

***ANDOVER CITY COUNCIL WORKSHOP MEETING – JANUARY 22, 2019
MINUTES***

The Workshop Meeting of the Andover City Council was called to order by Mayor Julie Trude, January 22, 2019 6:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Councilmembers present: Mike Knight, Sheri Bukkila, Valerie Holthus and Jamie Barthel

Councilmember absent: None

Also present: City Administrator, Jim Dickinson
Community Development Director, Joe Janish
Director of Public Works/City Engineer, David Berkowitz
Natural Resources Technician, Kameron Kytönen
Others

DISCUSS BEEKEEPING PILOT PROJECT AND HONEY BEE ORDINANCE

The City Council is requested to receive a summary of the outcome of the beekeeping “pilot project”, and to continue to discuss the components of the Honey Bee ordinances (Code 5-1D) to consider amending it to allow beekeeping on lots smaller than two acres.

Mr. Kytönen provided a brief history of the beekeeping pilot project that began in 2018 on the Maloney’s property.

Mark Maloney, 14208 Quince Street, stated he and his wife approached City staff with the possibility of beekeeping and were approved for the pilot program. He noted they had a late start and were just learning during that first season. He reported they were able to obtain two gallons of honey from their one hive. He stated there were no issues reported from neighbors and advised that notice was provided about the activity to neighbors. He advised that another neighbor is actually interested in beekeeping as well.

Debbie Maloney stated she did not notice a lot of bee activity in the yard, noting that they even hosted a graduation party in their yard.

Mr. Maloney stated the problems usually occur from yellowjackets and wasps rather than honey bees. He stated they did have a lot of success and would like to add another hive this year if the activity is allowed to continue.

Councilmember Knight asked about the amount of honey obtained from one hive.

Mr. Maloney reported when they bottled the honey, they were able to get two gallons.

Councilmember Holthus asked if there was a late start because of the longer winter.

Mr. Maloney replied the late start was due to the timing of the approval from the City Council. He explained that bees are ordered in January and picked up in March or April, noting they did not receive approval until May of 2018.

Mr. Kytonen asked about the number of bees in a hive.

Mr. Maloney stated he lifted the lid two weeks ago and estimated a couple thousand. He stated at the height of activity there could be 30,000. He stated although they do have the suits for protection, they do not need to wear those when doing activity in the yard such as mowing or gardening.

Mayor Trude stated it appears there has been a significant investment and therefore residents would not go into the activity lightly. She asked if the Maloneys have any suggestions in terms of regulations.

Mr. Maloney stated in reviewing the codes from other cities, there is sometimes a fence required near the beehive. He stated he could not think of a reason for the fence.

Mayor Trude stated the purpose of the fence is likely to prevent children from knocking into the hive.

Councilmember Bukkila referenced bee allergies and noted that between two and five percent of the population are allergic to bees. She stated honey bees do not provoke as a yellowjacket would. She stated she would agree with a fence or wall near the entrance to the hive that would force the bees upward when exiting the hive. She stated water sources are also of interest to bees and therefore they will be drawn to that. She believed the Maloney's lot is more ideal than most with the long and narrow layout near the creek.

Mayor Trude stated people also have allergies to peanuts or peanut butter. She noted people with allergies tend to have a plan in the case that their allergy is triggered.

Councilmember Holthus asked what is done to maintain a hive in the winter.

Mr. Maloney stated there are multiple methods. He stated they stacked haybales around their hive to block the wind and preserve heat.

Councilmember Holthus asked if additional bees would need to be purchased this year.

Mr. Maloney stated some people do not care if their bees survive the winter and just purchase a new batch each year while others attempt to winter their bees, which provides a head start the next season. He stated they are attempting to winter their bees, but if they do not survive, they will need to start over. He noted their goal would be to add a second hive, if approved by the Council.

Councilmember Holthus asked what would happen if the Council did not approve the pilot program to continue.

Mr. Kytonen stated that dependent on the desire of the Council, the Maloneys could be allowed to continue the pilot again this year while the necessary amendments are made to the City Code.

Councilmember Bukkila asked the expense the Maloneys have invested thus far.

Mr. Maloney estimated about \$1,000 was invested the first year, noting the equipment has now been purchased and that would not be a yearly investment.

Mayor Trude stated the current ordinance only allows beekeeping on R-1, R-2, and R-3 lots located outside the MUSA with a minimum of two acres. She asked for input on amendments that would be desired.

Councilmember Bukkila stated she would want information on the water source that is needed and the size of that water source, as well as the number of properties in the City that would allow the activity. She did not believe that all half acre lots would match this scenario.

