



## PLANNING COMMISSION AGENDA

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**JUNE 4, 2018**  
**7:00 pm**

- 1. CALL TO ORDER -**
- 2. PLEDGE OF ALLEGIANCE –**
- 3. ROLL CALL -**
  - a) Scott Patten
  - b) Sally Doherty
  - c) Kris Kopitzke (Chair)
  - d) Mark Nelson
  - e) Lucia Wroblewski
  - f) Jim Langan
  - g) Roger Bowman
  - h) Annie Perkins
  - i) Justin Sykora
- 4. APPROVAL OF AGENDA –**
- 5. APPROVAL OF MINUTES –**
  - A. May 7, 2018 Meeting Minutes
- 6. REPORTS AND PRESENTATIONS – None**
- 7. PUBLIC HEARINGS –**
  - A. Afton Marina and Yacht Club, Inc./Boatyard Grill Application for a Conditional Use Permit for a Restaurant at 16071 31<sup>st</sup> Street
  - B. Ordinance 01-2018, an Ordinance Amendment regarding allowed uses, design standards, landscape requirements and exterior storage in the City's Industrial zones (I1-A, I1-B and I1-C)
- 8. NEW BUSINESS – None**
- 9. OLD BUSINESS -**
  - A. Update on City Council Actions – Council Highlights from the May 15, 2018 Council meeting - attached.
- 10. ADJOURN –**

**A quorum of the City Council or Other Commissions may be present to receive information.**

CITY OF AFTON  
DRAFT PLANNING COMMISSION MINUTES  
May 7, 2018

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1. **CALL TO ORDER** – Chair Kris Kopitzke called the meeting to order at 7:02 PM
  2. **PLEDGE OF ALLEGIANCE** – was recited.
  3. **ROLL CALL** – Present: Chair Kris Kopitzke, Lucia Wroblewski, Mark Nelson, Roger Bowman, Sally Doherty, Justin Sykora, James Langan. A Quorum was present. Absent were Scott Patten & Annie Perkins (excused)  
**ALSO IN ATTENDANCE** – City Council member Joe Richter, City Administrator Ron Moorse, City Clerk Julie Yoho
  4. **APPROVAL OF AGENDA** –  
**Motion/Second: Bowman/Wroblewski To approve the agenda of the May 7, 2018 Planning Commission meeting. Passed 7-0-0.**
  5. **APPROVAL OF MINUTES** –  
A. April 2, 2018  
**Motion/Second: Nelson/Wroblewski To approve the minutes of the April 2, 2018 Planning Commission meeting as presented. Passed 7-0-0.**
  6. **REPORTS AND PRESENTATIONS** – none
  7. **PUBLIC HEARINGS** –  
A. **Tom Hinz Variance Application at 4787 Manning Ave**  
Chair Kopitzke opened the public hearing at 7:04 pm.  
  
Administrator Moorse provided the following summary:  
Background  
Thomas and Louise Hinz are proposing to relocate the driveway at 4787 Manning Avenue to the north to provide a safer entrance to Manning Avenue. The property is 4.7 acres and is zoned Agriculture, as is the property to the north, south and east. The current driveway has a poor sightline to traffic coming over a hill to the south. The Minnesota Department of Transportation (Mn/DOT), which is constructing road improvements on Manning Avenue in the area of 4787 Manning Avenue, has proposed relocating the driveway to the north to improve the sightline. Because the preferred location of the driveway is in the area of an existing culvert under Manning Avenue, the driveway is proposed to be located north of the culvert, three feet from the north property line. Plans from Mn/DOT showing the existing driveway, the proposed driveway and the existing culvert located between the existing and proposed driveways are attached. The proposed plans require a variance to the required ten foot sideyard setback.  
The City Engineer has viewed the current and proposed driveway location, and is recommending the driveway be moved to the proposed location to improve the safety of access to Manning Avenue.  
Variance Needed  
To allow the proposed driveway relocation, a variance to allow a sideyard setback of 3 feet vs. the required 10 feet is necessary.  
  
Tom Hinz, Applicant, stated he would like to move the driveway for safety reasons  
  
No other comments were received from the public  
  
**Motion/Second Doherty/Bowman to close public hearing. Passed 7-0-0.**  
Public Hearing closed at 7:08 pm.  
  
Discussion

56 Bowman asked if the neighbor has had any comments. Hinz replied that it is farmland that was handed down.  
57 No comments have been received.  
58 Wroblewski asked if it will make a significant difference. Hinz replied yes it will help.  
59 Langan asked if an engineer had ever looked at from the state. Hinz replied that yes, if it was a road  
60 intersection they would relocate. Since it's a driveway there is not enough traffic.  
61 Langan asked if moving the driveway would be in compliance with standards.  
62 Doherty asked if there was support from MNDOT. Administrator Moose replied that there is a sketch from  
63 MNDOT depicting where the new driveway would go. The City engineer looked at and recommended  
64 moving the driveway.  
65 Doherty asked if there minimum driveway separation in Ag zone? Would moving the driveway potentially  
66 affect the neighbor in the future? Administrator Moose replied yes, separation is 300'. Would potentially  
67 impact neighbor by 7 feet.  
68

69 **Motion/Second Wroblewski/Nelson To recommend approval of the variance request to relocate the**  
70 **driveway with findings listed below and conditional to removal of current driveway.**

71 **Findings**

- 72 1. **The property and all surrounding property is zoned Agriculture**
- 73 2. **The parcel is 4.7 acres.**
- 74 3. **The property is located on Manning Avenue, on which the amount of traffic has been increasing.**
- 75 4. **The sightline from the existing driveway to traffic coming over a hill from the south is**  
76 **inadequate.**
- 77 5. **The Minnesota Department of Transportation (MN/DOT) which is constructing road**  
78 **improvements on Manning Avenue in the area of 4787 Manning Avenue, has proposed**  
79 **relocating the driveway to the north to improve the sightline.**
  - 80 5a. **MN/DOT proposed the new location**
  - 81 5b. **Conforming setback would interfere with culvert location**
- 82 6. **An existing culvert under Manning Avenue requires the driveway to be moved farther north**  
83 **than otherwise necessary to provide an adequate sightline.**
- 84 7. **The City Engineer is recommending the driveway be moved to the proposed location to improve**  
85 **the sightline to traffic and the safety of access to Manning Avenue.**

86 **Discussion**

87 Langan stated he is bothered that the neighbor hasn't commented. Administrator Moose described the  
88 process of mailing notification. It is a rented farm field.

89 Doherty added findings 5a & 5b.

90 **Vote 7-0-0 passed.**

- 91
- 92 B. Ray Pruban Minor Subdivision at 2158 Oakgreen Ave  
93 Chair Kopitzke Opened public hearing at 7:21 pm  
94

95 Administrator Moose provided the following summary:

96 Ray Pruban has applied for a minor subdivision at 2158 Oakgreen Avenue to subdivide the existing 45 acre  
97 parcel into three lots. Mr. Pruban has a purchase agreement on the property that is subject to approval of  
98 the minor subdivision.

99 **Minimum Requirements**

100 Each of the three parcels meets all minimum requirements, including the following

- 101 1. 300 feet of width on a public road right-of-way
- 102 2. Five acre lot size
- 103 3. 2.5 acres of contiguous buildable area
- 104 4. Land suitable for driveway access

105

106 The subdivision meets the following Agriculture zone requirements

- 107 1. Density of 3 lots per qtr-qtr section

2. The access for each parcel is through a driveway directly from Oakgreen Avenue
3. The driveways are a minimum of 300 feet apart

**Septic System Sites**

Soil borings have been completed for septic system sites on each parcel. The soil borings indicate the soils appear to be suitable for septic systems. It is recommended that obtaining a letter from the Washington County Septic Inspector indicating the suitability of soils for septic system sites be a condition of approval. Additional soil testing, percolation tests and a septic design will be required before a septic permit can be granted by Washington County.

**Park Dedication**

Recognizing that the two additional parcels will impact the City's park system, park dedication will be required. The 2012 Parks Plan does not appear to direct any land dedication to occur at or near the subject site. This being the case, a cash contribution in lieu of land dedication may be required (7.5 percent of the pre-development value with a minimum of \$5,000 per lot and a maximum of \$10,000 per lot). The Parks Committee addressed the question of land dedication vs. a cash contribution at its April 25 meeting, with the recommendation that a cash contribution be required in lieu of a land dedication.

**Drainage and Utility Easements**

The City Engineer has indicated that 10 foot wide drainage and utility easements are required along the perimeter of each parcel. These easements are reflected in the subdivision survey, and dedication of drainage and utility easements as required by the City Engineer should be a condition of approval.

**Scenic Easements**

The property to be subdivided includes areas of land with slopes of 18% or greater. To protect these areas with steep slopes, they are required to be placed into scenic easements as part of the subdivision process. While the subdivision survey labels these as conservation easements, the survey will be corrected to label them as scenic easements.

**Public Road Right-of-Way**

While there is a 16.5 foot wide strip of property under separate ownership between the Oakgreen Avenue road surface and the subject property, this strip is overlaid by public right-of-way easements that provide access to the subject property along Oakgreen Avenue. These easements are shown on the survey.

In the southeast corner of the subject property, a portion of the Oakgreen Avenue road surface is on the subject property. A public road right-of-way easement should be dedicated over this area.

**Natural Features**

The Subdivision Ordinance (Section 12-1257) directs the preservation of natural site features including large trees. While it does not appear that the proposed subdivision will have any significant impacts in this regard; home, accessory building and driveway placement should give due consideration to the preservation of significant trees.

**Pre-existing Storm Water Pond and Easement**

In the southeast corner of the subject property, the survey shows a surface water drainage easement and grades related to a stormwater pond. The easement and pond are pre-existing.

Ray Pruban, applicant, stated he would like to build green homes on the lots.

Krista Anderson, 2170 Oakgreen Ave S. Borders this property. Would like to subdivide in the future has questions about how this will affect.

Administrator Moorse explained there are two easements along the road for access. There is a 16.5 foot wide strip of property under Anderson's ownership between the Oakgreen Avenue road surface and the subject property, this strip is overlaid by public right-of-way easements that provide access to the subject property along Oakgreen Avenue.

Pruban stated he is unsure how the easement impacts as there are other conditions that would have to be met

160  
161 No other comments were received

162  
163 **Motion/Second Bowman/Doherty to close public hearing. Passed 7-0-0.**

164 Public Hearing closed at 7:36 pm.

165  
166 Bowman asked Krista Anderson how this impacts them. Anderson replied that it crosses their 16.5' piece of  
167 land which has an easement over. The piece has its own property ID and they are taxed on it.

168 Nelson stated that the cul-de-sac is at quarter-quarter section line and asked about house location.

169 Pruban stated he had looked at creating 4 lots, but parcel "C" cannot be subdivided due to inadequate road  
170 frontage.

