

***PLANNING AND ZONING COMMISSION REGULAR MEETING  
JUNE 8, 2021***

The Regular Bi-Monthly Meeting of the Andover Planning and Zoning Commission was called to order by Chairperson Bert Koehler IV on June 8, 2021, 7:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Commissioners present: Karen Godfrey, Mary VanderLaan, Nick Loehlein, Marni Elias, and Wes Volkenant

Commissioners absent: Scott Hudson

Also present: City Planner Peter Hellegers  
Others

***PLEDGE OF ALLEGIANCE***

***APPROVAL OF MINUTES***

May 25, 2021 Regular Meeting

Chairperson Koehler assumed a motion to approve the May 25, 2021 Regular Meeting minutes as presented. Motion carries by unanimous consent.

***PUBLIC HEARING: CONDITIONAL USE PERMIT / IN-HOME BEAUTY SALON / 15018 BLUEBIRD STREET NW / KRISTI JOHNSTON (APPLICANT)***

The Planning and Zoning Commission is asked to hold a public hearing to gather public input and make a recommendation to the City Council on a Conditional Use Permit (CUP) at 15018 Bluebird Street NW by Kristi Johnston for an in-home beauty salon.

City Planner Hellegers presented background on the CUP, stating the property is zoned R-4 and an in-home beauty salon is a conditional use in this area. He reviewed City Code and State Statute related to this business. City Code states the salon must be the occupant of the home and only one stylist and one chair are permitted. He stated any improvements to the home to accommodate the business will require a building permit. Mr. Hellegers displayed the interior site drawing showing the workspace layout. He stated when the homeowner moves, the CUP expires.

Commissioner Elias asked if the homeowner could have signs on their property indicating there is a business for advertising purposes. Mr. Hellegers stated the applicant would have to apply for a sign permit and comply with the sign standards for residential property.

Commissioner Volkenant asked what traffic impact the business would have on the neighborhood. Mr. Hellegers stated the anticipated traffic volume is limited by one stylist/one chair and will not have a significant impact on traffic.

Chairperson Koehler stated the noise ordinance is in effect 10 p.m. – 6 a.m.

Chairperson Koehler assumed a motion to open the public hearing at 7:11 p.m. Motion carries by unanimous consent.

Kristi Johnston, 15018 Bluebird Street NW, came forward to answer questions from the Commission.

Commissioner Loehlein stated the Commission has received comments about increased traffic and asked Ms. Johnston to speak about the duration and frequency of appointments. Ms. Johnston stated haircuts are typically 45 minutes and cut and color are 2-4 hours. At most, she has 6 customers per day. She stated she serves families, coming in one car, waiting while she cuts each family members' hair. Ms. Johnston ran a home salon out of Minneapolis for 21 years. Recently, she has been renting space and follows all of COVID and licensing procedures.

Commissioner Loehlein asked if she expects back-to-back scheduling. Ms. Johnston averages 15 minutes between customers. She has more customers around the holidays and an occasional wedding party. She stated there is typically one car at a time in her driveway.

Commissioner Volkenant asked if customer parking would impact mail delivery and garbage trucks. Ms. Johnston stated customers would park in her driveway. She lives on the opposite side of the street from the mailboxes. She feels her customers have the common sense not to park by garbage containers.

Chairperson Koehler stated the expectation is that customers park in her driveway. Chairperson Koehler asked if parking is allowed on her street. Ms. Johnston stated there are not any "No Parking" signs on her street.

Chairperson Koehler stated the hours of operation in the Resolution are 8 a.m. – 9 p.m. Monday through Saturday. Ms. Johnston stated she is comfortable with those hours, and she typically works 3-4 days a week. She appreciates having flexibility for special circumstances.

Chairperson Koehler asked how she accommodates wedding parties if she only has one customer at a time. Ms. Johnston stated the wedding party sits in her living room while she serves one customer at a time.

Chairperson Koehler asked if she was planning on placing signage in her yard. Ms. Johnston stated she has never advertised for her business and has relied on word of mouth. She may place a notice on Next Door. She has never placed signs in her yard.

Commissioner Volkenant said the Commission received letters with concerns about two chairs operating in her home and asked Ms. Johnston to address those concerns. Ms. Johnston stated she has a main work chair, and the second chair is for heat processing or color waiting time. She stated sometimes the chair is used for a parent/child customer where one waits for the other. Commissioner Volkenant stated her intention is to operate at as a Sole Proprietor and not have another stylist work for her. Ms. Johnston responded she is a Sole Proprietor and works by herself.

Commissioner Elias asked how long it will take for her to get her State license. Ms. Johnston stated it takes around 15 days for the license to process. She said her goal to open her new salon is July 9.

Commissioner Elias asked if she intends to work on another customer while one is in the second chair. Ms. Johnston replied she would if she is serving a family or people driving together. She stated it serves the customers in the most efficient amount of time.

