

PLANNING AND ZONING COMMISSION MEETING – AUGUST 8, 2023

The Regular Bi-Monthly Meeting of the Andover Planning and Zoning Commission was called to order by Chairperson Karen Godfrey on August 8, 2023, 7:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Commissioners present: Scott Hudson, Bert Koehler IV, Nick Loehlein, Jonathan Shafto, and Ryan Winge

Commissioners absent: Patrick Shuman, Jr.

Also present: Community Development Director Joe Janish
Planning Intern Aidan Breen
Others

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

July 25, 2023 Regular Meeting Minutes

Commissioner Koehler requested the following corrections:

Page 4, Line 14: the addition of the word “not” in the sentence “not attached to the house and is secure.”, so it reads “not attached to the house and is not secure.”

Page 4, Line 16: addition of the sentence “we have not worked with my contractor to draw plans up in that matter to make it conforming” to the original sentence that reads “due to the home placement being pushed back”

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

PUBLIC HEARING: Interim Use Permit (IUP) Amendment – 13655 Round Lake Boulevard; PIDs 34-32-24-42-0009 and 33-32-24-42-0007 – Grace Lutheran Church of Anoka (Applicant)

The Planning & Zoning Commission is requested to hold a public hearing and provide a recommendation to the City Council regarding the IUP Amendment request. Planning

Intern Aidan Breen noted the purpose of this item is to hold a public hearing and take input on the applicant's request to extend their existing IUP. Planning Intern Breen shared with the Commission the history of the IUP which was approved in 2014, extended in 2019, which was then extended another 4 years. Planning Intern Breen presented site plans and photos of the site location.

Commissioner Loehlein asked for context concerning the 3 rounds of comments the City provided to the applicant, noted on slide 4 of the presentation. Janish stated that as a part of the commercial site plan process, there are several revisions similar to the preliminary plat process. For every expansion of a commercial use, they go through a commercial site plan process where this is a list of items that are needed, they are gone through at the same degree as the grading plans. The plan set can then be used for the planning of that site after being approved by the engineer and planning and the civil work that is needed can be done.

Commissioner Koehler asked if the City is comfortable with the length of this extension being so short. Planning Intern Breen stated that he has not heard of any misgivings or any staff members that have issues with the length of the extension.

Commissioner Hudson asked if an inspection would still be provided for an extension of the permit, and would the inspection be done at the same time as well. Planning Intern Breen said that was correct.

Motion: Chair Godfrey assumed a motion to open the Public Hearing at 7:10 p.m. Motion carries by unanimous consent.

Tracy Russell, Church Administrator, 2332 151st Avenue NW, came forward to answer questions from the Commission. Commissioner Koehler asked what makes her think a one-year extension is going to be enough for the permit. Ms. Russell stated that the original request was made in the beginning process of raising funds and working with the architect. In the time since the previous extension, there have been multiple delays including Covid and getting a new Senior Pastor. Initially, the building was planned to start in the Spring of 2023, which would have allowed the project to be completed by December. However, the construction costs and estimates for the build came in \$1 million over what the congregation had approved, meaning the plans had to be revised. Ms. Russell updated that all of the planning phase is done, and the construction manager has all of the information and is working on collecting permits to start the construction phase. The hope is to finish the construction by the spring/summer of 2024, the extension request is made to December 2024 just in case of any delays, such as supply chain delays.

Commissioner Koehler asked what other factors could impact the timeline of the construction. Ms. Russell stated that she cannot foresee any other delays that could come up, besides potential supply chain delays.

Commissioner Loehlein asked if the one-year extension is going to be enough because he does not want to have to reconsider. Ms. Russell stated that one year should be enough, according to the construction manager.

Motion: Chair Godfrey assumed a motion to close the Public Hearing at 7:17 p.m. Motion carries by unanimous consent.

Commissioner Koehler commented that this seems to stretch on forever, starting back in 2006. He would recommend extending the IUP to 2025 to give a buffer to ensure that there does not need to be any reconsideration in the future.

Commissioner Loehlein asked staff what would be the downsides or potential hang-ups to giving a longer buffer. Community Development Director Joe Janish stated that the residents have received notice that it is only a 12-month extension, changing that could lead to residents finding issues with a longer extension.