171 Doherty stated that south of this is zoned RR.

172 Nelson stated he was concerned there would be additional subdivision in future

173 Bowman asked about the ravine area and if house site on lot "c" should move north.

174 Pruban replied it is a large area of open farm field where there is some grade for a walk out. Home locations  
175 are preliminary. He owns the quarter-quarter section.

176  
177 **Motion/Second Doherty/Nelson To recommend approval of the Ray Pruban minor subdivision**  
178 **application with findings and conditions below, noting the 5<sup>th</sup> finding that no variance is needed.**

179 **Findings**

- 180 1. The subject property is located in the Agriculture zone, as are the properties to the west, north  
181 and east. The properties to the south are zoned Rural Residential.
- 182 2. The Agriculture zone allows residential use with five-acre minimum lot size at a density of 3  
183 lots per qtr-qtr section.
- 184 3. The property includes a full qtr-qtr section plus an additional 5 acres to the southwest.
- 185 4. The subdivision meets all subdivision requirements
- 186 5. No variance is required
- 187 6. A 16'.5 strip of property exists under easement with separate ownership outside the road bed.

188  
189 **Conditions**

- 190 1. Easements as required by the City Engineer shall be granted
- 191 2. All drainage and utility easements shall be subject to the review and approval of the City  
192 Engineer.
- 193 3. All grading, drainage and erosion control issues shall be subject to review and approval by the City  
194 Engineer, and by the Valley Branch Watershed District if they meet permit thresholds.
- 195 4. Scenic easements shall be placed on all slopes greater than 18%
- 196 5. The developer shall execute a scenic easement agreement and shall record the scenic easement  
197 concurrent with the subdivision
- 198 6. A public road right-of-way easement shall be dedicated over the area where the Oakgreen Avenue road  
199 surface is on the subject property
- 200 7. Park dedication requirements shall be satisfied at the time of final subdivision approval in accordance  
201 with Section 12-1270 of the Subdivision Ordinance
- 202 8. The developer shall obtain a letter from the Washington County Septic Inspector indicating the  
203 suitability of soils for septic system sites
- 204 9. Permits for individual septic systems to serve new homes on each of the parcels shall be  
205 obtained from the Washington County Public Health Department at the time of application for  
206 building permits for those homes, and all requirements of the septic permits shall be met.
- 207 10. All driveways shall comply with Section 12-84 of the Zoning Ordinance and be subject to  
208 review and approval by the City Engineer.

209  
210 Discussion

211

212 Kopitzke stated he would prefer cash in lieu of parks dedication in the conditions  
213 Langan stated he has issue with the access. This is not public use of property which is how the easement is  
214 written. Would like to see clarification from city attorney to address these concerns.  
215 Doherty/Nelson friendly amendment to add 6th finding "A 16'.5 strip of property exists under easement with  
216 separate ownership outside the road bed".  
217

218 **Motion Vote, Passed 5-2 (Bowman, Langan Nay)**  
219

220 **8. NEW BUSINESS**

- 221 A. Schedule Special Planning Commission meeting  
222 A Special Planning Commission meeting will be scheduled for May 23 to discuss the CUP application  
223 received from Afton Marina.  
224

225 **9. OLD BUSINESS –**

- 226 A. Draft Ordinance Amendment with Proposed Revisions to Industrial Zone Regulations  
227 Council extended the moratorium & will review again at their meeting on the 15<sup>th</sup>. Another draft will be  
228 coming and a date for the public hearing will need to be scheduled.  
229 Discussion was held over proposed changes.  
230 Bowman stated the overall issue is traffic and seeking higher quality use. Try to be restrictive as possible.  
231 Kopitzke stated he does not like the architectural standards.  
232 Other items noted included allowing fuel storage by variance, wording in item #4, retaining general language  
233 for review of architectural design, add plant value to offer alternative to lawn, consider if 10% garage door  
234 restriction is too limiting, consider allowing certain types of retail such as Ag supplies, and retain nursery  
235 use.  
236  
237 B. Update on City Council Actions  
238 1. Council highlights from the April 17, 2018 Council meeting  
239 Council member Richter provided a summary of the Council meeting.  
240

241 **10. ADJOURN**

242 **Motion/Second Wroblewski/Bowman To adjourn. Passed 7-0-0.**  
243

244 Meeting adjourned at 8:53 pm  
245  
246  
247

248 Respectfully submitted by:  
249

250 \_\_\_\_\_  
251 Julie Yoho, City Clerk  
252  
253

254 **To be approved on June 4, 2018 as (check one): Presented: \_\_\_\_\_ or Amended: \_\_\_\_\_**

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

# Planning Commission Memo

## Meeting: June 4, 2018

To: Chair Kopitzke and members of the Planning Commission

From: Ron Moorse, City Administrator

Date: May 30, 2018

Re: Afton Marina and Yacht Club, Inc./Boatyard Grill Application for a Conditional Use Permit for a Restaurant at 16071 31<sup>st</sup> – **Public Hearing**

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Attached is the Planning Consultant's report regarding the Afton Marina and Yacht Club, Inc./Boatyard Grill Application for a Conditional Use Permit for a Restaurant at 16071 31st Street. The report includes a number of exhibits provided by the applicant. Also attached is a report from the City Engineer regarding stormwater, street and sewer items.

**Planning Commission Recommendation Requested:**

Motion regarding a recommendation concerning the Afton Marina and Yacht Club, Inc./Boatyard Grill application for a Conditional Use Permit for a restaurant at 16071 31<sup>st</sup> Street, with findings and conditions if applicable.



## **PLANNING REPORT**

TO: Afton Planning Commission

FROM: Bob Kirmis

DATE: May 24, 2018

SUBJECT: Afton - Afton Marina (Boatyard Grill) Conditional Use Permit

CASE NO: 280.02 - 18.02

Date Application Determined Complete:	May 22, 2018
Planning Commission Meeting Date:	June 4, 2018
City Council Meeting Date:	June 19, 2018
60-day Review Deadline:	July 21, 2018

## **BACKGROUND**

The Afton Marina and Yacht Club, Inc. has requested approval of a conditional use permit to allow the establishment of a seasonal restaurant upon its marina site located at 16071 31<sup>st</sup> Street South. The restaurant is proposed to occupy 2,700 square feet of an existing boat and slip repair building which measures approximately 9,400 square feet in size. Specifically, the restaurant would occupy the eastern portion of the building which is provided views of adjacent St. Croix River.

The restaurant is intended to serve marina members, seasonal boat traffic and community residents. Also, to be noted is that a sit-down menu, full bar service and live, indoor musical entertainment is to be provided.

The subject site is zoned, VHS - C, Village Historic Site Commercial within which both marinas and restaurants are allowed as conditional uses. To accommodate the proposed restaurant use, the processing of a conditional use permit is necessary.

In addition to the base VHS - C zoning designation, the subject site also lies within the Shoreland Management and FF, Flood Fringe Overlay Districts.

Attached for Reference:

- Exhibit A: Site Location
- Exhibit B: Applicant Narrative
- Exhibit C: Aerial Photograph of Marina Site
- Exhibit D: Survey of Marina Site
- Exhibit E: Aerial Photograph of Restaurant Site
- Exhibit F: Survey of Restaurant Site
- Exhibit G: Restaurant Site / Parking Plan
- Exhibit H: Restaurant Floor Plan
- Exhibit I: Restaurant Sign Plan

Note: Exhibit references within the applicant's narrative have been "relabelled" as planning report exhibits

## ISSUES

**Conditional Use Permit Processing.** The processing of a conditional use permit is necessary to accommodate the proposed restaurant use. The purpose of a conditional use permit process is to provide the City with a reasonable degree of discretion in determining the suitability of certain designated uses upon the general welfare, public health and safety.

In making this determination, the City may consider the nature of the adjoining land or buildings, the effect the use may have upon traffic into and from the site or on any adjoining roads, as well as other factors deemed appropriate in determining the effect a proposed use will have upon general welfare, public health and safety.

Also, as part of the conditional use permit process, the City has the ability to impose certain conditions which are intended to mitigate potential negative impacts associated with a proposed use.

**Existing Structure.** The restaurant is intended occupy a portion of an existing boat and slip repair building located near the marina's southern boundary (32<sup>nd</sup> Street South). The building has been part of the marina campus since the 1960's and has accommodated a number of uses over the years. These uses include boat sales, a marina patron clubhouse and most recently, a boat and boat slip repair shop.

While the building's existing floor elevation (688.4') lies above the ordinary high-water level of the St. Croix River (680'), it does not meet applicable structure setback requirements from the river. According to Section 12-637 of the Zoning Ordinance, structures within VHS zoning districts may not be constructed within 100 feet of the ordinary high-water level of the St. Croix River (680 feet). It is estimated that the existing structure (within which the restaurant is proposed) exhibits a setback of approximately 60 feet. As a result, the building is considered legally nonconforming by reason of setback and may not be expanded.

In recognition of the building's legal nonconforming status, no expansions to the existing building envelope are planned (including decks).

The applicant has indicated that boat and slip repair-related materials which need to be removed from the building (to accommodate the proposed restaurant use) are to be stored either at the Lumberyard Pub or at a nearby storage facility.

**Access.** In consideration of the conditional use permit application, a finding should be made that traffic generated by the proposed use is within the capabilities of the streets which serve the subject property.

The restaurant is proposed to be accessed from the south via a driveway from 32nd Street South. To be noted is that the segment of 32<sup>nd</sup> Street South which borders the restaurant presently serves a boat launch lane for the adjacent Windmill Marina. In this regard, traffic concerns exist related to the potential “dual use” of the roadway by restaurant patrons and vehicle/boat trailer combinations awaiting launch into the river, particularly on busy weekend days. Taking into account the historical use of 32nd Street South by the Windmill Marina, it is not believed that traffic generated by the proposed restaurant use is within the capabilities of the street as it presently exists. Prior to approval of an unrestricted access from 32<sup>nd</sup> Street, a traffic analysis study will need to be conducted to determine the impacts of adding traffic from the restaurant to a street that is already congested at peak times.

In consideration of restaurant access, three primary alternatives appear to exist as summarized below.

**Option A (32<sup>nd</sup> Street South).** This option involves the creation of a new driveway access to 32<sup>nd</sup> Street as proposed by the applicant.

Positive aspects of this option include the following:

- Adjacency of public street right-of-way to the restaurant use.
- Minimal disruption of internal site activities would occur upon the Afton Marina property.
- An opportunity for emergency vehicle access (via 32<sup>nd</sup> Street South) would be provided.

