

PLANNING AND ZONING COMMISSION MEETING – AUGUST 23, 2016

The Special Meeting of the Andover Planning and Zoning Commission was called to order by Chairperson Daninger on August 23, 2016, 7:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Commissioners present: Chairperson Dean Daninger, Commissioners Timothy Clevens, Scott Hudson, Kyle Nemeth and Jeff Sims

Commissioners absent: Commissioner Bert Koehler IV and Steve Peterson

Also present: Community Development Director Dave Carlberg
City Planner Stephanie Hanson
Others

APPROVAL OF MINUTES.

July 12, 2016

Commissioner Nemeth requested the following edits:

- page 2, line 25, end the sentence by adding “of the items”
- page 3, line 8, change “Commissioner Nemeth” to “Acting Chairperson Nemeth”
- page 3, line 42, add number of units sold “which is” yet to be determined
- page 4, line 6, correct to state “Commissioner Peterson”
- page 4, line 14, correct to state “Acting Chairperson”
- page 4, line 20, add same color as his home, “as it is” across the street
- page 4, line 22, add value to the building “and” some interest
- page 4, line 29, add a comma after Ken Johnson
- page 6, line 15, PUD with “a” recommendation to explore
- page 6, line 34, no City streets “will” be utilized for hauling

Motion by Nemeth, seconded by Clevens, to approve the minutes as presented. Motion carried on a 4-ayes, 1-present (Daninger).

PUBLIC HEARING: Preliminary Plat and PUD Review of Preserve at Oak View – 16473 Crosstown Drive NW – Metrowide Development

City Planner Hanson noted the purpose of this item is to hold a public hearing and take input on the proposed preliminary plat and PUD with the Commission.

Ms. Hanson reported that Metrowide Development proposed to construct 13 rural residential lots and Outlot A. Items of note included:

- Access to the development will be provided from Crosstown Blvd.
- The developer will be required to construct a right turn lane. A by-pass lane will not be required.
- Each of the lots will be served by individual septic systems and wells.
- CCWD is in the process of reviewing the plat and it is currently slated for the September 12, 2016 board meeting agenda.
- The Park and Recreation Commission recommended the required trail fees and cash in lieu of land for park dedication.

There were 3 significant comments that have been discussed between City staff and the applicant and are being addressed. They include the following:

1. The requirement of Anoka County of a right turn lane.
2. The conveying of Outlot A to the lot to the north (Lot 5, Block1).
3. Work with CCWD to finalize the location of the southern portion of the street.

As part of the PUD request, the applicant asked for flexibility with street construction standards. Ms. Hanson stated that the staff supports the proposed 22-foot pavement width. Staff recommends 18 inches of ribbon curbing on each side of the street to maximize the protection of the edge of the paved surface from the wear and tear of vehicle parking and snow removal, as opposed to the 12 inches of ribbon curbing proposed by the applicant.

Also of note are 13 lots that are deemed buildable, whereas Outlot A is deemed unbuildable. The applicant proposed that a recordable covenant be approved and recorded with Anoka County to require Outlot A to be owned by the property owner of Block 1 Lot 1 until which time the lot can be proven to meet buildable standards or combined with buildable land to the south. The covenant must be recorded at the time the final plat is recorded with Anoka County.

Ms. Hanson asked to hold a public hearing.

Chairperson Daninger explained the purpose and process for the public hearing and invited Commissioners to ask questions of Ms. Hanson.

Commissioner Nemeth asked about the by-pass lane. Ms. Hanson responded that the County focused on getting residents off of the road due to the curve, so traffic can flow nicely. He further questioned as to whether Outlot A would be conveyed to lot 5 or 6. Ms. Hanson stated that Mr. Lazan proposed to convey Outlot A to Lot 5, Block 1, and staff concurred. Referring to the memo provided regarding borings, he wondered if any

issues were noted in relationship to water pressure. Ms. Hanson asked that the question be redirected to Mr. Lazan.

