctor, dentist, and the retail buildings within that development. She commented that it is a busy area to walk in, and the sidewalks are often not plowed in the winter. She had concerns with the walkability and overflow parking. She commented that there is existing housing in the area that meets these needs and asked that be considered.

Chair Boo introduced Gary Berquist, Ward 2, who stated that nothing has been done to the development in the past 30 years, which is why they have not attracted more tenants. He asked why a development of this magnitude is being considered rather than upgrading the commercial and retail spaces. He did not want to see a four-story apartment building on the site. He asked who would manage and maintain the stormwater drainage areas, as those typically collect trash and become overgrown. He asked if there would be a dog park, as the building is proposed to

allow pets. He stated that he supports updating the commercial and retail, but would not want to see the apartments.

Chair Boo introduced Kelly Rebe, Ward 2, who stated that she has worked to inform her neighbors beyond the 750-foot notification area, as they were unaware. She believed that it is negligent of the city to allow a development of this magnitude when the traffic concerns are already known. She noted that this development would compound a significant problem. She highlighted the apartment buildings that are already in this area and did not believe that additional apartment buildings are needed in this area.

Chair Boo introduced John Okete, Ward 2, who stated that his main concern is that the development is packing in too much on this site. He also had concerns with the increase in traffic and the volume that would be added to the site. He acknowledged that the project has a beautiful design. He explained that the northbound turn lane for 101, turning onto 14th, only allows two vehicles, which creates a concern for backups. He asked if the parking stalls are narrower than the existing stalls. He stated that he attempted to go to the Pancake House this weekend and counted 150 vehicles, and an hour later counted 170 vehicles on a Sunday morning, which does not leave much parking for other uses. He asked the city to think about the number of apartment complexes that already exist in this area and expressed concerns about traffic issues at that intersection.

Chair Boo introduced Ann Berquist, Ward 2, who echoed the comments of the previous speakers. She also agreed that it is a beautiful project, but believed the development would be too imposing and large for the site. She noted that the homes in this area have larger lots and feel a bit more rural, and this seems to be too much hardscape for the site. She also shared concerns with parking and traffic. She noted that the other apartments have large green spaces and are tucked behind mature trees.

Chair Boo introduced Jess Durant, Ward 2, who asked if there would be any attempts to direct the traffic through the use of medians to avoid funneling the traffic down 14th and instead directing that traffic to the larger intersections. She shared concerns about pedestrian safety and traffic. She asked why the property would be subdivided and whether the commercial and retail lots could be combined in the future and redeveloped with another large four-story structure.

Chair Boo introduced John Jorgenson, Ward 2, who echoed the comments of previous speakers. He asked if 14th and Olive would be wide enough to accommodate on-street parking. He also shared concern that the reduced setback would not allow for future expansion of the roadway that would be needed to improve the intersection.

Chair Boo introduced Mr. Miskwik, who added to his comments to provide input on the existing traffic conditions and how that would be compounded with additional development.

Chair Boo closed the public hearing.

Chair Boo recognized that there are limitations to what the city can do for traffic because of the county roads.

Engineering Services Manager McKenzie stated that staff will need to work with the applicant on the final plans. He stated that 14th Avenue is wide enough for two lanes of traffic and two lanes of parking, while Olive Lane is wide enough to support two lanes of traffic and one lane of parking. He stated that there are areas of no parking marked, and staff would ensure that parking is not allowed in areas where visibility is needed and turn lanes exist. He stated that the mentioned left turn lane on 101 for 14th Avenue would accommodate six to seven vehicles as currently designed. He stated that the city would not restrict turning onto 14th or Olive, and people would be able to turn left or right coming out of the site. He provided additional information on known intersection issues and the plan to remove an island to extend the turn lane, along with other turn lane improvements.

Mr. Marco stated that they are the owner/developer and they would intend to hold the project long-term.

Planning Manager Sommers stated that the guiding for the property is mixed use and therefore any combination of the commercial/retail sites to create additional residential development would require a reguiding, which would be an action of the city. She provided information on the property lines, noting that the majority of the parking lies on the Pancake House property.

Mr. Marco stated that they would have a cross-access easement agreement that would preserve the common drive aisles and parking counts for the benefit of the three parcels.

Engineering Services Manager McKenzie provided information on the slip turn lanes, which have not become as ideal as they were believed to be, and create additional accidents. He noted that future improvement of the intersection would not include those slip lanes. He stated that even the largest intersections within the county would fit within the right-of-way footprint of CR 6 and CR 101. He noted the additional information that is found within the traffic report and noted that the traffic rates are well within what would be expected for this type of intersection.

Chair Boo asked why the current property owner was unable to maintain this property as a viable commercial/retail site.

Mr. Marco stated that he cannot speak to improvements or upgrades that have or have not been made in the past. He commented on the lack of frontage for the large box space. He stated that the large box, combined with the smaller spaces, does not provide much opportunity to find new tenants. He noted that often churches or nonprofits occupy those spaces at a smaller cost. He stated that they have full grounds maintenance from edge to edge of their properties and therefore would not anticipate trash collecting around the site. He stated that pets would be allowed within the apartment building and noted that there would be fines for those residents who do not pick up after their pets. He commented that they have not identified an on-site pet area, but they would have green space that could be outlined for pet use. He noted that they could also look at opportunities within the site to direct tenants with pets.

Planning Manager Sommers stated that this item was scheduled to go forward to the November 10th City Council meeting, but it has been requested to postpone that to November 25th to allow additional time to work out any issues that arise tonight. She stated that from a planning perspective, they look at the transition between densities, with the highest density being near the intersection. She provided the proposed parking stall dimensions.

Engineering Services Manager McKenzie confirmed that overnight parking is not allowed on city streets.

Community Development Director Fernelius referenced the notification area and explained that the issue has been brought up in other cases as well. He noted that the minimum notification requirement is 350 feet, while many communities choose 500 feet; therefore, Plymouth exceeds those areas with a notification area of 750 feet.

Mr. Jacobson provided additional explanation on the height comparison and grades of Coachman Trails to the proposed apartment building.

Commissioner Markanda referenced the traffic study and asked if a roundabout could be considered in the future for the intersection.