Mr. Kytonen stated the Maloney's operation is at least 125 feet away from the closest neighboring home and therefore that distance was considered. He provided an example of shallower half acre lots that would not work for this type of activity.

Councilmember Bukkila stated she would also find the water source important so that bees are not drawn to a neighbor's pool.

Councilmember Barthel stated perhaps water source, space and distance from a neighboring lot be considered for the code amendment.

Mayor Trude stated this pilot could be continued, and additional input could be gathered to develop the ordinance amendments.

Councilmember Bukkila stated if this lot is used as the ideal example, she would be interested in knowing the number of lots throughout the community that would qualify for beekeeping.

Neil Rupp, 1491 147th Avenue NW asked why a specific amendment to the code would be done rather than just granting a variance to this property.

Mayor Trude stated the purpose for allowing this pilot program was to study the activity as there has been interest from many other residents in this activity.

Councilmember Bukkila stated there also has to be a fairness, rather than each request being subject to the interpretation of the Council.

Mayor Trude stated her suggestion would be to let the pilot continue and direct staff to develop restrictions and develop possible amendments to the code. She confirmed the consensus of the Council would be to incorporate required distance and notification to the neighbors. She stated she would see the activity open to more urban lots that have a rural feel, similar to the Maloney's lot.

Councilmember Holthus stated the current requirement asks for hive location to be in the center of the lot and did not feel that would necessarily be the best location. She agreed that location to a water source would be a critical factor.

Councilmember Knight referenced the fencing and asked if that would be solid or non-solid.

Councilmember Bukkila stated that the language could state barrier, as that would ensure the bees fly upward. She stated she is not concerned with children on the lot, as that would be the responsibility of the homeowner and their insurance, she is concerned about neighbors. She stated the barrier could be shrubs or bushes.

Mr. Maloney stated another community requires a fence if the hive is near to another property line in order to encourage the upward flight pattern.

Councilmember Knight asked if anyone had been stung this past year on or near the Maloney property.

Ms. Maloney stated she and her husband were each stung a few times when taking frames out of the hive. She noted they had a party with over 80 people in their yard, with sugary soft drinks and cake, and no one was stung. She stated the bees tend to stay near the hive.

Mr. Berkowitz confirmed the consensus of the Council to have a required distance of 125 feet from another home. He stated that distance to a water source would be more difficult to define. He questioned what would be considered a water source.

Mr. Kytonen stated bees will travel a long distance to get to water and it would be difficult to predict the water source a bee would choose to travel to as there are so many variables.

Councilmember Barthel stated he would be fine with allowing the activity to continue. He stated a garden attracts animals that neighbors may not like and this would be no different. He would agree with the notification to neighbors. Mayor Trude suggested bringing in Mr. Jim Myer to provide additional input on the amendments.

Mayor Trude stated the Shoreview ordinance could be a good example for amending the Andover ordinance. She summarized the consensus of the Council to allow the pilot program to continue and direct staff to draft amendments to the ordinance to be more flexible. She stated perhaps a permit be obtained which would trigger the notification of neighbors for the original request.

Councilmember Bukkila stated once the permission is granted, she would be fine with that activity continuing but would want the resident to notify the City if the number of hives is going to increase.

Mr. Berkowitz confirmed the pilot program would continue for the Maloneys and staff will bring back a draft ordinance for the Council to discuss at a future workshop.

DISCUSS SANITARY SEWER CONNECTION ALLOCATION FOR NE SECTION OF MUSA

The City Council is requested to discuss sanitary sewer connection allocation for the northeast section of the City's Metropolitan Urban Service Area (MUSA) boundary.

Mr. Berkowitz stated Andover started out with a small MUSA which has expanded over the years. He provided background information on the model that was developed in order to identify challenges and improvements that would be needed. He reviewed some of the improvements proposed throughout the system and more specifically in the northeast section of the MUSA boundary and how those connection allocations will be determined. He reviewed the connections that have been approved thus far based on sketch plans that have been presented. He stated with those allocations the existing sewer system will reach capacity for that area. He asked how requests will be managed that come in the future and request additional connections to their area.

Mayor Trude referenced the Constance Free Church property which has a high number of connections. The suggestion was made that development ability be limited to single-family rather than to allow senior housing as that would free up a larger number of connections.

Councilmember Holthus referenced the three parcels at the southeast corner of Crosstown Boulevard and 161st Avenue and received confirmation that a developer is currently working on a project for all three parcels. It was noted that property has been allocated 48 connections.

