

***PLANNING AND ZONING COMMISSION MEETING – FEBRUARY 28, 2023***

The Regular Bi-Monthly Meeting of the Andover Planning and Zoning Commission was called to order by Chairperson Karen Godfrey on February 28, 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: City Planner Peter Hellegers  
Associate Planner Jake Griffiths  
Others

***PLEDGE OF ALLEGIANCE***

***OATH OF OFFICE – COMMISSIONER PATRICK SHUMAN, JR.***

This item was been postponed.

***APPROVAL OF MINUTES***

*February 14, 2023 Regular Meeting Minutes*

***Motion:*** Chairperson Godfrey assumed a motion to approve the February, 14, 2023 minutes as presented. Motion carried by unanimous consent.

***PUBLIC HEARING:*** Consider a Conditional Use Permit Amendment (CUP) for an addition to a religious institution in the R-4: Single Family Urban Residential Zoning District – PIDs 34-32-24-42-0009 and 33-32-24-42-0007; 13655 Round Lake Boulevard – (Applicant: Kevin Busch, Busch Architects, Inc., 310 4<sup>th</sup> Avenue South, Minneapolis, MN 55414)

The Planning & Zoning Commission is requested to hold a public hearing and make a recommendation to the City Council on a Conditional Use Permit (CUP) amendment request by Busch Architects, on behalf of Grace Lutheran Church. City Planner Hellegers displayed a map of the subject site that is located south of Bunker Lake Boulevard NW, west of Rose Street NW, north of 136<sup>th</sup> Lane NW, and east of Round Lake Boulevard

NW. He noted the purpose of this item is to hold a public hearing and take input on the request for three small expansions to the existing church building on the property located at 13655 Round Lake Boulevard. Mr. Hellegers presented the request and explained the review criteria for a CUP. He stated that staff is asking for a recommendation of approval or denial for the request.

Commissioner Winge asked the effect on stormwater and runoff, especially during freeze/thaw that could cause hazardous conditions. He also asked for information on snow storage. Mr. Hellegers noted the review that is done specific to adding onto the use and explained the review process that is followed for applications that ensures measures of City Code are met.

Commissioner Shafto commented that it is his understanding that the temporary classroom IUP expires on December 31, 2023. He asked if those temporary structures would be removed once this expansion is completed. Mr. Hellegers stated that the application states that the intention would be to remove those temporary classrooms. He stated that the applicant could request an extension of the IUP if additional time is needed to complete this project.

***Motion:*** by Loehlein, seconded by Koehler, to open the public hearing at 7:08 p.m. Motion carries unanimously.

Joanna Mitchell, Senior Pastor of Grace Lutheran Church, came forward and introduced herself and those present with her at the meeting. She confirmed that this project is in response to the need to remove the temporary classroom space. She noted that this would also improve safety for the children using those spaces. She stated that they hope to remove those temporary spaces before the end of the year.

Ben Sackett, 13639 Rose Street, came forward and stated that he is excited for the opportunity for the church to grow and expand its facility but noted that they should also work to improve the neighborhood. He commented on the existing issues with parking along 136<sup>th</sup>. He stated that the residents often do not receive mail on Tuesdays because their mailboxes are blocked by people attending the farmers market. He suggested that parking only be allowed on one side of the street on Tuesdays. He asked that an enclosure be added to the trash to ensure that trash does not stray into the neighborhood.

Pastor Mitchell commented that the project scope does include a trash enclosure. She recognized the parking issue for the farmers market.

***Motion:*** Chairperson Godfrey assumed a motion to close the public hearing at 7:13 p.m. Motion carried by unanimous consent.

Commissioner Koehler stated that parking is always mentioned in the review of this IUP and the question always arises as to whether the police have been called. He asked if there would be a benefit of calling City Hall to help the City understand the scope of the

parking issue. Associate Planner Griffiths stated that typically parking complaints are forwarded to the Sheriff's Department. He stated that he could also speak with the resident to provide the proper staff contact to discuss that issue. Commissioner Koehler hoped that this issue could be addressed as it continues to come up.

Chairperson Godfrey asked if the City received any calls or emails on this request. Mr. Hellegers stated that one email was received requesting general information.

Commissioner Hudson stated that he supports the requested action and asked if it would be appropriate to add a condition that once completed, the portables will be removed. Mr. Hellegers stated that is covered with the expiration date on the current IUP and therefore did not believe an additional condition is needed to address that item.

Commissioner Koehler noted that the City Council has heard that comment and will see the minutes. He noted that if deemed appropriate by legal counsel, that condition could be added by the Council.

***Motion*** by Hudson, seconded by Koehler, to recommend to the City Council approval of Conditional Use Permit amendment request by Busch Architects, on behalf of Grace Lutheran Church, for three small expansions to the existing church building on the property located at 13655 Round Lake Boulevard. Motion carried on a 6-ayes, 0-nays, 1-absent (Shuman) vote.

Mr. Hellegers stated that this item would be before the Council at the March 21, 2023 City Council meeting.