Engineering Services Manager McKenzie replied that a roundabout would be theoretically possible, but the county does not have any capital improvement funds allocated for the intersections. He hoped that the towards-zero-death plan would spur additional funds into the system for that use.

Commissioner Markanda asked how construction in the area would factor into the traffic concerns.

Engineering Services Manager McKenzie confirmed that there has been a lot of construction on the corridors in recent years, but construction is short-term and therefore not accounted for within the study.

Commissioner Markanda referenced the statement that there would be fines for residents who do not pick up after their pets and asked how those are enforced.

Mr. Marco replied that they have security cameras that track folks who do not pick up after themselves. He stated that in some cases, they test the dog droppings to identify the culprit.

Chair Boo asked about the location of sidewalks on the site, and staff highlighted those elements.

Commissioner Wixon referenced the comments related to the size of the building and noted that he would support a three-story apartment building, but recognized that may not be economically feasible for the developer. He stated that he has concerns about the parking overflowing into nearby neighborhoods if parking is not readily available. He stated that if they were to reduce the size of the apartment, that would help to solve a lot of the problems related to parking. He commented that the architectural design looks great.

Mr. Marco explained that their perception is that the magnitude and scale of the building will fit into the development, and a fourth story is necessary for the project to move forward.

Commissioner Wixon asked if the development could have more commercial and less residential.

Mr. Marco stated that commercial development is more horizontal and takes up more land area. He stated that if more commercial were created, there would not be sufficient space for residential development. He asked if the parks in the area include dog runs or leash-free areas.

Planning Manager Sommers stated that there are parks nearby, one focused on children, while the other two are more natural in nature.

Commissioner Anderson stated that he has reviewed many projects over the year, and this project maximizes the site, as have most projects that come through the city. He stated that his job is to look at the proposal to determine if it makes sense and fits within the guiding and zoning. He stated that this site has a large portion of the building that is obsolete, and the benefit of this development would be that the development would be refreshed. He believed that this proposal makes sense and likes the updates that have been made since the original concept. He was happy that the existing tenants would remain on the site and believed that this was a creative project.

Commissioner Markanda applauded the developer for doing a nice job on their schematics and plans, noting that this area is in need of great development. She stated that she also supports apartments and affordable housing, but had concerns with the density, given the traffic challenges in the area and the reduced setbacks.

Commissioner Fowler stated that it seems like the parking will work as proposed, noting the dedication to individual users along with the allowance of shared parking and different peak time uses for the users. He was happy to see the drive-thru removed that had been in the original concept. He believed that there are opportunities to find a designated dog area, which would also be an amenity to residents.

Commissioner Olson stated that she agreed with Commissioner Fowler. She stated that the area has been an eyesore for a long time, and the commercial/retail space has a lot of vacancy right now. She was pleased that the current tenants will not be displaced and will actually receive a benefit. She also wanted to see a designated area for dogs. She stated that although she has concerns with the density, this proposal would be lower than a full retail development in this location.

Chair Boo asked if the developer could charge for the required underground parking.

Planning Manager Sommers stated that the city code requires that those be free spaces, but enforcement can become difficult, and some complexes charge for the underground spaces.

Commissioner Olson commented on the vehicle count noted by a resident for the Pancake House, which seems high, and stated that perhaps there could be a shuttle for the restaurant if the demand is that high.

Chair Boo recognized that the current site is blighted and there has been an opportunity for that to be improved over the years. He noted that there have been a number of proposals over the years that ultimately did not move forward for whatever reason. He noted that the current design does not meet the demands of the market. He stated that if this were a fully developed commercial site, there would be significantly more traffic coming and going than what is proposed, although he recognized that the proposed development would generate more traffic

than exists today. He stated that he also complained about the original density, but this is not the first and will not be the last development that attempts to maximize the use of the space. He stated that this site may uniquely be the right fit for this density, given the other apartments, churches, and county roads adjacent to the site. He believed that this would fit well into the area and would not stick out. He stated that while this may not be the development that he wanted, it is the development that is right for the site. He also believed that there should be a defined outdoor area for dogs on the site.

Motion was made by Boo, and seconded by Commissioner Anderson, to recommend approval of the comprehensive plan amendment regarding, rezoning, PUD general plan, and preliminary plat, subject to the conditions within the draft resolution and the additional requirement that the developer address onsite dog care issues and other recommendations of staff. With a vote of 5 – 1 (Markanda opposed), the motion carried.

Chair Boo noted that this item is scheduled to go before the City Council at its November 25, 2025, meeting.

New Business

Adjournment

Chair Boo adjourned the meeting at 9:32 p.m.

To: Planning Commission

Prepared by: Kip Berglund, Senior Planner

Reviewed by: Lori Sommers, Planning Manager
Grant Fernelius, CED Director

Item: **Variance request to the bluff setback to allow the construction of an inground pool at 630 Brockton Lane North (Ira & Paige Miller - 2025057)**

1. Action Requested:

Review variance request to the bluff setback for an inground pool and associated decking in the rear yard at 630 Brockton Lane North

2. Background:

See attached staff report

3. Budget Impact:

Not applicable

4. Attachments:

1. Planning Report
2. Location Map
3. Variance Standards Responses
4. Surveys
5. Resolution

To: Plymouth Planning Commission

From: Kip Berglund, Senior Planner (763-509-5453)
Community and Economic Development Department

Subject: Ira and Paige Miller – variance request to the bluff setback to allow the construction of an inground pool at 630 Brockton Lane North (2025057)

Ward 2

Deadline: January 29, 2026

Summary

Request for a bluff setback variance to allow the construction of an inground pool and associated concrete decking, located northeast of the home, that would be 4 feet from the top of a bluff, where a minimum of 30 feet is required.

An aerial view of the site is included on the right for reference on the site context.

Recommended Action

Community and Economic Development Department Staff recommend approval of the variance for the bluff setback to allow for the construction of an inground pool and associated decking.



Site Information

Zoning and Land Use

The property is zoned RSF-1 (single family detached 1) and guided LA-1 (living area 1).

