

PLANNING AND ZONING COMMISSION MEETING – MARCH 27, 2018

The Regular Bi-Monthly Meeting of the Andover Planning and Zoning Commission was called to order by Chairperson Nemeth on March 27, 2018, 7:06 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Commissioners present: Dean Daninger, Scott Hudson, Bert Koehler IV, Nick Loehlein, and Jeff Sims

Commissioners absent: Timothy Cleven

Also present: City Planner Stephanie Hanson
Others

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

March 13, 2018 Regular Meeting

Chairperson Nemeth stated that he had a few changes to the minutes and inquired if staff or the commissioners had any changes or corrections to the minutes.

City Planner Hanson indicated that staff had no changes or corrections to the minutes.

Chairperson Nemeth requested the following corrections be made to the minutes:

- page 2, line 7 - add “(Nemeth)” behind “present”

Chairperson Nemeth inquired if a correction was needed on page 2, line 24 to indicate: “Daninger noted” rather than “Daninger suggested”. Commissioner Daninger replied that “suggested” was fine and did not need to be changed.

Chairperson Nemeth requested the following corrections be made to the minutes:

- page 3, line 44 - change “Chairman” to “Chairperson”
- page 4, lines 1 and 2 – should read “***Motion*** by Daninger, seconded by Hudson to deny the variance. Motion carried on a 3-ayes, 2-nays (Nemeth and Loehlein), 2-absent (Cleven and Sims) vote.”

- 2 corrections, page 6, line 28 – change “Chairman” to “Chairperson” and change “ID” to “ID’s”
- page 6, line 31 – change “work, yet to be done” to “work, which is yet to be done”
- page 6, line 32 – change “.86” to “0.86”

Commissioner Koehler requested the following corrections be made to the minutes:

- page 6, line 9 - change “Commissioner Nemeth” to “Chairperson Nemeth”

Chairperson Nemeth requested the following corrections be made to the minutes:

- page 10, lines 15 and 16 - change “improve” to “approve”

Motion by Koehler, seconded by Hudson to approve the minutes as amended. Motion carried on a 6-ayes, 0-nays, 0-present, and 1-absent (Cleven) vote.

PUBLIC HEARING: Preliminary Plat – White Pine Wilderness Fourth Addition – Outlot A, White Pine Wilderness Third Addition – Tolberg Homes.

City Planner Hanson noted the purpose of this item is to hold a public hearing and take input on the preliminary plat for White Pine Wilderness Fourth Addition, a plat containing 14 urban lots proposed by Tolberg Homes.

City Planner Hanson reviewed the proposed preliminary plat with the Commission, noting the Review Committee had reviewed this request, the developer made revisions according to staffs’ comments, and indicated that the developer will continue to work with staff to satisfy all comments. City Planner Hanson stated the subject property is located within the 2020 Metropolitan Urban Service Area (MUSA) and is zoned Single Family Urban Residential (R-4). It can be developed into urban lots at a net density of 1.75-3.5 single-family homes per acre. The proposed net density for the Fourth Addition is 2.20 units per acre.

City Planner Hanson noted the development will be accessed by extending Zilla Street NW to the north. Municipal utilities are available to the development with trunk sewer and water lines located within White Pines Wilderness Third Addition, which will be extended to the north for the Fourth Addition. City Planner Hanson described the minimum lot size requirements and stated the proposed lots meet these requirements for the R-4 zoning district.

City Planner Hanson stated there has been a significant amount of wetlands and floodplain as part of the development that have been delineated and approved. On January 18, 2018 the Park and Recreation Commission reviewed the plat and recommended cash in lieu of land for the 14 buildable lots. She noted an application was recently submitted to the Lower Rum River Water Management Organization (LRRWMO).

City Planner Hanson explained the developer is responsible to obtain necessary permits from agencies that may have interest in the site. Initial contact will be made with the City Engineering Department regarding this item. She stated the Planning and Zoning Commission is asked to hold a public hearing for this preliminary plat and make a recommendation to the City Council.

Chairperson Nemeth inquired if there were questions from any Commissioners. Commissioner Loehlein asked if the cul-de-sac was meeting the City's code requirement for maximum length. City Planner Hanson replied yes, and stated that even though the proposed cul-de-sac does not appear to meet the length requirement, it in fact does. She then explained that the City Code requires the measurement to be taken from the intersection. Therefore, it does meet the 500-foot requirement.

Commissioner Koehler asked whether or not any feedback had been received on the memorandum sent on February 5th, from Director of Public Works/City Engineer Berkowitz. City Planner Hanson replied yes, and stated that the developer has been working with staff on that. She stated that they have specifically been working on the grading of the site. She then stated that revised plans were submitted to staff last week.

Commissioner Koehler questioned if they had heard back on item number 3 from the memorandum, regarding the volume of material being excavated from the two (2) basins. City Planner Hanson replied that the developer could better speak to that question.

Chairperson Nemeth asked about item number 1 from the memorandum and inquired where the two (2) proposed basins would be located. City Planner Hanson replied that the developer could also speak better to that question.

Chairperson Nemeth asked about item number 2 from the memorandum and inquired about how the 4:1 ratio for the slopes was determined. City Planner Hanson stated that the ratio was required by City code.

Chairperson Nemeth asked why Lot 12, on the preliminary plat was labeled as an "Incidental Wetland" and asked if Lot 12 was a buildable lot. City Planner Hanson replied that the lot is a buildable lot and stated that the developer could speak further on that question as well.

Motion by Daninger, seconded by Sims, to open the public hearing at 7:17 p.m. Motion carried on a 6-eyes, 0-nays, 1-absent (Cleven) vote.

Chairperson Nemeth asked the developer to come up for questions and asked whether there would be a presentation.