Commissioner Cleven asked for clarification if the issues noted in the memo would be addressed prior to final plat approval. Ms. Hanson confirmed that was correct.

Commissioner Sims inquired about the set back. Ms. Hanson referred back to the lot width requirements at the front yard setback.

Commissioner Hudson asked for clarification regarding the drainage ditches as to specifications on depth and width. Ms. Hanson stated that there would be maintenance agreements around the rain gardens and that staff would be checking on them periodically to ensure they are functioning properly.

Motion by Nemeth, seconded by Cleven, to open the public hearing at 7:28 p.m. Motion carried on a 5-ayes, 0-nays.

Shawn Lidberg, 545 Constance Blvd. NW, expressed concerns regarding Outlot A, specifically in reference to when it might become buildable in the future without a variance or combining it with another lot; as well as the buffer required between different land uses, noting the responsibility of the City Council to determine it. Chairperson Daninger asked Ms. Hanson to clarify the buildability of Outlot A. Ms. Hanson responded that there is not enough upland to build on this property and that the buffer is currently there because it is unbuildable and confirmed that a house cannot be built there unless something changes. Commissioner Cleven asked if a shed could be built there. Ms. Hanson stated that nothing could be built there unless it was joined to additional property and a principal residential structure existed on the lot.

Commissioner Nemeth asked if MUSA were to come into the area, if a house could be built there. Ms. Hanson stated that would be the case, as Outlot A currently cannot accommodate the needed septic drain field.

Steven Heinen, 455 - 166th Avenue NW, inquired if lots could be subdivided in Andover if they are over 1.5 acres. He also asked about roads in the area, feeling that the road would be very narrow and he had concerns about the safety of the by-pass lane. Chairperson Daninger stated that any City resident can use the due process to split their lot but it does not mean that it will be approved and that PUDs are a give-and-take.

Kathleen Hammer, representing Metrowide Development, reviewed information on the PUD. She highlighted the reasons why this particular parcel required a different approach due to the wetlands, prairie, and heavily wooded areas. She explained that the concept of a low-impact development is being used, requiring a different alignment of the road to reduce tree removal.

Mr. Lazan, also representing Metrowide Development, summarized the minimal foot print design and the use of swales to treat storm water. It would be a large lot subdivision. They are hoping to break ground in mid-September. He also addressed why they are proposing Outlot A to protect both the City and developer along with the road width and their willingness to agree to the staff's recommendation. Mr. Lazan explained the by-pass lane decision as it related to the site lines and the location of the "trips." This was the proposal approved by Anoka County. As for the swales, the storm water could be handled without the rain gardens, although covenants would likely cover them. The vegetation is not required for treatment based on the plans. In reference to buffering, there is already natural vegetation to Outlot A. Mr. Lazan then introduced Hanson Builders as the exclusive builder for the project.

Mr. Hanson highlighted their company's experience in custom grading and his enthusiasm for tree preservation. He offered to show the type of home that would be built to those present at the meeting.

Mr. Lazan addressed the soil boring question by stating that it had been completed and that established ground water elevations were complete and specifications have been adjusted accordingly.

Commissioner Nemeth asked about the buildable portion of Outlot A. Mr. Lazan stated that the term "buildable" was subjective and referenced setbacks from the road and septic and so there would really be no space now that is buildable and that the Outlot status prevents it from being built on. He further explained that they would tie it to Lot 5 because he personally plans to retain Lot 5 so he would be responsible. Commissioner Cleven asked if CCWD knew about the vegetation not being needed in the swales. Mr. Lazan confirmed that was the case.

Commissioner Hudson asked about covenants for the development and if there would be any restrictions due to the differences in the sizes in the lots. Mr. Lazan responded that the builder would, as it relates to square footage and finishes, along with rain gardens and what can be done on a lot of 2.5 acres as compared to lots with less acreage.

