

**REGULAR ANDOVER CITY COUNCIL MEETING – MARCH 6, 2018  
MINUTES**

The Regular Bi-Monthly Meeting of the Andover City Council was called to order by Mayor Julie Trude, March 6, 2018, 7:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Councilmembers present: Mike Knight, Sheri Bukkila, Valerie Holthus and James Goodrich

Councilmember absent: None

Also present: City Administrator, Jim Dickinson  
Community Development Director, Joe Janish  
City Attorney, Scott Baumgartner  
Others

***PLEDGE OF ALLEGIANCE***

***RESIDENT FORUM***

No one was in the audience that wished to speak to the Council.

***AGENDA APPROVAL***

Supplemental information was provided for:

- Item #4 – Updated Resolution
- Item #5 – Updated Resolution

***Motion*** by Bukkila, Seconded by Knight, to approve the Agenda as amended. Motion carried unanimously.

***APPROVAL OF MINUTES***

*February 12, 2018, Special Meeting:* Correct as amended below.

Councilmember Bukkila requested the following change on:

- Page 5, line 9 – Add the following sentence: “Staff is to review the school referendum impacts to determine impacts on space needs.”

**Motion** by Bukkila, Seconded by Goodrich, to approve the Special Meeting minutes as amended. Motion carried unanimously.

*February 20, 2018, Regular Meeting:* Correct as amended below.

Councilmember Bukkila requested the following change on:

- Page 4, line 7 – Delete the word “politics” and replace with “public hearing process.”

**Motion** by Bukkila, Seconded by Knight, to approve the minutes as amended. Motion carried unanimously.

### ***CONSENT ITEMS***

Item 2 Approve Payment of Claims

Item 3 Approve No Parking Resolution/18-11/143<sup>rd</sup> Avenue NW Reconstruction (See Resolution R013-18)

Item 4 Approve Resolution Authorizing to Apply to the MNDNR for Funding/18-06/Kelsey Round Lake Park (See Resolution R014-18)

Item 5 Approve Resolution Authorizing to Apply to the MNDNR for Funding/18-06/Andover Station North Trail Segment (See Resolution R015-18)

Item 6 Approve Emergency Management Plan

Item 7 Approve 2018 CIP Equipment Change Request

Item 8 Approve Appointment – Parks Maintenance Worker

Item 9 Declare Surplus Equipment

**Motion** by Knight, Seconded by Bukkila, approval of the Consent Agenda as read. Motion carried unanimously.

### ***SHAW’S GLEN 2<sup>ND</sup> ADDITION – PRELIMINARY PLAT***

**Motion** by Bukkila, Seconded by Goodrich, to table this item to the next meeting of the Council on March 20, 2018. Motion carried unanimously.

### ***ANDOVER FARMS – SKETCH PLAN/PLANNED UNIT DEVELOPMENT***

Mr. Janish explained the “Sketch Plan” process and “Planned Unit Development.”

The Andover Review Committee (ARC) reviewed the sketch plan and submitted comments to the applicant. Staff suggests the comments be reviewed as part of the sketch plan process. The applicant and staff met to discuss the comments.

It is being proposed to develop approximately 58 acres in the first phase. The developer also submitted a concept plan for the entire 411 acres known as the “turkey farm.” The sketch plan shows how the land could be developed in the future. The development would be completed in

phases. The 411-acre property is currently located with the Minnesota Agricultural Land Preservation Program. The program allows qualifying properties to enroll the property as Agricultural Preserves. This designation restricts the type of land use allowed, to agriculture or forestry uses for a minimum of eight years. In return, landowners receive property tax credits, protection for normal agricultural practices and other benefits. The landowners have decided to remove the land from the Agricultural Preserve program; therefore, the land will no longer qualify as of April 2018. As part of updating the Comprehensive Plan, the land use of those parcels will need to be changed to RR (Rural Residential) to allow for low intensity residential developments.

Access to the first phase is proposed from 168<sup>th</sup> Avenue NW. The Anoka County Highway Department is the responsible governing unit when it comes to County road improvements to serve developments.

It was noted the length of the cul-de-sac exceeds the 500 feet, City Code maximum, as measured along the centerline from the intersection to the center of the cul-de-sac area.

Although there is a proposed future connection to the Andover Farms development to the south, the 10-acre parcel would be developed separately from Andover Farms. Staff supports the proposed connection to the south of the plat to ensure a second connection to the development is available.