Commissioner Shafto stated that he tends to agree with Commission Koehler and his recommendation.

Chairperson Godfrey reminded that the Commission does not approve the amendment, they only make a recommendation to the City Council.

Community Development Director Joe Janish recommended that the Commissioner makes a motion to recommend the approval of the resolution as written and if legally available to add an additional year. That way there is an opportunity for the City Attorney to provide comment related to that possible extension.

Commissioner Winge asked staff if there have been any complaints from residents concerning the subordinate structures. Community Development Director Joe Janish stated that there have not been. The only comment that he has received was wondering what the signs were for but did not receive any complaints.

Motion by Commissioner Koehler, seconded by Commissioner Shafto, to recommend to the City Council approval of the resolution as written, asking City Council to entertain extending it by 1 year. Motion carried on a 6-ayes, 0-nays, 1-absent vote.

Mr. Janish stated that this item would be before the Council at the August 15, 2023 City Council meeting.

PUBLIC HEARING: Consider a Preliminary Plat for the third phase of the Petersen Farms development which will be known as Legacy at Petersen Farms. (Applicant – JD Andover Holdings).

The Planning and Zoning Commission is requested to hold a public hearing and make a recommendation to the City Council to consider a Preliminary Plat for the Petersen Farms

development. Community Development Director Joe Janish gave a presentation concerning the approximate location of Legacy at Petersen Farms. Mr. Janish updated that the applicant is proposing a roadway connection at 170th and CR 7. Site A would be a newly constructed roadway, that would be paved in the spring. Site B would be a possible future roundabout. Site C would remain as access to the farm site and emergency access location as well. Site D would be a gated emergency exit. Mr. Janish updated that there would be no negative impact on traffic in this area. Mr. Janish gave information on the shoreland management criteria, parkland dedication, minimum net land area, and stormwater reports. Mr. Janish updated that properties within 700 feet received notice of the public hearing, as well as there are 3 sign locations, and advertised in the *Anoka County Union Herald Newspaper*.

Motion: Chair Godfrey assumed a motion to open the Public Hearing at 7:33 p.m. Motion carries by unanimous consent.

Darren Lazan, representing the applicant, updated that they are excited to get underway this fall. Mr. Lazan stated there is a high demand for these lots to be online. Commissioner Koehler stated that there is one lot that is not conforming and would like an overview of the adjustments that would be needed. Mr. Lazan updated that there are floodplains A (normal floodplain) and B (higher floodplain), minor changes including 6 inches of fill to floodplain B will allow much more upland to be created and become conforming.

Chairperson Godfrey asked what the confidence level at this time after all the geotechnical reports that have been done that this road can be built to code. Mr. Lazan stated that confidence levels are very high.

Commissioner Hudson asked when the IUP for stockpile will be brought before the Commission. Mr. Lazan stated that the Preliminary Plat presented tonight includes all the activities during construction. The IUP is needed when construction is done.

Community Development Director Joe Janish stated that the grading plans need to be evaluated by staff and stamped first, at which point they can carry out their project.

Hope Luedtke, 16932 Jivaro Street NW, came forward and stated concern for the slippery slope occurring in the development in Andover. Mrs. Luedtke stated she would like to push the pause button until the roundabout is put in. She asked the Commission to look at the big picture for what the goals are for Andover. Mrs. Luedtke stated her concern for the size of the lots and recommended dropping a few lots to allow for larger lots to be made in regard to resolving the upland issues. She stated that Andover needs to keep its gate narrow to remain in control.

Bud Holst, 4276 165th Avenue NW, came forward and stated that during rush hour it is difficult to turn out of his driveway onto 165th Avenue and then onto CR 7. He stated there have been 12-13 fatalities between 157th and 167th Avenues, and that putting a roundabout

in before would be lovely to work to avoid that. He stated that parking is another issue that was not discussed in the last phase.

Fred Siegel, 17185 Roanoke Street NW, came forward and stated that he has seen numerous deer hit right in his driveway because of the speed of drivers. Another concern is the water near the boundary line, the pond is low now, and he does not want to see the ponds disappear. Mr. Janish updated that they are looking for intersection improvements going in both directions on 170th Avenue.

