



CITY COUNCIL WORK SESSION MEETING AGENDA

**Wednesday, May 2, 2018
At 5:00 p.m.**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF AGENDA – May 2, 2018 Council Work Session**
- 4. CITY COUNCIL BUSINESS**
 - A. Pennington Avenue sewer connection options
 - B. Bridge Inspection reports and actions
 - C. Fire Inspection Program
 - D. Industrial zone ordinance amendment
 - E. Jessica Mulle (Afton Leather) request for a decorative street light in front of their property
 - F. Opportunity to try out the Microsoft Surface
- 5. ADJOURN**

A quorum of the City Council or Other Commissions may be present to receive information at this meeting

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Meeting Date May 2, 2018

Council Memo

To: Mayor Bend and Members of the City Council
From: Ron Moorse, City Administrator
Date: April 24, 2018
Re: Pennington Avenue Sewer Connection Options

Several properties on the east side of Pennington Avenue have septic systems located at the top of the bluff, while the new sanitary sewer lines are located at the bottom of the bluff. Due to the steep slope, and bedrock near the surface, the cost of the private connections to the sewer line is high. In addition, a significant number of properties on the west side of Pennington, that were not included in the sanitary sewer project, have small lots and will need to be connected to the sanitary sewer system at some point in the future.

At the February 28 Council work session, the City Engineer presented several options for making the private connections to the properties on the east side of Pennington Avenue, and extending the sewer lines to serve the properties on the west side of Pennington. The Council agreed that the costs of the options that included running a sewer line along Pennington were too high, and that the option of running the lines up the platted right-of-way lanes from Perrot was preferred.

At the April 4 work session, the City Engineer provided options and costs related to extending the lines from the platted right-of-way lanes to serve the parcels on the west side of Pennington. The City Engineer also advised that there are PFA grant funds remaining that could be used for a portion of these costs. The Council indicated support for the extension of the sewer lines up the right-of-way lanes to Pennington Avenue to enable the parcels on the west side of Pennington to connect to the sewer system.

Subsequent to the April 4 work session, the City Engineer discovered that, while the extension of the sewer lines to serve the properties on the west side of Pennington requires the installation of 6-inch sewer lines, the stubs coming off the sewer lines at the bottom of each right-of-way lane are only 4-inch lines. To enable the installation of the six inch sewer lines, the 4-inch stubs would need to be replaced with 6-inch stubs. This requires excavation into the new streets where each of the 4 stubs are located. At the work session, the City Engineer will provide information and costs related to the replacement of the 4 inch stubs.

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Meeting Date May 2, 2018

Council Memo

To: Mayor Bend and Members of the City Council
From: Ron Moore, City Administrator
Date: April 24, 2018
Re: Bridge Inspection Reports and Actions

At the April 12 Public Works Committee meeting, the City Engineer presented the results of the annual bridge inspections. Attached is a summary of the results and recommendations for discussion by the Council.

Bridge	Description	Notes	Recommendation	Priority	Estimated Cost	Comments
L8167	TRADG PT TR S (22) over STREAM	Tuckpointing repair has started to come loose.	Perform tuckpoint repair	High	\$ 3,000.00	
L8170	VALLEY CRK TR (53) over VALLEY CRK (TRIBUTARY)	Bridge remains posted. Continued heavy steel corrosion and severe misalignment throughout many steel beams.	Full Replacement	High	\$ 100,000.00	If feasible to replace with a box culvert. Otherwise, \$500,000
82505	MUN 53 over VALLEY CREEK	Nearly all wooden posts are completely rotted and make the railing non-effective during a crash, recommend replacing all posts, possibly even an entire new railing system (that style of railing is substandard for all speeds. Heavy debris build up in 2 of 3 barrels, should be removed on an annual basis, likely after the spring flood events. Lots of tree debris in channel, likely within right of way that could be removed.	Replace guardrail to current standards. Remove debris in channel and barrels. Perform annual maintenance to prevent debris backup.	High priority on Guardrail Other maintenance is Low	\$ 25,000.00	
82J01	60 ST S (MUN44) over TROUT BROOK	Upstream dam, just beyond inlet end treatment, should be removed. Heavy tree debris strewn across inlet, should be removed. Heavy vegetation growing amongs end treatments, should be removed.	Perform maintenance to remove upstream blockage, remove heavy vegetation near end treatments	Low	\$ 2,000.00	
91976	VALLEY CRK TR (53) over VALLEY CREEK	Nearly all wooden posts have heavy end checking, continued amounts of water inside these check (currently not protected) will result in rot from the inside out, resulting in the end condition of posts on Br 82505. 2 of 3 barrels complete silted in, should be cleaned out.	Remove silt in barrel	Low	\$ 1,000.00	
L8173	26(PUTNAM BD S) over VALLEY CREEK	Bridge remains closed and is properly barricaded. ~ 12" fill on top of roadway. Heavy silting of channel against abutment, likely causing scour against the opposite abutment.	Full Replacement	Low	\$ 500,000.00	