Negative aspects of this option include the following:

- Significant impacts to the Windmill Marina’s boat launching activities would likely result.
- A new 32<sup>nd</sup> Street South access would add additional vehicle traffic upon an already congested street.
- Improvements to 32<sup>nd</sup> Street South and a traffic management plan may be required which could impact project timing and cost.
- Construction of a new driveway to serve the restaurant use would impact an existing drainageway located along the north side of the right-of-way.
- The timing of permitting for the driveway by the Valley Branch Watershed

District could impact project timing

**Option B (31<sup>st</sup> Street South).** This option involves the use of the Afton Marina's existing driveway access to 31<sup>st</sup> Street South.

Positive aspects of this option include the following:

- The 31<sup>st</sup> Street South access presently exists.
- Access to the restaurant site via 31<sup>st</sup> Street South would have no impact upon the existing traffic congestion on 32<sup>nd</sup> Street or the operations on the Windmill Marina site to the south.
- Expenses and additional processing time associated with the construction of a new driveway along 32<sup>nd</sup> Street South would be avoided.

Negative aspects of this option include the following:

- An access drive measuring approximately 800 in length would be provided. Such driveway length is somewhat inconvenient and not ideal for potential emergency vehicle access.
- May have negative impacts to Afton Marina operations.

**Option C (32<sup>nd</sup> Street South and 31<sup>st</sup> Street South).** This option involves the creation of a new driveway along 32<sup>nd</sup> Street South as a primary restaurant access, with 31<sup>st</sup> Street South being used as a secondary access (when traffic congestion due to Windmill Marina's boat launching activities are at peak demand).

Positive aspects of this option include the following:

- Adjacency of public street right-of-way to the restaurant use.
- Only occasional disruption of internal site activities upon the Afton Marina property are expected.
- Significant impacts to the Windmill Marina's boat launching activities (at peak use times) could be avoided.
- An opportunity for emergency vehicle access via 32<sup>nd</sup> Street South would be provided.
- Representatives of the Afton Marina and the Windmill Marina would need to work together to formulate a traffic management plan and define roles and responsibilities.
- To expedite the opening of the restaurant, the 31<sup>st</sup> Street South access could be used as the primary site access until such time as construction work on the new 32<sup>nd</sup> Street South driveway is complete.

Negative aspects of this option include the following:

- A new 32<sup>nd</sup> Street South access would add additional vehicle traffic upon an

already congested street.

- Improvements to 32<sup>nd</sup> Street South and a traffic management plan may be required which could impact timing and project cost.
- At certain times, disruption of internal site activities upon the Afton Marina property may take place.
- Representatives of the Afton Marina and the Windmill Marina would need to work together to formulate a traffic management plan and define roles and responsibilities.
- Construction of a new driveway along 32<sup>nd</sup> Street South would impact an existing drainageway along the north side of the right-of-way.
- The timing of permitting for the driveway by the Valley Branch Watershed District could impact project timing

Note: To be noted is that representatives of the Boatyard Grill restaurant have expressed a willingness to close the proposed 32<sup>nd</sup> Street South restaurant access during the morning hours and until 2:00 p.m. on days when significant congestion upon the roadway is anticipated (i.e. Memorial Day, Independence Day and Labor Day holiday weekends).

Understandably, representatives of both the Afton Marina and the Windmill Marina wish to minimize impacts which restaurant-related traffic would have upon their operations.

Planning Staff believes that Option C above represents a reasonable compromise between both interests. This issue should however, be subject to recommendation by the Planning Commission and determination by the City Council.

**Setbacks.** Building setback requirements in VHS Districts are limited to a 100-foot setback from the ordinary high-water level (OHWL) of the river and a 40-foot setback from bluff lines.

As previously noted, the proposed restaurant building exhibits an approximate 60-foot setback from the ordinary high-water level of the St. Croix River. Also, to be noted is that a building setback of 163 feet exists from the south property line (the 32<sup>nd</sup> Street South right-of-way) and a 170-foot setback exists from the west property line.

### **Off-Street Parking**

Parking Supply. As shown on the submitted site/parking plan (Exhibit G), a new parking lot is proposed directly south of the restaurant building.

According to the Ordinance, a restaurant is required to provide one parking stall for each 2 ½ seats based upon maximum design capacity. According to the applicants, the restaurant's dining room is to be designed for a maximum capacity of 94 persons. Utilizing such capacity (94 persons), a total of 38 off-street parking stalls are required. As shown on the submitted site/parking plan, a total of 42 spaces are proposed which exceeds the minimum supply requirement of the Ordinance.

Consistent with applicable American Disability Act requirements, the parking lot includes two parking stalls to be devoted to use by the handicapped.

Parking Lot Design. Parking stalls and the drive aisle within the parking lot have been found to meet or exceed the minimum dimensional requirements of the Ordinance (Section 12-196).

Parking Lot Surfacing. According to Section 12-196.A.4 of the Ordinance, parking areas for non-residential uses must be surfaced in asphalt, concrete or a substitute surface approved by the City Engineer. According to the applicant, the existing gravel parking area located on the south side of the restaurant building is to be resurfaced in asphalt.

Recognizing that the parking lot is located in close proximity to the St. Croix River, the conditional use permit process provides an opportunity to examine stormwater runoff and determine if certain improvements can be made to improve water quality. As a condition of conditional use permit approval, the City Engineer should provide comment and recommendation related to stormwater management improvements.

**Building Design.** While it is understood that no exterior structural alterations to the existing building are proposed, some information should be provided by the applicant to document the exterior building appearance of the restaurant and related finish materials.

**Impervious Surface Coverage.** The area in which the parking lot is proposed is presently an impervious surface and no expansion of the building is proposed. Therefore, no increase in the amount of impervious surface coverage is proposed as part of the application. As a condition of conditional use permit approval, it is recommended that the amount of impervious surface coverage not be increased.

**Fencing.** As shown on the submitted site plan, the applicants wish to construct a fence along the south building line of the restaurant to separate restaurant activities from Marina operations to the north. A gate is proposed within the fence to allow for the passage of emergency and authorized vehicles.

The acceptability of the proposed fence (and fence gate) is directly related to access. If for instance, primary access to the restaurant were to be provided via 31<sup>st</sup> Street South, the erection of such fence may not be appropriate.

**Sewer and Water Service.** Considering the proposed change in use (from boat and boat slip repair to a restaurant), it is important that facilities are in place to accommodate likely increased water demands of the restaurant. As a condition of conditional use permit approval, the City Engineer and/or Washington County Department of Public Health should provide comment and recommendation regarding the adequacy of existing well and septic systems and any modifications which are

necessary to accommodate the proposed use. This could include the connection of the restaurant to the new City sanitary sewer system, which is now available.

**Boat Slips.** It appears that additional boat slips are being proposed to accommodate restaurant patrons who are to access the restaurant by boat. The City of Afton does not have the authority to approve or deny structures erected within the riverway.

As a condition of conditional use permit approval however, it is recommended that the applicant provide the City with proof that such structures have been approved by the official governing authority and are to be legally established.

**Noise / Outdoor Dining.** As noted previously, musical entertainment provided at the restaurant is occur indoors. In this regard, no noise-related impacts are anticipated.

It is also understood that no outdoor dining is proposed as part of the conditional use permit application. Thus, exterior noise associated with such activity is also not considered an issue. Should outdoor music or accessory outdoor dining be proposed at some future point however, the processing of a conditional use permit amendment would be necessary.

**Hours of Operation.** As part of conditional use permit processing, the City has the ability to impose limits on hours of business operation. According to the applicant, the restaurant's hours of operation will be 11:00 am to 10:00 pm, seven days a week. As a condition of conditional use permit approval, such business hours should be found to be acceptable to City Officials.

**Site Lighting.** No changes to existing exterior lighting are proposed as part of the conditional use permit request. The applicant believes that existing, wall-mounted light fixtures upon the building will be sufficient to support the operation of the restaurant.

If new or significantly modified lighting is proposed at some future point, the processing of a conditional use permit amendment will be necessary.

**Signage.** The applicants wish to erect a single sign above the east doors of the restaurant building. According to the applicant, the sign will be visible to river traffic, but it will not be illuminated.

It appears that a wall sign is proposed which will replace a sign which advertises the previous use.

As a condition of conditional use permit approval, all newly erected site signage must comply with the applicable provisions of Section 12-210 of the Zoning Ordinance, be subject to review by the City's Design Review/Heritage Preservation Commission and be subject to sign permit.

**Trash Enclosure.** The submitted site plan does not identify an exterior trash handling area. As a condition of conditional use permit approval, the submitted site plan should be modified to identify a trash handling area. The trash handling area should be located such that it will be accessible to refuse pick-up vehicles.

In addition, it is recommended that trash handling receptacles be located in an enclosure such that they are screened from view of public rights-of-way and neighboring properties.

**Deliveries.** It is anticipated that the proposed restaurant will periodically receive deliveries. Restaurants and bars are commonly serviced by a variety of vendors and delivery vehicles (i.e. panel trucks, beverage trucks, and semi-trailers).

As a condition of conditional use permit approval, the site plan should be modified to identify a loading area which provides ample maneuvering space for delivery vehicles.

**Landscaping.** No new landscaping is proposed as part of the conditional use permit application.

**Grading and Drainage.** Issues related to site grading and drainage should be subject to comment and recommendation by the City Engineer.

## **RECOMMENDATION**

Of primary issue in the consideration of the conditional use permit request is that of site access. Specifically, concerns exist related to the proposed shared use of 32<sup>nd</sup> Street South at peak use time periods with the Windmill Marina and congestion issues which may result.

Based on the preceding review, Planning Staff recommends approval of the requested conditional use permit to allow a restaurant in a VHS-C zoning district subject to the following conditions:

1. The Planning Commission provide recommendation and the City Council determine the preferred access location to the restaurant site (32<sup>nd</sup> Street South, 31<sup>st</sup> Street South or a combination thereof which corresponds to peak demand times).
2. The following access-related conditions shall apply:
  - A. All recommendations of the City Engineer related to driveway and/or street improvements and traffic analysis/traffic management shall be satisfied.
  - B. Any costs associated with the improvement of 32<sup>nd</sup> Street South, if required, shall be borne by the applicant.

