

**REGULAR ANDOVER CITY COUNCIL MEETING – APRIL 3, 2018  
MINUTES**

The Regular Bi-Monthly Meeting of the Andover City Council was called to order by Mayor Julie Trude, April 3, 2018, 7:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Councilmembers present: Mike Knight, Sheri Bukkila, Valerie Holthus

Councilmember absent: James Goodrich

Also present: City Administrator, Jim Dickinson  
Community Development Director, Joe Janish  
Director of Public Works/City Engineer, David Berkowitz  
City Attorney, Scott Baumgartner  
Others

***PLEDGE OF ALLEGIANCE***

***RESIDENT FORUM***

No one wished to address the Council.

***AGENDA APPROVAL***

Supplemental information was received for agenda Item #12, updating the resolution previously submitted.

***Motion*** by Holthus, Seconded by Knight, to approve the Agenda as amended. Motion carried 4 ayes, 1 absent (Goodrich).

Councilmember Bukkila arrived at 7:03 p.m.

***APPROVAL OF MINUTES***

This item was considered following: APPROVE FINAL PLAT – WHITE PINE WILDERNESS FOURTH ADDITION.

***CONSENT ITEMS***

- Item 2 Approve Payment of Claims
- Item 3 Approve Request to Waive Tournament Fee for The Heroes Tourney-Tribute to MN Troops
- Item 4 Award Bid/18-02, 2018 Street Reconstruction; 18-11, 143<sup>rd</sup> Ave. NW; 18-08, 2018 Curb, Sidewalk and Ped Ramp Repairs (See Resolution R020-18)
- Item 5 Award Bid/18-03, 2018 Crack Sealing/18-04, 2018 Seal Coating/18-07, 2018 Trail Maintenance/18-10, 2018 Parking Lot Maintenance (See Resolution R021-18)
- Item 6 Approve Change Order #2/12-23/Woodland Creek Wetland Bank (See Resolution R022-18)
- Item 7 Accept Donation AED Community Center (See Resolution R023-18)
- Item 8 Approve 2019 Budget Development Guidelines
- Item 9 Approve City Code Amendments (See Ordinance 481)

**Motion** by Holthus, Seconded by Bukkila, approval of the Consent Agenda as read. Motion carried 4 ayes, 1 absent (Goodrich).

***DISCUSS SKETCH PLAN – PLANNED UNIT DEVELOPMENT – ESTATES AT CEDAR RIDGE – 16474 HANSON BLVD. NW***

Mr. Janish explained the City Council would be reviewing a sketch plan for a single-family planned unit rural residential development. The developer submitted a narrative of the proposed Planned Unit Development (PUD). The PUD sketch plan process is to provide feedback to the developer through the Andover Review Committee (ARC), Planning and Zoning Commission, Park and Recreation Commission and City Council. A PUD is to encourage more efficient allocation of density and intensity of land use and 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. Comments by ARC were provided to the Council for their review.

The property is not located within the MUSA Boundary and the Comprehensive Land Use is Rural Residential. Access would be from Hanson Boulevard NW. The Anoka County Highway Department is in the process of reviewing the sketch plan. Lots will be served by individual septic systems and wells.

The applicant is requesting a PUD for the purpose of flexibility in Code requirements including size and dimension; primarily to have flexibility to minimize tree removal and wetland impacts.

Gross density requirements in the rural residential area is 2.5 acres/0.4 unit per acre. The proposed sketch plan meets the gross density requirements set forth in the City Code.

The LRRWMO will need to review the preliminary plat and the developer will need to address any issues that are raised during that review prior to a public hearing being scheduled for the preliminary plat.

A public hearing was held on March 13, 2018. There was no public comment with concerns about the density of the development, the only public comment related to hunting and farm animals that may be complained about by new residents. The Planning and Zoning Commission liked the layout, but would like to see more in terms of architectural standards for the homes.

