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5 **1. CALL TO ORDER** – Chair Kris Kopitzke called the meeting to order at 7:00 PM  
6  
7 **2. PLEDGE OF ALLEGIANCE** – was recited.  
8  
9 **3. OATH OF OFFICE** – **Annie Perkins, Justin Sykora**  
10  
11 **4. ROLL CALL** – Present: Chair Kris Kopitzke, Lucia Wroblewski, Mark Nelson, Roger Bowman, Sally  
12 Doherty, Annie Perkins, Justin Sykora. A Quorum was present. Absent were Scott Patten & James Langan  
13 (both excused).  
14 **ALSO IN ATTENDANCE** – City Council member Joe Richter, City Administrator Ron Moorse, City Clerk  
15 Julie Yoho  
16  
17 **5. APPROVAL OF AGENDA** – remove item 8b item withdrawn  
18 **Motion/Second: Bowman/Nelson to approve the agenda of the April 2, 2018 meeting. Passed 7-0-0.**  
19  
20 **6. APPROVAL OF MINUTES** –  
21 A. March 5, 2018  
22 Changes were noted  
23 **Motion/Second: Nelson/Wroblewski To approved the minutes of the March 5, 2018 Planning**  
24 **Commission meeting as amended. Passed 5-0-2. (Perkins, Sykora abstain)**  
25  
26 **7. REPORTS AND PRESENTATIONS** – none  
27  
28 **8. PUBLIC HEARINGS** –  
29 A. Nicholas Squires Variance Application at 14641 Afton Blvd  
30 Chair Kopitzke opened the Public Hearing at 7:13 pm  
31 Administrator Moorse provided the following information:  
32 Background  
33 Nicholas Squires is proposing to construct a 1,920 square foot accessory building in the front yard of his property  
34 at 14641 Afton Boulevard. A photo showing the type of building proposed is attached.  
35 The property does not have any frontage on Afton Boulevard, but is located at the end of a private driveway that  
36 serves several properties and is also located at the end of a platted but unimproved public street right-of-way. The  
37 parcel is 11 acres, which allows an accessory building up to 2,500 square feet. The side and rear setbacks for an  
38 accessory building up to 1500 square feet are 50 feet. The setbacks for an accessory building greater than 1500  
39 square feet are 100 feet.  
40  
41 While the required front yard setback is generally 105 feet from the centerline of a public road, the property does  
42 not have frontage on an improved public road. Because the property does not abut an existing improved public  
43 right-of-way or an approved private road, the property does not have a front lot line. (from Sec. 12-55. Definitions:  
44 ***“Lot line, front means that boundary of a lot which abuts an existing improved public right-of-way or an***  
45 ***approved private road.***  
46 ***Lot line, side means any boundary of a lot which is not a front lot line or a rear lot line”***  
47  
48 Based on these definitions, the northwestern lot line of the property, which faces Afton Boulevard and intersects  
49 the bulb of the cul-de-sac of the unimproved right-of-way, is a side lot line.  
50  
51 Because the proposed accessory building is larger than 1500 sq. ft., the required side yard and rear yard setbacks  
52 are 100 feet. The accessory building is proposed to be located with a setback to the northeast side lot line of 250  
53 feet and a setback from the rear lot line of 300 feet. The setback from the northwest side lot line is proposed to be  
54 54 feet vs. the required 100 feet. The accessory building is also proposed to be located 250 feet from the center

55 of the platted cul-de-sac bulb, so that if the cul-de-sac is constructed in the future, the building will meet the required  
56 front yard setback.

57  
58 As shown on the site plan, only a relatively small portion of the property is suitable and available for a building site,  
59 due to topography and the location of the well and drainfield.

60  
61 There is a creek running along the southern and western edges of the property, and there is a steep slope running  
62 down to the creek. The accessory building is proposed to be located 211 feet from the creek. The required setback  
63 is 200 feet. The building is proposed to be located 51 feet from the crest of the bluff that leads down to the creek.  
64 The required setback is 40 feet.

