

***PLANNING AND ZONING COMMISSION REGULAR MEETING
AUGUST 10, 2021***

The Regular Bi-Monthly Meeting of the Andover Planning and Zoning Commission was called to order by Chairperson Bert Koehler IV on August 10, 2021, 7:00 p.m., at the Andover City Hall, 1685 Crosstown Boulevard NW, Andover, Minnesota.

Commissioners present: Karen Godfrey, Mary VanderLaan, Nick Loehlein, Scott Hudson, and Wes Volkenant

Commissioners absent: Marni Elias

Also present: Community Development Director Joe Janish
Associate Planner Jake Griffiths
Others

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

July 27, 2021 Workshop Meeting

Motion: Chairperson Koehler assumed a motion to approve the July 27, 2021 Workshop Meeting minutes as presented. Motion carries by unanimous consent.

July 27, 2021 Regular Meeting

Motion: Chairperson Koehler assumed a motion to approve the July 27, 2021 Regular Meeting minutes as presented. Motion carries by unanimous consent.

PUBLIC HEARING: SKETCH PLAN/CONDITIONAL USE PERMIT (CUP)/PLANNED UNIT DEVELOPMENT (PUD) – ANDOVER CROSSINGS - LGA, ANDOVER LLC (APPLICANT)

The Planning Commission is asked to review a sketch plan for a commercial and multifamily Planned Unit Development (PUD) known as Andover Crossings for the

undeveloped site at the northeast corner of 7th Avenue NW and Bunker Lake Boulevard. Community Development Director Janish identified the location of the property on a map and stated it is guided residential at 12-20 units per acre and guided commercial. He stated the size of the property is 19 acres and is within the MUSA boundary. The property is mixed with commercial, wetlands, and residential. Mr. Janish presented the sketch plan and identified the locations for assisted living, market rate apartments and potential commercial uses including fast food, restaurant, retail building, and a commercial building.

Mr. Janish presented the proposed PUD standards. He stated the applicant is looking for flexibility in lot area for the apartment building and the front yard setback for the assisted living facility. The applicant is seeking deviations in the amount of underground parking stalls and the number of parking spaces for both the apartment building and the assisted living facility. The applicant is asking for shared driveway access and a deviation in the parking setbacks.

Commissioner Volkenant asked Mr. Janish to clarify the access points. Mr. Janish stated the Anoka County Highway Department reviewed the concept plan and returned with an either/or scenario. Either the applicant can have a left in from Bunker Lake Boulevard or they can have a right in from 7th Avenue, but they cannot have both.

Commissioner Volkenant asked Mr. Janish to explain the parking situation for the apartment building. He asked if there was enough parking for staff and visitors at the assisted living facility. Mr. Janish stated there are 140 units underground stalls that are 9 feet wide and 160 parking spaces on the surface lot. He explained the City Code requires one parking stall per unit for assisted living with proof that half can be built in the future. Mr. Janish stated the assisted living facility does not have the space to reach 32 parking units.

Commissioner Volkenant asked how well the City is filling current commercial space and if a new two-story commercial space is needed. Mr. Janish believes there are people looking for space but the developer is the one taking a risk on building it, not the City.

Commissioner Volkenant asked Mr. Janish to explain the difference between affordable, market-rate, and luxury apartments. Mr. Janish stated market-rate means the applicant has not requested any financial incentives from the City or other agency that require them to have a certain rent range.

Chairperson Koehler asked if there is a height limit for residential buildings in Andover. Mr. Janish said the Council is not in favor of a building over three stories and they desire underground parking.

Chairperson Koehler asked how the density is calculated for the apartment building and does it include acreage on each floor. Mr. Janish stated the formula multiplies the

number of units by either 4,000 or 5,000 square feet and the number of floors does not matter.

Commissioner Volkenant asked the distance between the homes and the apartment building and the impact it will have on the neighborhood. Mr. Janish said the neighborhood to the north is roughly 600-650 feet away from the northern property line. He said the neighborhood to the northeast is around 550 feet away.

