

***PLANNING AND ZONING COMMISSION REGULAR MEETING
AUGUST 24, 2021***

The Regular Bi-Monthly Meeting of the Andover Planning and Zoning Commission was called to order by Chairperson Bert Koehler IV on August 24, 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: None

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

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

August 10, 2021 Regular Meeting

Staff indicated they received several minor changes via email and made the corrections.

Chairperson Koehler requested an edit to page 2, line 23 “Mr. Janish stated there are 140 ~~units~~ underground stalls that are 9 feet wide and 160 parking spaces on the surface lot.”

Motion: Motion by Loehlein, second by Volkenant to approve the August 10, 2021 Regular Meeting minutes as amended. Motion carries unanimously.

PUBLIC HEARING: CONSIDER PRELIMINARY PLAT – MEADOWS AT NIGHTINGALE – PID 22-32-24-31-0009 – TAMARACK LAND DEVELOPMENT LLC (APPLICANT)

The Planning Commission is asked to hold a public hearing, take public comment, and provide a recommendation on a preliminary plat for the Meadows at Nightingale. Community Development Director Janish identified the location of the development. He stated the parcel is guided Single Family Urban with a density of 2.4 to 4 units per acre. Mr. Janish displayed the preliminary plat and stated it is comprised of 20 lots at 3.23 units per acre. He identified the access points and utility connections. Mr. Janish explained the development meets the R-4 standards with the exception of exceeding the cul-de-sac length by 24 feet. Mr. Janish noted since development meets R-4 standards, the developer has chosen to forego the sketch plan process and proceed with the preliminary plat.

Motion: Chairperson Koehler assumed a motion to open the Public Hearing at 7:06 p.m. Motion carries by unanimous consent.

Sally Blair, 2047 151st Lane, came forward and stated she has been paying assessments for road improvements on 151st Lane. She wants to make sure the road is repaired if damaged during construction. She asked for the timeline of construction for development.

Brian Theis, Tamarack Land Development, came forward and stated they plan on starting grading and construction this fall. He stated if they damage the road, they will repair it.

Chairperson Koehler asked how cars will get through 151st Lane if they are tearing up the road for utility connections. Mr. Theis stated they will have traffic control barricades and the road will never be completely closed. He explained the new streets will be completed by Thanksgiving and the connections on 151st Lane will be completed before that.

Commissioner Volkenant asked what the developer is planning to do with the pond behind lots 5 and 6. Mr. Theis said it is a regional pond that was constructed with a previous development and will be used for this development. He said they will expand it a bit but are not fundamentally changing it.

Commissioner VanderLaan said the area was previously used as a community garden and has a water connection. She asked Mr. Theis if he was going to use it or remove it. Mr. Theis stated if there is a well, it will be abandoned, and they do not intend on using it.

Motion: Chairperson Koehler assumed a motion to close the Public Hearing at 7:13 p.m. Motion carries by unanimous consent.

Chairperson Koehler asked Mr. Janish to address 151st Lane and how repairs are monitored and approved. Mr. Janish said City staff inspects the project as it goes along. He said if a resident has an issue with the repair, they can call the City. City staff will work with the developer to resolve issues. Chairperson Koehler said he had his road torn up and encouraged residents to take pictures and call the City.

Commissioner Loehlein asked Mr. Janish to address the cul-de-sac length and if it was discussed with public safety. Mr. Janish said the Fire Chief reviewed the plan and they discussed an emergency trail. The Fire Chief did not believe an emergency trail was necessary but recommended installation of a fire hydrant at the T in the road. Mr. Janish stated if the road was shifted to shorten the cul-de-sac, they would lose lots and would not be able to make R-4 standards.

Commissioner Volkenant asked Mr. Janish to address the City Engineer's comments. Mr. Janish stated staff reviews each development and provides comments to the developer. He stated the developer and staff work on the items before bringing forward the preliminary plat to the Commission. Mr. Janish stated the remaining comments are considered "house cleaning" items and if the comments are not addressed, the developer cannot begin grading.

Motion: Motion by Loehlein, second by VanderLaan to recommend approval of the preliminary plat for Meadows at Nightingale as presented in the staff report. Motion carries unanimously.

Mr. Janish stated this item and all other items on this agenda will go before the Council on September 7, 2021.