Commissioner Godfrey asked if her business in Minneapolis followed the one chair/one stylist policy. Ms. Johnston replied it was the same policy in Minneapolis. Commissioner Godfrey stated Ms. Johnston is experienced in this type of situation and making it work. Ms. Johnston replied affirmatively. She stated she was signed off from zoning in the City of Minneapolis and could operate her business if no one complained. She indicated she has never received a complaint.

Commissioner VanderLaan asked if she planned any plumbing improvements and if the home is in the MUSA. Ms. Johnston said they have added a sink and have passed inspections from plumbing and electrical. She stated they did not change any walls and did not need a building permit.

Mr. Hellegers summarized written and phone comments from the neighborhood. He said the neighborhood was mainly concerned about traffic and they had concerns prior to the CUP application. He received concerns about the hours of operation and two chairs. He said he received a comment about opposition to home businesses and allowing them in residential areas.

Chairperson Koehler assumed a motion to close the public hearing at 7:29 p.m. Motion carries by unanimous consent.

Commissioner Loehlein stated it seems there is a traffic issue already and feels Ms. Johnston's business will not add to the traffic issue.

Commissioner Loehlein referred to the section of City Code that limits home salons to one chair/one stylist. He said it can be taken literally as only having one chair. He said it can also be read as one client at a time and asked Mr. Hellegers to help the Commission interpret it. Mr. Hellegers stated it can be read both ways. He said the intent is to limit the number of persons that can be served at a time and the number of stylists permitted to work in the home business. He stated he believes the intent is to have one stylist serving one client at a time. Commissioner Loehlein indicated he sees it the same way as Mr. Hellegers.

Commissioner Volkenant stated Mr. Hellegers put up a slide that stated a secondary chair is consistent with previous home salon CUPs. He indicated the City has approved a secondary chair with previous decisions. Mr. Hellegers stated the applicant provided more detail in her sketch plan than other applicants. He said other salons have proposed secondary chairs and have been approved.

Commissioner VanderLaan said each house in Andover has around 12-13 vehicles in and out of their driveway every day. She sees Ms. Johnston's business bringing very few cars coming each day. She is impressed by Ms. Johnston and her handling of the concerns of the neighbors. Commissioner VanderLaan stated one car every one hour seems small. She complimented Ms. Johnston on being law abiding, following the rules, and choosing Andover for her home and business. She wished Ms. Johnston success.

Commissioner Elias appreciates that Ms. Johnston will not have signage and will operate during normal business hours. She understands the current traffic concerns and appreciates Ms. Johnston's efforts not to add to the traffic problem. She said if it passes, she wishes her success.

Commissioner Volkenant appreciates hearing concerns from neighbors, and he feels the facts and details the applicant provided address the concerns. He said it was well presented and has a minimal impact on the neighborhood. He said he hopes it passes and wishes her well.

Chairperson Koehler stated Andover City Code allows people to open home businesses without a permit for many reasons, such as a tailor, secretarial, or law office. He said City streets are meant to handle this type of operation. Chairperson Koehler asked about complaints from traffic in the area in the past year. Mr. Hellegers replied he is not aware of any complaints.

Chairperson Koehler asked if the City has received complaints from the 12 currently active home salons. Mr. Hellegers said he checked with Code Enforcement, and they have not received any complaints.

**Motion** by Godfrey, seconded by Volkenant, to recommend approval of a Conditional Use Permit for an in-home beauty salon at 15018 Bluebird Street NW.

Chairperson Koehler requested staff clean up the code regarding the one chair policy and bring it back to the Commission.

Motion carries 5 ayes, 1 nay (Koehler).

Chairperson Koehler stated this item will go to City Council on June 15, 2021.

Chairperson Koehler stated he voted nay because the City Code is wrong, and he wants the code changed. He wished Ms. Johnston well and rasing success with her business.

### ***OTHER BUSINESS***

Mr. Hellegers updated the Commission on items they have sent to the City Council.

Commissioner VanderLaan said the Commission should review the home occupation ordinance in light of COVID and the trend to work from home. She asked if the City of Andover is assisting people in working from home within the constraints of health, safety, and welfare. She asked if the City is promoting economic growth. She asked the Commission and staff to review if they are being responsive to the needs of home businesses.

Commissioner Volkenant stated the location of the business is around 151<sup>st</sup> and Bluebird. He said 151<sup>st</sup> is a main thoroughfare and Bluebird is busy as well. He said when the empty lot near there is developed, it will increase traffic on Bluebird. He asked what that vacant property will eventually become. Mr. Hellegers said the land use map shows the property as commercial and residential. He stated the market will drive the usage of the property. Commissioner Volkenant said change will come at some point in the future and will impact the neighboring properties.

### ***ADJOURNMENT***

Chairperson Koehler assumed a motion to adjourn the meeting at 7:52 p.m. Motion carries by unanimous consent.

Respectfully Submitted,

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