65  
66 Variance Needed

67 To allow the proposed accessory building, a variance to allow a front yard setback of 54 feet vs. the required 100  
68 feet is necessary.

69  
70 Findings

71 The following is a list of recommended findings. The Planning Commission may want to provide additional  
72 findings.

- 73  
74 1. The property and all surrounding property is zoned Rural Residential  
75 2. The parcel is 11 acres, which allows an accessory building of up to 2,500 sq. ft.  
76 3. The property is very oddly shaped, with triangular shaped property lines  
77 4. Large portions of the property have slopes that are not suitable as building sites  
78 5. An accessory building of up to 1500 sq. ft. could be constructed in the proposed building location without  
79 the need for a variance.  
80 6. The perimeter of the property is heavily wooded.  
81 7. The proposal would not disrupt the existing natural vegetation  
82 8. The proposed accessory building meets the stream and bluff setback requirements  
83 9. The parcel abuts a platted but unimproved public right-of-way.

84  
85 Conditions

86 If the Planning Commission recommends approval of the variance application, the Commission may also place  
87 conditions on the approval to mitigate the impact of the variance. The following are recommended conditions.

- 88  
89 1. Any disturbed soils shall be restored as soon as possible, and any erosion control measures  
90 recommended by the City Engineer shall be put in place prior to construction and kept in place  
91 for the period recommended by the City Engineer.  
92 2. Existing vegetative screening shall be maintained  
93 3. The color of the building shall be earth tone

94  
95 Nicholas Squires explained why he would like to place the building in that location (no other suitable site)  
96 No comments were received from the public.

97 **Motion/Second Doherty/Nelson To close the public hearing. Passed 7-0-0.**

98  
99 Hearing closed at 7:18 pm

100  
101 Discussion

102 Nelson asked about showing an alternate septic site on the plans as typically applications show both the existing  
103 and the alternate.

104 Doherty pointed out that if the building was less than 1500 sq ft, a variance would not be required

105 Perkins stated the application was well written. Question over the diagram showing the conforming vs the size  
106 requiring variance. Nicholas explained that the depiction was of the extra sq footage which puts it into requiring a  
107 variance.

108 Doherty pointed out that a smaller building can be closer to the side lot line.

109 Wroblewski asked if the applicant has an attached garage? (yes).

110 Sykora asked about the woods and types vegetation. Nicholas answered it is a variety of trees, not all buckthorn.

111

112 **Motion/Second Doherty/Wroblewski To approve the Nicholas Squires Variance application with findings**  
113 **and conditions listed here except condition #3 requiring the color to be earth tone.**

114 Discussion

115 Administrator Moore clarified that it is a requirement of a building permit to have a primary and secondary septic  
116 site identified.

117 **Motion Amendment Doherty/Wroblewski To add new condition #3 “must conform with septic site**  
118 **requirements”**

119 **Motion Vote, Passed 7-0-0.**

120

## 121 9. NEW BUSINESS

### 122 A. Proposed Revisions to Industrial Zone Regulations

123 In July of 2017, the Council established a moratorium on the consideration of new zoning applications, the  
124 issuance of new permits for use or any expanded new use of land currently identified as being industrially zoned  
125 within the City in which exterior storage of any sort is to be used or proposed. The purpose of the moratorium  
126 was to provide an opportunity for the City to conduct further study for the purpose of consideration of possible  
127 revision and amendments to the City’s official controls to address issues related to its use classifications as  
128 identified in Section 12-134, most specifically to those matters related to exterior storage in industrially zoned  
129 areas within the City. The purpose of such revisions and amendments is to create a clearer and more updated  
130 regulatory framework. The moratorium expires on June 15, 2018.

131

132 After the moratorium was put in place, the Council authorized Mayor Bend, Council member Nelson and  
133 Administrator Moore to review the industrial zone regulations and provide recommendations for amendments.  
134 This group has met with Chris Eng, Washington County Economic Development Director, and has reviewed lists  
135 of allowed light industrial uses from other cities, to identify desired and feasible uses in the industrial zones, as  
136 well as currently allowed uses that would hinder the ability to obtain the desired uses. The group has also  
137 discussed uses that do not fit the rural character desired in Afton. In addition, the group identified a number of  
138 currently allowed residential-related uses that would conflict with industrial uses.