Josh Bergeron, applicant, stated he did not know what the City Code is, as to how far from a boarding business a residential lot could be platted. The current residence is adjacent to Dover Kennels. Dover Kennels plan to acquire another 1.5 acres, for a total of over 7 acres. Mr. Bergeron has been in contact with the kennel owners and they are in agreement with this plan. Lot number 4 would need to be taken back from the contract-to-deed, and in exchange they would get another piece of property. As a result, the kennel owner will actually give some land back in exchange for the 1.5 acres. They have coordinated a purchase agreement to the south to maintain a buffer between the kennel business and the development. The tree line will be maintained to assist with that buffer. All of the homes on the property are being put in open areas to preserve trees. The applicant quantified just under an acre of tree removal. Effort was made to make 2.5-acre lot sizes work, but the road costs became cost prohibitive because lots would need to creep into the swampy acreage. The result was creation of 2-acre lots where almost all of the lot is usable, as opposed to other options. The applicant plans to build a home on lot 7. He confirmed the land was originally going to be property for the applicant's parents and it was not his intention to be a developer. Mr. Bergeron outlined the "snowball effect" of trying to build on the property. The applicant has met with City staff for informational review and he has heard they would like turn lanes on Hanson Boulevard and two entrances/exits due to public safety concerns.

Mayor Trude acknowledged this was a lot to figure out to build on your parent's property.

Councilmember Holthus expressed she does not like to go against the City Code in general. She would like to follow the 2.5-acre size limit. Mr. Bergeron stated that would mean losing 4 or 5 lots which makes the road/development cost prohibitive.

Councilmember Bukkila stated she agrees with Councilmember Holthus, and she was trying to see the developer's perspective, and the hardship, and at the same time, she was concerned about competing lifestyles [kennel] of larger acreage compared to smaller acreage. She would like to see this development as a transition from larger acreage to smaller acreage. She stated the Council cannot approve anything without a visual perspective of what the homes might look like. She feels this development lacks consistency and cohesiveness.

Councilmember Holthus suggested eliminating one lot on the south and one on the north, losing 2 lots and maintaining 2.5 acres according to City Code. She is also concerned about the property backing up to the kennel.

Mr. Bergeron asked about granting a variance on the cul-de-sac length and the curb and gutter requirement. Mayor Trude responded that a rural PUD does allow a variance for these types of issues and that rural developments have gone back to ditch systems and rain gardens overall.

The applicant asked what would happen if he scrapped this plan and kept to rural development. Mr. Berkowitz stated that curb would be required, but a ribbon curb could be permitted in conjunction with plantings in ditches. He reiterated the difference is when you use a ditch system, it is low impact, which can be part of the PUD process.

Councilmember Knight asked about shrinking the size of the lots. Mr. Bergeron responded the 13 lots vary from 1.8 – 2.4 acres. Mr. Knight stated a preference for lots that are 2.5 acres. Mayor Trude stated a PUD should have special qualities. She said it is hard to imagine a new home backing up to the Dover Kennels area. She suggested the applicant come to a future Council workshop.

Mr. Bergeron confirmed he understood the City's concern. He commented he would be very happy to be able to put in a very long driveway. Mayor Trude responded that it seems like a hardship that is very natural to resolve within a family, in reference to sharing a driveway.

Councilmember Bukkila stated she would rather make concessions on the cul-de-sac length. She stated she does not like taking things away from people and noted it only takes one seller to make a difference in the harmony of a neighborhood. She indicated if the developer could make enhancements in architectural aspects, landscaping or overall finished quality of the area, it would make her lean towards a PUD.

Mr. Bergeron stated he did not realize that illustrating the type of home is a requirement of a sketch plan.

Councilmember Bukkila mentioned rain gardens and boulders as enhancements and stated she was not against what he was trying to do. She encouraged working with staff as she did not want to brainstorm his business concept in a future Council workshop. She thought staff could best help. Mr. Bergeron said the sketch plan was developed on advice of the staff.

Mayor Trude described the applicant as a reluctant developer.

Mr. Dickinson stated the Council could not offer an approval on a variance process with just a sketch plan before them.

The applicant asked what the Council wanted to see.

Councilmember Holthus showed her illustration to make the lots 2.5 acres.

Councilmember Bukkila asked if the cul-de-sac could be longer. The applicant said it could not. She also asked about moving the cul-de-sac to the south.

Councilmember Bukkila stated she wanted to see larger lot sizes, however that could be done. The lots butting up to the back of the kennel would need to become 2 lots and then there would be extra property left over.

Councilmember Bukkila indicated she would concede some of the requirements, if the development had larger lots.

Mayor Trude had concerns about the lot adjacent to the farm.

Councilmember Bukkila stated she likes the long treeline.

The applicant asked for feedback on larger lots and a long cul-de-sac with ribbon curb and ditches.