Commissioner VanderLaan asked if there is potential for anything other than the road proposed for the Centerpoint property. Mr. Janish stated the Centerpoint Energy location is guided for high density (20-25 units per acre). He indicated Centerpoint Energy wanted the road at the proposed location.

Commissioner Volkenant asked if Public Safety has reviewed the plan and if the access points were sufficient. Mr. Janish stated the responding station comes from the east and can access the entrance off of Bunker. He said if other agencies are responding for mutual aid, they would turn left on 7th and right into the development. Mr. Janish pointed out the fire access on the north of the apartment complex and a 40-foot collapse zone.

Commissioner Volkenant asked if there are traffic safety issues with the property to the south of Bunker Lake Boulevard. Mr. Janish stated Andover Village has two emergency access points. Mr. Janish stated the Anoka County Highway Department requested the entrance to the north property be pushed further east on Bunker Lake Boulevard to increase traffic safety. Mr. Janish indicated the left turn off of Bunker to this property would be going away.

Motion: Chairperson Koehler assumed a motion to open the Public Hearing at 7:42 p.m. Motion carries by unanimous consent.

Bob Lyngen, representing the developer, came forward for a presentation. He stated they selected this site for a mixed-use development. Mr. Lyngen stated the commercial property will be developed as the market drives it. He showed photos as examples of projects they have completed.

Della Kolpin came forward to represent the multi-family unit. She stated the apartment complex has 150 units and 140 underground parking stalls. She presented an analysis by unit type explaining the proposed parking stalls are sufficient. They plan 1 stall for a studio apartment, 1.75 stalls for a 1-bedroom apartment, and 2 stalls for 2- and 3-bedroom units. She stated this formula provides 43 parking spaces for visitors. Ms. Kolpin identified the tot lot and community spaces on the east side of the building and away from the busy road. Ms. Kolpin noted the fire lanes connected by a 6-foot walking trail. She described the setbacks and stated the setbacks are within the City's Code. Amenities include a community club room with access to the outside, a fitness center, a business center, coffee shop, walking paths, storage units, dog wash, and dog park. She said that 44% of the property is green space. Ms. Kolpin showed photos of similar

projects in other cities. She displayed interior photos of their projects. She said market rate is based on the income in the primary market area and rent will be set so the area can afford it.

Commissioner Volkenant asked if there are plug ins for the outdoor parking spaces and how are they making it amenable for parking outside. Ms. Kolpin stated they will keep the parking lot clean and cleared but will not provide electric outlets. She said there will be electric charging stations in the underground parking area.

Commissioner VanderLaan asked what it would take to make some units affordable housing and why they decided to keep it at market rate. Ms. Kolpin said their focus is on providing housing for the missing middle. She stated affordable housing is subsidized by tax credits or TIF. Affordable housing means there is a minimum amount you must make to live there. Ms. Kolpin stated their mission is to bring market rate apartments to those who don't qualify for affordable and can't afford luxury.

Wade Tollefson, representing the assisted living facility, came forward to present information on the assisted living facility. He stated it is a single level, 32 unit building that is made up of fully staffed assisted living and memory care. They have two existing buildings that have 22 parking stalls and are never full. He feels 16 spaces are adequate and may find room to add a few more. Mr. Tollefson displayed images of the facility and examples of their facilities.

Commissioner Volkenant asked Mr. Tollefson to clarify the number of staff. Mr. Tollefson stated during the daytime there are two staff on each side, and one on each side during the night. Other staff include the activities director, chef, nurse, and house manager.

Commissioner Godfrey asked how the apartment complex plans on using the greenspace and where the dog park will be located. Ms. Kolpin stated each unit has a balcony or patio. They haven't identified the location of the dog park but plan on placing it on the east side by the walking trail.

