

PLANNING AND ZONING COMMISSION MEETING – MAY 12, 2020

The Regular Bi-Monthly Meeting of the Andover Planning and Zoning Commission was called to order by Chairperson Bert Koehler IV on May 12, 2020, 7:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Commissioners present: Bert Koehler, Karen Godfrey, Scott Hudson, Nick Loehlein (remote), Mary VanderLaan, Marni Elias, and Dawn Perra (remote)

Commissioners absent: None

Also present: Community Development Director Joe Janish
City Planner Peter Hellegers (remote)
Associate Planner Jake Griffiths
Others

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

February 11, 2020 Work Session Meeting

Motion by Godfrey, seconded by Hudson, to approve the February 11, 2020 Work Session and Regular Meeting as presented. Vote taken by roll call:

Godfrey: aye
Hudson: aye
Loehlein: aye
Perra: aye
VanderLaan: aye
Elias: aye
Koehler: aye
Motion carries.

February 11, 2020 Regular Meeting

Motion by VanderLaan, seconded by Godfrey, to approve the February 11, 2020 Regular Meeting as presented. Vote taken by roll call:

Godfrey: aye
Hudson: aye
Loehlein: aye
VanderLaan: aye
Elias: aye
Perra: aye
Koehler: aye
Motion carries.

PUBLIC HEARING: Amendment to City Code Title 12, Chapter 13, Section 22: Interim Performance Standards - City of Andover (Applicant)

Community Development Director Janish introduced the item and stated the City is proposing changing Interim Performance Standards from a conditional use to an interim use in order to reflect the temporary, or "interim", nature of the use. Mr. Janish explained that a Conditional Use runs with the property and an Interim Use lasts until a specific date or until a specific event occurs. Mr. Janish explained Interim Performance Standards are intended to be an alternative level of site improvement that is commensurate with the development potential of properties within the Hughs/Westview Industrial Park area. Interim Performance Standards are temporary until such time as municipal utilities are extended into the area.

Commissioner Hudson clarified that current CUPs would stay valid and anything new will be Interim Use. Mr. Janish stated that Commissioner Hudson was correct.

Chairperson Koehler stated that Interim Use permits are valid for up to five years. He asked if the City would require property owners to apply for the permit every five years until municipal utilities were extended. Mr. Janish replied the City would provide for an exemption from renewing it until the City extends municipal utilities. Chairperson Koehler stated he is concerned that there will be conflicting rules within the City Code.

Motion by VanderLaan, seconded by Hudson, to open the public hearing at 7:08 p.m.

Vote taken by roll call:

Godfrey: aye
Hudson: aye
Loehlein: aye
VanderLaan: aye
Elias: aye
Perra: aye
Koehler: aye
Motion carries.

No one appeared before the Commission and staff did not receive any public comments.

Motion by Hudson, seconded by Godfrey, to close the public hearing at 7:09 p.m. Vote taken by roll call:

Godfrey: aye

Hudson: aye

Loehlein: aye

VanderLaan: aye

Elias: aye

Perra: aye

Koehler: aye

Motion carries.

Commissioner VanderLaan pointed out the Planning Commission packet included a resolution for a denial and an ordinance for approval. She asked if the Commission was approving a resolution or an ordinance. Mr. Janish replied the approval will be a recommendation for an ordinance and a denial will be in the form of a resolution.

Motion by VanderLaan, seconded by Godfrey, to recommend to the City Council approval of the Draft Ordinance Amending City Code Title 12: Zoning Regulations, Chapter 13: Performance Standards, Section 22: Interim Performance Standards. Vote taken by roll call:

Godfrey: aye

Hudson: aye

Loehlein: aye

Perra: aye

VanderLaan: aye

Elias: aye

Koehler: aye

Motion carries.

PUBLIC HEARING: Amendment to City Code Title 12, Chapter 13, Section 8: Off - Street Parking Requirements - City of Andover (Applicant)

Community Development Director Janish stated staff have reviewed the Off-Street Parking Ordinance and would like to make the code clear regarding parking on single family property. He stated staff's interpretation is that vehicles parked on the side of the home are in violation of the parking ordinance unless they are on impervious surfaces. Mr. Janish displayed the changes to the code.

Motion by Elias, seconded by Godfrey, to open the public hearing at 7:15 p.m. Vote taken by roll call:

Godfrey: aye

Hudson: aye

Loehlein: aye

Perra: aye

VanderLaan: aye

Elias: aye
Koehler: aye
Motion carries.