Commissioner Nemeth asked about parking on one side of the street and how it would be marked. Mr. Lazan indicated that they had not laid out signage yet, noting that the driveways would be 100 feet in length and likely not have parking issues except during exceptionally large events. Commissioner Nemeth continued by asking about agreements to upkeep the rain gardens and asked about whether there would be a homeowner's association. Mr. Lazan stated that the agreement would include proper maintenance of the storm water system, but that rain garden vegetation will not be needed to treat the storm water. Commissioner Nemeth asked about the price point of the homes. Mr. Hanson stated they would be from \$650,000 - \$950,000 and could be over \$1M if there are additions.

Commissioner Sims asked if the homes would be custom. Mr. Hanson stated that they have 50 active models and then once a buyer chose one, they would make modifications, and if two owners chose the same one, the fronts of the homes would need to be different.

Chairperson Daninger asked Mr. Lazan if the resolution had been reviewed in the packet. He confirmed that they had reviewed it.

Shawn Lidberg, 545 Constance Blvd. NW, noted that there are trees that are to be planted along the roadway and wondered how big the trees might be when they are planted. He also asked if there would be a no building clause on Outlot A. Ms. Hanson responded that there would be 1 tree planted per 50 linear feet. He also asked when the last time was that Anoka County did a study on Crosstown for traffic and has there been an increase noticed.

Chairperson Daninger stated that this is an Anoka County question and asked Ms. Hanson to respond to the resident following the meeting.

Motion by Nemeth, seconded by Hudson, to close the public hearing at 8:14 p.m. Motion carried on a 5-ayes, 0-nays.

Commissioner Cleven asked about oak wilt identified in the area. Mr. Lazan described the plan for remediation and stated that they are hopeful of stopping any spread.

Commissioner Nemeth asked about Outlot A being conveyed to Lot 5 and what would happen if it is not conveyed. Ms. Hanson stated that would happen in conjunction with the legal documentation and if it is not conveyed, the lot will need to be added to the property to the north or the south. He asked further about the CCWD permitting as it relates to the street. Ms. Hanson stated that CCWD is currently reviewing the request. Once approved, a permit would be given. In addition, the street department would put together a street sign plan and then install the no parking signs. Commissioner Nemeth asked that the requirement of no parking signs, on one side of the street, be included in the resolution as #10.

Motion by Nemeth, seconded by Cleven, to recommend to the City Council approval of PUD with the recommendation to add no parking signs on one side of the street.

Commissioner Simms asked further about Outlot A and if further clarification would be needed. Mr. Carlberg stated that the current resolution addressed both possible scenarios.

Motion carried on a 4-ayes, 1-nay (Sims).

City Planner Hanson stated that this item would be before the Council on Tuesday, September 6, 2016 at the 7:00 p.m. City Council meeting.

OTHER BUSINESS.

Mr. Carlberg stated that Acapulco Restaurant is opening for a special Wine Club event on September 20 with a soft opening in earlier September. The ReMax Results building is scheduled to be completed on October 20, 2016. He noted that the building is not going to be orange in color, as some residents have inquired. The orange color is part of the construction materials. At the Shoppes of Andover, the retail space is 60% leased, including an Asian restaurant to be called Joy's Kitchen, an AT&T store and Dunkin' Donuts will be the drive thru restaurant. The Andover Animal Hospital hopes to open in late October/early November. The Estates at Arbor Oaks broke ground this week and has an 11-month construction schedule.

Mr. Carlberg announced that this was his last meeting, as he is moving to Oregon shortly, and thanked the Commissioners for their service and their volunteer work, even though Commissioners receive a small stipend.

Chairperson Daninger thanked Mr. Carlberg for his service as did Commissioner Nemeth.

ADJOURNMENT.

Motion by Nemeth, seconded by Clevon, to adjourn the meeting at 8:29 p.m. Motion carried on a 5-ayes, 0-nays.

Respectfully Submitted,

Marlene White, Recording Secretary
TimeSaver Off Site Secretarial, Inc.