- C. If a new access to 32<sup>nd</sup> Street South is deemed acceptable by City Officials, such access shall be subject to driveway permit processing.
  - D. An opportunity shall be provided for emergency vehicles to access the restaurant site from 32<sup>nd</sup> Street South.
  - E. Project development plans shall be modified as necessary to reflect the approved site access location (or locations).
3. Information be provided by the applicant which documents the exterior building appearance of the restaurant and related finish materials.
  4. The City Engineer and/or Washington County Department of Public Health provide comment and recommendation regarding the adequacy of existing well and septic systems and any modifications which are necessary to accommodate the proposed use.
  5. The applicant provide proof to the City that new boat slips have been approved by the official governing authority and are to be legally established.
  6. City Officials find the proposed hours of restaurant operation (11:00 am to 10:00 pm, seven days a week) to be acceptable.
  7. All newly erected site signage shall comply with the applicable provisions of Section 12-210 of the Zoning Ordinance, be subject to review by the City's Design Review/Heritage Preservation Commission and be subject to sign permit.
  8. The submitted site plan shall be modified to identify a trash handling area. The trash handling area shall be located such that it will be accessible to refuse pick-up vehicles.
  9. Trash handling receptacles shall be located in an enclosure such that they are screened from view of public rights-of-way and neighboring properties.
  10. The site plan shall be modified to identify a loading area which provides ample maneuvering space for delivery vehicles.
  11. The amount of impervious surface coverage upon the subject site shall not be increased.
  12. Outdoor dining activities shall not be allowed except via the processing of a conditional use permit amendment.

13. Issues related to site grading and drainage shall be subject to comment and recommendation by the City Engineer, including water quality best management practices.

14. Comments of other City Staff.

cc. Ron Moorse, City Administrator  
Nick Guilliams, City Engineer

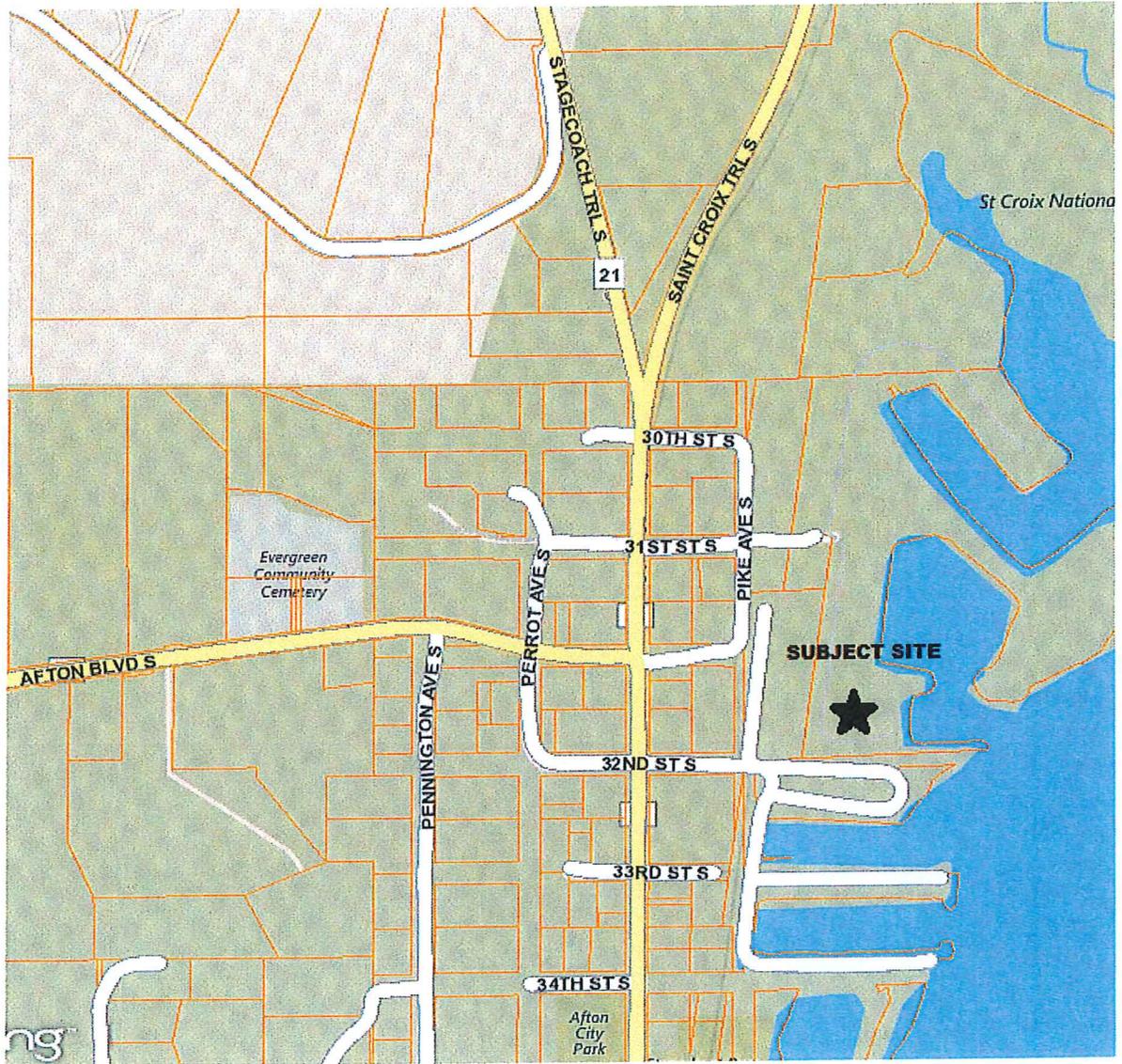


Exhibit A: Site Location

## THE "BOATYARD GRILL" at the Afton Marina

The Afton Marina & Yacht Club, Inc. ("Marina") is a private, not for profit entity that owns four parcels of real property and has a general mailing address of 16071 31<sup>st</sup> Street South, in Afton, Minnesota. It was the first marina on the St. Croix River to receive the prestigious "Green Marina" certification for its best practices in protecting the environment, watershed and river, and recently celebrated its 50<sup>th</sup> year of operations. The Marina's primary function is to provide services and amenities to its members for environmental, educational, recreational, scientific and social purposes, and to own, promote, develop and maintain all matters relating to its real and personal property, including its buildings, docks containing 184 boat slips, grounds and other property.

In addition, the Marina provides a number of ancillary services to its members, the local boating community and others, including the operation of community meeting spaces, boat repair, fuel sales and dock repair. The Marina also maintains a number of buildings on its property through which it provides these services, including buildings that house its business office and its boat and slip repair operations. See: Exhibit A. At this time, the Marina is looking to extend the scope of its ancillary services to include food and beverage services by converting a portion of its boat and slip repair building ("Building") into a restaurant. To this end, the Marina, in January 2018, agreed to lease to Boatyard Grill, LLC ("Boatyard" or Boatyard Grill") 2,700 square feet of the Building. This space represents approximately 29% of the available square footage and is located of the east-end of the Building which will be used as a restaurant that would service Marina membership, seasonal boat traffic and the local Afton community beginning July 1, 2018.

On February 23, 2018, the Marina submitted a conditional use permit application to the City of Afton. See: Exhibit A. This application requested that the city issue a permit that would (1) allow for the use of the leased portion of the Building to be changed from a boat repair facility to a restaurant and (2) consent to allowing ingress and egress from the Marina's property on 32<sup>nd</sup> Street S via a proposed driveway on the southwest corner of said property.

On Friday, March 9, 2018, the City responded to the Marina's application with a request for additional information as is permitted by City Ordinance §12-78(E)(2). This request sought additional information on (1) whether the DNR was correct in concluding that a restaurant use was not permissible in the boat repair building (2) the design of the proposed driveway. See: Exhibit B.

In response to the information request, the DNR resolved the zoning issue by subsequently determining that the Marina is located in a flood fringe, rather than a floodway and, as a result, is not prohibited by applicable zoning ordinances from changing the use of the subject building to that of a restaurant. See: Exhibit C. The Marina provided the requested design information to the City regarding the driveway. Consequently, the City's first request for information has been

## THE "BOATYARD GRILL" at the Afton Marina

resolved.

During the months of April and May, representatives of the Boatyard and the Marina met with the City and resolved various concerns regarding the pending CUP application. The co-applicants hereby submit the information below in response to requests by the City, as a supplement to the pending CUP application.

### 1. LOCATION

The Marina is zoned VHS-C by the city of Afton. See: Exhibit F. This zoning designation allows for "a mix of commercial and residential uses within the old village consistent with the atmosphere of a rural village." Cafes and restaurants are permitted within this zoning district. Marinas are also permitted within VHS-C district so long as it operates within the scope of its conditional use permit, City Code City Code §§ 12-57(G) and 12-224(A), and the applicable mandates of the Lower St. Croix River Bluffland and Shoreland Management ordinance, §12-576 et seq. and the relevant floodplain ordinances, §12-901 et seq., specifically the flood fringe ordinances set out in §12-918.

In this case, since the Building resides within the Marina and the Marina is zoned VHS-C, it is permissible for the Marina to operate a restaurant on its property. This conclusion is not altered by the fact that the Marina is located within the floodplain that runs through the east side of the Downtown Village in Afton because the Building is located in the flood fringe section of the flood plain<sup>1</sup> and therefore its nonconforming uses are also governed by City Code §12-1005 (Permitted uses shall be those uses of land or structures listed as permitted uses in the underlying zoning use district(s)). Copies of the maps and Certificates of Survey required by Section 12-1011 are set forth in Exhibits A and G and provide the location of the Building within the Marina and the flood fringe, the applicable zoning designations and other information regarding the Building and the flood plain.

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<sup>1</sup>Pursuant to §12-917(B), the "Flood Fringe District shall include: 1) those areas that are designated as Zone AE on the Flood Insurance Rate Map adopted in Section 12-905 that lie outside of a delineated floodway; and 2) those areas designated as Zone AE on the Flood Insurance Rate Map as adopted in Section 12-905 that lie above the ordinary high water level of the St. Croix River as defined in Minnesota Statute 103G.005, subd. 14 and that lie below the 100-year flood elevation, except as further modified in Section 12-917 of this Article."

## THE "BOATYARD GRILL" at the Afton Marina

### 2. OPERATIONS

As the city is aware, BJS Restaurants, LLC is also the owner of the Lumberyard Pub. Utilizing the economies of scale that are presented by operating two distinct food service establishments close to one another, BJS Restaurants can easily convert the leased space within the Building into a fully functional restaurant and bar (the "Boatyard Grill") that will have a maximum capacity of 94, including tables and bar seating. The restaurant's summer hours of operation will be 11 am and 10:00 pm, seven (7) days a week.<sup>2</sup> It is anticipated that the Boatyard Grill will offer a full sit-down menu and fully-stocked bar, as well as, select take out items, such as coffee, cold drinks, muffins and croissants, and snacks. On various occasions, live musical entertainment will perform at the restaurant (for ambiance purposes only) and local sporting events will air on the restaurant's flat television screens.

The Building housing the leased space has been part of the Marina campus since the early 1960s and was part of the original marina owned by Minnetonka Boat Works. The Building has been home to a number of nonconforming uses, including boat sales and repair and a clubhouse for marina patrons. Furthermore, it currently employs a number of approved floodproofing techniques, including wall openings on two sides of the leased space and waterproofed floors. The Building is also covered under the Marina's flood insurance policy.