	Use	Zoning	Land Use Designation (2040 Comprehensive Plan)
Subject Property-	Single-family home within the Ferndale North subdivision	RSF-1	LA-1
North, South and West	Single-family homes within the Ferndale North subdivision	RSF-1	LA-1
East (across Hadley Lake)	Single family homes within the Serenity on Hadley Lake subdivision	RSF-1	LA-1

Natural Characteristics of Site

The lot is located in the Minnehaha Creek watershed. It is a riparian lot within the shoreland overlay district of Hadley Lake which also functions as a flood plain. There are no wetlands on the property.

Previous City Actions Affecting Site

The subject lot was created in 1977 as part of the Ferndale North Second Addition subdivision. The home was built in 1978.

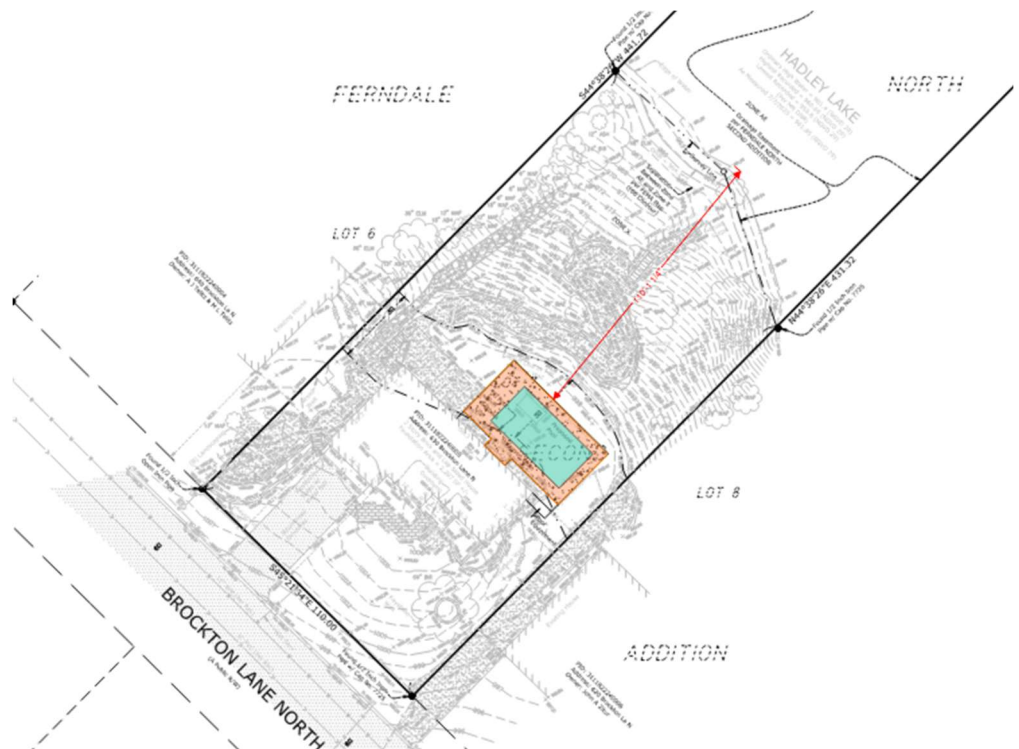
Analysis of Request

The subject property is a riparian lot on Hadley Lake, zoned RSF-1, contains 48,065 square feet, 23,257 square feet of which is above the ordinary high-water level (OHWL) for Hadley Lake. The remainder of the lot is part of the lake. It is limited to up to 25 percent impervious surface of the area of the lot above the OHWL. The applicant has submitted a proposed survey that indicates the impervious surface would be 21.9 percent if the project is approved and would meet the ordinance requirement for impervious surface.

In 1977, the subdivision was developed within a residential planned unit development (RPUD) under different lot setback and lot width requirements without the bluff setback requirements. In 1996, the city updated the zoning ordinance for the entire city and repealed most of the RPUD's, including the Ferndale North RPUD. At that time, the city adopted shoreland management rules and regulations as drafted by the Department of Natural Resources.

Consequently, many of the lots within the subdivision do not meet the minimum setback requirements from side yards or the top of the bluff. The proposed setback to the top of the bluff would not be out of character with other properties within the development.

The setback requirement for any structure from the OHWL is 75 feet. The proposed inground pool and associated decking would be roughly 110 feet from the OHWL and meet the ordinance requirement.



Staff notes that grading work has been done on the lakeside of the property to flatten the area and create a usable yard. The area of the proposed pool and decking currently contains a play structure. No additional grading toward the lake is proposed. However, the survey has identified a bluff on the subject property. A bluff is a slope that: 1) lies within a shoreland management overlay district and drains toward the waterbody; 2) has at least 25 vertical feet of elevation change between the OHWL and the top of the bluff; and 3) has at least one 50-foot segment between the toe of the bluff and the top of the bluff (measured horizontally and perpendicular to the OHWL) that has an average gradient of 30 percent or more. Therefore, the zoning ordinance specifies that any new structure be located at least 30 feet from the top of the bluff. The proposed pool decking would be four feet from the top of bluff.

The applicant is requesting the bluff setback variance to allow construction of an inground pool and associated decking. The applicant states that the pool would allow more outdoor time with friends and family, fulfill a dream for their home and allow a place to build family memories.

Findings

In review of the request, staff finds that all the applicable variance standards would be met, as follows:

1. Would the variance, and its resulting construction or project, be in harmony with the general purposes and intent of the Zoning Ordinance, and be consistent with the comprehensive plan?

Finding: Staff finds that the request is in harmony with the general purpose of the zoning ordinance and comprehensive plan. Inground pools and associated decking are a permitted accessory use in the RSF-1 zoning district.

2. The variance applicant has satisfactorily established that there are practical difficulties in complying with this Chapter. "Practical difficulties" means that:

- a. Does the applicant propose to use the property in a reasonable manner permitted by this Chapter?

Finding: Staff finds that the request is reasonable. The property will be used in a reasonable manner, as permitted by the zoning ordinance. Upon the granting of the variance, the project will comply with the zoning ordinance.

- b. Is the plight of the landowner due to circumstances unique to the property that were not created by the landowner?

Finding: Staff finds that the property characteristics were not caused by the applicant as they purchased the property in 2020, not the original owner, and that the proximity of the home to the bluff limits the area for reasonable expansion and usability of the rear yard.