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Meeting Date May 2, 2018

Council Memo

To: Mayor Bend and Members of the City Council
From: Ron Moore, City Administrator
Date: April 24, 2018
Re: Fire Inspection Program

The Lower St. Croix Valley Fire Department would like to initiate a program of inspections for the commercial and industrial buildings in Afton. Fire Chief Jim Stanley will attend the work session to explain the program and its goals.

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Meeting Date May 2, 2018

Council Memo

To: Mayor Bend and Members of the City Council
 From: Ron Moore, City Administrator
 Date: April 25, 2018
 Re: Industrial Zone Ordinance Amendment

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

Ordinance Amendment

An ordinance amendment reflecting revisions to the list of uses allowed in the Industrial zones, clarifying exterior storage regulations, and updating design standards and landscape requirements has been drafted for Council's review and comment. The ordinance amendment will also be discussed by the Planning Commission at its May 7 meeting. Based on feedback from both the Council and Planning Commission, a final ordinance amendment could be placed on the June Planning Commission meeting for a public hearing and recommendation, and brought to the June 19 Council meeting for Council action. This timing requires the moratorium to be extended, which requires a public hearing at the May 15 Council meeting.

Uses to be Added to the List of Allowed Uses in the Light Industrial Zones

- Data Center
- Laboratory, dental, medical
- Flex office (i.e. for engineers, architects, accountants), 5,000 square feet or less in floor area, when located in a multi-tenant building
- Office/warehouse (e-commerce - taking and fulfilling orders, 5,000 square feet or less in floor area, when located in a multi-tenant building
- Training facility (not commercial - operated by a company for its own employees)
- Business service (IT, accounting, etc.)
- Distribution center, 30,000 square feet or less in floor area
- Laboratory, research and development.

Uses to be Deleted from the list of Allowed Uses in the Light Industrial Zones

Note: Any currently allowed use that is currently operating will become legally nonconforming and will be allowed to continue but not to expand.

- Animal Impounding Facility (Delete only from allowed uses in the IIC Zone)
- Blacktop or crushing operations for Hwy construction (temp.)
- Exterior sales and storage (wholesale only)

- Garage, storage commercial (mini storage)
- Terminal – transportation and motor freight
- Transportation School
- Residential waterfront uses
- Residential S-F detached housing
- Riding stable
- Private swimming pool
- Private tennis courts
- Recreation equipment storage – private
- Arts and Crafts studio
- Nature Center
- Schools - Public

Elimination of Terminal - Motor Freight and Transportation as an Allowed Use

Staff recommends that, moving forward, no new motor freight or transportation terminals be allowed in the Industrial zones. This can be accomplished in two ways. One method is that the motor freight/transportation terminal use could be deleted from the list of allowed uses. This would make all existing terminals legally non-conforming, which means they could continue to operate but could not be expanded. A second method is that only terminals in existence as of a recent date i.e. May 1, 2018, would continue to be an allowed use. This would prohibit any new terminals and would enable the existing terminals to continue as legally conforming uses. The potential downside to this option is that the existing terminals would be able to expand. Staff is requesting feedback from the Council regarding which option to use.