Mr. Janish stated if the zoning is changed the number of units cannot be increased as the sewer system capacity has been reached with these numbers.

Councilmember Bukkila asked how the connection allocations are determined, whether that is owned by the property owner or determined by the City.

Mr. Berkowitz confirmed the City controls the allocations.

Mayor Trude provided background information on public meetings that were held in the past regarding connections and property owners that expressed interest or declined interest. She noted some property owners have paid assessments for those connections.

Mr. Berkowitz stated the other areas of the MUSA can be dealt with on a case by case basis. He stated there is a chokepoint in the northeast area that restricts the number of connections that can be provided. He stated the only area he can see taking connections from would be from the Constance Free Church property.

Mayor Trude stated the church has not paid assessments and there is no pipe running to the specific property provided those connections, therefore it would make sense to reduce the number of connections for that property. She stated perhaps City staff have a conversation with Constance Free Church about reducing the allocation for that property.

Councilmember Bukkila asked if the conversation would be required and question whether the church is aware of that allocation.

Mr. Dickinson stated it would not make sense to take away allocations for properties that have paid or deferred assessments. Mr. Dickinson also stated the church was aware that there is an allocation of sewer units to that property.

Councilmember Bukkila stated it would make sense to provide allocations to properties that are ready to move forward with development and take away from more outlying properties without any planned development.

Councilmember Knight stated there seems to be a lot of senior housing projects and perhaps Constance Free Church is no longer interested in that type of development.

Mr. Dickinson stated that would be the purpose of the discussion with Constance Free Church, to determine if they have a master plan or are even planning for a senior housing element.

Mr. Berkowitz stated some of the properties that have estimated connections allocated could come in under the planned number, which would provide additional capacity for other development.

It was the consensus of the Council to direct staff to have discussions with Constance Free Church regarding connection allocations.

COMPREHENSIVE PLAN UPDATE DISCUSSION

A. DENSITY IN RESIDENTIAL AREAS

The Council is asked to consider increases related to Planned Unit Development (PUD) “caps” as identified in the City of Andover Comprehensive Plan related to Rural Residential (RR) and Urban Residential – High Density (URH).

Mr. Janish stated the Council held a workshop in November to begin these discussions and provided a brief summary of that discussion.

Mayor Trude stated in the past a PUD was reviewed as a package deal and this would perhaps take away from the flexibility provided by a PUD.

Mr. Dickinson stated the interpretation of the current language could be changed, or a maximum could be set that would be a guide to ensure that staff is following the desire of the Council.

Mr. Janish reviewed the current interpretation of the language, noting that projects with a higher density have been denied or turned away. He stated it appears the Council may be open to allowing a more dense development, as long as the public benefit provided outweighs that density.

Councilmember Barthel stated he would agree with providing flexibility as long as the benefit supports that, noting a desire to preserve trees or for low impact development.

Mr. Dickinson stated the basic standard lot size for rural residential is 2.5 acres. He stated a minimum of one acre could meet the requirements of a home pad and primary and secondary septic site. He stated that would only be attainable through a PUD but asked the Council how low they would want to go on a rural residential lot.

Councilmember Bukkila stated she does not like going below 2.5 acres for lot size and would not want to put in place language that would commit to a possible lower lot size to support higher density without seeing the request.

Mr. Dickinson stated the easy parcels in the community have been developed and many of the remaining parcels are challenging. He stated while some developers will come have discussions with City staff, others will look at the City Code and simply pass and move to another community so we may never get a proposal to review on some properties.

Darrin Lazan, Landform Professional Services, stated the important factor is to keep the flexibility that allows the Council to make the determination. He stated in some other communities there is a factor that specifies the density that can be granted. He stated he would agree that the Council will want that flexibility as there are more challenging parcels that will come forward with the wetlands. He stated if there is a maximum density specified, that provides direction for developers on what might be considered. He explained the City does not have to approve a density if they do not believe that the project works or provides the necessary benefit in return. He stated he would support lower lot width.

Mr. Janish confirmed the direction of the Council for the maximum PUD density language to specify that it would be dependent upon a PUD application or Council approval. It was noted a specific number would not be inserted.

Mr. Janish provided background information on the topic of urban residential higher density development. He reviewed the information that has been received from other neighboring communities on their allowed urban density.

Mayor Trude provided input from a multi-family developer that she spoke with, noting that the building mass does not always need to look like the pictures provided.

Councilmember Knight stated the density of some of the buildings in other communities are similar to large hotels.

Councilmember Barthel asked why high-density housing is needed.