PUBLIC HEARING: CONSIDER REZONING REQUEST – REZONE PROPERTY FROM R-1: SINGLE FAMILY RURAL TO R-4 SINGLE FAMILY URBAN– PIDs: 23-32-24-41-0001, 23-32-24-42-0003, 23-32-24-43-0005, 23-32-24-44-0001, 24-32-24-31-0001, 24-32-24-32-0001, 24-32-24-33-0001, 24-32-24-34-0001, and 24-32-24-43-0001 – U.S. HOME CORPORATION DBA LENNAR (APPLICANT)

The Planning Commission is asked to hold a public hearing, take public comments, and provide a recommendation on a rezoning request from R-1: Single Family Rural to R-4: Single Family Urban for the Fields at Winslow Cove. Associate Planner Griffiths identified the location of the development. Mr. Griffiths stated this item addresses the zoning of the parcels to allow it to move forward for CUP/PUD and preliminary plat. Mr. Griffiths explained rezoning criteria. He stated the parcels are in the MUSA boundary and is guided as Transitional Residential in the Comprehensive Plan.

Chairperson Koehler asked when this area was designated Transitional Residential. Mr. Griffiths stated at least since 2008.

Motion: Chairperson Koehler assumed a motion to open the Public Hearing at 7:24 p.m. Motion carries by unanimous consent.

No one came before the Commission.

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

Motion: Motion by VanderLaan, second by Hudson, to recommend amending the City Zoning Map from R-1: Single Family Rural to R-4: Single Family Urban for PIDs: 23-32-24-41-0001, 23-32-24-42-0003, 23-32-24-43-0005, 23-32-24-44-0001, 24-32-24-31-0001, 24-32-24-32-0001, 24-32-24-33-0001, 24-32-24-34-0001, and 24-32-24-43-0001. Motion carries unanimously.

Chairperson Koehler stated the item will go to City Council on September 7, 2021.

PUBLIC HEARING: CONSIDER CONDITIONAL USE PERMIT (CUP)/PLANNED UNIT DEVELOPMENT (PUD) REQUEST - PIDs: 23-32-24-41-0001, 23-32-24-42-0003, 23-32-24-43-0005, 23-32-24-44-0001, 24-32-24-31-0001, 24-32-24-32-0001, 24-32-24-33-0001, 24-32-24-34-0001, and 24-32-24-43-0001 – U.S. HOME CORPORATION DBA LENNAR (APPLICANT)

The Planning Commission is asked to hold a public hearing, take public comments, and provide a recommendation on a Conditional Use Permit (CUP) and Planned Unit Development (PUD) for the Fields at Winslow Cove. City Planner Hellegers identified the location of the development consisting of 244 acres, 117 of which are open space and parks. He stated the development will consist of 383 single family homes. Mr. Hellegers explained the City is required to meet an overall density of 3 units per acre by the Met Council. He stated the property is guided Urban Residential Low (2.4 to 4 net units per acre) and Urban Residential Medium Low (4 to 8 net units per acre). He indicated this development will be 3.04 net units per acre. Mr. Hellegers explained the development is proposing 4 sizes of lots consisting of villas and single-family housing. He identified access points off of Prairie Road with a roundabout at the main access point. Mr. Hellegers stated the City is requiring buffering between this development and the surrounding neighborhoods using existing trees and additional landscaping.

Mr. Hellegers explained a PUD, review criteria, and the proposed PUD standards. The developer is asking for variations on the lot sizes, setbacks, and front yard trees. Mr. Hellegers displayed images of housing styles and the lot size they would fit on.

Chairperson Koehler asked Mr. Hellegers to explain why there are multiple items on the agenda for this development and the difference between the CUP item and a preliminary plat. Mr. Hellegers stated the Planned Unit Development provides for the developer to deviate from City Code. He explained the preliminary plat looks at the division of land and how it is laid out.

Commissioner Hudson asked how this differs from the sketch plan they saw previously. Mr. Hellegers stated there are not dramatic changes, but changes include a roundabout, 65-foot villas lots and two parks.

Commissioner Volkenant asked about the northwest quadrant and buffering the property to the north. Mr. Hellegers stated there is no required buffering to the property to the

north because it is also within the MUSA and will be developed in a similar style as this proposal.

Commissioner Loehlein explained the density of this development meets the City's goal in the comp plan and is not excessive. He stated the property has a lot of natural features including trees and wetland. Commissioner Loehlein asked Mr. Hellegers to address density and how this option is better than applying City Code with no changes and bulldozing all the natural features.

Mr. Hellegers stated the Comp Plan has a goal of a density of 3 units per acre and this development is 3.04. He explained a PUD allows the developer to narrow lots to achieve the desired density without factoring natural areas. The PUD provides for a more attractive development by allowing natural features to remain.