Ordinance 01-2018

COUNTY OF WASHINGTON CITY OF AFTON

AN ORDINANCE AMENDING CHAPTER 12 REGARDING ALLOWED USES, DESIGN STANDARDS, LANDSCAPE REQUIREMENTS AND EXTERIOR STORAGE IN THE INDUSTRIAL ZONES

THE CITY COUNCIL OF THE CITY OF AFTON, MINNESOTA HEREBY ORDAINS:

The following sections of the Afton Code of Ordinances shall be amended by adding the **bold and underlined** language and deleting the strike-through language.

Sec. 12-134 Uses

Uses in the various districts shall be as follows:

- P = Permitted use
- A = Permitted accessory use
- A/C = Permitted accessory, conditional use permit required*
- C = Conditionally Permitted Use
- I = Interim Use Permit⁹⁰
- ADMIN = Administrative Permit Required
- N = Not allowed
- * = Except as otherwise noted

	Agricultural (A)	Rural Residential (R)	VHS- Residential (VHS-R)	VHS- Commercial (VHS-C)	Light Industrial (I1-A)	Light Industrial (I1-B)	Light Industrial (I1-C)	Marine Service (MS)
Agricultural, rural	P	P	N	N	P	P	P	N
Agricultural, suburban	P	P	N	N	P	P	P	N
Airports, airstrips, heliports	N	N	N	N	N	N	N	N
Animal impounding facility	N	N	N	N	P	P	C ⁹¹ N	N
Animals, commercial training	C	N	N	N	C	C	C ⁹²	N
Antennae or towers over 35 feet in height	C	C	N	N	C	C	N	N
Archery range, commercial	N	N	N	N	N	N	N	N
Armories, convention halls and similar uses	N	N	N	N	N	N	N	N
Auto/car wash	N	N	N	N	N	N	N	N
Auto reduction yard/junkyard	N	N	N	N	N	N	N	N
Auto repair	N	N	N	N	N	N	N	N
Automobile service station	N	N	N	N	N	N	N	N
Barbershop, beauty shops	N	N	N	C	N	N	N	N

AFTON CODE

Bed and breakfast (see Sec. 12-222)	C	C	C	C	N	N	N	N
Blacktop or crushing equipment for highway construction (temporary use only)	EN	N	N	N	<u>EN</u>	<u>EN</u>	F ⁹³ <u>N</u>	N
Boarders (no more than two)	Deleted							
Boat dock (non-commercial)	A	A	A	N	N	N	N	N
Boat, boat trailer, marine sales	N	N	N	C	N	N	N	A

AFTON CODE

	Agricultural	Rural	VHS-	VHS-	Light Industrial	Light Industrial	Light Industrial	Marine Service
	(A)	Residential	Residential	Commercial	(I1-A)	(I1-B)	(I1-C)	(MS)
		(R)	(VHS-R)	(VHS-C)				
Golf courses	C	N	N	N	N	N	N	N
Grading	See Sections 12-215, 12-216							
Greenhouses (commercial production only)	C	N	N	N	N	N	N	N
Guest house ⁹⁷	Deleted							
Gun clubs	N	N	N	N	N	N	N	N
Gun ranges	N	N	N	N	N	N	N	N
Home occupation	P	P	P	P	N	N	P N	N
Hotel (see Section 12-223)	N	N	N	C	N	N	N	N
Institutional housing	N	C	N	N	N	N	N	N
Junkyard	N	N	N	N	N	N	N	N
Kennels, private (see Section 12-55)	C	C	N	N	N	N	N	N
Kennels, commercial (see Section 12-55)	N	N	N	N	N	N	N	N
Land reclamation	See Section 12-215							
Live entertainment or dancing ⁹⁸	Deleted							
Laboratory-Medical, Dental	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>N</u>
Laboratory – R&D	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>N</u>
Lodging room (not more than two)	A	C	C	N	N	N	N	N
Manufacturing, heavy	N	N	N	N	N	N	N	N
Manufacturing, light industrial (maximum height 25 feet in I-1C) ⁹⁹	N	N	N	N	C	C	C	N
Marina (including boat rental) ¹⁰⁰	N	N	N	C	N	N	N	N
Medical uses	N	N	N	C	N	N	N	N
Mining, sand and gravel	N	N	N	N	N	N	N	N
Mobile home court/park	N	N	N	N	N	N	N	N
Motel	N	N	N	N	N	N	N	N
Multiple family dwellings (three or more units)	N	N	N	N	N	N	N	N
Nature center (public and private)	C	C	N	N	N	N	C N	N
Nursery, retail sale of plants ¹⁰¹	S	N	N	N	C N	C N	N	N
Nursery, wholesale growing of plants	P	C	N	N	N	N	N	N