- c. The variance, if granted, would not alter the essential character of the locality?

Finding: Staff finds that the request would not alter the essential character of the neighborhood given the number of homes within the development with existing non-conforming setbacks to the bluff similar to as being proposed and that the proposed pool and associated decking would not alter the slope toward the lake as they would be located on areas that have been previously graded to create a flatter usable area.

3. Is the variance request based exclusively upon economic considerations?

Finding: Staff finds that the request is not solely based on economic considerations but based upon the want for additional usable outdoor recreational space.

4. Would the variance, and its resulting construction or project, be detrimental to the public welfare, or would it be injurious to other land or improvements in the neighborhood?

Finding: Staff finds that the request would not be detrimental to the public welfare and would not be injurious to other land/improvements in the neighborhood. The inground pool and associated decking would allow for additional usable outdoor recreational space on an existing flat area of the property.

5. Would variance, and its resulting construction or project, impair an adequate supply of light and air to adjacent properties? Or would it substantially increase traffic congestion

in public streets, increase the danger of fire, endanger the public safety, or substantially diminish property values within the neighborhood?

Finding: Staff finds that the request would not impair light and air, nor increase traffic, risk of fire, nor endanger the public safety, nor diminish property values in the neighborhood. The pool location, in association with the top of the bluff, would be in character with other properties within the neighborhood and increase the value of the property.

- 6. Is the variance requested the minimum action required to address or alleviate the practical difficulties?

Finding: Staff finds that the variance is the minimum action required to address the practical difficulties. The placement of the pool is based on topographical conditions and would meet or exceed all other zoning requirements.

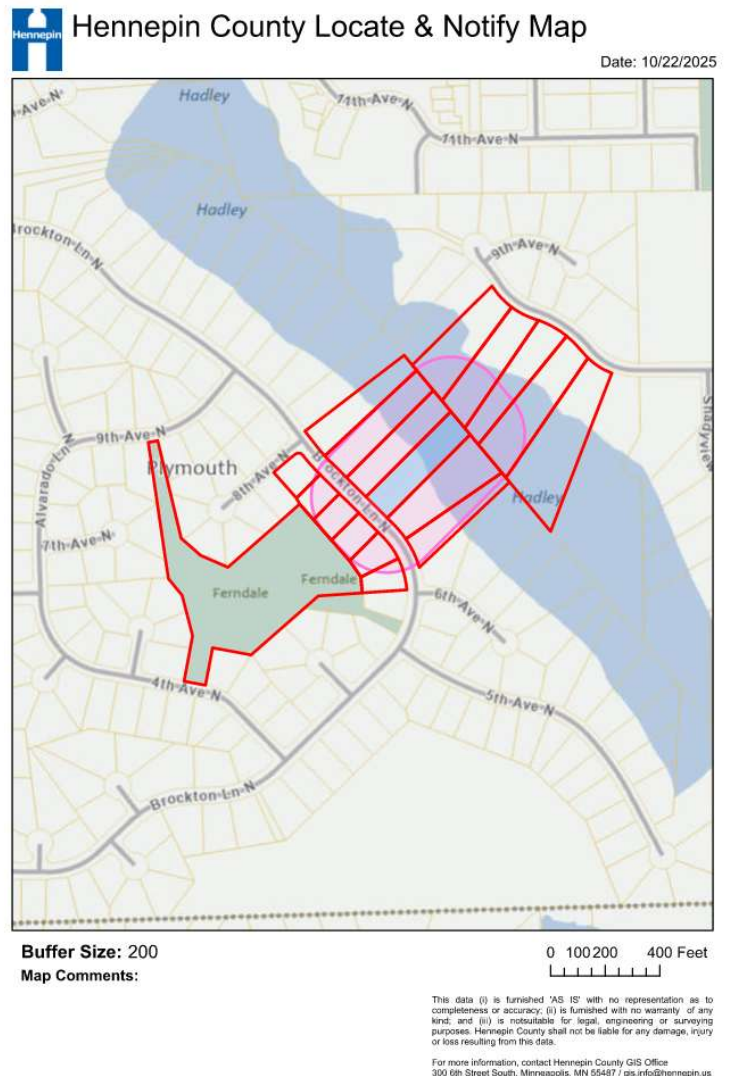
The Planning Commission must review the variance request for compliance with the standards outlined in the zoning ordinance. A copy of the variance standards is attached.

Level of Discretion in Decision-Making

The City’s discretion in approving or denying a variance is limited to whether or not the proposal meets the standards for a variance. The City has a relatively high level of discretion with a variance because the burden of proof is on the applicant to show that they meet the standards for a variance.

Public Notice

Notice of the public meeting was mailed to all property owners within 200 feet of the site.

















2025057
Ira & Paige Miller
630 Brockton Ln N
Request for a Variance

Legend



-  C, Comercial
-  CC, City Center
-  CO, Commercial Office
-  IND
-  LA-1, Living Area 1
-  LA-2, Living Area 2
-  LA-3, Living Area 3
-  LA-4, Living Area 4
-  LA-5
-  MXD
-  MXD-R
-  P-I, Public/Semi-Public/Institutional



Variance Application Checklist

Please submit digital (emailed, USB) copies of the following items via email to planning@plymouthmn.gov to submit your application.
Applications will be processed once all items on this checklist are submitted.

Requirements

- **Completed [Application Form](#)**, signed by the property owner.
- **Answers** to the questions on page 2.
- **Accurate Certified Survey** showing the proposal, drawn to scale, including all dimensions and square footages.
- **Site Plan** showing any applicable changes in landscaping, signage, lighting, and grading.
- **Application Fee** payable to the City of Plymouth:
 - \$200 for 1 and 2 family lots
 - \$300 for all other lots, plus for non-residential uses within 500 lineal feet of any residential property, an additional \$165 fee for a development sign on one street frontage and \$50 per sign for each additional street frontage.

The fee for staff-prepared mailing labels is included in the application fee. Please contact planning@plymouthmn.gov to set up online payment. Or submit a check or cash with the request.

Additional information may be requested concerning operational factors or to retain expert testimony with the consent and at the expense of the applicant as necessary to establish performance conditions in relation to all pertinent sections of the zoning ordinance. For a complete list of required materials, refer to Section 21030 of the Plymouth Zoning Ordinance.



