

***REGULAR ANDOVER CITY COUNCIL MEETING – AUGUST 4, 2022
MINUTES***

The Regular Bi-Monthly Meeting of the Andover City Council was called to order by Mayor Sheri Bukkila, August 4, 2022, 7:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Councilmembers present: Jamie Barthel, Ted Butler, Randy Nelson, and Valerie Holthus

Councilmembers absent: None

Also present: City Administrator, Jim Dickinson
 Public Works Director/City Engineer, Dave Berkowitz
 Community Development Director, Joe Janish
 Associate Planner, Jake Griffiths
 City Attorney, Scott Baumgartner
 Others

PLEDGE OF ALLEGIANCE

RESIDENT FORUM

No one appeared before the Council.

AGENDA APPROVAL

Motion by Nelson, Seconded by Barthel, to approve the Agenda as presented. Motion carries unanimously.

APPROVAL OF MINUTES

July 19, 2022 Regular Meeting Minutes

Motion by Barthel, Seconded by Butler, to approve the July 19, 2022 Regular Meeting minutes

as presented. Motion carries 3 ayes, 0 nays, 2 present (Bukkila and Holthus).

CONSENT ITEMS

- Item 2 Approve Payment of Claims
- Item 3 Approve Master Partnership Contract with the Minnesota Department of Transportation (See Resolution R054-22)
- Item 4 Initiate the Replacement of the Dehumidification/Heating/Cooling Unit - Ice Arena
- Item 5 Approve Resolution Accepting Contribution from the Andover Lions Club (See Resolution R055-22)
- Item 6 Approve Transition to ESRI GIS Software and Infrastructure
- Item 7 Construct Improvements for Future Trail along 7th Ave. NW/21-45B

Motion by Barthel, Seconded by Nelson, to approve the Consent Agenda as read. Motion carries unanimously.

APPROVE RESOLUTION ACCEPTING CONTRIBUTION FROM THE SLYZUK FAMILY

The City Council is requested to accept a donation from the Slyzuk Family for a donation to purchase statues at the Veterans Memorial site. Public Works Director/City Engineer Berkowitz explained the Slyzuk family has been in Andover for many years and the Veterans Memorial is on land once owned by them.

Stephanie Wallin came forward to speak for the family. She stated her mother decided to donate the fund for a male and female soldier in honor of her father, Ken Slyzuk, who passed away in December of 2021.

Mayor Bukkila thanked the Slyzuk family and stated Mr. Slyzuk was a figure head in Andover. She stated Veterans Memorial is very special and the gesture by the family is incredible. Councilmembers and staff offered their thanks to the family.

Motion by Nelson, Seconded by Butler, to adopt Resolution No. R056-22 accepting a contribution of \$11,004 made to the City of Andover to be used towards purchasing statues at the Veterans Memorial site. Motion carries unanimously.

CONSIDER COMPREHENSIVE PLAN AMENDMENT REQUEST – PID# 23-32-24-33-0002 & PID# 23-32-24-32-0006 – TEXT AMENDMENT TO URHL – URBAN RESIDENTIAL HIGH LOW LAND USE DISTRICT & REGUIDE SUBJECT PROPERTIES FROM GC – GENERAL COMMERCIAL AND URML – URBAN RESIDENTIAL MEDIUM

LOW DENSITY TO THE URHL – URBAN RESIDENTIAL HIGH LOW LAND USE DISTRICT – SILVERCREST DEVELOPMENT, LLC (APPLICANT)

The City Council is requested to consider the recommendation of the Planning & Zoning Commission and make a decision on a Comprehensive Plan text amendment allowing mixed-use within the Urban Residential High Low (URHL) and reguide two properties to URHL. Associate Planner Griffiths provided an update on the SilverCrest project. Mr. Griffiths explained the changes to the site plan based on the feedback received from City Council, Commissions, and the community. He stated SilverCrest conducted a shadow study and a traffic study. Mr. Griffiths presented information on the item as written in the staff report. He stated the Planning and Zoning Commission held a public hearing on July 26, 2022 and recommended to approve the text amendment.