Chairperson Koehler stated this is the third villa type product that has come before Commission. He asked if villas are allowed in existing City Code. Mr. Hellegers stated there are no provisions in City Code for villas and the PUD process is the method to accommodate villas. Chairperson Koehler stated the City did not anticipate this type of home style and the only way to get it is through a PUD until City Code is updated. Mr. Hellegers stated correct.

Commissioner Hudson asked if the villa standards in this development mirror other villas standards the City has already approved. Mr. Hellegers stated the villas in this development are similar to others within the City.

Chairperson Koehler asked how the villa product has been received by the community and if there have been any issues. Mr. Hellegers stated they work fairly well and are becoming common in the community.

Commissioner Volkenant asked about the grading, erosion, and water control per the City Engineer's comments. Mr. Hellegers stated the City Engineer's comments are minor details and the larger components of the development have been satisfactorily addressed.

Motion: Chairperson Koehler assumed a motion to open the Public Hearing at 7:50 p.m. Motion carries by unanimous consent.

Chairperson Koehler noted the open forum addresses deviations from City Code and not the layout of the development.

Josh Metzger, with Lennar Homes, came forward and stated they are excited to come forward with preliminary plat and have been working on this development for over a year. He stated staff does a good job protecting the City's interest. Mr. Metzger explained the difference between the sketch plan and the preliminary plat. The sketch plan had 399 units and the preliminary plat has 383 units. The sketch plan did not have any parks and the preliminary plat includes two parks, one on each side of Prairie Road. The sketch plan

provided 1.75 miles of trails and the preliminary plat has 2.13 miles. The sketch plan did not show a roundabout and the preliminary plat includes a roundabout for traffic calming and safe pedestrian crossing. Mr. Metzger stated the development will impact 2 acres of wetland while preserving 41 acres of wetland that were previously farmed.

Mr. Metzger addressed the buffer along the north side and stated they will plant a row of conifers to buffer year-round. He stated they will plant two rows of trees along the area to the east labeled Area A. Mr. Metzger explained they are preserving trees wherever they can and where they can't keep trees, they will be planting. Mr. Metzger says a PUD allows the required density and preservation and restoration of wetlands. He said the development will take about 5 years and will be conducted in phases starting on east side of Prairie Road.

Chairperson Koehler stated if the developer didn't request a PUD, they could clear cut the land and put a grid in with two trees per property. Mr. Metzger said correct, but it would be costly to impact the wetlands. He stated there wouldn't be trails, open space, and the preservation of trees. Chairperson Koehler noted that the PUD process allows for the developer to propose deviations from City Code to provide for a more efficient development that may allow for the preservation of trees or open space that otherwise would not be possible through strict application of the City Code.

Motion: Chairperson Koehler assumed a motion to close the Public Hearing at 8:01 p.m. Motion carries by unanimous consent.

Chairperson Koehler explained that a PUD is a tradeoff to allow a product City Code does not permit that is very popular, and in exchange, wetlands, trees, and natural features are preserved.

Motion: Motion by VanderLaan, second by Godfrey, to recommend approval of the CUP/PUD for PIDs: 23-32-24-41-0001, 23-32-24-42-0003, 23-32-24-43-0005, 23-32-24-44-0001, 24-32-24-31-0001, 24-32-24-32-0001, 24-32-24-33-0001, 24-32-24-34-0001, and 24-32-24-43-0001 U.S. Home Corporation DBA Lennar.

Discussion:

Commissioner Loehlein thinks the Fields of Winslow Cove is the appropriate use of a PUD. He stated there is no place in City Code to handle villas and this is the right way to develop and maintain natural features. Commissioner Loehlein believes the density is appropriate. Chairperson Koehler concurred and stated the PUD is taking the same number of houses, placing them in a smaller area, and preserving natural resources.

Commissioner Volkenant requested the Commission review City Code to allow the villa product since the future of the PUD in Minnesota is unknown.

Motion carries unanimously.

Chairperson Koehler stated the item will go to City Council on September 7, 2021.

PUBLIC HEARING: CONSIDER PRELIMINARY PLAT – FIELDS OF WINSLOW COVE - PIDs: 23-32-24-41-0001, 23-32-24-42-0003, 23-32-24-43-0005, 23-32-24-44-0001, 24-32-24-31-0001, 24-32-24-32-0001, 24-32-24-33-0001, 24-32-24-34-0001, and 24-32-24-43-0001 – U.S. HOME CORPORATION DBA LENNAR (APPLICANT)

The Planning Commission is asked to hold a public hearing, take public comments, and provide a recommendation on a preliminary plat for the Fields of Winslow Cove. Associate Planner Griffiths stated this item addresses the layout of the development. He indicated there are 383 proposed lots broken down into 43 55-foot villa homes, 35 65-foot villa homes, 280 65-foot single family homes, and 35 85-foot single family homes. He stated 48% of site is preserved as parks and open space.