Councilmember Bukkila responded the problem is whether or not it is going to be a temporary cul-de-sac. She speculated that affordability would be an ongoing issue with future development.

The applicant indicated where the road was built originally, cutting through the center of the property, and his thought about running the road back with the cul-de-sac. It was noted a lot of the area is not buildable.

Alternative layouts were discussed that would have larger acreage, meeting the 2.5 requirement.

Mr. Dickinson reminded the Council they are too much into the design, and they should provide comments regarding what has been proposed. Mr. Dickinson summarized the comments by stating that preference was expressed for 2.5 acre lots, consideration to the existing use, mitigating impacts on existing use, low impact development and high architectural standards, including landscape.

Additional discussion ensued regarding possible placement of the road.

Mayor Trude summarized if the developer did larger lots it is not as much of an issue for Councilmembers as it relates to architectural standards.

Mr. Berkowitz stated in this case, if adjacent land can be served by this development, a developer needs to provide access to a possible development (if it is landlocked).

Councilmember Knight asked about the kennel business and the impact on the prospective neighborhood. Mr. Dickinson stated there have been no complaints at this point.

The applicant stated his ideal situation is to put one house out there and not develop the land further and the kennel owners would prefer that too.

Councilmember Bukkila confirmed the Council can revisit this again.

Mr. Dickinson asked if a 2.5 acre plan would be acceptable, if it did not involve a PUD. Mayor

Trude had concerns about buffering uses. Councilmember Holthus was supportive of a horseshoe street behind the kennels but meeting 2.5 acre minimums.

The applicant said he would go “back to the drawing board,” as there are a large amount of costs associated with a possible development.

Mr. Berkowitz asked about showing a ghost plat to the south. Councilmember Bukkila confirmed she would like to see it. Councilmember Holthus and Mayor Trude did not feel strongly that it has to tie in with the south.

***DISCUSS PRELIMINARY PLAT – WINSLOW COVE – LENNAR HOMES***

Mr. Janish explained the proposed plat contains 80 urban residential lots.

The property is located in the MUSA. The property is currently zoned R-4, Single-Family Urban and the maximum density allowed is 1.75 – 3.6 units per acre. The net density for the proposed development is 2.2 units per acre; therefore, it is compliant with the Comprehensive Plan.

The first phase will consist of approximately 30 lots on the western side of the plat, being accessed from 152<sup>nd</sup> Avenue NW. Public street access to Winslow Cove will be from the north on Xeon Street NW and from the west on 150<sup>th</sup> Lane NW and 152<sup>nd</sup> Avenue NW.

At this time, staff recommends the connection between Xeon Street NW and 157<sup>th</sup> Lane NW. The trunk sewer and water lines are located in this area and will be extended to serve the plat. The Coon Creek Watershed District (CCWD) completed the review of the preliminary plat and existing wetlands have been delineated and approved by CCWD.

As part of the plat, staff expressed concerns about the oversized ponding area and the impact it has on the ability of the land to be developed. The current land owner acknowledges that access to the eastern portion of their land will no longer be possible at the railroad crossing. In conjunction, Lennar Homes acknowledges that in exchange for the use of the valuable land for ponding purposes, they agree to extend municipal water and sewer, at their expense, to the eastern side of the railway. Staff recommends the approval of future phases of Winslow Cove be contingent on municipal water and sewer being extended to the eastern side of the railway.

The Park and Recreation Commission reviewed the preliminary plat at the October 5, 2017 meeting. The Park and Recreation Commission recommends taking a portion of land to extend Sophie’s Park to the south and the remainder of park dedication in cash.

The City of Andover will extend a trail for Sophie’s Park to the Winslow Cove development. Also, the City proposes to acquire Lot 5, Block 5 for a trail underpass to create a trail link to the eastern side of Andover.

Councilmember Holthus asked what would happen to Xeon Street and the street connection. Mr.

Janish responded they will be focused more on the western side in the first phase and the connection would not be made. Long term, the road will go all the way to Andover Boulevard, and in the interim to 150<sup>th</sup> Lane. Mr. Janish confirmed there are no driveways proposed on Xeon Street, except in the Sophie's South development. In Sophie's South, the traffic primarily goes to the south.

Mayor Trude stated she liked the connection, the plan for the lay out of the park, and the tradeoffs with the big ponds. She noted there were people from the neighborhood in the audience.