Mr. Janish stated high-density housing is an important element of meeting the density requirements specified by the Metropolitan Council and also provides an opportunity for life-cycle housing, which allows residents to remain in the community as they age. He provided additional details on the difference between market rate and workforce housing. He stated developers will receive a higher rate for rents in the core area of the metro area, rather than going into the outskirts in a community like Andover.

Councilmember Barthel asked if there is that large of a need in Andover for high-density housing.

Mayor Trude stated she would not go higher than the amount required by the Metropolitan Council.

Councilmember Holthus stated there are young residents that would like to live in Andover but cannot afford a home and would be open to living in an apartment if available.

Mr. Dickinson stated the Comprehensive Plan has to show math and plan to target on average three units per acre. He stated that while the City may not accomplish that density, the math has to support the potential of reaching that density requirement. He stated high-density housing provides more flexibility in allowing lower density in other areas of the community. He explained a plan must be demonstrated that reaches that number in order to receive approval by the Metropolitan Council, even though that plan may not ultimately be reached. He stated increasing the allowed density on the high-density site, may make that site more attractive to a developer but would also create additional density flexibility in other areas of the community.

Mr. Janish stated he has received direction from the Council in the past to not allow four stories for a high-density building and advised that there has been a developer interested in four stories.

Councilmember Bukkila stated she would support four stories in some areas, such as 7th Avenue

and Bunker Lake Boulevard, rather than in the center of the community, such as the property off Crosstown Boulevard.

Mr. Janish explained that could be a part of the PUD development process, specifically how the property would blend in with surrounding properties and the buffering that would be provided.

Mayor Trude stated a lot of families do not want to own a home and would pay market rate to have the amenities.

Councilmember Bukkila stated she would want to ensure that the density allowed would be attractive to developers that could make a market rate project work.

Mr. Lazan stated he has 1,500 multi-family units under development throughout the country, which is all high-end, high amenity units designed for that millennial population. He stated people do not want the garden style apartments, which is what the City would get from the lower density allowance. He stated the higher density market rate project would come in under a higher density per acre.

Mr. Dickinson stated when staff says 14 units per acre is the max for high density, the developers walk out the door.

Mr. Lazan stated the higher amenities can only be provided with higher density apartments that allow for the creation of those amenities.

Councilmember Barthel stated it would make sense for people to have those type of developments in Ramsey by the light rail, or by the river or another amenity that provides appeal.

Mr. Dickinson stated the increase in density would only apply to two sites in Andover, noting that each site could have different density allowances. He stated any application would need to meet the code and Council criteria and if that is not met, the application can be denied.

Mr. Janish confirmed the applicant would need to submit a PUD application which would be reviewed by the Council to ensure that the density proposed would match the benefit being provided. He stated a previous developer that was interested in a four-story apartment building with underground parking moved to another community because it did not appear the City would be approving of the request and did not want to go through the Comprehensive Plan amendment process.

Mr. Dickinson stated the numbers can remain the same if the Council is fine with multi-family housing at the 14 units per acre, but multi-family developers will likely not look at Andover.

Councilmember Holthus asked about the number of developers that come in and walk out each month.

Mr. Dickinson replied there are at least two developers per month that come in with interest and walk out, sometimes more.

Mr. Janish explained the cost for land acquisition and demolition is related to the amount of rent that would need to be charged and the number of units that would need to be included to recoup the costs for development.

Mayor Trude stated she would be open to higher density on the site on 7th Avenue and Bunker Lake Boulevard and would remain at 14 units per acre for the Crosstown site.

Mr. Lazan noted there is currently no quality multi-family market rate housing in Andover.

Mr. Dickinson confirmed if a market rate building was constructed in Andover, it would fill instantly. He stated the issue is that the people working in the community are coming from outside the community, and the question would be whether the Council wants to provide housing for those people or whether it is okay with not having available housing for those individuals.

Councilmember Knight agreed the 7th Avenue and Bunker Lake Boulevard site would be a good site for that type of housing because of the location to the school and library.

Mr. Dickinson stated the density could remain at the current rate going into the public input process, or that number could be increased at this point to gain input from the public on the potential change.

Mr. Janish stated amenities that are desired for this type of housing cannot be provided at the lower density rates.

Mr. Lazan stated in order to provide appropriate amenities, at least 170 units would be needed. He explained if the density can be increased on the high-density parcels, density can then be lowered in other areas. He used the example of Ramsey which allocated density to The COR and let the remainder of the community remain low density.