What is the proposed project? Explain what you're doing and why you need a variance.

A bluff setback variance is requested for the installation of a backyard inground pool to fulfill a dream for our home and build priceless family memories. The proposal is for a pool with as minimal as possible hardscape surround.

The backyard is within the bluff setback area, so approval to build within the 30 foot bluff setback is requested.

Would the variance, and its resulting construction or project, be in harmony with the general purposes and intent of the Zoning Ordinance, and consistent with the comprehensive plan? Explain.

Yes; the stated goal of the zoning ordinance is to "help minimize visual impacts from structures and provide general slope protection from construction activities." The project has minimal visual impacts and protects the slope to the lake. The project embodies the Comprehensive Plan's objective to maintain and enhance housing quality, promoting economic vitality through the tax base, while ensuring quality design, esthetic appeal, and continuity in the neighborhood.

Would the variance, and its resulting construction or project, be detrimental to the public welfare, or injurious to other land or improvements in the neighborhood? Explain.

No. This project is intended to enhance the property and neighborhood while protecting the land and lake.

Would the variance, and resulting project, impair an adequate supply of light and air to adjacent properties, substantially increase traffic congestion in public streets, increase the danger of fire, endanger the public safety, or substantially diminish property values within the neighborhood? Explain.

No. The installation of the pool will not impair the supply of light or air to adjacent properties and sightlines will not be impacted.

There will not be an increase in traffic, fire danger or public safety risk.

This project is not expected to diminish property values within the neighborhood.

Explain the "practical difficulties" present by answering the following questions:

Is the variance the minimum action required to address or alleviate the practical difficulties? Explain.

This project is reasonable and complies with the intent of the Zoning Ordinance and Comprehensive Plan and does not negatively affect Hadley Lake, the neighbors or neighborhood. The bluff setback variance will alleviate the practical difficulties.

Do you plan to use the property in a reasonable manner, permitted by the Zoning Ordinance? Explain.

Yes, this is our home where we intend to raise our family while spending as much time outdoors as possible with family, friends and neighbors.



Would the variance, if granted, alter the essential character of the locality?

No, the project will not alter the essential character of the neighborhood. The Ferndale North neighborhood is a very family focused neighborhood. A backyard pool allows us to host friends and neighbors which contributes to building relationships, community and fostering a family environment.

Is the variance request based exclusively upon economic considerations? Explain.

No, the request is not based upon economic considerations.

Is the difficulty due to circumstances unique to the property and was the issue created by the property owner? Explain.

The bluff setback was imposed after the original construction of the property and not created by the property owner.



DESCRIPTION OF PROPERTY SURVEYED

Lot 7, Block 1, FERNDALE NORTH SECOND ADDITION, Hennepin County, Minnesota.

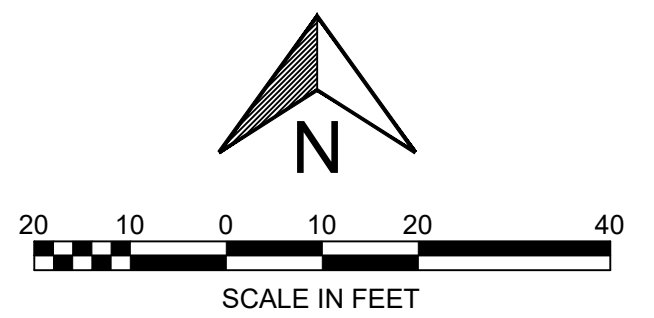
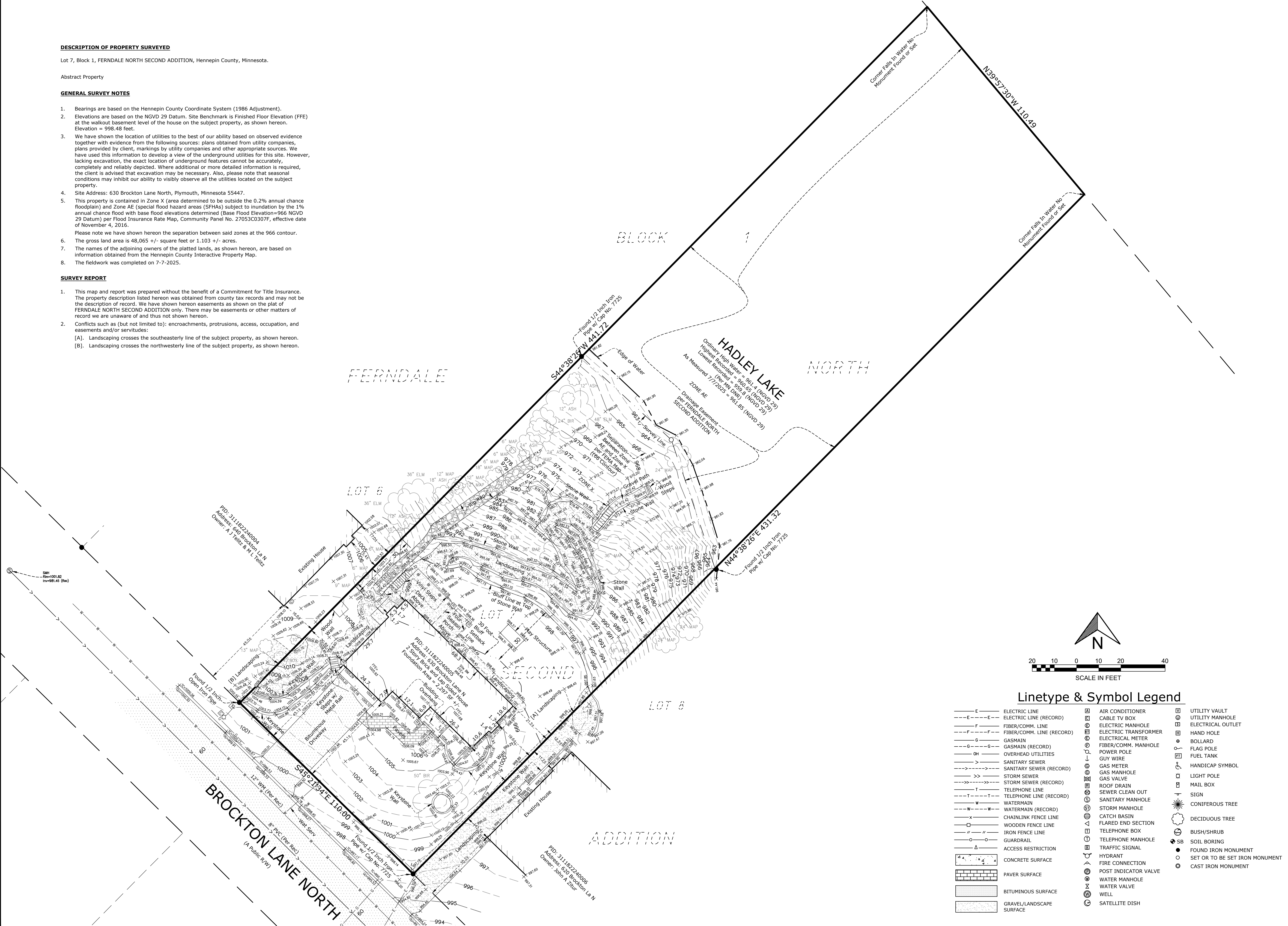
Abstract Property

