

***PLANNING AND ZONING COMMISSION WORKSHOP MEETING
FEBRUARY 13, 2018***

The Workshop Meeting of the Andover Planning and Zoning Commission was called to order by Chairperson Daninger on February 13, 2018, 6:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Commissioners present: Scott Hudson, Bert Koehler, Nick Loehlein, and Jeff Sims.

Commissioners absent: Timothy Cleven, Kyle Nemeth

Also present: City Planner Stephanie Hanson
Associate Planner Dan Krumwiede
Others

APPOINTMENT OF CHAIR PERSON AND VICE CHAIR PERSON

Chairperson Daninger nominated Nemeth for the position of Planning Commission Chair for 2018.

Motion by Daninger, seconded by Sims, to appoint Nemeth as Planning Commission Chair for 2018. Motion carried on a 5-ayes, 0-nays, 2-absent (Cleven, Nemeth) vote.

Chairperson Daninger nominated Koehler for the position of Planning Commission Vice Chair for 2018.

Motion by Daninger, seconded by Sims, to appoint Koehler as Planning Commission Vice Chair for 2018. Motion carried on a 4-ayes, 0-nays, 1-present (Koehler IV), 2-absent (Cleven, Nemeth) vote.

DISCUSSION: Conditional Use Permit – Commercial Kennel – 3121 161st Avenue NW

Mr. Krumwiede presented the request of Jessica and Billy Evers for a Conditional Use permit (CUP) to operate a commercial kennel at 3121 161st Avenue NW, an existing building they intend to purchase. A commercial kennel can be allowed as a CUP in the General Business District. The approximate 5-acre parcel is located just to the north of

161st Avenue and east of Round Lake Boulevard. The building space to host the dog boarding is approximately 5,600 square feet. Indoor and outdoor space will be utilized. Outdoor space would be fenced in by a 6-foot chain link fence with black privacy screening. The applicant would like to install a 7-foot fence; however, a variance would be required, and the applicants are aware of that. Full service grooming, some retail, dog daycare, and overnight boarding will all be offered.

Mr. Krumwiede noted the applicants have another Muddy Paws Daycare currently located in Columbus, Minnesota. This would be a second location. After discussion with the City Administrator of Columbus, she mentioned that Columbus has not received any complaints from residents and they have been a positive addition to the community. The IUP they received in Columbus is good through May, 2022. The applicant plans to purchase the property in Andover and close on March 20, 2018.

Acting Chairperson Koehler reviewed the staff report with the Commission. He noted the applicants have the same type of business in another city and have not had any complaints. Mr. Krumwiede noted the other business is in Columbus, Minnesota and they will be looking to replicate similar colors in Andover and a similar fence style which is chain link with privacy inserts.

Commissioner Loehlein asked if the applicant will be utilizing the current building or will they be tearing it down and replacing it. Mr. Krumwiede indicated they will be utilizing the current building by refurbishing it.

Commissioner Hudson wondered if there will be anyone that will stay there overnight. Acting Chairperson Koehler stated there is something in the packet about there being someone onsite throughout the day but there was no reference to overnight, so he assumed there would not be someone there overnight.

Commissioner Sims asked if the dogs will be kenneled inside overnight. Acting Chairperson Koehler stated it was noted in the report that all the dogs would be inside at night. Commissioner Sims thought there would not be any disturbance for the neighbors.

Acting Chairperson Koehler stated there would not be any pickup after hours, but he did not know about dogs staying inside from 7:00 p.m. until 7:00 a.m. Monday through Friday. He wondered if they were letting the dogs out at night and what those hours would be. Commissioner Loehlein stated the place where he boards their dog has a setup where the kennel is designed to allow for defecation, so he thought this may be the same.

Acting Chairperson Koehler stated there was a question about barking dogs and he wondered what the ordinance was regarding this. Ms. Hanson reviewed the City Statute with the Commission.

Commissioner Sims asked if there was any distinction in the Ordinance for businesses with dogs versus personal dogs in terms of different rules. Mr. Krumwiede stated there is

a distinction between a private and a commercial kennel. Ms. Hanson stated regarding noise there is no distinction.

Commissioner Daninger stated this property has always been a hard property for business because of their standards to upgrade. He stated he was not opposed to this, but he did not know how quiet it will be with a fence surrounding it. Acting Chairperson Koehler stated he liked the idea of a taller fence due to dogs possibly scaling it. He wondered if anyone had an issue with the hours. Commissioner Daninger stated he did not have an issue with the hours being in the location they are proposing.

Commissioner Sims indicated he did not think there were any homes around the proposed business. Acting Chairperson Koehler noted there are some residences to the east. He indicated he did not have an issue with it.

Commissioner Sims asked if there will be boarding after hours or is it strictly a day care. Mr. Krumwiede indicated there will be overnight boarding and they will have security cameras and monitoring to see activity going on there.

Commissioner Loehlein asked if this was an animal shelter by the spirit of the code. Mr. Krumwiede stated this would fall under the commercial kennel aspect of it because it is a business. He would have to look at the specifics of the code.

Commissioner Sims thought this was the same type of set up as Dover Kennels.

