

PLANNING AND ZONING COMMISSION MEETING – MARCH 12, 2019

The Regular Bi-Monthly Meeting of the Andover Planning and Zoning Commission was called to order by Chairperson Bert Koehler IV on March 12, 2019, 7:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Commissioners present: Scott Hudson, Nick Loehlein, Jeff Sims, and Mary VanderLaan.

Commissioners absent: Dean Daninger and Kyle Nemeth

Also present: Community Development Director Joe Janish
City Planner Stephanie Hanson
Others

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

January 22, 2019 Workshop

Chairperson Koehler requested the following corrections:

Page one, Line 38: “Motion by Commissioner ~~Loehlein~~ Hudson...”

Page two, Line 37: “...~~opposed~~ proposed...”

Commissioner VanderLaan requested the following correction:

Page four, Line two: “~~She did not believe that would be necessary.~~”

Motion by VanderLaan seconded by Loehlein, to approve the minutes as amended. Motion carried on a 5-ayes, 0-nays, 2-absent (Daninger and Nemeth) vote.

January 8, 2019 Workshop

Motion by Loehlein, seconded by VanderLaan to approve the minutes as presented. Motion carried on a 5-ayes, 0-nays, 2-absent (Daninger and Nemeth) vote.

February 12, 2019 Regular Meeting

Chairperson Koehler requested the following corrections:

Page four, Line eight: “...~~2010~~ 2014 discussion...”

Page five, Line 44: “He stated that the IUP code states...”

Page seven, Line 23: “He noted that non-substantial ~~grammatical~~ changes...”

Motion by VanderLaan, seconded by Loehlein, to approve the minutes as amended. Motion carried on a 5-ayes, 0-nays, 2-absent (Daninger and Nemeth) vote.

PUBLIC HEARING: Preliminary Plat and Variance – Estates at Cedar Ridge – 16474 Hanson Boulevard NW – Jeff and Josh Bergeron

City Planner Hanson noted the purpose of this item is to hold a public hearing and take input on the preliminary plat and variance request for the plat known as Estates at Cedar Ridge. The plat contains six rural lots located at 16474 Hanson Boulevard NW.

City Planner Hanson reviewed the proposed preliminary plat and variance with the Commission. Each of the lots meet the requirements for a rural lot, except for Lot 5, Block 1. The lot meets all rural lot requirements except for the lot width at the front yard setback. City Code states rural lots must be 300 feet in width, measured at the front yard setback. The proposed width is 94 feet. However, once the property to the south develops and the temporary cul-de-sac is extended, Lot 5, Block 1 width at the front yard setback will increase from 94 feet to 470 feet.

City Planner Hanson stated that the plat includes Outlot A. Undeveloped outlots are not allowed; however, in this instance, Outlot A will be combined with the property located at 16422 Hanson Boulevard NW (the location of Dover Kennels) when the final plat is approved. There needs to be a condition in the resolution that requires combination of Outlot A and 16422 Hanson Boulevard NW at the time the final plat is filed with Anoka County.

City Planner Hanson reviewed the access to the development and road improvements. She noted that each lot would be served by septic and well. She stated that the wetlands have been delineated and the report was approved by the Lower Rum River WMO in November of 2018. She stated that the Park Commission reviewed the plat in March of 2018 and the Commission requested cash in lieu of land for the development.

City Planner Hanson reviewed the variance criteria and how the request would meet those criteria. She stated that the Commission is asked to review the request and hold the public hearing. She stated that if the Commission recommends approval, staff would suggest an additional condition six, which would require the combination of Outlot A and 16422 Hanson Boulevard NW at the time of final plat.

Commissioner Hudson noted that the Park and Recreation Commission approved this plan one year ago, and the LRRWMO approved the delineation five months ago. He asked if there is an expiration for those approvals.

City Planner Hanson replied that the recommendation from the Park and Recreation Commission would not change. She explained that once a delineation is approved, that is good for five years.