GENERAL SURVEY NOTES

- Bearings are based on the Hennepin County Coordinate System (1986 Adjustment).
- Elevations are based on the NGVD 29 Datum. Site Benchmark is Finished Floor Elevation (FFE) at the walkout basement level of the house on the subject property, as shown hereon. Elevation = 998.48 feet.
- We have shown the location of utilities to the best of our ability based on observed evidence together with evidence from the following sources: plans obtained from utility companies, plans provided by client, markings by utility companies and other appropriate sources. We have used this information to develop a view of the underground utilities for this site. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. Where additional or more detailed information is required, the client is advised that excavation may be necessary. Also, please note that seasonal conditions may inhibit our ability to visibly observe all the utilities located on the subject property.
- Site Address: 630 Brockton Lane North, Plymouth, Minnesota 55447.
- This property is contained in Zone X (area determined to be outside the 0.2% annual chance floodplain) and Zone AE (special flood hazard areas (SFHAs) subject to inundation by the 1% annual chance flood with base flood elevations determined (Base Flood Elevation=966 NGVD 29 Datum) per Flood Insurance Rate Map, Community Panel No. 27053C0307F, effective date of November 4, 2016. Please note we have shown hereon the separation between said zones at the 966 contour.
- The gross land area is 48,065 +/- square feet or 1.103 +/- acres.
- The names of the adjoining owners of the platted lands, as shown hereon, are based on information obtained from the Hennepin County Interactive Property Map.
- The fieldwork was completed on 7-7-2025.

SURVEY REPORT

- This map and report was prepared without the benefit of a Commitment for Title Insurance. The property description listed hereon was obtained from county tax records and may not be the description of record. We have shown hereon easements as shown on the plat of FERNDALE NORTH SECOND ADDITION only. There may be easements or other matters of record we are unaware of and thus not shown hereon.
- Conflicts such as (but not limited to): encroachments, protrusions, access, occupation, and easements and/or servitudes:
 - [A]. Landscaping crosses the southeasterly line of the subject property, as shown hereon.
 - [B]. Landscaping crosses the northwesterly line of the subject property, as shown hereon.



Linetype & Symbol Legend

—E—	ELECTRIC LINE	⊠	AIR CONDITIONER	⊠	UTILITY VAULT
- - -E - - -	ELECTRIC LINE (RECORD)	⊠	CABLE TV BOX	⊠	UTILITY MANHOLE
- - -F - - -	FIBER/COMM. LINE	⊠	ELECTRIC MANHOLE	⊠	ELECTRICAL OUTLET
- - -F - - -	FIBER/COMM. LINE (RECORD)	⊠	ELECTRIC TRANSFORMER	⊠	HAND HOLE
- - -G - - -	GASMAIN	⊠	ELECTRICAL METER	⊠	BOLLARD
- - -G - - -	GASMAIN (RECORD)	⊠	FIBER/COMM. MANHOLE	⊠	FLAG POLE
- - -OH - - -	OVERHEAD UTILITIES	⊠	POWER POLE	⊠	FUEL TANK
- - -S - - -	SANITARY SEWER	⊠	GUY WIRE	⊠	HANDICAP SYMBOL
- - -S - - -	SANITARY SEWER (RECORD)	⊠	GAS METER	⊠	LIGHT POLE
- - -SS - - -	STORM SEWER	⊠	GAS MANHOLE	⊠	MAIL BOX
- - -SS - - -	STORM SEWER (RECORD)	⊠	GAS VALVE	⊠	SIGN
- - -T - - -	TELEPHONE LINE	⊠	ROOF DRAIN	⊠	CONIFEROUS TREE
- - -T - - -	TELEPHONE LINE (RECORD)	⊠	SEWER CLEAN OUT	⊠	DECIDUOUS TREE
- - -W - - -	WATERMAIN	⊠	STORM MANHOLE	⊠	BUSH/SHRUB
- - -W - - -	WATERMAIN (RECORD)	⊠	SANITARY MANHOLE	⊠	SOIL BORING
- - -X - - -	CHAINLINK FENCE LINE	⊠	CATCH BASIN	⊠	FOUND IRON MONUMENT
- - -W - - -	WOODEN FENCE LINE	⊠	FLARED END SECTION	⊠	SET OR TO BE SET IRON MONUMENT
- - -I - - -	IRON FENCE LINE	⊠	TELEPHONE BOX	⊠	CAST IRON MONUMENT
- - -O - - -	GUARDRAIL	⊠	TELEPHONE MANHOLE	⊠	
- - -A - - -	ACCESS RESTRICTION	⊠	TRAFFIC SIGNAL	⊠	
▢	CONCRETE SURFACE	⊠	HYDRANT	⊠	
▢	PAVER SURFACE	⊠	FIRE CONNECTION	⊠	
▢	BITUMINOUS SURFACE	⊠	POST INDICATOR VALVE	⊠	
▢	GRAVEL/LANDSCAPE SURFACE	⊠	WATER MANHOLE	⊠	
▢		⊠	WATER VALVE	⊠	
▢		⊠	WELL	⊠	
▢		⊠	SATELLITE DISH	⊠	