Mayor Trude stated the redevelopment area on Crosstown Boulevard would be more fitting for duplexes or townhomes, while she would support higher density on the 7th Avenue and Bunker Lake Boulevard site. She stated there are other properties in the City which could incorporate some higher density housing that has smaller more affordable houses on smaller, more narrow lots.

Councilmember Bukkila stated surface parking for multi-family tends to bring additional crime. She stated people with nicer vehicles want secured underground parking. She stated rows of garages tend to deteriorate. She stated that typically there are security cameras in underground parking.

Mr. Janish noted separate zoning would be required to allow different density on the redevelopment and the 7th Avenue and Bunker Lake Boulevard sites. He stated a maximum

density could be allowed for both parcels, with direction that staff have the discussions with the developers that the Council would support 16 units per acre on the redevelopment site while the 7th Avenue and Bunker Lake Boulevard site would be supported at 20, dependent on the other elements of the PUD request.

Mayor Trude referenced a parcel in which the resident would be interested in higher density because of the location along Bunker Lake Boulevard of his single-family home property between the school and higher density townhomes.

The Council took a brief recess.

Mayor Trude reconvened the meeting.

Mayor Trude recapped there was a lot of discussion on this topic and the consensus was to increase the density to 16 units per acre, with direction for staff to possibly create a new zoning district for the parcel at 7th Avenue and Bunker Lake Boulevard which would allow for 20 units per acre with underground parking.

B. ADDITIONAL COMMERCIAL INDUSTRIAL ZONING

The Council was requested to provide direction to staff in regard to guiding additional areas for Commercial and/or Industrial Zoning.

Mr. Janish explained under a hypothetical land use change, access must be considered. He stated if a parcel currently possesses a property with a single-family home and the property is rezoned, there would be implications on the ability of that property owner to refinance or sell their property as a residential home. He suggested that direction be provided to the developer through an economic development chapter which would guide a developer for future development opportunities. He reviewed properties that could potentially be rezoned and discussed challenges that may exist.

The Council and staff reviewed properties along Bunker Lake Boulevard and Hanson Boulevard and did not find additional parcels desired for rezoning.

UPDATE/DISCUSS PUBLIC WORKS FACILITY AND MASTER PLAN

Mr. Berkowitz stated there was a bid opening today, reporting that the Council Chambers and parking lot were full. He noted there will be a conference call later this week to refine contingencies with a goal of bringing the bid award to the Council on February 5th. He confirmed the alternates would be presented as options for the Council to consider.

Mr. Dickinson stated this was a favorable bidding climate for the project and overall the bids were favorable. It is possible all of the alternates could be recommended for approval.

DISCUSS STRATEGIC PLANNING AND COUNCIL POLICY DEVELOPMENT PROCESS

A strategic planning session was held with the City Council in 2015, with a final Council Community Vision and Organizational Goals and Values document approved by the City Council and last updated in 2017. Also, during the 2019 Budget Development process, the Council did anticipate that a new strategic planning session would be conducted in 2019.

Mr. Dickinson reviewed potential options, noting that it has been a number of years since the Council has done an outside facilitation which may be an option to consider for this year.

Mayor Trude stated some Councils prefer to hold these types of sessions on a Saturday.

Mr. Dickinson noted the session could be broken up between a few weeknights. He provided additional details on the range of costs for the different planning processes. He stated there are three to four firms that offer this type of service to municipalities.

Councilmember Barthel stated the percentage of organizations that follow the mission within their strategic plan is very low and therefore he would not support spending a large amount of money of this process.

Mayor Trude explained the strategic plan of the City provides an outline to staff on the activities that they should work on.

Mr. Dickinson confirmed the consensus of the Council to direct staff to seek out and select a facilitator for the strategic planning session. He stated he would obtain more information from Councilmembers to find the dates/times that would work best.

2018 BUDGET PROGRESS REPORTS (DECEMBER)

Mr. Dickinson provided a summary of the December 2018 budget progress reports. He highlighted areas of revenue, items that may be over the budgeted amounts, and additional information on fines and permit revenue.

Mayor Trude discussed the option of bringing on a communications employee that could assist in updating the City website and other City communications.

It was the consensus of the Council that the direction should be toward being proactive with information sharing rather than reactive responding to comments.

2018 CITY INVESTMENTS REVIEW (DECEMBER)

Mr. Dickinson provided a summary of the City investments. He provided a summary of the changes to the money market account.

OTHER TOPICS

No comments.

ADJOURNMENT

Motion by Bukkila, Seconded by Holthus, to adjourn. Motion carried unanimously. The meeting adjourned at 9:20 p.m.

Respectfully submitted,

Amanda Staple, Recording Secretary