The site plan for the proposed restaurant is attached hereto as Exhibit H. As that plan shows, the leased space can be entered directly through the Building's east doors and patrons will be immediately greeted by a rectangular shaped bar that is situated in the middle of the space. Fourteen (14) tables will be interspersed around it for seated food service. In addition, it is estimated that twenty-two (22) patrons will be able to sit at the bar when enjoying a beverage of their choice or to eat a quick meal.

Behind the bar will be the kitchen and food preparation/storage areas. What makes this design unique is that all of the kitchen and bar equipment, save for the walk-in coolers/freezer and the stainless-steel sinks, will be constructed in modules so that each module can be removed from the building if a flood warning is issued. Boatyard Grill will be contracting with Edward Don & Company, Chicago, Illinois, to design and build the kitchen and the bar. The modules are currently being sourced and bids are only being accepted by vendors who have flood protect/FEMA experience.

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<sup>2</sup> Hours may be adjusted if there is a demand for breakfast service.

**THE "BOATYARD GRILL"**  
at the Afton Marina

In addition to the modular and mobile kitchen, the restaurant will also have:

- A. The dining area, designed for a maximum capacity of 94, will consist of tables, chairs and decorations that will allow for an easy stack and store if the need arises.
- B. Portable storage facilities will be assembled outside the flood plain for use as a storage facility for the tables and chairs.
- C. Large items that need to be removed from the Building will be stored either at Lumberyard Pub or a nearby temporary storage facility that is available for use by BJS Restaurants.
- D. Food, cooking utensils, glass and plate ware will be stored in such a manner that they can be quickly removed and transported by US Foods to a refrigerated storage location.

At this time, it is anticipated that the Building will not need major repairs or changes to its structure or footprint in order to accommodate the Boatyard Grill. Other than additional electrical outlets and improved wiring for television and internet service, the structural improvements will include improved ventilation systems and additional sinks in the bar and kitchen areas.<sup>3</sup> It is anticipated that the cost of the structural changes to the Building will not exceed \$50,000, a number less than 50% of the \$160,000 appraised value for the Building.

With respect to lighting, it is anticipated that the lights currently affixed to the outside of the Building, and which currently exist at the Marina, will be sufficient to support the operation of the restaurant. If changes to the currently lighting plan are required, then the Marina and the Boatyard Grill will advise the City and seek a modification to the CUP as is required by law.

As for signage, the Boatyard Grill will be adding a single sign above the east doors of the Building. The sign will be visible to river traffic but will not be illuminated nor will it distract from the river's scenic qualities. The sign shall conform with City Code §12-210, et seq. and is illustrated on the Exhibit I.

The Building is currently plumbed and contains, running water, working sinks and toilet facilities. The Marina's well that services the Building is tested each year by Washington County and provides potable water to the Building. It is anticipated that the current water and septic system

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<sup>3</sup> The only new pieces of equipment that may not be removeable would be additional stainless-steel sinks and/or a walk-in refrigerator/freezer that will be required by the Department of Public Health to store and preserve perishable food stuffs.

## THE "BOATYARD GRILL" at the Afton Marina

servicing the Building shall be sufficient. If it is subsequently determined that the Building should be tied to the city septic system, the Marina will coordinate with the city to do so.

With respect to parking, the Marina will be blacktopping over the impervious surface area immediately south of the Building and thereby creating a parking lot that will be 200 ft x 80 feet and will accommodate 42 parking spaces. Each parking spot will be approximately 18 feet long and 9 ft wide, located in the center of the area and angled as shown on Exhibit B. After entering through the two-way driveway from 32<sup>nd</sup> St, vehicles will use a one-way, counter-clockwise access drive for parking spots and for entering and exiting the lot. These requirements meet or exceed the minimums set forth in City Code §12-916.

Finally, the Marina and the Boatyard Grill will comply with City Code §12-89, and the state rules incorporated therein, by working with the city's Zoning Administrator and all applicable county and state officials, with respect to the installation of additional docks near the east entrance of the Building.

### 3. ACCESS

The area of the parcel to be leased by the restaurant is shown on Exhibit B.<sup>4</sup> A fence from the southern wall of the building across the property to the west will be constructed to separate the leased premises from the remaining general Marina area. A gate will be installed to allow emergency and authorized vehicles access through/to the entire Marina.

Access to the parking area is as shown on Exhibit B, via a proposed driveway.<sup>5</sup> The parcel abuts the 32<sup>nd</sup> St S public right-of-way and is the parcel's sole access to a public street because the entire parcel, which includes the largest geographic area of the Marina, is land-locked to the north and to the west, and borders the river to the east. Thus, the most reasonable access point for this parcel is in its SW corner onto 32<sup>nd</sup> St. S. Utilizing access from 32<sup>nd</sup> St S is also consistent with Afton's City Ordinance, Chap. 12, Div. 2, Sec. 12-84 Access Required which states: "All lots or parcels

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<sup>4</sup> The driveway access to/from 32<sup>nd</sup> St S is independent of the specific 'use' being considered in the CUP application regarding the Boatyard Grill. The driveway will be constructed to meet the requirements established by the city for public and emergency vehicles.

<sup>5</sup> City Code Sec. 12-1021(C)(4)(j) states that one factor that the City Council should consider when deciding on a CUP for property located in the floodplain is "[t]he safety of access to the property in times of flood for ordinary and emergency vehicles." As such, the 32<sup>nd</sup> Street access also satisfies this floodplain-specific consideration.

## THE "BOATYARD GRILL" at the Afton Marina

shall have direct adequate physical access for emergency or public safety vehicles...from...an existing improved city street..."<sup>6</sup>

Access by Non-Mechanized Means: Given the proximity of the restaurant to Afton Marina & Yacht Club, Inc.'s members to the north, Windmill Marina's members to the south, and the local community to the west, the Boatyard Grill anticipates that 50% of its customers will access the restaurant by non-mechanized transportation means.

Access by Boat: The Boatyard Grill has leased dockage from the Marina for the exclusive use of its customers to access the restaurant. It anticipates that 25% of its customers will access the restaurant by boat.

Access by Vehicle:<sup>7</sup> The Boatyard Grill anticipates that approximately 25% of its patronage (approximately 25 cars) will enter and exit the parking lot over the course of its 11-hour service day. The highest traffic flow to the restaurant is anticipated between 12:30 pm – 2 pm (lunch service) and 4:30 pm – 6:30 pm (dinner service). This access will be via a new driveway as shown on Exhibit B, located in the SW corner of the Marina property onto 32<sup>nd</sup> St S. Traffic coming into the restaurant will flow east on 32<sup>nd</sup> St S and will turn left (north) into the restaurant parking lot. A *No-Left-Turn* or *Right-Turn Only* sign will be posted for traffic leaving the parking lot, so traffic leaving the Marina will only be allowed to turn right toward St. Croix Trail. No traffic leaving the Marina will be allowed to turn left and toward Windmill's boat ramp to eliminate interference with Windmill's customers.

As stated previously, the Boatyard Grill will open to the public at 11 am; thus, the Boatyard Grill's customers will not conflict with Windmill Marina's morning rush related to its for-profit boat launch operation.

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<sup>6</sup> The Marina has always needed a second, geographical disparate access to its property from 32<sup>nd</sup> Street S for emergency, safety and other purposes. With 184 slips enabling overnight accommodations and two rental homes, a second entrance to the Marina is consistent with fire, safety and emergency protocol. In addition, the Washington County Fire Boat is moored at the Marina. Access from 32<sup>nd</sup> St S will provide emergency responders with direct access to the Fire Boat.

<sup>7</sup> Afton Marina is discussing an exchange of permanent easements with Windmill Marina ("Windmill") that would provide the public access to Afton Marina over and across Windmill's existing driveway from 32<sup>nd</sup> St S, its boat storage area, and into the Afton Marina parking area shown on Exhibit B. Any such agreement will be completed prior to June 4 to be reviewed by the City and, if approved for public, emergency and safety vehicles, Afton Marina will amend its driveway permit to reflect this modification.

## THE "BOATYARD GRILL" at the Afton Marina

These two considerations, the Boatyard Grill's hours of operation and the right-turn-only leaving the Marina's parking lot, are intended to alleviate interference with current traffic patterns on 32<sup>nd</sup> Street S and provide both marinas with additional emergency access routes.

Members of Afton Marina & Yacht Club, Inc. ("Members") cannot use the 32<sup>nd</sup> St entrance into the general Marina area due to the fence that will separate the leased premises from the general marina area as shown on Exhibit B; Members will continue to utilize the main entry gate off 31<sup>st</sup> Street S for access to the Marina.

### CONCLUSION

The Marina's conditional use permit application, as supplemented, should be granted as the change in use within the Building, is permitted under City Code §12-57 and will directly impact only 29% of a building that has (1) existed in the flood fringe for more than 50 years and (2) will require only minimal structural changes in order to operate the proposed restaurant. Furthermore, the design of the restaurant and its operational functionality is based on mobility and the need to be responsive to potential flooding-related issues.

The addition of the driveway from 32<sup>nd</sup> St. S will provide the public access to the Marina in a manner that is consistent with Afton City's ordinances and will provide a secondary access to the Marina consistent with emergency and safety protocols; in addition, it will provide Washington County emergency personnel direct access to the Washington County Fire Boat moored at the Marina.

The restaurant will provide both the Marina and the city of Afton with a new attraction that will increase both foot and boat traffic into the city and thereby support the objectives of the city's current development plan. Furthermore, if the restaurant meets its tentative opening date of July 1, 2018, it is the hope that it can participate and enhance the city's summer festivals and holiday celebrations.