Commissioner Sims asked for the change in the front yard setback that will increase from 94 feet to 470 feet and asked for additional details.

City Planner Hanson stated that when the adjacent property develops and the roadway is extended, that will extend the street frontage.

Commissioner VanderLaan asked if the residents in that area will have problems with buses and mail prior to the road extension.

City Planner Hanson replied that there would be a temporary cul-de-sac which would allow room to maneuver for large vehicles.

Commissioner Loehlein asked if there would be restrictions on a driveway for lot five.

City Planner Hanson stated that the width at the right-of-way will be met and therefore the lot is accessible so a home and driveway could be built.

Commissioner Sims asked how far the road is from Country Oaks North.

City Planner Hanson was unsure but noted that the County has reviewed the plans and the roads are not across from each other.

Chairperson Koehler asked if emergency services have reviewed the request.

City Planner Hanson replied that the fire department reviewed the request and has no issues.

Motion by Loehlein, seconded by Hudson, to open the public hearing at 7:22 p.m. Motion carried on a 5-ayes, 0-nays, 2-absent (Daninger and Nemeth) vote.

Joshua Bergeron, 16474 Hanson Boulevard, stated that the design on the plat connected to the neighboring property is a ghost plat and therefore is theoretical. He stated that the road will not extend at the completion of this property and identified where the temporary cul-de-sac will be located. He explained how the 94 is calculated and noted that when the road continues through, the frontage will increase.

Commissioner VanderLaan stated that she was pleased to see that the City Council reviewed a request previously and were opposed to a two-acre lot and therefore the plans had been amended to include larger lots.

Motion by VanderLaan, seconded by Loehlein, to close the public hearing at 7:25 p.m. Motion carried on a 5-ayes, 0-nays, 2-absent (Daninger and Nemeth) vote.

Motion by Loehlein, seconded by VanderLaan, to recommend to the City Council approval of the resolution approving the request with the addition of a sixth condition that would combine Outlot A with 16422 Hanson Boulevard. Motion carried on a 5-ayes, 0-nays, 2-absent (Daninger and Nemeth) vote.

City Planner Hanson stated that this item would be before the Council at the April 2, 2019 City Council meeting.

PUBLIC HEARING: Preliminary Plat – Catcher’s Creek East – Butternut Street/Andover Boulevard NW – Mark Smith

Community Development Director Janish noted the purpose of this item is to hold a public hearing and take input on a revised preliminary plat for Catcher’s Creek East. The proposed plat contains 43 urban residential lots as proposed by Mark of Excellence.

Community Development Director Janish reviewed the proposed revised preliminary plat with the Commission. This is a revision to the original Catcher’s Creek East Preliminary Plat which was reviewed by the Planning and Zoning Commission in 2018. These revisions include the elimination of Butternut Street NW and provide for an extension of University Avenue, as well as other modifications.

Community Development Director Janish stated that there is a section in City Code which discusses the maximum block length. He noted that the request tonight does not exceed maximum block length and the fire department is comfortable with the layout as proposed. He noted that emergency access would be provided from Andover Boulevard. He stated that the Park and Recreation Commission reviewed this request in 2017 and recommended cash in lieu of land.

Community Development Director Janish identified the adjacent property, noting that the applicant has worked with that property owner to show a ghost plat with utility extension. He reviewed the comments from engineering. He reviewed the screening that would be provided for buffering with the use of trees.

Commissioner Hudson stated that the street will be jointly owned by Andover and Ham Lake and asked how that would work in terms of maintenance.

Community Development Director Janish provided examples of joint projects the cities have done together for jointly owned roadways. He stated that the communities have an agreement that identifies how the joint projects are done.

Commissioner Hudson stated that there has been discussion regarding Shadow Brook North. He asked if that is a real development or concept.

Community Development Director Janish stated that Shadow Brook North has submitted an application that is under staff review.

Commissioner Hudson referenced the Ham Lake property to the east and asked if connections to City utilities would be connected.

Community Development Director Janish confirmed that property would be rural, served by septic and well.