Staff received an email that afternoon regarding traffic on 168<sup>th</sup> Avenue and when another access point might be needed when the 28 lots will be available for purchase.

Darren Lazan and Jason Osberg, together the developers, are proposing a development in the City of Andover. They have been working with staff and have been evaluating the property together with City staff.

The developer's goal is to continue building on the success of The Preserve at Oak View, a development they completed in Andover recently. Mr. Lazan stated the area has a lot of natural resources and this development would take a similar approach. The desire is to leave as small of a footprint as possible, narrower roads, swales, no clear cutting, and minimal wetland impact. The plan would be to have a Home Owners Association (HOA) for this project, especially since there is a mix of lot sizes. So far this has been successful in their most recent development.

Mr. Lazan continued the PUD would be over the whole development area. The first phase is on the east side of the project and is approximately 58 acres. Eventually the turkey farm will be closed as homes are built. The property owner is willing to meet regarding using a farm road for construction traffic. There are some "rougher areas" that were viewed on the sketch plan. There is one section of the map that is owned by two people that are not interested in selling their property for development at this time, but there is a plan as to how the roads may connect, if those properties ever became available. There are 160 – 165 lots identified, with a 2.5-acre overall density for the development. No increased density is requested, but rather flexibility.

The plan is to sustain or improve natural species and preserve natural spaces. There were two concepts for this phase of development – split pairs road and a single road. He confirmed the split pair road was planned to be made into a one-way route. He expressed this is more of a policy decision for the community. They were looking for direction from the Council specifically regarding the road.

Mr. Lazan confirmed they really have no objections to the staff report at this point. The density issue is more about transferring density, and not adding density.

Mayor Trude expressed appreciation for the developer's responsiveness.

Councilmember Holthus asked about the potential of the property going in or out of a preserve, every 8 years. Mr. Dickinson stated the turkey farm can go in and out of agricultural reserve, but if they would go back into agricultural preserve they would have to stay in it for 8 years. In April 2018 as the property comes out of agricultural preserve something can be done to the land relative to development.

Mr. Lazan answered the total number of 1 acre lots is 7 in phase one of the development, with either road plan.

There are a considerable number of trees on the property. There would be more impact on the trees, if the lots were to be 2.5 acres.

Councilmembers Bukkila and Goodrich expressed concerns about potential firefighting challenges and the proper road width for firefighting vehicles. The applicant responded the single roadway width would be a total of 27 feet. Mr. Dickinson confirmed a minimum of 20 feet is needed for the "legs" of the aerial vehicle to be extended. The Fire Chief will be involved in the discussion. Mr. Dickinson asked if the Council was willing to consider the single roadway from a policy perspective.

Councilmember Bukkila asked about overall density. She indicated most Council conversation regarding development typically has been for urban development, so we haven't had a lot of rural development in the sense of more than 1 or 2 lots at a time. There hasn't been much discussion on what that means as far as policy. Councilmember Bukkila stated looking at a rural development all of the ordinances are established on that 2.5 acre threshold and we have had to make some concession because we understand over time where roads have been redone the road may cut into those 2.5 acre lots. Generally, the rule of law is you either have 2.5+ acres or you don't and if you don't then you don't have the use privileges of those that do have 2.5+ acres. The Preserve at Oak View was unique and almost a buffer type development. This development encompasses a huge area and will have a large impact. She wanted to make that differentiation between the two developments. Mayor Trude asked Councilmember Bukkila to expand on the 2.5+ acre privilege. Councilmember Bukkila replied if lots are 2.5+ acres you can ride ATVs, have different animals and storage of RVs. She asked does this get enforced through an HOA. Mr. Dickinson responded The Preserve at Oak View is a PUD in a rural area with an HOA that

have similarity to what is being proposed. The HOA would enforce the restrictions that are different than the code. He illustrated other areas developed earlier in the City's history. Mayor Trude indicated primary development has been in the area with municipal sewer and water.

Mr. Lazan responded the nature of this particular development is a HOA that does not permit ATV tracks and the storing of 2 RVs, etc. This maintains equitability. This would be a neighborhood like The Preserve at Oak View. The driveways will be longer, sewer and water will need to be installed by homeowners. Homes are going to be "higher end." They are marketing to buyers building a \$700,000 and up home. Pole barns could not be built in this neighborhood. Chickens will also not be allowed.

Councilmember Knight asked if that would be the same for phase 2. Mr. Lazan responded after they test the market they will know and then they will move to the next step of the development.