**Washington County**  
 WORKS DEPARTMENT  
 DIVISION  
 1000 1st Avenue North  
 Bemidji, Minnesota 55008  
 218.755.2000  
 www.washington.mn.us  
 washington.mn.us/surveyor

**CONTOUR LEGEND**

- 10 FOOT INTERVAL CONTOUR
- 2 FOOT INTERVAL CONTOUR

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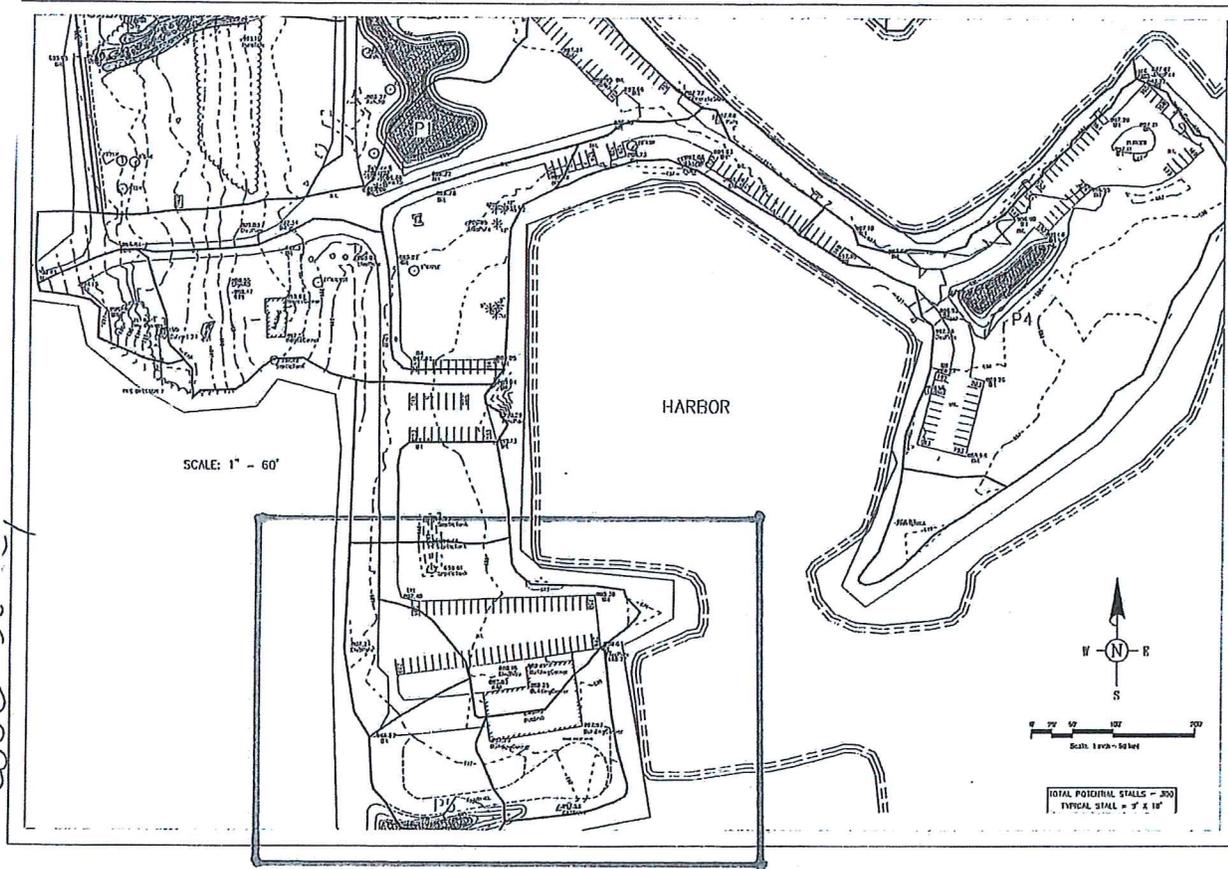
**LEGEND**

- DNR PROTECTED WATERS
- - - - DNR PROTECTED WETLAND
- DNR PROTECTED WATERCOURSE
- - - - MUNICIPAL BOUNDARY
- PARK BOUNDARY



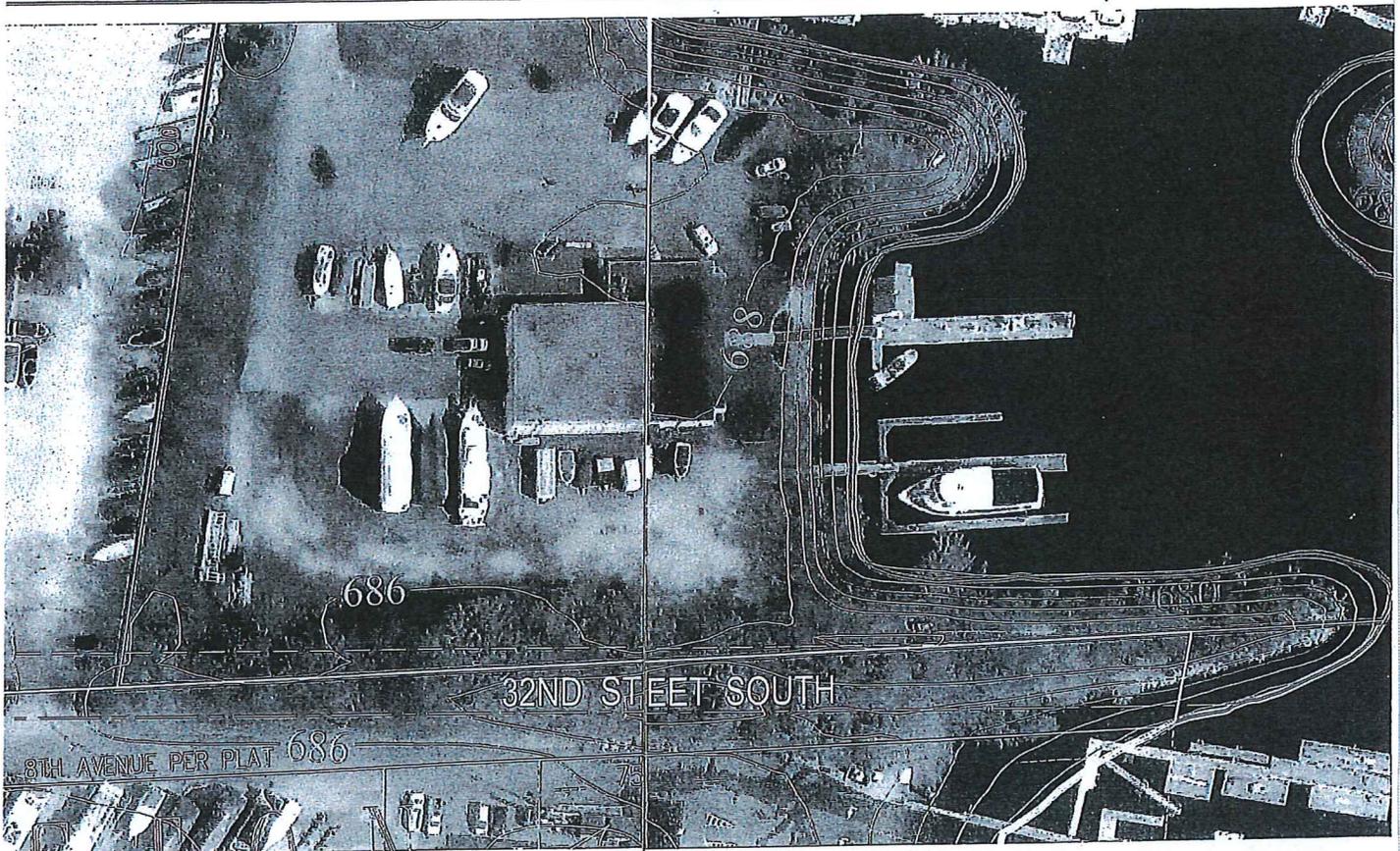
SCALE: 1 inch = 190 feet

Exhibit C



AFTON MARINE & YACHT  
 Afton, Missouri  
 (816) 777-2145  
 2 Sheets

Exhibit D: Survey of Marina Site



**CONTOUR LEGEND**

10 FOOT INTERVAL CONTOUR  
5 FOOT INTERVAL CONTOUR

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**LEGEND**

- DNR PROTECTED WATERS
- DNR PROTECTED WETLAND
- DNR PROTECTED WATERCOURSE
- MUNICIPAL BOUNDARY
- PARK BOUNDARY



**NORTH**

SCALE: 1 inch = 50 feet

SECTION PROPERTY ADDRESS RANGE

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COUNTY PROPERTY MAP

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SECTION PROPERTY MAP

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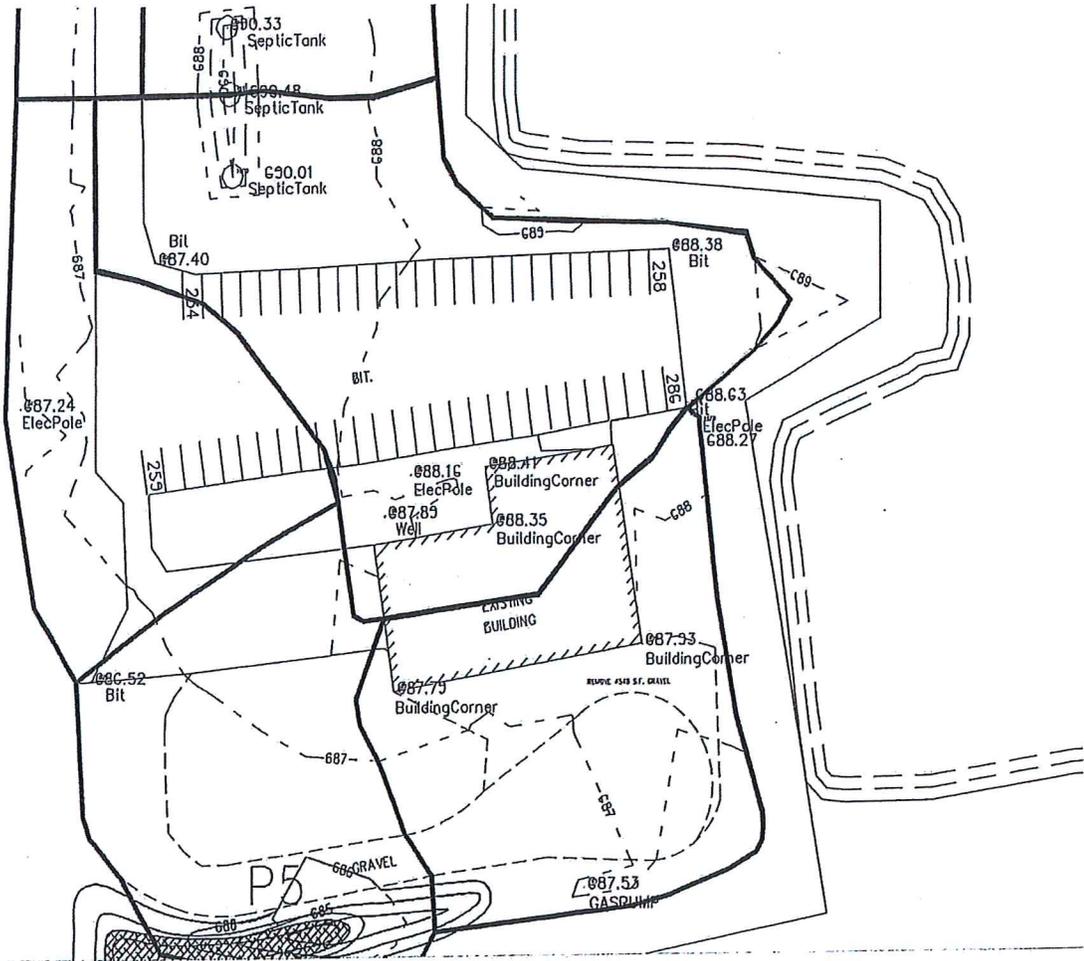