LAND USE

	Agricultural	Rural	VHS-	VHS-	Light Industrial	Light Industrial	Light Industrial	Marine Service
	(A)	Residential	Residential	Commercial	(I1-A)	(I1-B)	(I1-C)	(MS)
		(R)	(VHS-R)	(VHS-C)				
Nursery and garden supplies (wholesale)	C	N	N	N	C	C	C ¹⁰²	N
Offices (Maximum Height of 35 feet in I-1C) ¹⁰³	N	N	C	C	C ¹⁰⁴	C ¹⁰⁵	C	N
Offices, accessory	N	N	N	C	C	C	C	A
Office/Warehouse	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>N</u>
Off-street loading	N	N	N	A	A	A	A/C ¹⁰⁶	A
Off-street parking	A	A	A	A	A	A	A/C ¹⁰⁷	N
Photo/art studio	N	N	N	C	N	N	N	N
Race tracks	N	N	N	N	N	N	N	N
*Recreation areas (commercial)	N	N	N	N	N	N	N	N
Recreation equipment storage (private)	A	A	A	A	N	N	A <u>N</u>	N
Reduction or processing of refuse, trash and garbage	N	N	N	N	N	N	N	N
Rental of cars, trailers, campers, trucks and similar equipment	N	N	N	N	N	N	N	N
Repair garage (commercial)	N	N	N	N	N	N	N	N
Repair shop (small appliances)	N	N	N	C	N	N	N	N
Research (see Section 12-55)	C	C	N	N	C	C	C	N
Research, agricultural	C	C	N	N	C	C	C	N
	NO CUP FOR HOMES							
Residential, multiple family	N	N	N	N	N	N	N	N
Residential, single-family detached ¹⁰⁸	P	P	P	P	N	N	P <u>N</u>	C
Residential waterfront uses	A	A	A	A	N	N	A <u>N</u>	N
Resorts	N	N	N	N	N	N	N	N
Rest or nursing home	N	N	N	N	N	N	N	N
Retail business	N	N	N	C	N	N	N	N
Retail business, accessory to office ¹⁰⁹	N	N	N	C	C	C	C	N
Retail sales of agricultural supplies	C	N	N	N	N	N	N	N

AFTON CODE

	Agricultural	Rural	VHS-	VHS-	Light Industrial	Light Industrial	Light Industrial	Marine Service
	(A)	Residential	Residential	Commercial	(I1-A)	(I1-B)	(I1-C)	(MS)
		(R)	(VHS-R)	(VHS-C)				
Riding stable, private (minimum of 20 acres)	C	C	N	N	N	N	C N	N
Riding stable, commercial (minimum of 20 acres) ¹¹⁰	C	N	N	N	N	N	N	N
Sales, open lot and outdoor	N	N	N	N	N	N	N	N
Sales, seasonal agricultural ¹¹¹	N	N	N	C	N	N	N	N
Schools, private	N	N	N	N	N	N	N	N
Schools, public	N	C	N	N	N	N	C N	N
Service station	N	N	N	N	N	N	N	N
Shopping center ¹¹²	Deleted							
Signs	See Section 12-210							
Stand, private roadside (notify neighbor for CUP) ¹¹³	ADMIN	C	N	C	N	N	C	N
Storage, highway during construction	ADMIN	ADMIN	ADMIN	ADMIN	ADMIN	ADMIN	I	N
Storage, enclosed or screened principal use	N	N	N	N	N	N	N	A
Storage, open principal use	N	N	N	N	N	N	N	N
Storage, enclosed, accessory to a principal use	A	A	A	A	A	A	C ¹¹⁵	N
Storage, not accessory to permitted principal use	N	N	N	N	N	N	N	N
Storage, underground, flammable materials accessory to agricultural or residential use	C	C	C	C	N	N	N ¹¹⁶	N
Studio, arts or crafts	C	C	C	C	N	N	C N	N
Supper Club ¹¹⁷	N	N	N	C	N	N	N	N
Swimming pool (commercial)	N	N	N	N	N	N	N	N
Swimming pool (private)	ADMIN	ADMIN	ADMIN	ADMIN	N	N	ADMIN N	N
Taverns and bars ¹¹⁸	N	N	N	C	N	N	N	N
Tennis courts, private	ADMIN	ADMIN	ADMIN	ADMIN	N	N	C N	N
Training Facility	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>N</u>
Terminal, Transportation/motor freight if existing prior to 5/1/2018	N	N	N	N	C	C	N	N

