

***PLANNING AND ZONING COMMISSION REGULAR MEETING
APRIL 26, 2022***

The Regular Bi-Monthly Meeting of the Andover Planning and Zoning Commission was called to order by Chairperson Karen Godfrey on April 26, 2022, 7:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Commissioners present: Mary VanderLaan, Bert Koehler IV, Nick Loehlein, Scott Hudson, Wes Volkenant, Jonathan Shafto

Commissioners absent: None

Also present: Associate Planner Jake Griffiths
Others

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

February 22, 2022, Workshop Meeting

Motion: Chairperson Godfrey assumed a motion to approve the February 22, 2022, Workshop Meeting minutes as presented. Motion carries by unanimous consent.

April 12, 2022, Regular Meeting

Motion: Chairperson Godfrey assumed a motion to approve the April 12, 2022, Regular Meeting minutes as presented. Motion carries 6 ayes, 1 present (Koehler).

PUBLIC HEARING: CONSIDER REZONING REQUEST – REZONE PROPERTY FROM R-1: SINGLE FAMILY RURAL TO R-4: SINGLE FAMILY URBAN – PIN

**22-32-24-0017 – TAMARACK LAND – NIGHTINGALE VILLAS, LLC
(APPLICANT)**

The Planning Commission is requested to hold a public hearing and make a recommendation to the City Council on a rezoning request for Nightingale Villas. Associate Planner Griffiths explained the property is within the MUSA and the use aligns with the Comprehensive Plan.

Motion: Chairperson Godfrey assumed a motion to open the Public Hearing at 7:04 p.m. The motion carried by unanimous consent.

Brian Theis, 2530 Fieldstone Drive, Victoria, with Tamarack Land Development, came forward to take questions of the Commission. The Commission did not have any questions on this item.

Motion: Chairperson Godfrey assumed a motion to close the Public Hearing at 7:05 p.m. The motion carried by unanimous consent.

Motion by Loehlein, seconded by Koehler, to recommend approval of rezoning PID 22-32-24-24-0017 from R-1: Single Family Rural to R-4: Single Family Urban. Motion carried 6 ayes, 1 abstention (VanderLaan).

PUBLIC HEARING: CONSIDER CONDITIONAL USE PERMIT (CUP)/PLANNED UNIT DEVELOPMENT (PUD) REQUEST – NIGHTINGALE VILLAS – PIN 22-32-24-24-0017 TAMARACK LAND – NIGHTINGALE VILLAS, LLC (APPLICANT)

The Planning Commission is requested to hold a public hearing and make a recommendation to the City Council on a Conditional Use Permit (CUP) and Planned Unit Development (PUD) request. Associate Planner Griffiths explained the purpose of a PUD and provided an analysis of the request as written in the staff report. He stated the deviations from City Code include lot size, lot width, driveway intersection setback, and home side yard setback. Mr. Griffiths reviewed the landscape plan, housing styles, and the homeowners association plan.

Commissioner Koehler asked how many lots were under the minimum lot size requirement.

Commissioner Volkenant asked Mr. Griffiths to display the trees and stormwater plan and explain it to the audience. Mr. Griffiths explained stormwater is regulated by State Statute and drives the design of a development.

Motion: Chairperson Godfrey assumed a motion to open the Public Hearing at 7:17 p.m. The motion carried by unanimous consent.

Brian Theis, 2530 Fieldstone Drive, Victoria, came forward and stated they intended to provide more of a buffer on the north end, however, the stormwater plan drove the design.

Bridget Dockter, 15318 Nightingale Street NW, came forward and stated she thought there would be more trees staying to buffer her property. She asked what the buffer plan to the south is. Mr. Theis stated there is a tree save area and will buffer Ms. Dockter's house.

Chairperson Godfrey asked Mr. Theis about Outlot B. Mr. Theis stated they will be deeding the outlot to the adjacent property owner and is a complete tree save area.

Rhonda Ganske, 2159 153rd Lane NW, came forward and asked for confirmation that the land she is giving up for Quinn Street is contingent upon the developer installing a fence on her property and that the development is not phased.

Mr. Theis stated there is a portion of right-of-way on Ms. Ganske's property. He stated they will be deeding Outlot A to Ms. Ganske and provide a fence along the property line. He stated the development will be constructed in one phase.

Motion: Chairperson Godfrey assumed a motion to close the Public Hearing at 7:25 p.m. The motion carried by unanimous consent.

Mr. Griffiths stated 8 of the 22 proposed lots are below the minimum lot size.

Commissioner Loehlein stated the advantages of the PUD are a more efficient use of the land for the villa style product and additional buffering. He asked Mr. Griffiths to explain what the development would look like without the PUD standards. Mr. Griffiths stated the development would have to follow City Code and would lose a large number of lots, putting the density requirement in jeopardy. Commissioner Loehlein asked if City Code required buffering in the backyard. Mr. Griffiths stated there would not need to be a tree preservation plan and buffering would not happen if it was a traditional development.

Commissioner Koehler stated that without the PUD, the developer could clear cut the entire property. He stated the developer is working to preserve the aspects of Andover that people like.

Motion by Koehler, seconded by Loehlein, to recommend approval of the Conditional Use Permit/Planned Unit Development requested by Tamarack Land-Nightingale Villas. Motion carried 6 ayes, 1 abstention (VanderLaan).

Mr. Griffiths stated the items will go before the City Council on Tuesday, May 3, 2022.

PUBLIC HEARING: CONSIDER PRELIMINARY PLAT REQUEST – NIGHTINGALE VILLAS - PIN 22-32-24-24-0017 TAMARACK LAND – NIGHTINGALE VILLAS, LLC (APPLICANT)

The Planning Commission is requested to hold a public hearing and make a recommendation to the City Council on the preliminary plat for Nightingale Villas. Associate Planner Griffiths reviewed the preliminary plat as written in the staff report. He noted the Park and Recreation Commission recommended cash-in-lieu of land for Park Dedication requirements. Mr. Griffith explained the contingencies listed in the resolution.

Motion: Chairperson Godfrey assumed a motion to open the Public Hearing at 7:35 p.m. The motion carried by unanimous consent.

Brian Theis, 2530 Fieldstone Drive, Victoria, came forward and reviewed the development proposal. He stated there is a large power pole along Quinn Street that they need to avoid. He explained it is a simple 22 lot villa style development.

Commissioner Koehler asked where the snow would be stored. Mr. Theis stated the snow will be plowed to the side or hauled out. He stated the City will maintain the street.

Commissioner Volkenant asked what style the fence will be on the west line. Mr. Theis stated the fence will be two styles. He stated there will be a 6-foot privacy fence along the property line and a wrought iron fence installed towards the southern end.

Rhonda Ganske, 2159 153rd Lane NW, came forward and asked what type of pond is proposed. She asked if the HOA would maintain the grass on the east side of the fence. Mr. Theis stated the HOA will maintain the east side of the fence. He stated the ponds are infiltration basins.

Motion: Chairperson Godfrey assumed a motion to close the Public Hearing at 7:42 p.m. The motion carried by unanimous consent.

Motion by Hudson, seconded by Koehler, to recommend of the preliminary plat for Nightingale Villas. Motion carried 6 ayes, 1 abstention (VanderLaan).

OTHER BUSINESS

Associate Planner Griffiths updated the Commission on actions of the Council related to planning items.

Commissioner Volkenant wished a Happy Mother's Day to members of the Commission.

ADJOURNMENT

Motion: Chairperson Godfrey assumed a motion to adjourn the meeting at 7:45 p.m. Motion carried by unanimous consent.

Respectfully Submitted,

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