Commissioner VanderLaan asked what security the development is providing, especially in the assisted living and apartment facilities. Ms. Kolpin stated there is CCTV with around 30 cameras in the apartment building. Mr. Tollefson said the assisted living facility will have interior and exterior cameras.

Chairperson Koehler asked how long Mr. Tollefson has been operating facilities. Mr. Tollefson reported the Columbia Heights site is under construction and the Anoka site has been open since March of 2021.

Commissioner Volkenant asked where school buses would pick up children. He asked if they need to put sidewalks in to access the intersection at Bunker and 7th. Ms. Kolpin stated they are open to discussing the location of the bus stop with the school district.

She said they are discussing how the apartment complex hooks up to Bunker Lake Boulevard and 7th Avenue.

Hope Luedtke, 16932 Jivaro Street, came forward and says she drives by this property every day. She said she was looking for information on the website and didn't find anything until a few hours ago. She feels the error on the agenda that didn't specify a public hearing is the reason there aren't many people present. She said it was not publicized right and the transparency piece is disappointing. Ms. Luedtke said the traffic is stopped at 7th Avenue and Bunker for around a quarter to half mile back when school is in session. She is worried about the safety of people living in this area. She has had 4 major accidents with her family in that general area. Ms. Luedtke requested the stoplight on 7th Avenue be installed before the addition of this development. Ms. Luedtke stated if Andover is going to do it, why don't they do it right. She is excited about the development, but asked if Andover needs to do that much. She is concerned about the deviations and feels it should be scaled down. She would like the number of parking stalls for the apartment to be reevaluated. Ms. Luedtke stated Planned Unit Developments are popping up all the time in Andover and Andover doesn't need to be the next Edina, Maple Grove, or Plymouth.

Bud Holst, 4276 165th Avenue, came forward and stated he is concerned about the effect the increased density has on the roadways. He said the City is handing out PUDs like water. He said other cities would require an environmental impact study. Mr. Holst said the City shouldn't accept cash in lieu of land for park dedication fees and should acquire land. He said the City doesn't have a fund for dedicated education needs. Mr. Holst said the City should have a dedication fund for roads and streets. He asked if there was any communication between the City, County, and MNDOT and if there was, why wasn't it part of the presentation. Mr. Holst said the water table changed in his area because of development. He is concerned developers can come to Andover and bend codes. He feels that is dangerous. He challenged the Commission to do some serious thinking before handing out variances to City Code.

Merl Prochniak, 2941 141st Avenue, came forward and said he is concerned the streets are getting narrower and causes the City to place no parking signs. He would like to see wider streets so a firetruck can get by when there are cars parked on the street. Mr. Prochniak doesn't see anything in the plan for parks.

Commissioner Volkenant asked if the road through this development is one that people can park on. Mr. Janish stated the road will be the standard width which could allow for parking. He stated the Council can adopt a resolution that restricts parking in this area.

Commissioner Volkenant asked staff to identify the type of road 7th Avenue is and if it is more than one lane from Bunker going north. Mr. Janish stated 7th Avenue does convert to one lane in each direction to the north. He said this applicant would have to widen 7th Avenue to accommodate the right in and right out. He said the addition of the signal would require modifications to 7th Avenue. The City of Andover would take the lead on

the new signaled intersection on 7th, north of Bunker Lake Boulevard and work with the County and City of Anoka on the project.

Commissioner Volkenant asked if the City has had discussions with the County and if this will be a traffic barrier to the improvements on Highway 10 and Bunker Lake Boulevard. Mr. Janish stated that question is beyond his scope. He said there will be traffic impacts during construction and it will coincide with projects on Highway 10.

Commissioner Godfrey asked the developer to summarize safety measures for vehicles and pedestrians. Mr. Lyngen stated the County has dictated the access points off of Bunker and 7th Avenue. He stated they are meeting City Code for the interior road. Mr. Lyngen stated they are working on connecting their property to the existing trails and sidewalks.