630 Brockton Lane North

Plymouth, Hennepin County, Minnesota 55447

Ira Miller

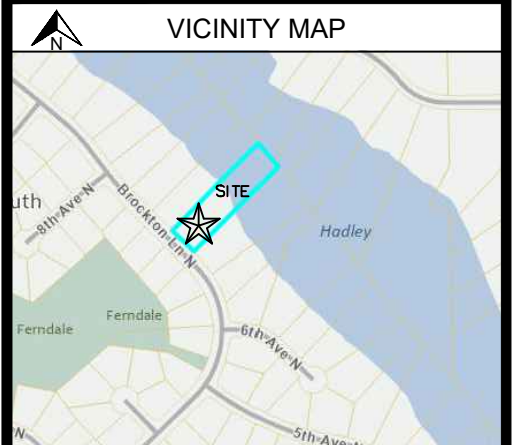
PROJECT

CLIENT

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

RORY L. SYNSTELIEN
DATE 7-11-2025 LICENSE NO. 44565

QA/QC	
FIELD CREW	DP/TL
DRAWN BY	JRN
REVIEWED BY	CJ
UPDATED BY	



REVISION SUMMARY	
DATE	DESCRIPTION
7-18-25	Bluff

BOUNDARY & TOPOGRAPHIC SURVEY
V1.0

DESCRIPTION OF PROPERTY SURVEYED

Lot 7, Block 1, FERNDALE NORTH SECOND ADDITION, Hennepin County, Minnesota.

Abstract Property

GENERAL SURVEY NOTES

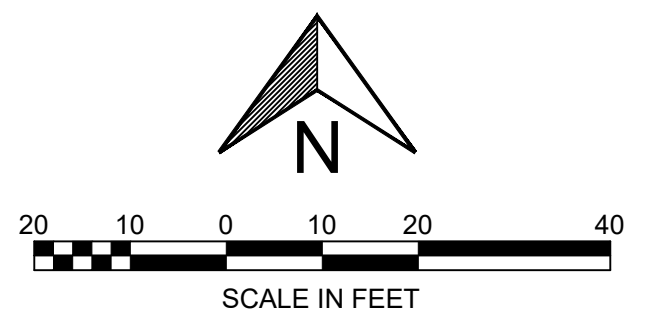
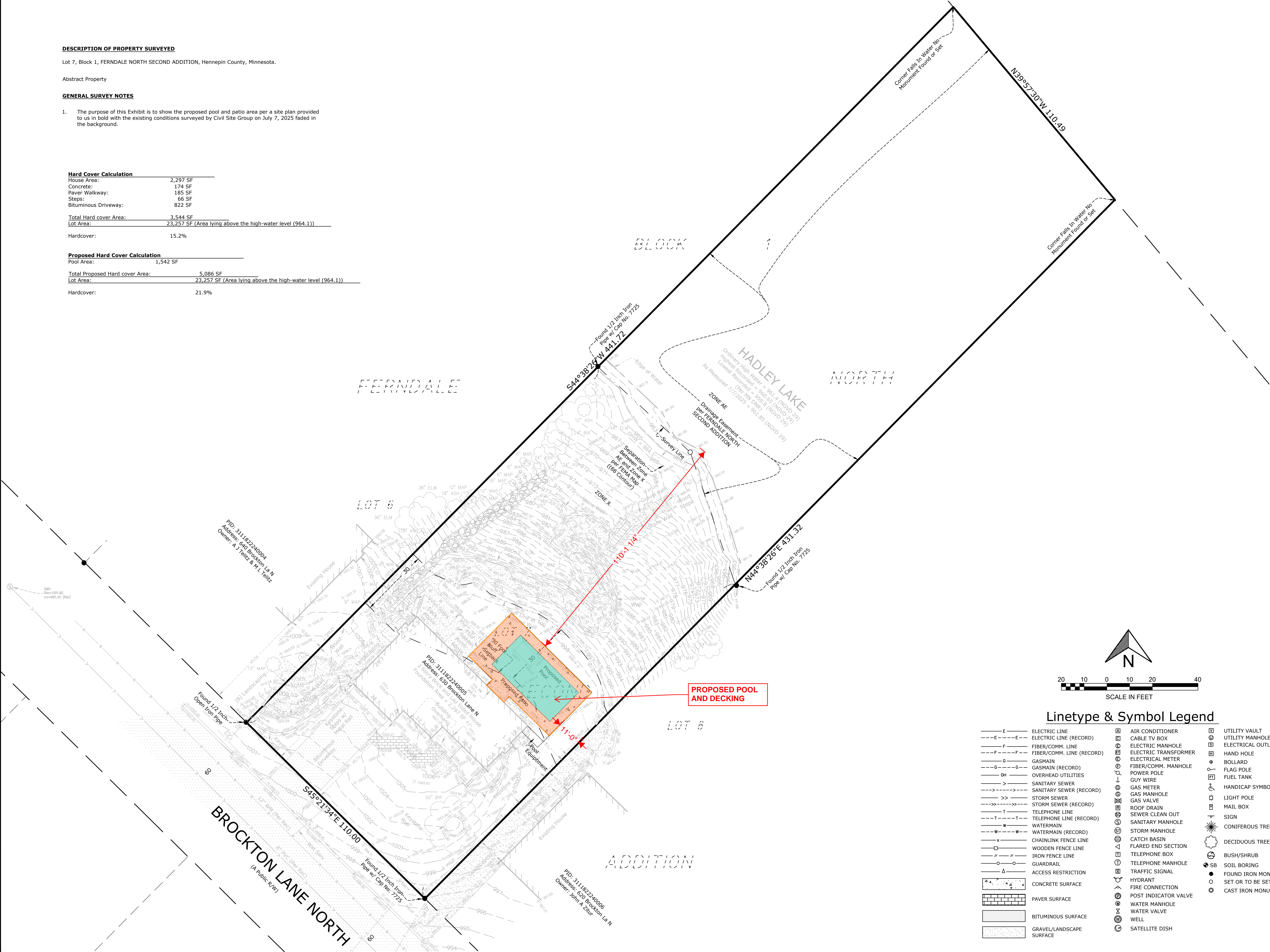
- The purpose of this Exhibit is to show the proposed pool and patio area per a site plan provided to us in bold with the existing conditions surveyed by Civil Site Group on July 7, 2025 faded in the background.