Nathan Jones, representing Tollberg Homes, 1428 5th Avenue in Anoka stated that he did not have a formal presentation for this meeting because the project has already been discussed through a concept plan. He stated that there have been no significant changes to

the plan since then. Mr. Jones stated that the original plan intended to create a water feature in the adjacent open space area. He explained that they took this idea to the Open Space Committee for approval, and the committee did not support the construction of any features in the adjacent open space area.

Mr. Jones stated that the proposed basins, questioned by Commissioner Koehler, are no longer part of the plan and will not be constructed. Mr. Jones stated that the changes were noted in the revised plans that were submitted to staff last week. He then went on to address the “Incidental Wetland” question. He explained that area was excavated back in 2006, and he stated that he believed some of the materials that were excavated were used in the 2nd phase by a different developer. He stated that prior to the excavation of that area there were no wet land characteristics present. He commented that the housing recession impacted the time frame between development phases, and he explained that they have been working with their consultants and the Army Corps of Engineers to resolve the issue. He stated that they have now received a confirmation from the Army Corps of Engineers that the area is classified as “Incidental”; therefore, the area no longer falls under the jurisdiction of the Army Corps of Engineers. Mr. Jones then stated that they would be hauling in approximately 20,000 yards of fill for the project.

Chairperson Nemeth thanked Mr. Jones for addressing those questions and asked if any Commissioners had further questions of Mr. Jones.

Commissioner Koehler asked if there were any plans for distinguishing the border between the north side of the proposed lots and the open space area. Mr. Jones replied no and commented that there would be somewhat of a natural boundary created between the newly sodded yards and the non-sodded open space area. Commissioner Koehler replied that he thought that was good, because it could be left up to the future homeowners.

Chairperson Nemeth inquired if the surrounding additions had any such boundaries between the open space area. Mr. Jones replied no, there was nothing that he was aware of.

Chairperson Nemeth asked for further clarification on the “Incidental Wetland” and asked if that meant that the wetland was created. He then asked if it would no longer be considered a wetland after it was filled back in. Mr. Jones stated that was correct.

Joe Mulvihill, 1372 162nd Avenue NW, stated that at a previous meeting he attended for the 3rd Addition, there was a discussion about a future trail access to be added to access the open space area. He questioned if this was being planned now. He also asked why some lots had widths listed on the preliminary plat and others did not. He specifically referenced Lots 1, 2, and 3 and questioned if the measurements listed were building pad widths.

Commissioner Koehler asked staff to confirm that the measurements, referred to by Mr. Mulvihill, were lot width measurements, not building pad width measurements. City

Planner Hanson confirmed that was correct, the measurements were lot width measurements.

Commissioner Koehler stated that building pad widths are usually not seen at this stage in the development phase. City Planner Hanson agreed.

Chairperson Nemeth asked Mr. Mulvihill if that answered his question. Mr. Mulvihill replied yes and questioned at what point could or would the building pad width measurements be provided. City Planner Hanson replied that staff does not require that information.

Commissioner Koehler commented that the setback requirements inevitably determine this information and stated that Mr. Mulvihill could request the specific setback requirements for this development from staff. City Planner Hanson agreed.

Chairperson Nemeth asked Mr. Jones to address Mr. Mulvihill's inquiry regarding the trail. Mr. Jones stated that there is a trail currently being planned between Lots 7 and 8. He also stated that he agreed that building pad widths and placements are determined by setback requirements.

Motion by Koehler seconded by Hudson, to close the public hearing at 7:31 p.m. Motion carried on a 6-ayes, 0-nays, 1-absent (Cleven) vote.

Chairperson Nemeth asked if there were other questions or comments from any Commissioners.

Commissioner Daninger commented on the significant amount of hauling and questioned if there was a permitting process for hauling to ensure that the roads were kept clean. City Planner Hanson stated that there is a staff member that patrols the active and ongoing plat development for this purpose, and she stated that staff also relies on calls from residents.

Commissioner Daninger stated that resident complaints have a large impact and staff appreciates it when it does not have to get to that point.

Chairperson Nemeth asked if a haul route would need to be provided. City Planner Hanson replied yes, and commented that there was only one access point to this development.

Commissioner Koehler commended Tollberg Homes for bringing forward a proposal that was in compliance with the City's code requirements.

Motion by Koehler, seconded by Loehlein, to recommend to the City Council to approve the resolution for the preliminary plat for White Pine Wilderness Fourth Addition, a plat containing 14 urban lots legally described as White Pine Wilderness Third Addition,

Outlot A, proposed by Tollberg Homes, subject to five conditions as detailed in the staff report. Motion carried on a 6-ayes, 0-nays, 1-absent (Cleven) vote.

City Planner Hanson stated that this item would be before the Council at the April 3, 2018 City Council meeting.

OTHER BUSINESS

City Planner Hanson updated the Planning Commission on related items.

City Planner Hanson mentioned that there have been 9 single-family home permits issued this year, the Muddy Paws building permits have been pulled, the CUP amendment for Clock Tower Commons was approved, the site plan for Growing Generations has been submitted for staff to review, the variance request from the last meeting was approved, the preliminary plat request from the last meeting was also approved, and the zoning code changes regarding religious institutions were also approved.

Commissioner Koehler thanked everyone who was involved in putting together the parade, held the past Saturday, for the goalie for the U.S. women's hockey team.

ADJOURNMENT

Motion by Koehler, seconded by Daninger, to adjourn the meeting at 7:39 p.m. Motion carried on a 6-ayes, 0-nays, 1-absent (Cleven) vote.

Respectfully Submitted,

Natasha Lukacs, Recording Secretary
TimeSaver Off Site Secretarial, Inc.