Chairperson Koehler encouraged the developer to address traffic and safety concerns when they return for preliminary plat.

Hope Luedtke, 16932 Jivaro Street, came forward and asked if the speed limit is going to change on Bunker. She said there will be accidents on Bunker if the speed limit does not change. Ms. Luedtke asked what the average living square footage is for the apartments.

Ms. Kolpin stated the apartments range from 600 to 1400 square feet depending on number of bedrooms.

Mr. Janish stated there is a statutory process for changing speed limits and is accomplished through a speed study. He stated he will bring the issue to the City Engineer's attention.

Motion: Chairperson Koehler assumed a motion to close the Public Hearing at 8:39 p.m. Motion carries by unanimous consent.

Chairperson Koehler summarized the feedback from residents and the Commission: safety, traffic, walking paths, parking concerns and snow, greenspace, and location of dog park.

Commissioner Loehlein asked Mr. Janish to address the City's density and the formula used for the apartment complex. Mr. Janish said the 4000/5000 square feet is in the City's Code. Mr. Janish said the Met Council requires the City to have an overall density of 3 units per acre. The City had to increase density in certain areas of the City in order to preserve lower density in other locations. The Met Council also requires the City to meet affordability which is property that is guided 8 units or higher. Mr. Janish said the PUD allows the developer flexibility. Mr. Janish said by using the City Code, the development does not meet the density with 150 units. He said the City will use a PUD to get to the desired density.

Commissioner Volkenant asked what part of the math problem is changeable that would increase the units per acre. Mr. Janish stated the City would adjust the lot area per unit to increase the density.

Commissioner Hudson asked if the root cause of the issue is that the City Code is not up to date for a project like this. Mr. Janish stated that is correct. Commissioner Hudson stated City Code does not allow for a project to get the desired density and therefore a PUD is needed.

Commissioner Hudson asked the developer to fine tune the fire lane when they return with preliminary plat.

Commissioner Godfrey requested staff to take a look at City Code and return with proposed language to address apartment buildings. Chairperson Koehler said that the Commission can look at that part of City Code during the winter months when development has slowed down. Mr. Janish said the City Council is aware the City Code needs to be updated to be consistent with the Comprehensive Plan and the Comprehensive Plan states the City will use a PUD for these types of developments.

Commissioner Volkenant stated he is concerned with street parking in a development like this and asked staff to look at parking restrictions. He said Andover has a problem with 7th Avenue and he doesn't believe it is on the County's radar. Commissioner Volkenant encouraged the City to work with the County and residents to go to the County Board with their concerns.

Chairperson Koehler stated the development will return as a preliminary plat at a future date. Mr. Janish stated the concept plan will go in front of the Park Commission and the City Council. The developer will then decide whether to move forward with the project and will return with a preliminary plat when ready.

Mr. Janish stated there is a sign on the property with a phone number and when residents call the number, it clearly states tonight's meeting is a public hearing. He stated the City received 15-18 phone calls about the project. He said the agenda on the website was incorrect, but there were other avenues where tonight's meeting was advertised as a public hearing including being published in the newspaper and notice being mailed to property owners who live nearby the project location including those within the City of Anoka.

Chairperson Koehler stated this is the first time he has seen this error in 9 years. He feels it was a mistake and not a deliberate attempt to deceive anyone. He apologized for not having it right the first time.

OTHER BUSINESS

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Mr. Janish stated the Commission will have a workshop prior to their next meeting on August 24. He said the regular meeting will include The Fields of Winslow Cove and the Meadows at Nightingale.

Commissioner Godfrey asked if the Commission was meeting jointly with the City Council on August 24. Mr. Janish stated it is a separate workshop.

ADJOURNMENT

Motion: Chairperson Koehler assumed a motion to adjourn the meeting at 9:00 p.m. Motion carries by unanimous consent.

Respectfully Submitted,

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