Councilmember Butler asked for clarification on the anticipated traffic on Bluebird Street. Mr. Griffiths stated the traffic study showed the current development plan per the Comprehensive Plan would have 4-5 times more traffic than SilverCrest's proposed plan.

Councilmember Barthel asked how much traffic the commercial development would add to Bluebird Street and if Bluebird is built to handle the traffic. Public Works Director/City Engineer Berkowitz stated Bluebird is built for residential access, at 33 feet. Mr. Berkowitz stated it is expected that Bluebird will have the same amount of traffic as the street going by Clocktower Commons on the north side of Crosstown Boulevard.

Councilmember Barthel asked if the proposed development would contribute to the reconstruction of Bluebird Street. Mr. Berkowitz stated past practice has been to calculate how many single-family homes could be on the lot and assess the equivalent amount. Mr. Berkowitz stated the developer would pay their fair share for the intersection improvement.

Councilmember Barthel asked what control the City has if the text amendment goes through and SilverCrest backs out and a new developer comes in. Mr. Griffiths stated if any development goes on the property, it would have to meet the Comprehensive Plan guidance, a preliminary plat process and a Planned Unit Development (PUD) process.

Mayor Bukkila asked if it would be a problem to rezone the property again. Mr. Griffiths stated the City Council could rezone it in the future using the same process it is going through now. City Administrator Dickinson explained the City can initiate a change and the process doesn't necessarily need an applicant, but impacted properties would still need to be notified.

Councilmember Barthel asked if there is a timeframe to wait in order to change the zoning. Mr.

Dickinson stated he is not aware of a timeline; the development process plays out.

Mayor Bukkila asked staff to explain the development process from when the amendment is approved at Council until the Met Council returns a decision. Mr. Griffiths explained State Statute prohibits the City from taking action on future development until the amendment is approved and adopted by the Council. He stated an application can be submitted but can't be reviewed by Council. Mayor Bukkila asked why the City needs to go through the Met Council for approvals. Mr. Griffiths stated the Minnesota Planning Act requires the Met Council to approve all Comprehensive Plan Amendments within the seven-county metro area.

Mayor Bukkila stated she was an advocate to stay commercial because Andover has too little existing commercial properties. She stated this parcel has trouble with access and a study was done in 2012 to see what could be successful on the property. Mayor Bukkila stated keeping this parcel commercial is going to exacerbate the traffic problems, return less tax money, and it will be an ongoing problem getting businesses in there.

Councilmember Holthus agreed with Mayor Bukkila. Councilmember Holthus stated if she were to have a business in Andover, she wouldn't want to be on that corner, but closer to Bunker Lake Boulevard where the action is. She stated a mix of small commercial and residential is a better neighbor to have than another strip mall. She stated the mixed use is one of the better things that could happen on that corner.

Councilmember Nelson agreed. He stated the access is only right in, right out. He said at the beginning he was leaning toward full commercial. Councilmember Nelson stated the residents were most concerned with traffic and building height. He stated there will be less traffic with this type of development than 60,000 square feet of commercial. Councilmember Nelson stated Clocktower Commons currently has 49,000 square feet of commercial and room to grow. He said the change of the plan from a three-story co-op to townhomes won't cast any shadows on the neighborhood. Councilmember Nelson stated he is happy the traffic study came back.

Councilmember Barthel stated he will vote to change the Comprehensive Plan. He is impressed with the townhomes and the developer is understanding what the City wants and he is willing to give them a chance to present their project.

Councilmember Butler agreed. He believes the proposed amendment will serve the community better and serve the neighborhood better.

Leon Tibben, 15143 Avocet Street, came forward and stated there is a willing buyer and

developer offering a desirable option. He is in favor of the amendment.

Motion: by Holthus, Seconded by Barthel, to adopt Resolution No. R057-22 amending the text of the Comprehensive Land Use Plan of the City of Andover to include language related to Mixed-Use Development within the URHL - Urban Residential High Low Land Use District and amending the Future Land Use Designations of PID 23-32-24-33-0002 and 23-32-24-32-0006 from a mix of GC - General Commercial and URML - Urban Residential Medium Low to URHL - Urban Residential High Low. Motion carries unanimously.

