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5 **1. CALL TO ORDER** – Chair Barbara Ronningen called the meeting to order at 7:02 PM

6
7 **2. PLEDGE OF ALLEGIANCE** – was recited.

8
9 **3. ROLL CALL** – Present: Chair Barbara Ronningen, Sally Doherty, Kris Kopitzke, Lucia Wroblewski, Roger
10 Bowman Quorum **present**. Absent: Mark Nelson, Jim Langan, Scott Patten

11
12 **ALSO IN ATTENDANCE** – Mayor Richard Bend, City Administrator Ron Moore, City Clerk Julie Yoho

13
14 **4. APPROVAL OF AGENDA** –

15 **Motion/Second: Bowman/Doherty. To approve the June 5, 2017 agenda as presented. Motion carried**
16 **5-0-0.**

17
18 **5. APPROVAL OF MINUTES** –

19 A. May 1, 2017 Meeting Minutes – **Motion/Second: Wroblewski/Kopitzke. To approve the May**
20 **1, 2017 PC minutes as written. Motion carried 3-0-2** (Doherty and Ronningen abstained due to
21 absence)

22 Line 41 “parks” or “park”?

23
24 **6. REPORTS AND PRESENTATIONS** – None

25
26 **7. PUBLIC HEARINGS** –

27 **7a. Schneider Variance Application at 3968 River Road**

28
29 Ronningen opened the public hearing at 7:08 PM.

30
31 Moore provided an overview of the application. The property currently has a two-story house that includes a
32 tuck-under garage with a deck above the garage. The house is substandard in terms of its setback from River
33 Road, its setback from the bluff line of the St Croix River and its setback from the OHW of the St Croix
34 River. The applicants are proposing to construct a three season porch in the location of the existing deck
35 above the garage. The proposal does not require grading and does not change the setbacks of the house. The
36 house is connected to the “201” community septic system. The DNR is supportive of the proposal, but has a
37 concern regarding the existing white garage doors not meeting the requirement of earth tone colors.

38
39 Variances requested:

- 40 1. A variance to allow a 66 foot front yard setback vs the required 105 foot setback.
41 2. A variance to allow a 75 foot setback from the bluffline vs the required 100 foot setback
42 3. A variance to allow a 189.26 foot setback from the Ordinary High Water line of the St Croix River vs
43 the required 200 foot setback.

44
45 Suggested Findings are as follows:

- 46 1. The existing house is substandard and the proposed addition would not make the house more
47 substandard.
48 2. The proposed addition would not change any existing setbacks.
49 3. The proposal does not involve any grading.
50 4. The house backs up to a steep bluff.
51 5. The unique and difficult characteristics of the site were not caused by the property owner.
52 6. The proposal would not disrupt the existing natural vegetation.
53 7. The DNR is supportive of the proposal but has a concern regarding the existing white garage doors not
54 meeting the requirement of earth tone colors.

55 Moore suggested the following conditions of approval:

- 56 1. The three season porch color shall be earth tone.

- 57 2. The house shall be constructed according to the attached plans, subject to revisions as required or
58 approved by the City.
59 3. Existing vegetative screening shall be maintained.
60 4. When the existing garage doors are replaced, they shall be replaced with doors with an earth tone color.
61

62 Helen Schneider, the applicant, described the project.

63
64 There were no public comments.
65

66 **Motion/Second: Bowman/Wroblewski to close public hearing at 7:12 PM. Motion carried 5-0-0**
67

68 Comments / Discussion

69 Kopitzke questioned why a variance is needed.
70

71 Moose responded that its location in the St Croix Riverway triggers the need for a variance.
72

73 Doherty asked whether the DNR comment regarding color of garage doors is captured in the city code.
74

75 Moose responded that the code does specify earth tones, if the structure is viewable from the river.
76

77 Helen Schneider, applicant, stated that the garage doors have been white for 17 years.
78

79 Moose believes the code was in place when doors were installed, and the renovation came before the PC and
80 City Council at that time. Moose did not know if door color was ever mentioned.
81

82 **Motion/Second: Kopitzke/Wroblewski. To recommend approval of the 3 variances with all 4**
83 **recommended conditions and findings. Motion Carried 5-0-0**
84
85

86 **7b. Will Carlson Afton Creek Preserve Sketch Plan for a Preservation and Land Conservation**
87 **Development (PLCD) North of 60th Street and West of Trading Post Trail**
88

89 Ronningen opened the public hearing at 7:18 PM.
90

91 Bob Kirmis, the City's planning consultant, provided a summary of the sketch plan. The subdivision calls for
92 20 single family residential lots, 5 acres in size, located in the eastern half of the site. Of the 219 acres which
93 comprise the site, 110 acres are proposed to lie within a conservation easement intended to protect a trout
94 stream and preserve open space. An Environmental Assessment Worksheet (EAW) was done. This is a
95 sketch plan; the next step would typically include a preliminary plat and a possible rezoning application. The
96 NRCG recommends expanding the open space into 2 of the proposed lots.
97