Exhibit F: Survey of Restaurant Site

# Proposed Layout

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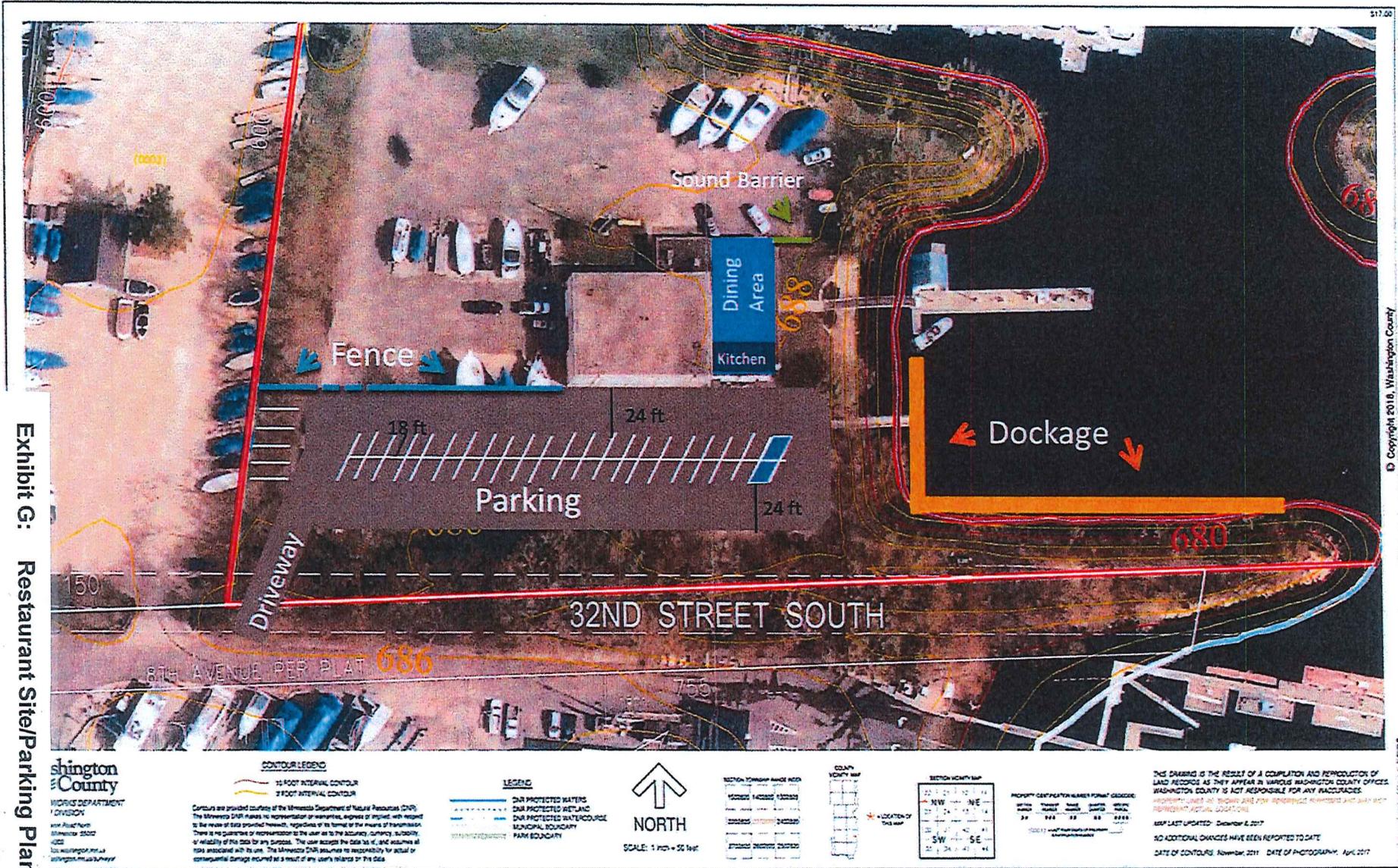


Exhibit G: Restaurant Site/Parking Plan

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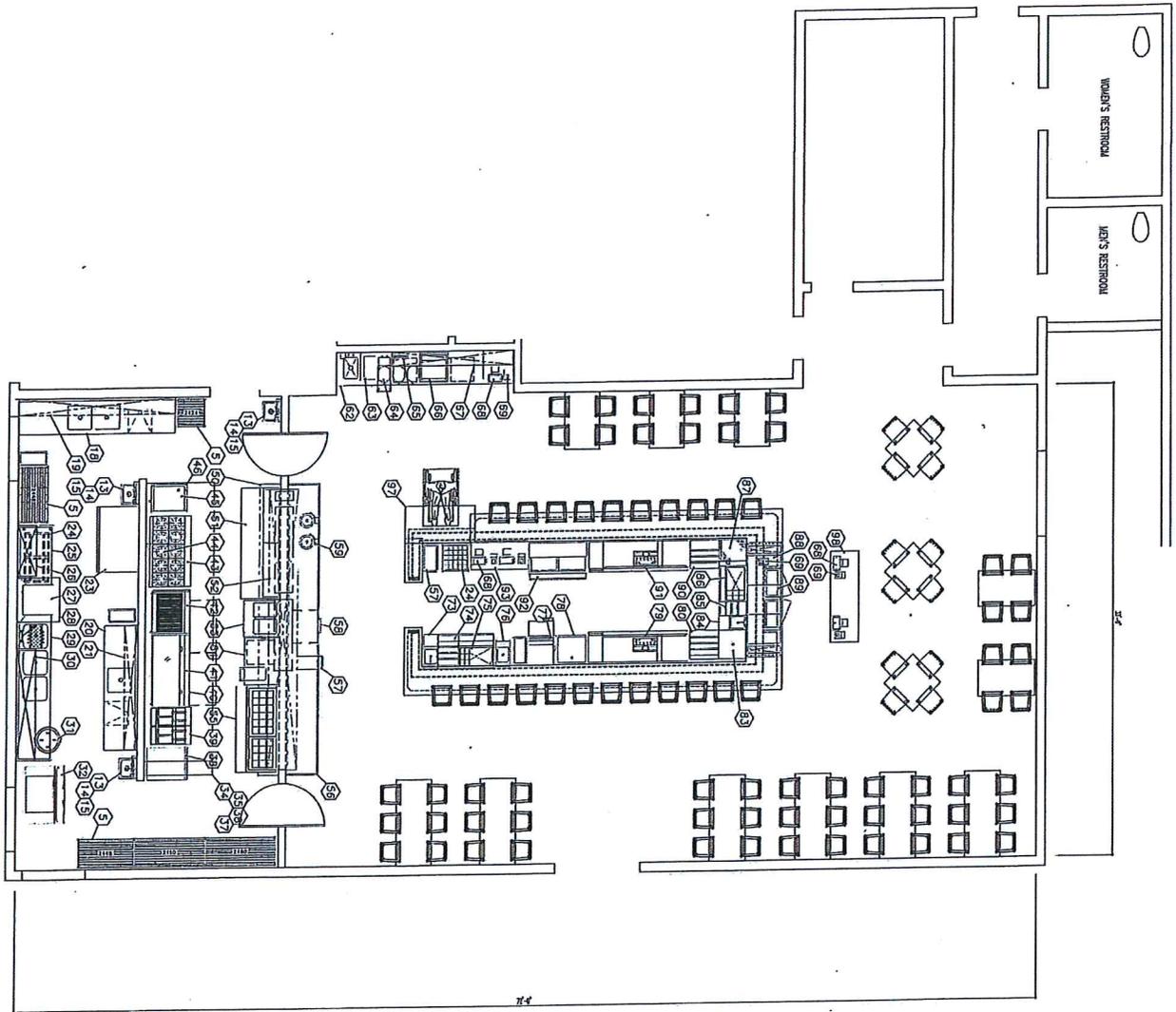


Exhibit H: Restaurant Floor Plan

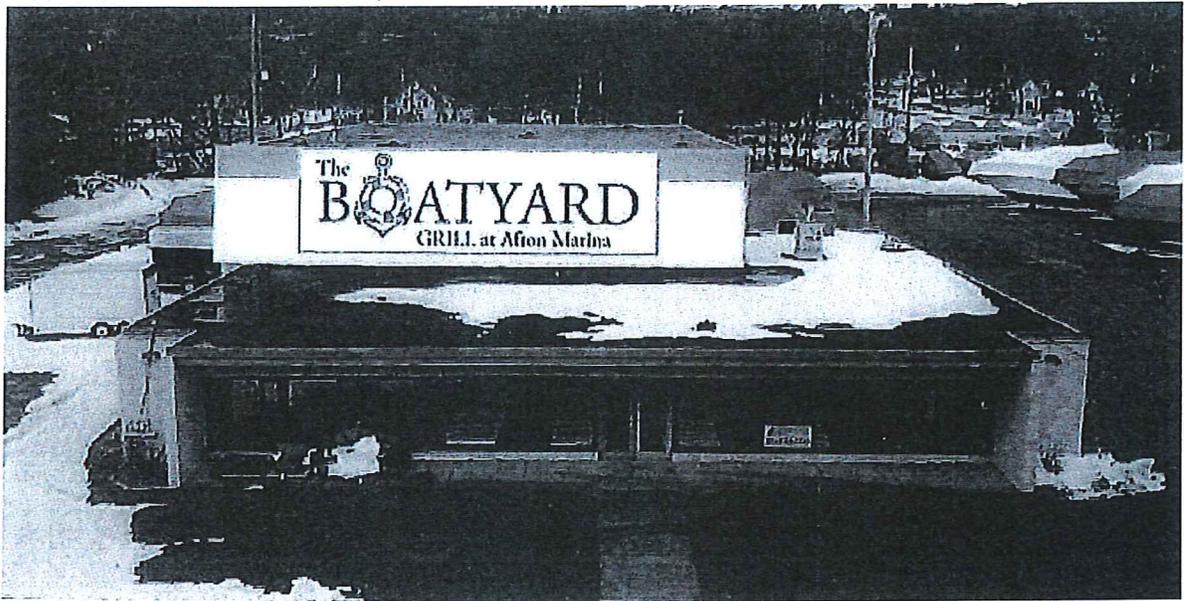


Exhibit I: Restaurant Sign Plan



## **Memorandum**

**To:** Ron Moore, City Administrator  
**From:** Nick Guilliams, City Engineer  
**Date:** May 30, 2018  
**Re:** Afton Marina CUP – Boatyard Grill

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This memo is being provided to detail the list of items necessary to review the proposed CUP for the Boatyard Grill at Afton Marina from an engineering standpoint. This is preliminary review of the items that need to be provided. These items are subject to additional comments with subsequent submittals.