LAND USE
ORDINANCE 01-2018

	Agricultural	Rural	VHS-	VHS-	Light Industrial	Light Industrial	Light Industrial	Marine Service
	(A)	Residential	Residential	Commercial	(I1-A)	(I1-B)	(I1-C)	(MS)
		(R)	(VHS-R)	(VHS-C)				
Theater	N	N	N	C	N	N	N	N
Theater, drive-in	N	N	N	N	N	N	N	N
Townhouses	N	N	N	N	N	N	N	N
Trailer Parks	N	N	N	N	N	N	N	N
Truck & auto service station	N	N	N	N	N	N	N	N
Temporary farm dwelling (mobile home)	ADMIN	ADMIN	N	N	N	N	N ¹²⁰	N
Transportation School ¹²¹	N	N	N	N	N	C N	N	N
Used auto parts	N	N	N	N	N	N	N	N
Utility substation	C	C	C	C	C	C	C	C
Vegetative cutting	See Section 12-218							
Vehicle sales	N	N	N	N	N	N	N	N
Veterinary clinic	C	N	N	N	N	N	N	N
Warehousing	N	N	N	N	C ¹²²	C ¹²³	C ¹²⁴	N
Waterfront uses (commercial)	N	N	N	C	N	N	N	N
Waterfront uses (residential)	A	A	A	A	N	N	A N	N
Wholesale business	N	N	N	N	C ¹²⁵	C ¹²⁶	C ¹²⁷	N

Sec. 12-143. Light Industrial (I-1A), Light Industrial (I-1B), and Light Industrial (I-1C).

A. Purpose. The purpose of these districts is to preserve land along major traffic routes to be used by industrial uses that will provide a sound tax base for the City.

B. Permitted Uses. As permitted and regulated in Section 12-134.

C. Accessory uses. As permitted and regulated in Section 12-134.

D. Architectural Standards.

1. In the industrial zone, structures must be of fire resistive construction and exterior surfaces of all structures must be faced with brick, stone, architectural concrete (block), precast concrete, **EIFS/stucco panels**, or glass, of earthtones or other tones or colors in harmony with the natural characteristics of the area in which it is constructed and approved by the Design Review Commission, acting as the architectural standards committee.

1. **Architectural Review. Building design shall be reviewed and evaluated by the Design Review Commission, City Planner and/or Zoning Administrator.**
2. **Blank facades without windows and doors are prohibited.**
3. **All sides of structures shall have the same quality of architectural treatment.**
4. **Variety and creativity in building façade is encouraged through changes in building materials (but not in quality of materials), fenestration height and roof lines. Primary facades should not present a continuous wall without architectural details that add visual interest.**