98 Joe Bush, developer, provided an overview of the proposal. Public access to conserved property, while
99 preserving the creek, is an important item. The northern boundary has heavy vegetation. The proposed Home
100 Owners Association (HOA) rules will state that 50% of each lot must be in wild vegetation.
101

102 Wayne Jacobson of Jacobson Environmental stated that he wrote the EAW and worked with the South
103 Washington Watershed District (SWWD) on the buffer plan. A Conservation Easement has to be approved by
104 the MN Land Trust. Covenants will direct home owners on what can be planted on their properties.
105

106 Kathy Graham, 5912 Trading Post Trail, expressed concerns over road location as she feels it's a very
107 dangerous corner, and she would like the road to be moved. The bluff will have to be altered to get a sightline

108 to west. She agreed with recommendations from NRGC regarding the ravine in lots 3&4; those lots should be
109 included in the conservation easement as there are very steep slopes.

110
111 Kris Dawson, 5888 Trading Post Trail, is concerned that this proposal doesn't meet Afton's comprehensive
112 plan but is designed for maximum build-out and maximum profit. A PLCD should not negatively affect
113 current residents. This is a very dangerous road and he is concerned about safety with 20 additional homes.
114 The city should not be allowing variances as this will set a precedent for land prospecting. This is not an old
115 family farm; it was purchased for profit. He feels this is not in spirit of Afton.

116
117 James Rickard, 5650 Odell Ave., indicated that the developer has addressed many of his concerns already;
118 however he still has many concerns over road safety. Also the land dedication fee applies, and he would like
119 to encourage the City to consider taking the full value in land dedication adjacent to the conservation area.

120
121 Nancy Turner, 13296 60th St., indicated she would have liked to have more time to look at packet prior to
122 tonight's meeting. She moved to Afton because of the comprehensive plan as she wanted land that would
123 stay agricultural in designation. She has concerns over density and feels the lots should be 10 acres in size.
124 She is also is concerned over the length of the cul-de-sac.

125
126 Mary McConnell, 5680 Odell Ave., expressed concern over road safety and access at 60th Street. According
127 to ordinances the project must benefit the area. She indicated that this ordinance was created to help farmers
128 pass on their land, and this is not a farmer. The parcel is also adjacent to Trout Brook. Erosion and runoff are
129 already huge problem in this area (photos were provided to the Planning Commission). There are many
130 sensitive features located at this site. She doesn't feel a developer should be able to get density credit for
131 conservation area.

132
133 Patrick Leahy, 5680 Odell Ave., indicated concern that the proposal goes against the comprehensive plan. The
134 natural rural character, active farms and agriculture are what residents like about living here. This proposal
135 does not meet that.

136
137 James Rickard, 5650 Odell Ave., stated that the plans call for 50% natural vegetation coverage. The burden is
138 on landowners to comply; what is the risk / enforceability?

139
140 Mark Benton, 1365 60th Street, agreed with others' statements that this would change the area, which is one of
141 the most beautiful areas in Afton. He also agreed with all other comments regarding the road access. This is a
142 truly rural area. Traffic and inclusion of a parking lot for a trail destroy the agricultural feel of area.

143
144 Nancy Turner, 13296 60th St., indicated again that this land should remain agricultural.

145
146 Wayne Jacobson of Jacobson Environmental stated that he researched the items that went into the EAW. The
147 South Washington Watershed District (SWWD) had indicated it was an exemplary project. Top biologists
148 have said it will help the trout stream.

149
150 Kris Dawson, 5888 Trading Post Trail, expressed concern that the EAW was done by an employee of the
151 developer.

152
153 Bush indicated that the issue of road safety has been studied closely. The overall goal was to have lots that
154 conform to the requirements of the PLCD. Regarding erosion concerns on the eastern portion, 80% of runoff
155 will flow away from the stream

156
157 **Motion/Second: Doherty/Kopitzke. To close the public hearing at 8:25pm. Motion carried 5-0-0**

158
159 Comments / Discussion

160 Chair Ronningen commented that a PLCD is in the ordinances as a legal way to develop land in the
161 agricultural zone. These are sketch plans, many things can change. Thank you to all people who submitted
162 materials and comments.

163
164 Doherty asked about the issue of a possible atrazine spill that she's seen mentioned in several letters.

165
166 Bush indicated that the DNR and the watershed have been unable to detect any residue. The MN PCA
167 explained how that chemical breaks down.

168
169 Wroblewski inquired about what will happen to the Carlson owned farm access driveway.

170
171 Bush answered there are several possible options for use including a bike trail or emergency access; the actual
172 use is yet to be determined.

173
174 Moore added that it was a farm access in past and the city attorney will be looking at how it can be used.