### **Procedural Comments:**

1. Prior to the start of any construction, permits may need to be obtained from the following agencies:
  - a. Valley Branch Watershed District
  - b. City of Afton Driveway Permit

### **Stormwater Management Comments:**

#### Culverts:

1. Provide culvert sizing calculations and hydrologic modeling

#### Water Treatment:

1. We recommend that one or more water quality features (rain gardens, etc.) be used to treat the surface runoff prior to discharging to the adjacent St. Croix River

### **Street Comments:**

1. Show proposed driveway location, alignment, width, radius, and proposed road section. Proposed driveway must meet standards identified in the City of Afton Code of Ordinances.
2. Provide truck turning movements that shows how 32<sup>nd</sup> street will be impacted.
3. A traffic study will be prepared by the City's consulting engineer to collect weekend traffic data and analyze traffic operations on 32<sup>nd</sup> Street South. Trip generation for the development will be used to determine how the proposed driveway may impact future operations. This study will compare the impacts of the development with the proposed access as well as an alternate access off 31<sup>st</sup> Street South and will provide a recommendation on preferred site access given the impacts to the area.

### **Utility Comments:**

Ron Moorse, City of Afton  
May 30, 2018  
Page 2

1. We recommend that the new facility connect to the City's wastewater collection system. As part of connecting, the facility will need to provide a properly sized grease trap to pretreat the wastewater prior to discharging to the collection system.

Please let me know if you have any questions.

Sincerely,  
***WSB & Associates, Inc.***

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

# Planning Commission Memo

## Meeting: June 4, 2018

To: Chair Kopitzke and members of the Planning Commission  
 From: Ron Moore, City Administrator  
 Date: May 28, 2018  
 Re: An Ordinance Amendment regarding allowed uses, design standards, landscape requirements and exterior storage in the City's Industrial zones (I1-A, I1-B and I1-C) - **Public Hearing**

### Ordinance Amendment

The attached ordinance amendment reflects revisions to the list of uses allowed in the Industrial zones, clarifying exterior storage regulations, and updating design standards and landscape requirements, based on feedback from both the Planning Commission and City Council.

### **Added and Deleted Uses**

The ordinance amendment adds a number of allowed uses and deletes a number of allowed uses in the City's Light Industrial Zones. The lists of added and deleted uses are provided below.

#### 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, and similar)
- Office/warehouse (e-commerce - taking and fulfilling orders)
- Training facility (not commercial - operated by a company for its own employees)
- Business services (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 that is deleted from the list of allowed uses would become legally nonconforming and would be allowed to continue but not to expand.

- Animal Impounding Facility (Delete only from allowed uses in the I1C Zone)
- Blacktop or crushing operations for Hwy construction (temp.)
- Exterior sales and storage (wholesale only)
- Garage, storage commercial (mini storage)
- Nursery, retail sale of plants

- Terminal, transportation/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

### **Revisions to Draft Ordinance Amendment**

Based on feedback from both the Planning Commission and City Council, and advice from the City’s planning consultant and the County’s Economic Development Director, a number of revisions were made to the draft ordinance amendment. These revisions are outlined below.

- The limitation on overhead garage doors to 10% of the perimeter of the building exterior has been changed to allow overhead garage doors to make up 50% of the perimeter of the building exterior. Most of the uses currently allowed and proposed to be allowed require more overhead garage doors than would be allowed by the 10% limitation. Also, overhead garage doors are still required to be screened from public streets, with the exception of I-94. The properties along I-94 are double frontage lots (on both Hudson Road and I-94). Overhead garage doors will be required to be screened from Hudson Road, but not from I-94.
- The amount of fully screened exterior storage has been increased from 10% of the area of the principal building, based on a review of exterior storage requirements in other cities. The revised exterior storage language is as follows: The area of exterior storage may not exceed the lesser of 75% of the footprint of the building or 40% of the area of the lot on lots smaller than 5 acres. The area of exterior storage may not exceed 40% of the area of a lot that is 5 or more acres. Also, storage must be located to the rear or side of the principal building on the site.
- The language establishing a maximum size for tenant spaces in Business Services uses and Flex Office uses has been eliminated. The review and approval of tenant space sizes can be a condition of approval of these types of uses.
- The design standards that indicated the standards were encouraged have been changed to indicate the standards are required.
- Underground and above ground fuel storage tanks are prohibited, with the exception of a fuel storage tank incorporated into an emergency generator.
- The use of native prairie grasses and pollinator-friendly vegetation rather than turf grass is allowed and encouraged.

### **Clarification of Exterior Storage and Screening Definitions and Requirements**

- Exterior storage includes parking of motor freight trailers, school buses and equipment.
- Exterior storage-screened: Requires a wall made only of materials allowed to be used for the principal structure, requires vegetative screening of the wall, and limits the area of exterior storage. The area of exterior storage may not exceed the lesser of 75% of the footprint of the building or 40% of the area of the lot on lots smaller than 5 acres. The area of exterior storage may not exceed 40% of the area of a lot that is 5 or more acres. Also, storage must be located to the rear or side of the principal building on the site.

**Definitions of Proposed Additional Allowed Uses**

At the end of the ordinance amendment are definitions of the proposed additional allowed uses.

**Nursery, Retail Sale of Plants**

The code currently allows Nursery, retail sale of plants, in the I1-A and I1-B zones but not in the I1-C zone. This is the only retail use allowed in the Industrial zones. There are currently no Nursery, retail sale of plants uses in the Industrial zones. While the draft ordinance amendment deleted this use from the list of allowed uses in the Industrial zones, Planning Commission members believed it was a good fit for the Industrial Zones. However, the City Council believes this use is not a good fit because it is a retail use and because it is a low value use. The proposed ordinance amendment deletes this use from the list of allowed uses.

**PLANNING COMMISSION DIRECTION REQUESTED:**

**Motion regarding a recommending concerning the ordinance amendment regarding allowed uses, design standards, landscape requirements and exterior storage in the City's Industrial zones (I1-A, I1-B and I1-C)**

# 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 Permit<sup>90</sup>
- 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	<del>C</del> <sup>91</sup> N	N
Animals, commercial training	C	N	N	N	C	C	C <sup>92</sup>	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



	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 <sup>97</sup>	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	<del>P</del> 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 <sup>98</sup>	Deleted							
<b>Laboratory-Medical, Dental</b>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>N</u>
<b>Laboratory – R&amp;D</b>	<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) <sup>99</sup>	N	N	N	N	C	C	C	N
Marina (including boat rental) <sup>100</sup>	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	<del>C</del> N	N
Nursery, retail sale of plants <sup>101</sup>	S	N	N	N	<del>C</del> N	<del>C</del> N	N	N
Nursery, wholesale growing of plants	P	C	N	N	N	N	N	N

	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 <sup>102</sup>	N
Offices (Maximum Height of 35 feet in I-1C) <sup>103</sup>	N	N	C	C	C <sup>104</sup>	C <sup>105</sup>	C	N
Offices, accessory	N	N	N	C	C	C	C	A
<b>Office/Warehouse</b>	<b><u>N</u></b>	<b><u>N</u></b>	<b><u>N</u></b>	<b><u>N</u></b>	<b><u>C</u></b>	<b><u>C</u></b>	<b><u>C</u></b>	<b><u>N</u></b>
Off-street loading	N	N	N	A	A	A	A/C <sup>106</sup>	A
Off-street parking	A	A	A	A	A	A	A/C <sup>107</sup>	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	<b>A <u>N</u></b>	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 <sup>108</sup>	P	P	P	P	N	N	<b>P <u>N</u></b>	C
Residential waterfront uses	A	A	A	A	N	N	<b>A <u>N</u></b>	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 <sup>109</sup>	N	N	N	C	C	C	C	N
Retail sales of agricultural supplies	C	N	N	N	N	N	N	N



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	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 <sup>120</sup>	N
Transportation School <sup>121</sup>	N	N	N	N	N	<del>N</del>	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 <sup>122</sup>	C <sup>123</sup>	C <sup>124</sup>	N
Waterfront uses (commercial)	N	N	N	C	N	N	N	N
Waterfront uses (residential)	A	A	A	A	N	N	<del>A</del> N	N
Wholesale business	N	N	N	N	C <sup>125</sup>	C <sup>126</sup>	C <sup>127</sup>	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.**

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4. Variety and creativity in building façade is required 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.
5. Minimizing continuous expanses of wall through façade articulation, recession or projection is required.
6. The incorporation of topographical features into the form of the structure when possible, utilizing natural grades to create unique design, is required.
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, with the exception of interstate highway I-94, and shall not exceed 50% of the perimeter of the building exterior
11. Fuel Storage Tanks Prohibited. Above ground and underground fuel storage tanks are prohibited, with the exception of an above-ground fuel storage tank incorporated into an emergency generator.
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.

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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.

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. **The use of native prairie grasses and pollinator-friendly vegetation rather than turf grass is encouraged.**

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

## ORDINANCE 01-2018

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 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.**

ORDINANCE 01-2018

F. Exterior Storage Screening Standards

1. Exterior storage includes the storage of goods, materials, manufactured products, equipment, school buses, motor freight tractors and trailers and similar items not fully enclosed by a building.
2. Exterior storage requires 100% screening with a wall constructed only of the materials allowed to be used for the principal structure, and requires vegetative screening along the wall.
3. The area of exterior storage may not exceed 40% of the area of a lot that is 5 or more acres. The area of exterior storage may not exceed the lesser of 75% of the footprint of the building or 40% of the area of the lot on lots smaller than 5 acres. Storage must be located to the rear or side of the principal building on the site.

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. The maximum size allowed for a distribution center is 30,000 sq. ft. A Distribution Center use does not involve the exterior storage of motor freight tractors and trailers.

Flex Office means industrial space that is used for warehouse space, a portion of which can be converted to office or showroom space. The space can be "flexed" into larger or 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:

\_\_\_\_\_

**ORDINANCE 01-2018**

Richard Bend, Mayor

**ATTEST:**

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Ronald J. Moorse, City Administrator

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

### **Council Highlights from the May 15, 2018 Council Meeting**

#### **The Council:**

- Approved an extension of an interim ordinance placing a temporary moratorium on zoning applications for certain use classification in the city.
- Approved Nicholas Squires Variance Application at 14641 Afton Blvd.
- Approved Tom Hinz's Variance Application at 4787 Manning Ave.
- Approved Ray Pruban's Minor Subdivision Application at 2158 Oakgreen Ave.
- Approved additional speed/noise patrol during the summer months
- Approved seasonal staff hires