ORDINANCE 01-2018

5. Minimizing continuous expanses of wall through façade articulation, recession or projection is encouraged.
6. The incorporation of topographical features into the form of the structure when possible, utilizing natural grades to create unique design, is encouraged.
7. Rooftop Equipment. The view of all rooftop equipment and related piping, ducting, electrical and mechanical utilities abutting a street on buildings constructed shall be screened from the ground level view. Screening may include parapet walls, penthouses, or other architecturally integrated elements. Wood fencing or chain link with slats shall not be used for screening. The term "ground level view" shall be defined as the view of the building from the property line(s) that abuts a street. A cross sectional drawing shall be provided that illustrates the sight lines from the ground level view.
8. Rooftop solar collectors, skylights and other potentially reflective rooftop building elements shall be designed and installed in a manner that prevents reflected glare and obstruction of views from other sites and structures. Screening may be in the form of walls constructed of the same building material and match the coloring of the principal building
9. Roofline. Roof slopes shall not exceed 1:12 for all principal buildings.
10. Overhead Garage Doors. Overhead garage doors shall not be visible from a public street and shall not exceed 10% of the perimeter of the building exterior
11. Fuel Storage Tanks Prohibited. Above ground and underground fuel storage tanks are prohibited
12. Delivery, service, storage, maintenance and trash collection areas shall be located out of view from the public right-of-way or substantially screened through landscaping or architectural features that match the primary structure. Service, storage and trash collection areas are not allowed in setback areas.
13. All permanent utilities connecting to a building shall be underground.

E. Landscaping Standards. All properties zoned Light Industrial shall be landscaped in accordance with the following:

1. Total green space shall be a minimum of 20% of the gross lot area.
2. The minimum number of major or overstory trees on any given site shall be as indicated below. These are the minimum substantial plantings, in addition to other understory trees, shrubs, flowers, and ground cover deemed appropriate for a complete quality landscape treatment of the site.
 - a. Industrial sites shall contain at a minimum the greater of one (1) tree per 500 square feet of gross building floor area, or one (1) tree per 25 lineal feet of site perimeter.
3. Minimum Size of Plantings. Required trees and shrubs shall be of the following minimum planting size:
 - a. Deciduous trees-Three (3) inches in diameter as measured 6 inches above ground.
 - b. Coniferous trees- Six (6) feet in height.
 - c. Shrubs- Shrubs used for screening shall be in #5 containers.

ORDINANCE 01-2018

4. Sodding and Ground Cover. All areas not otherwise improved in accordance with approved site plans shall be planted with tough native materials where appropriate to reduce the amount of watering required and to increase permeability of the site as approved by the Planning Commission and City Council.

5. The front or side yard from a public street shall be at least 10 feet deep, measured from the street right-of-way line. This yard shall be kept clear of all structures, storage, and off-street parking. Except for driveways, this front or side yard shall extend along the entire frontage of the lot and along both streets in the case of a corner lot.

6. Buffer Yard. Where any business or industrial use (structure, parking or storage) is adjacent to property zoned for residential use, that business or industry shall provide a landscaped buffer yard a minimum of 100 feet in width along the boundary of the residential property to provide screening. Where the use is adjacent to property zoned for industrial use, a landscaped buffer yard a minimum of 50 feet in width shall be required. The screening required in this section shall provide 95 percent opacity year round.

a. Plant Units Required. Within the landscaped buffer yard, a minimum of two hundred (200) plant units shall be required for each one hundred (100) feet of property line. Credit for plant units shall be assigned as follows:

Vegetation	Plant Unit Value
Evergreen Trees	15
Deciduous Trees	10
Evergreen/Coniferous Shrubs	5
Shrubs/Bushes	1

8. Landscape Guarantee. An agreement will be signed between the City and the owner which states that in exchange for issuance of a building permit, the owner will construct, install, and maintain all items shown on the approved plan and that he/she will replace and/or correct any deficiencies or defaults that occur in the plan for a period of two complete growing seasons subsequent to the installation of the landscaping plan. A letter of credit or cash deposit ~~landscaping performance bond~~ will be submitted along with the agreement at this time.

a. If after two growing seasons all the commitments are met, then the letter of credit or cash deposit ~~bond~~ and contract agreement are released to the applicant or property owner.

b. According to ordinance, the developer/owner is responsible for permanently maintaining the landscaping in a neat and proper fashion.

9. It shall be the responsibility of the current property owner to see that the approved landscaping plan is maintained in an attractive and well-kept condition. Maintenance shall include replacement of dead or damaged plant material; the furnishing and installation of mulch; weeding; mowing of grass; cleaning of litter; or any other action deemed necessary by the city to ensure the requirements of this section are met. Any action that reduces canopy cover and/or landscaping below what is required in this section shall require in-kind replacement. Failure to maintain a landscape area shall be deemed a violation of this article.