Mike Gehrls, 1116 150<sup>th</sup> Lane NW, expressed concerns about increased traffic flow and the desire to maintain their quiet neighborhood, realizing that the phases will take some time. The neighbors have concerns for young children in the area and their safety. Their request is to delay the extension of Xeon Street and connection to 150<sup>th</sup> Lane as long as possible.

No one else wanted to address the Council.

**Motion** by Bukkila, Seconded by Knight, to approve Resolution No. R024-18, approving the preliminary plat of "Winslow Cove". Motion carried 4 ayes, 1 absent (Goodrich).

#### ***DISCUSS PRELIMINARY PLAT – WHITE PINE WILDERNESS FOURTH ADDITION***

Mr. Janish stated the White Pine Wilderness Fourth Addition preliminary plat contains 14 urban lots proposed by Tollberg Homes. ARC has reviewed the preliminary plat and staff comments have been submitted to the developer. The developer has made revisions according to staff comments and will continue to work with City staff to satisfy all comments. Previously, the developer proposed to excavate into the open space to the east. The excavation would generate fill material needed for the development and it would also enhance the existing wetlands within the open space. This was discussed at a recent Open Space Commission meeting in which all members were opposed to the proposal; therefore, the developer is no longer pursuing it. The LRRWMO has received the plat, they will be required to approve the permit.

The development will be accessed by extending Zilla Street NW to the north. Trunk sewer and water lines are located within White Pine Wilderness Third Addition and will be extended to the north for the Fourth Addition. The proposed lots meet the minimum lot size requirements for the R-4 zoning district.

The property is located within the MUSA. It is zoned Single-Family Urban Residential (R-4). The proposed next density for the Fourth Addition is 2.2 units per acre.

On January 18, 2018, the Park and Recreation Commission reviewed the plat. The Park and Recreation Commission is recommending cash in lieu of land be required for the 14 buildable lots.

A public hearing was held on March 27, 2018. The Planning and Zoning Commission had minimal discussion and recommended approval of the plat on a 6-0 vote (1 absent).

Mayor Trude inquired about the topography and the trail connection. She learned it will be graded out during construction so there will be access to the open space land. There are concerns regarding smaller lots and lawn encroachment on the open space. She asked about markers on the property, with some kind of demarcation. Mr. Berkowitz confirmed that would be done.

**Motion** by Knight, Seconded by Bukkila, to approve Resolution No. R025-18, approving the final plat of “White Pine Wilderness Fourth Addition” with the new resolution provided in the supplemental information. Motion carried 4 ayes, 1 absent (Goodrich).

***PUBLIC HEARING – WHITE PINE WILDERNESS THIRD ADDITION – OUTLOT A – VACATION OF DRAINAGE AND UTILITY EASEMENT***

Mr. Janish stated as part of the plat for White Pine Wilderness Second Addition, a drainage and utility easement was dedicated to provide easement so the water main could be extended to the northern boundary of the plat, connecting with the drainage and utility easement through the Northwoods Preserve. This provided a water loop system for developments to the north.

Trunk sewer and water lines to service the Fourth Addition will be located underneath the street, with the exception of the water main that will require an easement between Lots 7 and 8, Block 1. The required easement will be dedicated as part of the White Pine Wilderness Fourth Addition final plat.

**Motion** by Holthus, Seconded by Knight, to open the public hearing at 8:34 p.m. Motion carried 4 ayes, 1 absent (Goodrich).

There was no one present to address the Council.

**Motion** by Holthus, Seconded by Knight, to close the public hearing at 8:35 p.m. Motion carried 4 ayes, 1 absent (Goodrich).

**Motion** by Holthus, Seconded by Knight, to approve Resolution No. R026-18, granting the vacation of drainage and utility easement for White Pine Wilderness Second Addition, Outlot A. Motion carried 4 ayes, 1 absent (Goodrich).

***APPROVE FINAL PLAT – WHITE PINE WILDERNESS FOURTH ADDITION***

The Council reviewed the final plat for the White Pine Wilderness Fourth Addition.

**Motion** by Bukkila, Seconded by Knight, to approve Resolution No. R027-18, approving the final plat of White Pine Wilderness Fourth Addition, encompassing the changes described by staff allowing for the modification of the drainage and utility easement. Motion carried 4 ayes, 1

absent (Goodrich).