Leslie Crowley, 16732 Guarani Street NW, came forward and stated her concern with the traffic and speed of drivers. At 7 a.m. every morning, the speed of drivers coming down either side of CR 7 is 65+ mph, the roundabout needs to be done sooner rather than later. Because the construction trucks park on both sides of the road, there are major problems getting cars to be able to get through.

Chairperson Godfrey asked Mr. Janish to provide a summary of the authority over CR 7 and provide any suggestions on whom residents can contact about concerns for that road. Mr. Janish updated that the funding for the roundabout has been approved for 2026, Anoka County is not able to move that funding forward at this point.

Rhonda Ganski, 2159 153rd Lane NW, came forward and stated that because of the lack of forethought about where stormwater would go when the other Nightingale estate developments were put in. There is no room in the drainage ponds for stormwater from the new developments, leading to the excess water being directed into her private backyard. She recommended trying to make sure how this will affect future citizens.

Pat Becker, 17125 Roanoke Street NW, came forward and stated concern for phase 4 and the effects it will have on his property. He also stated his concern for the traffic as well.

Darren Lazan came back to the podium and updated that the proposed improvements for the 170th Avenue access at CR 7 and Roanoke are to add dual left turns and right turn lanes into the neighbor's and their properties. He stated that there has been a remarkable change to the stormwater management in the last 7-10 years, they are storing twice the amount on-site and is confident that the stormwater issues are resolved.

Commissioner Koehler asked Mr. Lazan about failed wells that needed to be rebuilt. Mr. Lazan stated that the main concern was iron and nitrates; however, the redrills hit very clean water, and none of the redrills failed.

Jason Osberg, 15356 Yukon Street NW, came forward and clarified that they work with city staff to ensure they are not lowering the neighboring property's water tables or backyards.

Commissioner Loehlein asked how the developments will affect neighboring property values. Mr. Lazan stated that based on studies, there have been no negative impact on

property values, but usually a positive impact. Mr. Janish clarified that these developments has been shown to pull the values up.

Commissioner Shafto asked about parking on the streets and streets being clogged due to construction trucks. Mr. Lazan updated that they make it clear to their builders that they must follow the parking requirements in that neighborhood. He recommends the Sherriff should go through and ticket trucks that are parking incorrectly, but that it is not in his control.

Motion: Chair Godfrey assumed a motion to close the Public Hearing at 8:22 p.m. Motion carries by unanimous consent.

Commissioner Shafto asked about the potential enforcement of the clogging of streets and what the City can enforce. Mr. Janish stated that he could speak with the Sherriff's department about enforcing the parking violations.

Commissioner Shafto stated that he also shares the public's concern about the dangers on CR 7.

Commissioner Koehler stated that if you see something illegal with parking, call the police. He also stated that there cannot be stormwater redirected into anyone's property, and he asked how residents should deal with that if that occurs. Mr. Janish said to call the City to get that resolved.

Commissioner Winge asked if there have been any significant variances requested by the applicant that have been approved through this process. Mr. Janish stated that they have gone through the PUD process. There are deviations to the code, such as the standard 2.5-acre lot can be 1.5 acres, and instead of a 300 foot wide lot, it can be 100 foot wide. Mr. Janish stated that the deviations can be done if there is proof of higher quality development as a result of the deviations.

Motion by Commissioner Hudson, seconded by Commissioner Loehlein, to recommend to the City Council approval of resolution as written. Motion carried on a 5-ayes, 1-nay (Koehler), 1-absent vote.

Mr. Hellegers stated that this item would be before the Council at the August 15, 2023 City Council meeting.

OTHER BUSINESS

Community Development Director Janish updated on the IUP for the extension of subordinate structures. That was approved by City Council.

For the variance request, City Council voted and tied. They put it on the table and are trying to have 5 members present at the meeting to potentially vote on August 15th to

reconsider the item.

ADJOURNMENT

Motion: Chair Godfrey assumed a motion to adjourn the meeting 8:36 p.m. Motion carries by unanimous consent.

Respectfully Submitted,

Lilian Rokosz, Recording Secretary
TimeSaver Off Site Secretarial, Inc.