10. Parking areas that contain more than four parking spaces shall be landscaped throughout the lot to the extent of at least ten percent of the hard surface area of the parking lot and driveways to the public

ORDINANCE 01-2018

right-of-way, as measured from the outside curb. These landscaped areas shall consist of curb islands approximately ten feet in width at the ends of each row of parking, excluding locations of handicapped spaces. Curb islands shall also be designed to break up longer rows of parking. Where feasible, linear parking lot landscaped islands, parking lot rain gardens, depressed infiltration curb islands, and demonstrated parking areas shall also be included in the parking lot design. A combination of at least one tree and shrubs or semi-annual flower species plants shall be planted in curb islands or interior parking lot open space for each ten required parking spaces. Where the city determines that the parking lot design cannot reasonably accommodate curb islands or other landscaping open space features or cannot accommodate that amount of landscaping cited herein, plant materials shall be moved to the outside perimeter of the parking lots.

All landscaping shall comply with Sections 12-191 and 12-192. (See below)

F. Lighting. The following shall apply to all Industrial properties in addition to the requirements set forth in Section 12-195.

1. Any light fixture intended to illuminate the site shall contain a cutoff which directs the light at an angle of ninety (90) degrees or less. Exposure of the light source shall not be permitted in view of adjacent property or public right-of-way.
2. The maximum height above the ground grade for light fixtures mounted on a pole is twenty-five (25 feet).
3. No light sources shall be located on the roof unless said light enhances the architectural features of the building and is approved by the Zoning Administrator and the Design Review Commission.
4. All light poles shall be black or another similarly dark color.

F. Exterior Storage Screening Standards

1. Exterior storage includes the storage of goods, materials, equipment, including motor freight trailers and school buses, manufactured products and similar items not fully enclosed by a building.
2. Exterior storage requires screening with a wall constructed only of the materials allowed to be used for the principal structure, and requires vegetative screening of the wall.
3. The area of exterior storage is limited to a maximum of 10% of the area of the principal structure.

Sec. 12-55 Definitions

Business Service means a service provided to other businesses such as Information Technology services or accounting services.

Data Center means a facility used to house computer systems and associated components, such as telecommunications and storage systems.

Distribution Center means a use that, apart from storing products, offers value-added services like product mixing, order fulfillment, cross docking, packaging etc. Typically retail and wholesale orders are shipped from a distribution center and not a warehouse. The maximum size allowed for a distribution center is 30,000 sq. ft.

ORDINANCE 01-2018

Flex Office means industrial space that starts with warehouse space, a portion of which can be converted to office or showroom space. The space can be "flexed" into larger of smaller office vs. warehouse spaces as needed.

Fulfillment Center – Ecommerce means industrial space that serves ecommerce merchants by enabling them to outsource warehousing and shipping. Sellers send merchandise to the fulfillment center, and the outsourced provider ships it to customers for them. The maximum size allowed for a fulfillment center is 30,000 sq. ft.

Training Facility. An indoor training facility operated by a company to train its own employees. Not commercial.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF AFTON THIS ____ DAY OF ____, 2018.

SIGNED:

Richard Bend, Mayor

ATTEST:

Ronald J. Moorse, City Administrator

Motion by:
Second by:
Palmquist:
Richter:
Ross:
Nelson:
Bend:

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Meeting Date May 2, 2018

Council Memo

To: Mayor Bend and Members of the City Council
From: Ron Moorse, City Administrator
Date: April 24, 2018
Re: Jessica and Karl Mulle (Afton Leather) request for additional street lighting in front of their property

The Muller's, owners of Afton Leather at 3411 St. Croix Trail, had a gas street light in the front of their property prior to the Downtown Village Improvement Project. As part of the project, the gas light was removed and the pattern of the spacing of the new decorative street lights resulted in decorative street lights on the properties to their north, south and west, but no street light in front of their property. They have expressed concern regarding the lack of light for the customers of the businesses in their building.

