

**CITY OF MAPLE PLAIN
HENNEPIN COUNTY, MINNESOTA**

RESOLUTION NO. 2026-0622-01

**A RESOLUTION REVOKING
THE INTERIM USE PERMIT FOR 5060 US HIGHWAY 12**

WHEREAS, the City of Maple Plain (“**City**”) is a municipal corporation under the laws of Minnesota located in Hennepin County, Minnesota; and

WHEREAS, on June 24, 2024, the City Council passed Resolution No. 24-0624-04A, a Resolution Granting Application for Interim Use Permit for 5060 US Highway 12 (“**IUP Resolution**”) to operate an auto body repair shop and automobile sales lot at that property located within the City of Maple Plain, County of Hennepin, State of Minnesota, at 5060 US Highway 12, with the PID Nos. 2511824120046, 2511824120045, 2511824120044, 2511824120049, and 2511824120048 (“**Property**”). The IUP Resolution is attached hereto as Exhibit 1. IUP Resolution incorporates and includes that site plan for the Property, drafted by Gronberg & Associates, Inc., dated June 1, 2024 (“**Site Plan**”), and that Settlement Agreement by and between Kurt K. Kroll, Sr., *et al* (“**Collision Corner**”) and the City, *et al*, dated November 27, 2023 (“**Settlement Agreement**”); and

WHEREAS, the IUP Resolution permitted Collision Corner to operate an auto body repair shop and automobile sales lot subject to the terms and conditions of the Settlement Agreement, City Code, the Site Plan, and the IUP Resolution; and

WHEREAS, the Settlement Agreement requires that Collision Corner post a compliance escrow in the amount of \$3,000.00, which the City is permitted to draw upon to cover all costs incurred by the City, including City staff and consultant time, associated with Collision Corner’s noncompliance with the IUP Resolution; and

WHEREAS, the IUP Resolution provides that penalties for non-compliance are (i) \$300 for the first violation, (ii) \$400 for a second violation occurring within one year after the date of the first violation, and (iii) revocation of the IUP Resolution for a third violation occurring within two years after the date of the first violation (collectively “**Violations**”, individually a “**Violation**”); and

WHEREAS, the IUP Resolution provides that, after receiving notice of a Violation, Collision Corner has seven (7) business days to request a hearing before the City Council to contest whether a Violation occurred (“**Hearing Request**”); and

WHEREAS, the City sent notice of a first Violation on July 12, 2024; and

WHEREAS, the City sent notice of a second Violation on July 24, 2024; and

WHEREAS, the City has sent notice of a third Violation on May 27, 2026; and

WHEREAS, the City staff studied the matter, made a report, and provided other information to the City Council; and

WHEREAS, the City Council considered the Violations and revocation of the IUP Resolution at its meeting of June 22, 2026.

NOW, THEREFORE, the City Council of the City of Maple Plain, Minnesota makes the following:

FINDINGS

1. The above recitals, the Settlement Agreement, the IUP Resolution, and all attached exhibits are incorporated as if fully set forth herein.
2. The IUP Resolution required that the Property was to be brought into full compliance with the IUP Resolution conditions, including the Site Plan, by July 1, 2024.
3. The Property has failed to maintain ongoing compliance with the IUP Resolution conditions and remains noncompliant with multiple conditions, including parking controls, vehicle sales requirements, and the mandatory compliance escrow.
4. The City sent notice of a first Violation to Collision Corner, dated July 10, 2024, which is attached hereto as Exhibit 2 (“**First Notice**”). The First Notice provides that the Violation is based on: (i) incomplete landscaping, (ii) unstriped parking spaces, (iii) non-compliant handicap parking space, and (iv) failure to provide an escrow payment. Further, the First Notice required compliance by July 22, 2024. Collision Corner did not make a Hearing Request.
5. The City sent notice of a second Violation to Collision Corner, dated July 24, 2024, which is attached hereto as Exhibit 3 (“**Second Notice**”). The Second Notice provides that the following IUP Resolution conditions remain unfulfilled: (i) incomplete landscaping; (ii) unstriped parking spaces; (iii) non-compliant handicap parking spaces; and (iv) failure to provide escrow payment. Further, the Second Notice required compliance by July 30, 2024. Collision Corner did not make a Hearing Request.
6. On December 22, 2025, the City sent final notice of an escrow deficiency to Collision Corner, dated December 22, 2025, which is attached hereto as Exhibit 4 (“**Escrow Notice**”). The Escrow Notice provides that Collision Corner has failed to maintain the minimum escrow balance of \$3,000.00 as required by the Settlement Agreement and IUP Resolution. Further, the Escrow Notice stated that

the escrow account reflected a deficiency of \$137.88. The Escrow Notice required remittance of \$137.88 to the City to correct the shortfall in the escrow account and for Collision Corner to restore the escrow account to its required credit balance of \$3,000.00.

7. The City sent notice of a third Violation to Collision Corner, dated May 27, 2026, which is attached hereto as Exhibit 5 (“**Third Notice**”). The Third Notice provides that the Violation is based on: (i) vehicles in the designated for-sale parking area are not clearly marked as being for sale; (ii) the number of vehicles parked along the south side of the building and Highway 12 frontage exceeded the maximum number of vehicles permitted within striped parking spaces; (iii) diagonal parking in violation of the Site Plan; and (iv) failure to maintain the compliance escrow. Collision Corner did not make a Hearing Request.
8. The Violations have continued past deadlines with no Hearing Request. Within the Settlement Agreement, the penalty for non-compliance for a third Violation is:

revocation of the IUP [Resolution] for a third violation occurring within two years after the date of the first violation

The City has provided notices of the Violations to Collision Corner. Violations of the IUP Resolution and the Settlement Agreement continue and currently exist on the Property. The Third Notice is the third Violation occurring within two (2) years after the date of the first Violation.

DECISION

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MAPLE PLAIN, MINNESOTA, based upon the information received and the above Findings, that the City Council of the City of Maple Plain hereby revokes Resolution No. 24-0624-04A, the IUP for the Property.

This Resolution was adopted by the City Council of the City of Maple Plain on this 22nd day of June, 2026, by a vote of ____ ayes and ____ nays.

By: _____
Julie M. Maas-Kusske, Mayor

ATTEST:

Jacob W. Schillander, City Administrator

EXHIBIT 1

Resolution No. 24-0624-04A

EXHIBIT 2

First Notice

EXHIBIT 3

Second Notice

EXHIBIT 4

Escrow Notice

EXHIBIT 5

Third Notice