***OTHER BUSINESS.***

City Planner Hellegers updated the Planning Commission on related items.

***ADJOURNMENT.***

***Motion:*** by Koehler, seconded by Shafto, to adjourn the meeting at 7:21 p.m. Motion carries unanimously.

Respectfully Submitted,

Amanda Staple, Recording Secretary  
*TimeSaver Off Site Secretarial, Inc.*

***PLANNING AND ZONING COMMISSION WORKSHOP MEETING  
FEBRUARY 28, 2023***

The Workshop Meeting of the Andover Planning and Zoning Commission was called to order by Chairperson Karen Godfrey on February 28, 2023, 7:25 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  
City Planner Peter Hellegers  
Associate Planner Jake Griffiths

***DISCUSSION: PLANNING & ZONING COMMISSION TRAINING***

The Planning & Zoning Commission is requested to review Planning & Zoning Commission Procedures, Open Meeting Law and Remote Meeting Participation Policy, Meeting Cadence, and Other Topics/Questions.

Associate Planner Griffiths reviewed the Commission procedures. At the request of the Commission, he provided more information on the 60-day review period, Comprehensive Plan, the process for Conditional Use Permit revocation, and how a variance is used.

Community Development Director Janish explained how a Planned Unit Development is used, the flexibility that can be provided, and the more efficient development that is created in return.

Chairperson Godfrey stated that when considering a PUD, it is often helpful to hear what could be done on the site under normal development standards compared to what is proposed.

Commissioner Koehler stated that when he joined the Commission, he viewed a PUD as a way for the developer to get around the rules, but now understands that it is part of the City's rules.

Mr. Janish recognized that the PUD tool has been getting a bad reputation as some developers see municipalities pushing for additional things in return for the PUD.

Mr. Griffiths explained that the review should determine whether the PUD provides a more efficient development rather than what the City is receiving in return.

Commissioner Koehler asked for information on land use versus zoning.

Mr. Griffiths provided details on the application process as well as the issue of land use versus zoning.

Commissioner Winge asked when he should present questions or concerns on an application.

Mr. Griffiths stated that Commissioners can reach out prior to the meeting to determine if their question would be germane to the conversation, otherwise the question or comment could be stated at the meeting. He provided more information on findings of fact and how that supports approval or denial of an application.

Chairperson Godfrey noted that often when considering residential developments, the Commission hears comments from existing residents related to the burden that additional homes would place on schools, traffic, etc. She asked for more information on how the Commission could appropriately respond to those comments.

Mr. Griffiths stated that the School District receives the City's Comprehensive Plan and reacts to those plans through its own planning. He stated that the same process is followed for the County in order to plan for County roads. He stated that things outside of the City's control, such as schools or private utilities, can be included in a recommendation of denial but should not be the main factor.

City Planner Hellegers noted that those factors are considered when updating the Comprehensive Plan and therefore the Commission could be reassured that work has been done to prepare for the guided density.

Commissioner Koehler stated that if there is a question that would be more appropriately addressed by engineering, he would encourage Commissioners to reach out to those staff members ahead of the meeting to receive the appropriate response.

Mr. Griffiths provided an overview of the open meeting law and how to best avoid violations. He also provided details on remote meeting attendance.

Chairperson Godfrey provided information on meeting cadence as created by Commissioner Koehler and herself.

Commissioner Shafto provided the scenario that a question is asked by a resident during the public hearing, which is responded to by staff after the public hearing is closed. He noted that sometimes that answer may trigger a follow up question and asked how that could be addressed.

Chairperson Godfrey replied that the developer is typically available to address any follow up questions residents may have after the meeting.

Commissioner Winge asked why questions are not answered during the public hearing which would allow the ability for follow up questions.

Commissioner Koehler commented that it is the preference of the Chairperson as to how the meeting is formatted. He stated that during his tenure as Chairperson, he was provided different direction from different mayors. He noted that if the questions are answered during the public hearing it could lead to repetitive questions and a drawn out meeting. He stated that his preference was to have questions of the applicant answered during the public hearing but stated that he also does not want that to turn into an aggressive back and forth on contentious topics.

Chairperson Godfrey confirmed that it is a judgment call and continued to review the meeting cadence.

Commissioner Koehler reassured the new Commission members that they may still feel new after one year and provided some advice.

Mr. Janish stated that staff is also willing to meet with residents prior to the scheduled public hearing date to hear their concerns and answer their questions.

Mr. Griffiths stated that they would like to avoid people making motions over other motions already on the table.

Commissioner Koehler commented that City staff are great and encouraged the Commissioners to reach out with any questions they may have.

***OTHER BUSINESS***

No comments.

***ADJOURNMENT***

***Motion*** Chairperson Godfrey assumed a motion to adjourn. Motion carries through unanimous consent. The meeting adjourned at 8:38 p.m.

Respectfully Submitted,

Amanda Staple, Recording Secretary  
*TimeSaver Off Site Secretarial, Inc.*