CONSIDER CITY CODE AMENDMENT REQUEST – CITY CODE 12-11: RESIDENTIAL PERMITTED, PERMITTED ACCESSORY, CONDITIONAL, INTERIM AND PROHIBITED USES – SILVERCREST DEVELOPMENT, LLC (APPLICANT)

The City Council is requested to consider the recommendation of the Planning & Zoning Commission and make a decision on allowing mixed-use buildings through a Conditional Use Permit (CUP) in the M-2 zoning district. Associate Planner Griffiths stated the City Code needs to be updated to be consistent with the Comprehensive Plan. Mr. Griffiths explained the Planning and Zoning Commission requested to include the M3 District as well.

Mayor Bukkila stated relative to including M-3 she would like those property owners to decide if they wanted to be included with this zoning.

Motion: by Barthel, Seconded by Holthus, adopt Ordinance No. 539 amending City Code Title 12: Zoning Regulations, Chapter 11: Residential Permitted, Permitted Accessory, Conditional, Interim and Prohibited Uses permitting mixed use in the M-2 District. Motion carries unanimously.

CONSIDER REZONING REQUEST - PID# 23-32-24-33-0002 & PID# 23-32-24-32-0006 – REZONE PROPERTIES FROM R-1: SINGLE-FAMILY RURAL TO M-2: MULTIPLE DWELLING HIGH LOW DENSITY – SILVERCREST DEVELOPMENT, LLC (APPLICANT)

The City Council is requested to consider the recommendation of the Planning and Zoning Commission and rezone two properties from R-1: Single-Family Rural to M-2: Multiple Dwelling High Low.

Motion: by Holthus, Seconded by Nelson, to adopt Ordinance No. 540 amending City Code Title 12-3-4, Zoning District Map of the City of Andover, rezoning PID# 23-32-24-33-0002 & PID# 23-32-24-32-0006 from R-1 Single-Family Rural to M-2 Multiple Dwelling High Low Density. Motion carries unanimously.

Councilmember Holthus thanked the Planning and Zoning Commission members for their work on this item.

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.

(Administration) Mr. Dickinson stated much of the activity in Administration is on development. The City is at 66 new single home permits. Mr. Dickinson stated staff are working on the budget. He announced the primary election on Tuesday, August 9th. Mr. Dickinson thanked election judges. Mr. Dickinson stated Andover has top notch staff.

(Public Works/City Engineer) Mr. Berkowitz stated the road through Andover Crossings is under construction. Pine Hills North and South parking lots are being paved. City Hall parking lot will begin after Labor Day. The Fields at Winslow Cove is having sanitary sewer and water main installation. Nightingale Villas is graded. Staff are preparing for the 2023 construction season. Mr. Berkowitz updated the Council on park and trail projects.

(Community Development) Mr. Griffiths updated the Council on upcoming projects. Code enforcement is busy.

Mayor Bukkila stated she is being asked when a resident can expect their street reconstructed. She would like a document that identify road reconstruction for the next year or two. Mr. Dickinson stated staff can get the information out when the Council approves the CIP. Mr. Berkowitz stated information is in the City newsletter and on the website.

MAYOR/COUNCIL INPUT

(Anoka Dam) Councilmember Holthus reported on the Lower Rum River Watershed District meeting regarding the dam in Anoka. The District met with State Legislators and the City of Anoka has proposed modifications to the dam to protect it, such as locks and hydro-electric power.

(Red Oaks Development) Councilmember Nelson mentioned the *StarTribune* article on the Red Oaks water contamination. He encouraged residents to be patient and hope there will be a Special Session at the State.

(Andover Lions Club) Mayor Bukkila thanked the Andover Lions Club for their donation to the Veterans Memorial.

ADJOURNMENT

Motion by Barthel, Seconded by Nelson, to adjourn. Motion carries unanimously. The meeting adjourned at 8:15 p.m.

Respectfully submitted,

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

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