Commissioner VanderLaan asked if additional information has been provided on Indian burial grounds and whether protection is needed.

Community Development Director Janish stated that the applicant has reached out to the applicable parties but there was no response.

Commissioner Loehlein referenced the comments from engineering related to the Ham Lake portion of the road and right-of-way. He asked if there is anything additional that should be added to the conditions or whether the City is comfortable as is.

Community Development Director Janish noted that the comments are included in the engineering comments, which are referenced in the proposed resolution.

Chairperson Koehler asked and received confirmation that the fire department is not concerned with the lack of extension of the trail.

Community Development Director Janish confirmed that staff has not requested the trail extension at this time.

Motion by Hudson, seconded by VanderLaan, to open the public hearing at 7:42 p.m. Motion carried on a 5-ayes, 0-nays, 2-absent (Daninger and Nemeth) vote.

Community Development Director Janish provided details on a telephone call he received from a resident regarding road access, road improvements, and landscaping.

Chairperson Koehler referenced an email received from a resident that could not attend tonight that was provided to the Commission.

Community Development Director Janish reviewed details from the email received including a visual buffer between rural and urban neighbors, a start and end date for the developer and limitation on hauling hours, and concerns with the speed limit on Andover Boulevard and the limited traffic control at University and Andover Boulevard.

Commissioner Loehlein commented that the changes enhance the development and commended the developer.

Motion by VanderLaan, seconded by Loehlein, to close the public hearing at 7:48 p.m. Motion carried on a 5-ayes, 0-nays, 2-absent (Daninger and Nemeth) vote.

Commissioner VanderLaan stated that she was pleased to see the eyebrow removed.

Commissioner Loehlein stated that staff is not requesting the trail easement and he was interested to hear the input of others.

Chairperson Koehler stated that if staff does not see a need, and the fire department does not see a need, it then becomes a nice to have and not a need to have item. He stated that he would not be looking to push the issue.

Commissioner Hudson stated that in reference to the trail easement, he would assume a trail would be addressed if the property to the west were to develop. He asked if the resolution from the previous year addressed hours of hauling.

Community Development Director Janish stated that was not included in the previous resolution. He stated that there are hours for mining operations and different hours of operation for home construction activity. He stated that historically the City does not place time restrictions outside of what is allowed by City Code.

Chairperson Koehler referenced the request that was made by residents for berming to provide a separation between urban and rural development. He stated that berming could be problematic for a homeowner that wants to construct a fence on their property. He stated that he would not request the berm but would support common sense screening.

Commissioner Hudson asked if the existing developments have a berm.

City Planner Hanson replied that there is no berm and screening is provided with trees.

Commissioner Hudson stated that he would be unsure how the development would transition with a berm and therefore would not support that element.

Chairperson Koehler asked if there is a condition of approval regarding consulting the Minnesota Indian Affairs Council and then read aloud the proposed condition.

Community Development Director Janish noted that the applicant and staff worked with the Minnesota Indian Affairs Council during the mining operations, so that organization has provided input.

Motion by Loehlein, seconded by Hudson, to recommend to the City Council approval of preliminary plat as presented. Motion carried on a 5-ayes, 0-nays, 2-absent (Daninger and Nemeth) vote.

Community Development Director Janish stated that this item would be before the Council at the April 2, 2019 City Council meeting.

OTHER BUSINESS

City Planner Hanson updated the Planning Commission on related items.

Chairperson Koehler stated that he would like to schedule a work session with the Andover Fire Chief, City Engineer Berkowitz and any other staff that should be in attendance to provide input on the information emergency services reviews for plats.

ADJOURNMENT

Motion by Loehlein, seconded by Sims, to adjourn the meeting at 8:03 p.m. Motion carried on a 5-ayes, 0-nays, 2-absent (Daninger and Nemeth) vote.

Respectfully Submitted,

Amanda Staple, Recording Secretary

TimeSaver Off Site Secretarial, Inc.