No one appeared before the Commission and staff did not receive any public comments.

Motion by Hudson, seconded by Elias, to close the public hearing at 7:16 p.m. Vote taken by roll call:

Godfrey: aye
Hudson: aye
Loehlein: aye
Perra: aye
VanderLaan: aye
Elias: aye
Koehler: aye
Motion carries.

Motion by VanderLaan, seconded by Elias, to recommend to the City Council approval of the Draft Ordinance Amending City Code Title 12: Zoning Regulations, Chapter 13: Performance Standards, Section 8: Off-Street Parking Requirements. Vote taken by roll call:

Godfrey: aye
Hudson: aye
Loehlein: aye
Perra: aye
VanderLaan: aye
Elias: aye
Koehler: aye
Motion carries.

PUBLIC HEARING: Consider City Code Amendments related to "Sight Triangles" ("Clear View Triangles") in Title 12 - Zoning Regulations, Chapter 2 - Rules and Definitions, 2 - Definitions; Title 12 Zoning Regulations, Chapter 13 - Performance Standards, 6 - Landscaping of Nonresidential Properties - Subsection G - Restrictions (3); and Title 12 Zoning Regulations Chapter 13 - Performance Standards, 10 - Traffic Control - Subsection C

Community Development Director Janish stated that City code refers to two phrases that mean the same: Clear View Triangle or Sight Triangle. Mr. Janish stated staff is recommending using the phrase “Sight Triangle” and eliminating “Clear View Triangle”.

Mr. Janish explained that a sight triangle is a triangularly shaped area within 15 feet of intersecting rights-of-way. Mr. Janish stated the sight triangle may be larger on streets with higher speeds. He stated nothing can be placed or grown in this sight triangle area

that would be between a height of 2½ and 10 feet above street level. Mr. Janish illustrated the wording changes within the code.

Commissioner Godfrey asked staff to confirm that this recommendation is a clarification of terminology and not a substantive change. Mr. Janish stated Commissioner Godfrey was correct.

Chairperson Koehler asked staff to explain why the sight line has a 10 feet limit. Mr. Janish replied that it is the sight line when driving a vehicle. Mr. Janish stated things that may be above the 10 feet are canopies of trees.

Motion by Godfrey, seconded by Hudson, to open the public hearing at 7:22 p.m.

Vote taken by roll call:

Godfrey: aye

Hudson: aye

Loehlein: aye

Perra: aye

VanderLaan: aye

Elias: aye

Koehler: aye

Motion carries.

No one appeared before the Commission and staff did not receive any public comments.

Motion by Hudson, seconded by Godfrey, to close the public hearing at 7:22 p.m. Vote

taken by roll call:

Godfrey: aye

Hudson: aye

Loehlein: aye

Perra: aye

VanderLaan: aye

Elias: aye

Koehler: aye

Motion carries.

Motion by Loehlein, seconded by Hudson, to recommend to the City Council Approval of the Draft Ordinance Amending Andover City Code Sections 12-2-2 and 12-13-6G Regarding Sight Triangles. Vote taken by roll call:

Koehler: aye

Elias: aye

VanderLaan: aye

Perra: aye

Loehlein: aye

Hudson: aye

Godfrey: aye

Motion carries.

OTHER BUSINESS

Community Development Director Janish updated the Commission on a CUP for a liquor license that was approved by the City Council.

Commissioner Loehlein commended staff for their work on cleaning up the City's ordinances.

Commissioner VanderLaan asked staff if there was a way they could check on businesses to see if they were able to apply for the small business loans offered by the Federal Government due to COVID-19. Mr. Janish replied Mr. Griffiths is pushing out information to businesses about different programs available. Mr. Janish stated the City is monitoring the updates from the State of Minnesota and assisting with information about reopening. Commissioner VanderLaan stated she was particularly concerned about Margie's Kitchen. Mr. Janish stated Margie's Kitchen is currently under construction.

Chairperson Koehler commended staff for arranging the meeting via video for some Commissioners and the public.

ADJOURNMENT

Motion by Godfrey, seconded by Elias, to adjourn the meeting at 7:29 p.m. Vote taken by roll call:

Koehler: aye

Elias: aye

VanderLaan: aye

Perra: aye

Loehlein: aye

Hudson: aye

Godfrey: aye

Motion carries.

Respectfully Submitted,

Shari Kunza, Recording Secretary
TimeSaver Off Site Secretarial, Inc.