Mayor Trude expressed the City has to respond to development rights and someone that wants to sell their land. The City has the opportunity to shape these developments in their community. This is a learning opportunity and the Council is very interested in protecting homeowner rights. She appreciates the work that the developer did on The Preserve at Oak View.

Councilmember Goodrich thanked the applicant for their input and being part of the process. He asked about a time frame for access points. Mr. Lazan replied 3-4 years until the access in the west will be created. The first phase could be a 3-5 year build out.

Councilmember Holthus asked the applicant to consider the scenery and environmental concerns. She is supportive of re-zoning. She also was not fond of the proposed narrow roadways. She would like the developer to look at the density, as she is not supportive of the smaller lots/higher concentration. She has difficulty going against the City Code. She encouraged the developers to work on an access to the south for the development. She again expressed her concerns regarding the higher density concentration. Mr. Lazan stated most of the smaller lots have the same width but go back deeper. Councilmember Holthus stated tree preservation is important to her as is working around wetlands, etc. to minimize impact. Sightlines from the neighbors would also be a concern. She also stated this will eventually be presented to the Lower Rum River Watershed organization.

Councilmember Bukkila noted the developer describes what she sees as amenities as nuisances. She also has concerns regarding being consistent with City Code for 2.5-acre lots. She would be willing to deviate in some circumstances in transitional areas and where there are practical difficulties, in the land itself. She also expressed importance regarding fire equipment functioning properly, and the effects on fire rates/insurance.

Councilmember Knight also agreed with the support of 2.5-acre lots because of septic systems.

Mayor Trude felt the long cul-de-sac was okay, as it is better with the real world/scenery. She agreed the density is a little high in this area, particularly where it backs up to the 2.5-acre lots. She would like to spend more time considering the bluff and the trees and the PUD. If making

2.5-acre lots would destroy more trees, she does not want that, and would rather have smaller lots. She was glad to know the farm roads could be used for the construction. She is in favor of the low impact design and would like the developer to work on another access point. She believes phasing-in will help the developer to know the market. She wonders if the current market is strong enough for more \$500,000+ homes. Some people along Eldorado Street have concerns. She encouraged thoughtfulness and respectfulness as it relates to the neighbors.

Mr. Janish pointed out the sign-up sheet in the lobby where residents can give their contact information to continue to receive notice of the next public hearing if they may be out of the notification area. If the developer goes forward with the project, residents will be notified. This way, residents can receive a mailing even if not in the mailing area.

Todd Protivinsky, 16680 Eldorado Street NW, stated he sees the cornfield, which is in phase 1 of the development because the leaves are gone. He has lived in Andover for 40 years. He chose his 2.5-acre wooded lot because of the surroundings. He has taken a look at The Preserve at Oak View. The development has very nice executive homes but there is an empty lot in between the homes completed. When it is filled in, he stated he would not want to live there because he likes the rural feeling. He believes the people in the area have chosen it because that is how they want to live.

Steve Bury, 17230 Aztec Street NW, thanked the developers for listening to resident comments. Concerns were expressed about the flood plain and the developers have been helping the residents to acquire a section of the property. As Andover has filled in, the county ditch, which is more like a creek, can no longer hold the water and it floods before the river floods, 6-7 times per year. Also, in that area they cannot spray for mosquitoes from the air because of the power lines. He would like to see something done with that ditch. Mayor Trude stated it is a good time for staff to follow up on this concern relative to the ditch.

Mr. Bury went on to describe the trees are nice, including full size oaks, but there is not a lot of undergrowth. He confirmed the residents are not against building. In response, Mayor Trude asked the resident to talk to Todd Haas, a member of the Lower Rum River Watershed Management Organization. Other measures can be considered, including the ditch may need cleaning, etc. Mr. Dickinson also noted Metro Mosquito Control can apply pellets in wetland areas, but not if there is farmland. He was also unsure if the ditch in question was a private ditch or a county ditch.

Louise Aanenson, 16293 Valley Drive NW, expressed concerns about the traffic. With 168<sup>th</sup> Avenue being the sole access to the development for a while, and with 2-3 cars per house, that equals 90 extra cars per day. Valley Drive is also a very dangerous road. People drive fast on it and there is no shoulder. She asked if the Council could consider lowering speed limits. Mr. Dickinson stated the City can ask the County to do a speed study. Extra enforcement can also be done. Ms. Aanenson confirmed she does not like the one acre lots proposed because of privacy concerns. Overall, she felt it was a nice plan.