139

140 The group also reviewed landscaping and design standards from other cities to update the existing Industrial  
141 district standards to better match and facilitate the types of uses desired. The following are proposed additions to  
142 the current list of allowed uses in the industrial zones, a list of currently allowed uses proposed to be deleted, and  
143 proposed revisions to the existing architectural standards and landscape requirements. These proposed revisions  
144 are being provided to the Planning Commission for review and feedback, so that an ordinance amendment  
145 reflecting proposed changes can be prepared and a public hearing can be held at the May 7 Planning Commission  
146 meeting.

147

148 Discussion regarding Permitted Uses to be Added:

149 Bowman asked about other ways to limit access to a building rather than limiting square footage. Administrator  
150 Moore explained that this is how other cities have chosen to limit size and type of traffic. Wroblewski asked about  
151 5000 sq ft maximum. Moore explained that was what was recommended. Perkins asked if there is a limit on how  
152 many tenants could be in one building; and also how many acres could fall into this zoning? Moore replied  
153 approximately 250 acres, not all of which is vacant or available. Wroblewski asked if solar is mentioned. Moore  
154 said it is currently allowed.

155

156 Discussion Regarding Uses to be Removed:

157 Bowman asked about the removal of arts and crafts studio. Kopitzke said he'd like to have a CUP cover some of  
158 these uses, rather than list them. Moose explained some of these require large spaces yet have few employees,  
159 others generate a lot of traffic. Bowman asked about a retail outlet for manufactures. Moose replied wholesale only  
160 would be allowed. Bowman asked about medical and laboratory and sewer aspect of that. Moose replied that some  
161 of those may not be able to locate here.  
162 Kopitzke stated he does not want architectural standards in the industrial zone and asked if "green space" is defined  
163 anywhere.  
164 Nelson suggested edits for item D1.  
165 Doherty asked if 20% green space would cause the setbacks to be larger. Perkins asked if green space could be  
166 defined and provide a recommendation. Moose replied that there is an opportunity if we want to have requirements  
167 such as more natural pollinator friendly vs manicured, or to require recycling of runoff for irrigation.  
168 Bowman asked about setback requirements there. Could we allow close setback on freeway side? Could we allow  
169 higher building? Moose replied the currently setback is 150'.  
170 Doherty stated that if there is a public hearing on draft next month, a re-write of new intentions / preamble to  
171 describe the overall goal is needed.  
172 Kopitzke commented on the buffer yard location. Also there would be enforcement issues on some of the landscape  
173 standards. Moose replied the purpose is to provide expectations  
174 Perkins recommended talking with Murphy Warehouse, an Eagan company with solar roof. Skyora agreed they are  
175 a good example of how green can be successful.  
176 Kopitzke stated that the parking area requirements seem too restrictive. Would like to see that addressed as part of  
177 CUP process.  
178 Administrator Moose stated that a Draft Ordinance will be developed after feedback is received from the council.  
179 The moratorium expires in June, public hearing needs to be in May.  
180 The Planning commission would like more time to review if possible for the May mtg.

181

182 11. OLD BUSINESS –

183 A. Update on City Council Actions

184 1. Council highlights from the March 20, 2018 Council meeting

185 Council member Richter provided a summary of the Council meeting.

186 Kopitzke provided a summary of the PLCD discussion.

187

188 12. ADJOURN

189 **Motion/Second: Bowman/ Doherty To adjourn. Passed 7-0-0**

190

191 Meeting adjourned at 8:35pm

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193

194

195 Respectfully submitted by:

196

197 JY

198 Julie Yoho, City Clerk

199

200

201 **To be approved on May 7, 2018 as (check one): Presented: X or Amended: \_\_\_\_\_**