Mr. Griffiths displayed the layout of the plat, broken into four quadrants. He explained there are five proposed access points: three off of Prairie Road, a proposed extension of Palm Street, and a proposed extension of 150th Lane.

Mr. Griffiths noted 48% of the site will be open space and the developer proposes 1,000 new tree plantings. He stated the tree protection plan is in process. Mr. Griffiths explained the developer has been working for over a year on this plan and is coordinating with the Coon Creek Watershed, Army Corps of Engineers, and has conducted an Environmental Assessment Worksheet.

Mr. Griffiths noted the addition of two parks, one on each side of Prairie Road with trails that connect the residents to the parks. He stated the Park and Rec Commission will review the parks and trails on September 2.

Commissioner Volkenant asked Mr. Griffiths to talk about the underpass on the railroad tracks. Mr. Griffiths stated there is a placeholder on outlot A for a pedestrian railroad underpass. The City and developer have been working on the feasibility of the underpass and have found the trail would impact ground water and would need pumps to dewater constantly.

Commissioner Volkenant asked Mr. Griffiths to clarify the buffer in area D, block 26, bordering the Williams family property. Mr. Griffiths displayed an image of the buffer and stated the developer will be planting trees.

Commissioner Volkenant asked for the size of the roundabout and the expected speed limit change. Community Development Director Janish explained it will be a medium roundabout and an advisory speed limit will be posted. He does not recall the exact speed, but the roundabout will reduce the speed from 50 mph to provide for safe pedestrian crossing.

Commissioner Volkenant asked for type of traffic signage on access A and C. Mr. Janish said traffic entering Prairie Road will have a stop sign and there will be no stop signs along Prairie Road.

Chairperson Koehler asked if the roundabout is a single lane. Mr. Janish confirmed it is a single lane roundabout.

Motion: Chairperson Koehler assumed a motion to open the Public Hearing at 8:18 p.m. Motion carries by unanimous consent.

Steve MacGlover, 14909 University Ave. in Ham Lake, came forward and stated his family owns the property that borders this development to the east. He asked why they plan on developing the east side of Prairie Road first if utilities are being brought in from the railroad tracks. He stated the houses are an eyesore. He thinks they should develop on the west of Prairie Road first.

Susan Williams, 14964 Evergreen St NW, came forward and said she assumed they would develop closest to the railroad tracks first. She was told their area would develop last. She was told the buffer along her property would be 20 feet. She would like to see the buffer be 30 feet to preserve more trees. Ms. Williams asked about the types and sizes of trees that would be planted in the buffer zone.

Chairperson Koehler read an email sent by Ross Tracy asking why there are no proposed buffer zones on the northwest end of the plat. Chairperson Koehler stated the property to the northwest falls within the MUSA boundary and a buffer is not required.

Mr. Metzger stated the east side of Prairie Road is going to develop by segments. He indicated development will begin along Prairie Road near the roundabout, then go to the west side of Prairie, with the last phase along intersection C. Mr. Metzger said they have chosen to start on the east side of Prairie Road because it has the least impact on the wetlands, and they are still working through wetland permitting.

Mr. Metzger is proposing two rows of conifers along Ms. Williams property and plans on leaving a dense area of trees along lot 25. He explained they need to grade the land to maintain stormwater on the development. Mr. Metzger stated they will plant two types of trees: development trees and home building trees. He explained development trees are used as buffers and home building trees are installed after the homes are built. Mr. Metzger indicated development trees are 6-foot conifers with a 1-year warranty.

Chairperson Koehler asked if they could work with Ms. Williams on the type of conifers planted. Mr. Janish stated the City's Natural Resource Technician works with the developer on tree plantings. He stated they can consult with Ms. Williams as well. Mr. Metzger noted the types of trees planted will depend on what is available, and the plantings can be 4-5 years out. Mr. Janish explained the Natural Resource Technician will approve any changes to the types of trees.

Mr. Metzger said they may grade the entire site, but the building of homes may be 4-5 years out. If that is the case, he said they can plant the development trees sooner.

Mr. Metzger indicated he has been in contact with Mr. Tracy, and they will be planting conifers as a buffer to his property.