John Edewaard, 3983 168<sup>th</sup> Avenue NW, noted on the road traveling east, on 168<sup>th</sup> Avenue, there is a family with 4 or 5 young children that play on the hill. He expressed the road is not suited for this many homes. The trees in the cul-de-sac are mature oak trees and the density of the trees is high and he does not see there is a required transition. He wondered if homes would be built at the entrance. With developers wanting to take 3-5 years to develop the property, he wondered if some lots would stay agricultural. He also had questions about MUSA and the need for a community sewer system. Mr. Edewaard went on to state he did not think there was much of a tree line and that representations on the drawing do not seem to be “right.”

Mr. Janish confirmed there is no timeline right now to extend the MUSA boundary. Mayor Trude spoke to septic vs. sewer in the area. She confirmed residents would not see urban services in this area (coming up 7<sup>th</sup> Avenue), period. Mr. Dickinson confirmed the existing pipe does not have the capacity and that Andover is at the end of the line.

Councilmember Knight commented a one acre may not handle a septic system over a long time.

Mr. Dickinson clarified there needs to be a primary and secondary drain field on each lot. The other option is to put in a mound system with sand.

A resident indicated the road was designed as an entrance way to the homes in the existing development. She confirmed there are a lot of small children in their neighborhood. She also has concerns regarding fire department access. In conclusion, she asked that the developer respect the beautiful land.

Mayor Trude stated she felt it is important to match the lot size in the neighboring developments. She also noted there is not a lot of high ground.

Mr. Lazan expressed his appreciation for the feedback. As for septic systems, only one quarter of the lot is used for primary and secondary septic systems. Their reason for pursuing the PUD is to provide flexibility to preserve treelines and to not clear cut trees, etc. Lot sizes can be addressed by the PUD to preserve the environmental component. It is not a variance.

Councilmember Holthus stated she would like to see the lot width wider at the end of the cul-de-sac.

### ***ADMINISTRATOR'S REPORT***

City Staff updated the Council on the administration and city department activities, legislative updates, updates on development/CIP projects, and meeting reminders/community events.

***(City Administrator)*** Mr. Dickinson reported the last snow fall went really well. One big truck broke down. As for the reconstruction projects, project plans are out for bids, and they are due on March 27<sup>th</sup>. The boardwalk on the Woodland Creek restoration project should be done later next week. Staff met with Conexus Energy regarding economic development. Mr. Dickinson has

also been to recent meetings, including meetings with the architect, regarding the Community Center. Looking at costs is next and then it will be necessary to get to a “place of reasonableness.” Mr. Dickinson was at the Capitol again for a Committee hearing, the day of the Council meeting, related to WDE monitoring and that clean-up project.

**(Community Development)** Mr. Janish noted the North Suburban Home Show was being held the coming weekend. There are 5 public hearings planned for the next Planning & Zoning Commission meeting. There are 2 commercial site plans being proposed and a multi-tenant commercial site plan.

Councilmember Bukkila noted the slush is creating some issues with the road as a result of the recent snow event. Mr. Dickinson noted the roads are in varied condition, dependent upon when the plows came through. Some areas received additional snow after the roads were cleared.

Councilmember Knight commented this storm was different due to the timing.

### ***MAYOR/COUNCIL INPUT***

**(State of the City Presentation)** Mayor Trude gave the State of the City address. She previously gave the address to 3 community groups. The State of the City address highlighted the following:

- There are lots available for construction
- 94 homes were built in 2017
- Retail remains strong
- Retail vacancy is low
- Redevelopment along Bunker Lake Boulevard
- Commercial property available
- Heart Safe City
- Preserving natural resources
- Mayor’s Water Challenge
- Exploring Community Center/YMCA expansion
- City Campus facility planning
- New park amenities
- New and proposed trails
- Active farms in the City
- Community events (Home Show, Fun Fest)

**(Maddie Rooney Day)** Mayor Trude stated Ms. Rooney is currently on a national publicity tour. She will be home the week of March 19<sup>th</sup> and then on the 24<sup>th</sup> there will be a short hometown parade held in her honor that will end in the arena. The plan is for a parade of children to see the gold medal. Maddie thanks everyone for their well wishes.

**ADJOURNMENT**

**Motion** by Bukkila, Seconded by Knight, to adjourn. Motion carried unanimously. The meeting adjourned at 9:17 p.m.

Respectfully submitted,

Marlene White, Recording Secretary

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