DISCUSSION: Preliminary Plat – Shaw’s Glen 2nd Addition – 1950 157th Lane NW

City Planner Hanson presented the request of MT Carpenter Landscape, Inc. for Shaw’s Glen Second Addition, a Preliminary Plat containing five urban lots. She noted the Andover Review Committee has reviewed this Preliminary Plat, finding all staff comments have been satisfactorily addressed by the developer. However, staff is recommending the original home be removed. The new construction will fit the character of the neighborhood.

Acting Chairperson Koehler did not think there was anything out of the ordinary for this. Everything seemed to be cut and dry with this development. He stated he did not have an issue when he went through this. Ms. Hanson stated this was ghost platting in 2006 and the City knew it was coming. She noted she received a few emails from residents that were concerned because they heard it was purchased by the City and was going to be turned into townhomes but once she let them know what was going on they did not have any issues with it.

Acting Chairperson Koehler stated there are some buildings on the property which are slated to be removed. Ms. Hanson stated these will not necessarily be removed, it will be up to the developer and association if they want the buildings removed.

Commissioner Hudson asked if this subdivision will be a part of the townhome association. Ms. Hanson indicated it would not.

Commissioner Daninger asked where the nearest park or playground is. He noticed trails but not anything else. Ms. Hanson showed on the sketch where the playground is located.

Ms. Hanson indicated the only building that will be removed is between lots 4 and 5. The building on the lot line between lots 3 and 4, the existing garage will be moved to lot 3 and they plan on keeping the existing house. Commissioner Loehlein thought it will look strange to have the house on lot 3 so far back on the lot. Ms. Hanson indicated staff is recommending the house be removed so it stays within character of the neighborhood, but the City cannot enforce the removal of it.

Acting Chairperson Koehler stated if the house on lot 3 does remain the porch and deck seem to be encroaching and will need to be removed. Ms. Hanson stated staff will be recommending the Planning Commission to recommend to the City Council not to grant variances to keep the deck and porch. Acting Chairperson Koehler asked if the variances were before them tonight. Ms. Hanson indicated they were not.

DISCUSSION: Sketch Plan – Andover Farms – 7th Avenue NW & 165th Avenue NW

City Planner Hanson presented the request of Metrowide Development, LLC for Sketch Plan/Planned Unit Development (PUD) review of Andover Farms, a single-family planned unit rural residential development. She explained a PUD Sketch Plan is used to provide feedback to the developer through Andover Review Committee (ARC), Planning and Zoning Commission, Park and Recreation Commission, and City Council. The purpose of a PUD is to encourage more efficient allocation of density and intensity of land use where such arrangement is desirable and feasible by providing the means for greater creativity and flexibility in environmental design than provided under the strict application of this Code. It must be demonstrated to the satisfaction of the City Council that a higher quality development will result than could be otherwise achieved through strict application of this Code.

Ms. Hanson stated she has had a lot of people calling her on this regarding not having enough time notification of the public hearing and not receiving notification of the public hearing. She reviewed the City Code regarding notification of Public Hearing with the Commission.

Ms. Hanson stated there was concern with traffic on the County Roads. There will be improvements done on Valley Drive by the developer. Another concern is with the number of lots in the development. They will be focusing on phase one of the

development. She noted many of the lots are 1 to 1.6 acres. Gross density of this area is 2.5 acres and using that calculation you would get 23 lots and they are asking for 29 lots.

Acting Chairperson Koehler stated there were a lot of things in review that sent up red flags for him. Everything from the lot size to the setback. He stated another concern was that it was noted a homeowners' association would be set up and with past issues of associations disbanding and not getting things done that were supposed to get done was another red flag for him. Ms. Hanson noted she just got a new write up and what they were planning at first was having small lots with wetlands and open space where they were going to do a homeowners' association which staff indicated would not work. This would be a good question for the applicant. It was staff's understanding that there will not be open space with the new lot line designation so there will not be a need for a homeowners' association.

Ms. Hanson stated the developer is also considering a regular road rather than a split road with the islands in the middle.

Acting Chairperson Koehler asked if the only way into this development was from 168th. Ms. Hanson stated it was at this time. She stated there is also discussion with the developer on road improvements.

Ms. Hanson stated no action is needed on this item at the meeting, this is simply providing the developer feedback and recommendation for them to move forward with the Preliminary Plat.

Ms. Hanson stated this land is currently in Agricultural Preserve but will come out of that in April 2018 and will not be rezoned; this is a Comprehensive Plan Amendment. Once the Ag. Preserve is done they need to go in and change the land use, which is Rural Residential, 2.5 acre lots.

Acting Chairperson Koehler suggested the Commission keep notes on this item because it will be coming back to them for a Preliminary Plat.

OTHER BUSINESS

Acting Chairperson Koehler stated there seems to be some concerns by Mr. Berkowitz regarding ribbon curbing. Ms. Hanson stated they want wider ribbon curbing because they are having some issues with the Preserve at Oakview. She noted they will be dealing with it in the spring.

ADJOURNMENT

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Motion by Daninger, seconded by Loehlein, to adjourn the meeting at 6:51 p.m. Motion carried on a 5-ayes, 0-nays, 2-absent vote.

Respectfully Submitted,

Sue Osbeck, Recording Secretary
TimeSaver Off Site Secretarial, Inc.