Commissioner Volkenant asked if there would be any issues with the grading if Ms. Williams plants trees on her property. Mr. Metzger recommended holding off planting anything around 20 feet from the stub street in case there is disruption of the property line.

Commissioner Godfrey asked how the parks relate to the development phasing. Mr. Metzger said the park on the east side will be graded in 2022 or 2023 and the park on the west side will go live when the area is developed. Commissioner Godfrey asked if the parks are HOA maintained or deeded to the City. Mr. Metzger said they will be deeded to the City.

Ms. Williams came forward and said at the last meeting, they were planning on preserving the trees behind her house and they are now being taken out. She said the area is very flat and does not know if grading is needed in the area. She would like 20 feet of existing trees to stay.

Chairperson Koehler stated he has learned you can do what you want to do on your own property as long as it isn't illegal. He could cut down everything if he wanted to.

Chairperson Koehler asked staff if City Code dictates a 20-foot buffer. Mr. Griffiths stated the 20-foot buffer is what is proposed on the south end of the development and City Code does not have standards for buffers. Mr. Griffiths stated the natural buffers are around 20 feet wide throughout the development. Chairperson Koehler asked if there is nothing in City Code, how do they know if a 20-foot buffer is appropriate. Mr. Griffiths stated it is a decision for the Commission.

Barbara Bailey, 15380 Prairie Road NW, came forward and asked about the process for building homes.

Mr. Metzger, Lennar Homes, came forward and stated grading balances the site and allows for the installation of utilities, streets, and stormwater control. He said they can look at preserving existing trees along Ms. Williams property if they can pull the grades from the property line. Mr. Metzger explained the process is to grade, install sewer and water, construct roads, then build homes.

Commissioner Volkenant asked for clarification on Phase 1 and if it includes road construction on the west side of Prairie Road. Mr. Metzger stated they will grade and then

come in as soon as possible for utilities, streets, and homes. He explained grading could happen quickly, but it is hard to say when the site will be fully graded.

Commissioner Volkenant has seen pictures where roads have been put in and the development stalled. He asked what people should do if this happens. Mr. Janish stated Andover has a process once preliminary plat is stamped, the developer can begin grading. He said there is a possibility that lots will sit empty. He explained that the scenario Commissioner Volkenant proposed could happen with any development. Chairperson Koehler stated it can happen anywhere with any development and is not a City of Andover issue.

Commissioner Volkenant asked why homes near Outlot C were removed. Mr. Metzger said there were wetland impacts with little return and removing the homes were the best option.

Motion: Chairperson Koehler assumed a motion to close the Public Hearing at 8:56 p.m. Motion carries by unanimous consent.

Commissioner Volkenant commented he is excited there are two parks going in and hopes the Park and Rec Commission will talk about parking and explore park questions.

Commissioner VanderLaan stated she served on the City Council with the owner of the Holasek property. She said Mr. Holasek would be pleased with the development. She explained Mr. Holasek served the City, protected his land, and attended many City meetings. Commissioner VanderLaan believes Mr. Holasek would be pleased that 48% of his land is open space, parks, and wetland, and that 41 acres of previously farmed land is being returned to a natural state.

Motion: Motion by Godfrey, second by Loehlein, to recommend approval of the preliminary plat for the Fields of Winslow Cove.

Commissioner Loehlein stated his appreciation for the developer's willingness to look at adjusting the grading plan adjacent to Ms. Williams' property.

Commissioner Hudson commended Mr. Metzger on taking feedback, implementing it, and adjusting the preliminary plat. He said it is a job well done.

Chairperson Koehler thanked Mr. Metzger for listening to the residents of Andover.

Motion carries unanimously.

Chairperson Koehler stated the item will go to City Council on September 7, 2021.

OTHER BUSINESS

Mr. Griffiths updated the Commission on projects they have reviewed. He said the Commission will meet on September 14, 2021. Mr. Griffiths announced the resignation of Commissioner Elias and stated the City is accepting applications for a new Commission member.

Chairperson Koehler said there is a desire by the Commission to review PUD process at a future workshop.

Motion by Volkenant, seconded by Koehler, to thank Commissioner Elias for her service. Motion passes by unanimous consent.

Chairperson Koehler thanked staff for a great presentation and thorough work on the Fields of Winslow Cove.

ADJOURNMENT

Motion: Chairperson Koehler assumed a motion to adjourn the meeting at 9:05 p.m. Motion carries by unanimous consent.

Respectfully Submitted,

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