***APPROVAL OF MINUTES – continued***

*March 6, 2018, Regular Meeting:* Correct as amended.

***Motion*** by Holthus, Seconded by Bukkila, to remove the March 6, 2018 minutes from the table. Motion carried 4 ayes, 1 absent (Goodrich).

Councilmember Holthus requested a correction on page 6, line 12. It should read “he has lived in Andover for 4 years.”

***Motion*** by Bukkila, Seconded by Knight, to approve the minutes as indicated above. Motion carried 4 ayes, 1 absent (Goodrich).

*March 20, 2018, Regular Meeting:* Correct as amended.

Mayor Trude requested a correction on line 3 of page 9. The minutes should read, “Maddie Rooney’s family have been in contact.”

***Motion*** by Bukkila, Seconded by Knight, to approve the minutes as indicated above. Motion carried 4 ayes, 1 absent (Goodrich).

***RESCHEDULE NOVEMBER 6<sup>TH</sup> COUNCIL MEETING***

Mr. Dickinson requested the Council reschedule the November Council Meeting to discuss topics as detailed in the staff report.

The Council discussed the draft agenda and available dates.

***Motion*** by Bukkila, Seconded by Holthus, to reschedule the November Council Meeting on Wednesday, November 7, 2018, at 7:00 p.m. Motion carried 4 ayes, 1 absent (Goodrich).

***RESCHEDULE AUGUST 7<sup>TH</sup> COUNCIL MEETING***

Mr. Dickinson requested the Council reschedule the August Council Meeting to discuss topics as detailed in the staff report.

The Council discussed the draft agenda and available dates.

***Motion*** by Holthus, Seconded by Bukkila, to reschedule the August Council Meeting on Wednesday, August 8, 2018, at 7:00 p.m. Motion carried 4 ayes, 1 absent (Goodrich).

At this time, a July workshop will not be scheduled. If a workshop meeting is needed, it would be held in conjunction with a regular Council meeting.

**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.

**(Mr. Dickinson)** Mr. Dickinson stated he has been preparing for the QCTV and City audit, participated in QCTV News and Views tapings and in the Hanson Boulevard reconstruction project open house. There were a lot of compliments made about the County Highway staff as they stayed to answer questions until the very end and were very courteous throughout the meeting. He has also been working on the City Campus Master Plan and planning related to the potential expansion of the Community Center. There have been permits pulled for 11 new homes so far in 2018. There is legislative activity around a bill to continue clean-up of the WDE hazardous waste pit. Legislation is moving forward.

**(Mr. Janish)** Mr. Janish is continuing to work with developers and businesses interested in working in the City of Andover.

**MAYOR/COUNCIL INPUT**

**(Mayor Trude)** Mayor Trude recounted the event in honor of Maddie Rooney was covered by two television channels and had “standing room only.” The Mayor considered it to be a great privilege to host an Olympian, especially someone who is a role model for young athletes. There are also plans for her to be the Grand Marshal of the Fun Fest parade. The Andover Hockey Association was a co-sponsor. Cake and cupcakes were served for everyone. Law enforcement was there to handle the crowds. It was estimated that 1,600 people were in attendance. It was a fun event with “photo ops” for the kids. Mayor Trude stated that mywaterpledge.com is ramping up. Residents can install the “app” on their phones and type in Andover, Minnesota. The “app” will ask individuals to answer what charity they want to donate a car to if their city wins the contest. The organization, Youth First, is Mayor Trude’s recommendation for the car donation because of the work they do in 3 cities, including Andover. To win, the City needs a lot of people to sign up. The individual who is chosen from their City gets \$5,000 off of their utility bill. In 2016, Andover won 1<sup>st</sup> place and took 3<sup>rd</sup> place last year. Conserving water could save the City from having to put in another well, which would save a lot of money.

In other news, Farmstead is having a breakfast for a \$1 on April 11<sup>th</sup>. The Mayor noted that charitable gaming has provided funding for Stepping Stones. The Mayor concluded by stating the Mayors’ Prayer Breakfast was very well attended.

**ADJOURNMENT**

**Motion** by Bukkila, Seconded by Holthus, to adjourn. Motion carried 4 ayes, 1 absent (Goodrich). The meeting adjourned at 8:47 p.m.

Respectfully submitted,

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Marlene White, Recording Secretary

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