Hard Cover Calculation

House Area:	2,297 SF
Concrete:	174 SF
Paver Walkway:	185 SF
Steps:	66 SF
Bituminous Driveway:	822 SF
Total Hard cover Area:	3,544 SF
Lot Area:	23,257 SF (Area lying above the high-water level (964.1))
Hardcover:	15.2%

Proposed Hard Cover Calculation

Pool Area:	1,542 SF
Total Proposed Hard cover Area:	5,086 SF
Lot Area:	23,257 SF (Area lying above the high-water level (964.1))
Hardcover:	21.9%



Linetype & Symbol Legend

—E—	ELECTRIC LINE	⊠	AIR CONDITIONER	⊠	UTILITY VAULT
- - -E - - -	ELECTRIC LINE (RECORD)	⊠	CABLE TV BOX	⊠	UTILITY MANHOLE
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⊠	PAVER SURFACE	⊠	FIRE CONNECTION	⊠	
⊠	BITUMINOUS SURFACE	⊠	POST INDICATOR VALVE	⊠	
⊠	GRAVEL/LANDSCAPE SURFACE	⊠	WATER MANHOLE	⊠	
		⊠	WATER VALVE	⊠	
		⊠	WELL	⊠	
		⊠	SATELLITE DISH	⊠	

PROJECT
630 Brockton Lane North
Plymouth, Hennepin County, Minnesota 55447

CLIENT
Ira Miller
630 Brockton Lane North, Plymouth, Minnesota 55447

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

RORY L. SYNSTELIEN
DATE 7-11-2025 LICENSE NO. 44565

QA/QC	
FIELD CREW	DP/TL
DRAWN BY	JRN
REVIEWED BY	CJ
UPDATED BY	

VICINITY MAP

REVISION SUMMARY

DATE	DESCRIPTION
7-18-25	Bluff
8-21-25	Pool
9-29-25	Hardcover Calculations

SITE PLAN OVERLAY

V1.1

CITY OF PLYMOUTH

RESOLUTION No. 2025-

RESOLUTION APPROVING A BLUFF SETBACK VARIANCE FOR IRA AND PAIGE MILLER FOR PROPERTY LOCATED AT 630 BROCKTON LANE NORTH (2025057)

WHEREAS, Ira and Paige Miller has requested approval of a bluff setback variance for an inground pool and associated decking to be located 4 to 10 feet from the top of the bluff where 30 feet is specified; and

WHEREAS, the variance would allow construction of an inground pool and associated decking northeast of the existing home in the rear yard; and

WHEREAS, the subject property is legally described as Lot 7, Block 1, Ferndale North 2nd Addition, Hennepin County, Minnesota; and

WHEREAS, the Planning Commission has reviewed said request at a duly called public meeting,

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLYMOUTH, MINNESOTA, that it should and hereby does approve the request by Ira and Paige Miller, for a bluff setback variance for an inground pool and associated decking, for property located at 630 Brockton Lane North, subject to the following:

1. The requested bluff setback variance to allow a bluff setback of 4 to 10 feet from the top of the bluff, where 30 feet is specified, to allow the construction of an inground pool and associated decking, in the rear yard, northeast of the home, in accordance with the plans received by the city on September 8 and 11, 2025, and additional information on October 1, 2025, except as may be amended by this resolution.
2. The requested variance is approved based on the finding that all applicable variance standards have been met, specifically:
 - a) The requested variance, and its resulting construction, would be in harmony with the general purposes and intent of the ordinance, and would be consistent with the comprehensive plan. Inground pools and associated decking are a permitted accessory use in the RSF-1 zoning district.
 - b) The applicant has demonstrated that there are practical difficulties in complying with the ordinance regulations, because:
 1. The applicant proposes to use the property in a reasonable manner, as permitted by the zoning ordinance. Upon the granting of the variance, the project will comply with the zoning ordinance.

2. The request is due to unique circumstances not created by the property owners as they purchased the property in 2020, not the original owner, and that the proximity of the home to the bluff limits the area for reasonable expansion and usability of the rear yard.
 3. The variance would not alter the essential character of the lot or neighborhood given the number of homes within the development with existing non-conforming setbacks to the bluff similar to as being proposed and that the proposed pool and associated decking would not alter the slope toward the lake as they would be located on areas that have been previously graded to create a flatter useable area.
- c) The requested variance is not based upon economic considerations but rather, based upon the want for additional usable outdoor recreational space.
 - d) The variance, and its resulting construction, would not be detrimental to the public welfare, nor would it be injurious to other land or improvements in the neighborhood. The inground pool and associated decking would allow for additional usable outdoor recreational space on an existing flat area of the property.
 - e) The variance, and its resulting construction, would not impair an adequate supply of light and air to adjacent properties, nor would it increase traffic congestion or the danger of fire, endanger the public safety, or substantially diminish property values within the neighborhood. The pool location, in association with the top of the bluff, would be in character with other properties within the neighborhood and increase the value of the property.
 - f) The variance requested is the minimum action required to address the practical difficulties. The placement of the pool is based on topographical conditions and would meet or exceed all other zoning requirements.

3. A building permit is required prior to the commencement of the project.

4. Any subsequent phases or expansions are subject to required reviews and approvals per ordinance provisions.
5. The variance shall expire one year after the date of approval, unless the property owner or applicant has commenced the authorized improvement or use, or unless the applicant, with the consent of the property owner, has received prior approval from the city to extend the expiration date for up to one additional year, as regulated under section 21030.06 of the zoning ordinance.

APPROVED by the Plymouth City Council on this **** day of *****.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.

The undersigned, being the duly qualified and appointed City Clerk of the City of Plymouth, Minnesota, certifies that I compared the foregoing resolution adopted at a meeting of the Plymouth City Council on *****, with the original thereof on file in my office, and the same is a correct transcription thereof.

WITNESS my hand officially as such City Clerk and the Corporate seal of the City this _____ day of _____.

City Clerk