The Council directed that the City provide a gas light to the Muller's at a nominal cost that they could convert to an electric light and install in the entrance area to their building. Staff communicated this offer to the Muller's along with information regarding the conversion and installation of the light. The City has now received a letter from a legal firm (see attached) indicating that the Muller's believe one of the new decorative street lights should be installed in front of their property.

Staff has requested clarification from the Muller's regarding whether their key concern is the lack of adequate light or the lack of a decorative street light, and will provide that information at the work session. Staff is requesting feedback from the Council regarding the City's response to the Muller's concern.



WAGNER, FALCONER & JUDD, LTD.

Attorneys & Consultants Since 1932

RECEIVED
APR 05 2018
CITY OF AFTON

04/03/18

Mayor Richard Bend
City of Afton
3033 Saint Croix Trail
Afton, MN 55001

Bill Palmquist
Council Member Ward 1, Elected Official
3466 St. Croix Trail
Afton, MN 55001

~~Ron Morris~~
City Manager
City of Afton
3033 Saint Croix Trail
Afton, MN 55001

Re: Lighting at 3411 St. Croix Trail
Our File No.: 295171 MN

Dear Representatives of the City of Afton:

The undersigned firm has consulted with Jessica and Karl Mulle regarding this matter, which concerns the City of Afton's recent project to install new street lamps throughout town, and the dispute regarding placement of a particular street lamp outside the property located at 3411 St. Croix Trail ("the property"). This letter is intended as a formal request that the City reconsider its position regarding placement of a lamp at the above referenced location.

The Mulle's respects the City's goal of providing well-lit public areas to its residents, but the decision to omit any sort of external light for the public areas surrounding the property in question seems to have little rational basis. As you know, the site is the second largest property in the city by number of renters, and is one of the most densely populated and frequented locations in Afton. The property also includes a therapy office which commonly serves children of special needs who regularly require access to and from the building via the street. The security and safety concerns created by leaving such a highly traveled portion of town dark and improperly lit seems to defy the very purpose underlying Afton's recent street lamp renovation.

Additionally, the property is the site of a discovered Native American burial grounds. This discovery led to the city performing considerable excavation on the home and garage located on the Mulle's property, and requires the property be open to those who wish to visit the site. The Mulle's have at all times wished to be accommodating in facilitating these needs. However, the Mulle's now feel the city is shirking its responsibility to provide the public and residents of Afton with something as simple and necessary as adequate public lighting to accommodate one of the City's primary downtown locations.

The Mulle's have previously been told that installing a light outside the property would not "fit the pattern." However, the practical benefits of additional light in a necessary area would seem to outweigh any

concern's regarding the pattern. Further, installation of a street lamp at the above property as well as one across the street to the park would seem to satisfy any concerns regarding a perceivable pattern. Most importantly, the safety and security concerns which now exist in the public areas surrounding the building would be solved by the city simply providing adequate lighting in the area.

The Mulle's simply requests that the City make the rational step of providing lighting to one of Afton's largest and busiest locations. This concern is shared by many of the tenants currently occupying the property. This letter is an initial step by the Mulle's to ask the City to reconsider its position on this matter so that it may be settled amicably and in a manner that puts the well-being of Afton's residents first. Be advised that the Mulle's have not yet formally retained the undersigned firm for ongoing representation. Accordingly, you have my express permission to communicate directly with the Mulle family in the hope that this matter can be resolved quickly and amicably. Nonetheless, the Mulle's wish to communicate that they feel strongly regarding this issue, and intend to pursue any available avenue or remedy to ensure the City of Afton does not forgo its duties and obligations to represent the citizens of Afton.

Please provide a response within thirty (30) days of your receipt of this letter.

Thank you for your anticipated cooperation.

Sincerely,

WAGNER, FALCONER & JUDD, LTD.



John C. Markham
Attorney at Law
JCM/mp

cc: Jessica Mulle

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Meeting Date May 2, 2018

Council Memo

To: Mayor Bend and Members of the City Council
From: Ron Moorse, City Administrator
Date: April 25, 2018
Re: Opportunity to try out the Microsoft Surface

Council member Ross will have a Microsoft Surface available at the work session for Council members to try out for accessing agenda packets and related uses.