175
176 Wroblewski asked about septic system locations.

177
178 Bush responded that the septic designer has done preliminary borings. A lot is not allowable without meeting
179 criteria for septic siting. He will have that information at the time of the preliminary plat.

180
181 Wroblewski asked about access points coming in off of 60th Street and whether any designs were considered
182 from that angle.

183
184 Bush responded that it was looked at on a high level.

185
186 Bowman asked about concerns from people downstream regarding runoff.

187
188 Bush responded that the SWWD considered this to be an improvement of over 400% as compared to current
189 agricultural runoff.

190
191 Bowman asked about the amount of impervious surface and its effect on temperature in the trout stream.

192
193 Bush answered that the surface runoff will not reach the stream by design. The current driveway to the
194 residence at 13926 60th Street causes the stream to backup and causes a rise in temperature.

195
196 Bowman asked about who retains title to the conservation easement.

197
198 Bush responded that it would be held by the MN Land Trust.

199
200 Bowman inquired about the length of the cul-de-sac. How many does Afton have now that exceed the limits
201 prescribed by ordinance and what is their length?

202
203 Bush responded that other cul-de-sacs have been allowed to exceed the maximum length.

204
205 Bowman asked who approves plantings.

206
207 Bush answered that the architectural committee and HOA approve plantings Mr. Bush will oversee those
208 plantings until homeowners are voted in.

209
210 Bowman asked whether the HOA rules can be changed.

211

212 Bush indicated that yes, they can, page 22 of the covenants explains how.
213
214 Bowman asked how the plantings are maintained.
215
216 Bush answered that the HOA will control maintenance, but the city has final say. The HOA will do initial
217 enforcement, however anyone can report a violation.
218
219 Doherty inquired about the MN Land Trust's desire to have human use on the conservation land, and would
220 like to be sure there is human accessibility. Also the NRGC recommended more protection around the stream
221 area.
222
223 Ronningen added that the MN Land Trust's usual stance is that they do not want people on it.
224
225 Kopitzke asked whether maintenance in the conservation area will be covered by the HOA.
226
227 Bush answered that yes, monthly fees will be recorded on the deeds for that purpose.
228
229 Kopitzke noted that undevelopable land is considered in the equation all the time in a development. The
230 safety of road access and increased traffic in this area is an issue.
231
232 Ronningen asked whether the city engineer had reviewed the site plan.
233
234 Moose responded that the City Engineer specifically reviewed the road access point. Conceptual review
235 indicated it was feasible to meet intersection standards.
236
237 Bush indicated the road meets requirements and is 60ft west of existing driveway.
238
239 Bowman asked whether the driveways will need approval by the city engineer.
240
241 Moose responded that if grading is needed, yes.
242
243 Ronningen indicated she would like to see slopes indicated on the preliminary plat. Within the shore land
244 district slopes over 12% cannot be developed.
245
246 Bob Kirmis indicated there should be a zoning change request for the 5-acre lot currently zoned RR, as we
247 don't want multiple districts on one lot.
248
249 Ronningen indicated the plat cannot be approved without the zoning change.
250
251 Moose asked about the buffer zones specifics - what they would consist of and where they would be.
252
253 Bush stated that the preliminary plat will have specifics for the buffers based on engineering findings.
254
255 Ronningen asked what will happen to lots that are not sold.
256
257 Bush answered that the HOA covenants address their maintenance and the developer will have an agreement
258 with the city.
259
260 Doherty asked if the MN Land Trust will come before the Planning Commission.
261
262 Moose answered that yes they could come before the Planning Commission if desired; also the city would be
263 involved in developing the conservation easement.

264
265 Doherty indicated the Planning Commission tends to prefer square lot shapes; lot 20 is an odd shape.

266
267 Wroblewski asked about the location of the Troy Burn development cited by Mr. Bush
268 He indicated that it is located south of Hudson.

269
270 Kopitzke inquired about the 30 pages of the covenant and what types of animals are allowed.

271
272 Bush answered that the types of animals allowed is spelled out. The Cloverdale Farm development in Lake
273 Elmo is another example similar to this development.

274
275 **9. NEW BUSINESS – None**

276
277 **10. OLD BUSINESS –**

278 **A. Comprehensive Plan Update Process**

279 Ronningen asked that the Commission members review the changes that have been proposed by the various
280 members. A Met Council representative will attend the July meeting.

281
282 Mayor Bend provided a summary of the City Council May 16 regular and May 23 special meetings.

283
284 Ronningen noted that the Newsletter should include downtown road construction update.

285
286 **11. ADJOURN**

287 **Motion/Second: Bowman / Doherty. To adjourn. Meeting adjourned 9:31.PM**

288
289 Respectfully submitted by:

290
291
292 JY
293 Julie Yoho, City Clerk

294
295 **To be approved on July 10, 2017 as (check one): Presented: X or Amended: _____**