

PLANNING COMMISSION AGENDA

November 5, 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. October 1, 2018 Meeting Minutes
- 6. REPORTS AND PRESENTATIONS – None**
- 7. PUBLIC HEARINGS – None**
- 8. NEW BUSINESS –None**
- 9. OLD BUSINESS -**
 - A. Tom Gasser Variance Application at 4220 River Road
 - B. Planning Commission Member Areas of Specialization Regarding the Zoning Code
 - C. Update on City Council Actions – Council Highlights from the October 16, 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
October 1, 2018

- 1
2
3
4
5 **1. CALL TO ORDER** – Chair Kris Kopitzke called the meeting to order at 7:00 PM
6
7
8
9 **2. PLEDGE OF ALLEGIANCE** – was recited.
10
11 **3. ROLL CALL** – Present: Chair Kris Kopitzke, Roger Bowman, Mark Nelson, Lucia Wroblewski, Sally
12 Doherty, Justin Sykora. A Quorum was present. Absent were Annie Perkins, Scott Patten, James Langan (all
13 excused).
14 **ALSO IN ATTENDANCE** – City Council member Joe Richter, City Administrator Ron Moorse, City Clerk
15 Julie Yoho
16
17 **4. APPROVAL OF AGENDA** –
18 Add item 8a “Chapter 12 areas of specialization”
19 **Motion/Second Wroblewski/Kopitzke to approve the agenda for the October 1, 2018 Planning**
20 **Commission as modified. Passed 6-0**
21
22 **5. APPROVAL OF MINUTES** –
23 A. September 10, 2018
24 **Motion/Second Nelson/Doherty to approve minutes of September 10, 2018 as amended. Passed 6-0**
25
26 **6. REPORTS AND PRESENTATIONS** – none
27
28 **7. PUBLIC HEARINGS** –
29 A. Tom Gasser Variance Application at 4220 River Road
30 Chair Kopitzke opened public hearing at 7:05pm
31
32 Administrator Moorse provided a summary of the application to remodel and construct an addition to the
33 existing house.
34
35 Tom Gasser, applicant, spoke about the addition
36
37 Jan Whitfield 4222 River Road; stated that she is fine with the project, it is good for older houses to be improved.
38 Only concern was construction equipment, but she is satisfied they are doing things right and owner is
39 responsible.
40
41 Brad Holz 4226 River Road; Asked about the rain garden on north side and what happens if it overflows?
42
43 Gasser replied the exact location and design is not finalized and that it could be designed it so that it won’t flow
44 north
45
46 No other public comments
47
48 **Motion/Second Doherty/Sykora to close public hearing. Passed 6-0**
49 Public hearing closed at 7:15 pm
50
51 Discussion
52 Nelson asked if the retaining wall on the slope needs a variance (Moorse replied they will need a grading permit,
53 and a variance if slope is 12% or greater)
54 Bowman stated that it appears the addition will use all flat space (Correct). Also a 6x6x length of house of
55 hillside will be removed for retaining wall.
56 Kopitzke asked about setback from bluff line? (East side of road where it drops off)
Bowman asked about the trees. (One damaged in storm, trying to keep the other). Also the raingarden is going
in a rocky, sloped area (will excavate and berm. Owner has worked with Washington County to control runoff)

57 Doherty asked about DNR review (contacted, wont issue statement of support)Moorse stated that the DNR has
58 been on site and is satisfied with design.
59 Sykora stated that the rain garden is well designed although it appears small. Asked if they've gotten input on
60 maintenance and plantings. (Not from County but will work with landscapers)
61 Doherty stated that the variance that hasn't been requested for the retaining wall is too big to ignore. In the past
62 we have required others to avoid digging into hillside.
63 Gasser stated that the neighbor to north just did 2 years ago. (Holz indicated that work was done in flat space,
64 not cut into bluffline the same way.)
65 Bowman stated that the Planning Commission recently denied a project that cut into hillside.
66 Nelson proposed the addition of Fact #4 stating "if addition will require construction of a retaining wall on a
67 slope exceeding 12% a variance will be required."
68 Wroblewski asked if they looked at extending north over the deck area. (jogged to shift from neighbor and be
69 able to exit rear of house not through a bedroom.)
70 Kopitzke stated that they are not increasing substandard. The only question is over retaining wall cutting into
71 slope.
72 Bowman stated he is concerned about shifting that line for the next applicant.
73 Moorse stated that findings could be put in to avoid setting a precedent for the future
74 Gasser stated that the intent of the retaining wall was to achieve proper drainage from the house and a buffer
75 between slope and house.
76 Sykora stated that there could be other options to mitigate the slope without the wall.
77 Nelson asked if during a big rain event would water still get to the house? (potentially)
78 Bowman stated that the ordinance says "disturb the slope", what was intent?
79 Gasser stated that his architect indicated the retaining wall could be put in as part of the house wall.
80 Doherty recommended the commission not vote today, and have the applicant re-think the design in the back
81 of the house.

82 **Motion/Second Doherty/Bowman To table item until November. Passed 6-0.**

83
84 The Architect asked what the commission would like to see in the re-design. (Grading plan, drain tile, contours,
85 scale, language on why it's needed, photos)

86
87 **8. NEW BUSINESS**

88 A. Ordinance 12 areas of specialization

89 Doherty suggested dividing up sections of Ordinance 12 for members to study and develop areas of expertise.
90 The committee agreed this could be helpful and the item will be on the agenda for next month.

91
92 **9. OLD BUSINESS –**

93 A. Update on City Council actions

94 Council member Richter provided a summary of the Council meeting.
95

96 **10. ADJOURN**

97 **Motion/Second Doherty/Wroblewski To adjourn. Passed 6-0**

98 Meeting adjourned at 8:22 pm
99

100 Respectfully submitted by:

101 _____
102
103 Julie Yoho, City Clerk
104
105

106 **To be approved on November 5, 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: November 5, 2018

To: Chair Kopitzke and members of the Planning Commission

From: Ron Moorse, City Administrator

Date: October 31, 2018

Re: Tom Gasser Variance Application to Allow an Addition to the Rear of the Existing House at 4220 River Road

Attachments

Property location map
 Revised Plans for Grading at Rear of Addition
 Geotechnical Exploration Letter
 Rain Garden Plans
 Erosion Control Plan
 Property Surveys
 House Plans and Floor Plans

Application Continued at October 1, 2018 Planning Commission Meeting

The Planning Commission, at its October 1, 2018 meeting, continued the Tom Gasser variance application at 4220 River Road to enable the applicant to address concerns raised by the Planning Commission regarding the extent of grading/excavation proposed in the steep slope area to the rear of the existing house for a retaining wall to enable a six-foot wide area behind the proposed house addition to be sloped away from the addition. The Commission also identified the need for a variance to allow grading in areas with slopes of 12% or greater to enable grading for the proposed rain gardens and grading at the rear of the house.

Background

The applicant is proposing to remodel and construct an addition to the existing house at 4220 River Road. The addition is proposed to be constructed on the west side of the existing house, and would also extend 12 feet to the south of the existing house. The property currently has a two-story house that is substandard in terms of its setbacks from River Road (62.6 feet vs. 105 feet), from the bluffline just east of River Road (73 feet vs. 100 feet), and from the Ordinary High Water Line (OHWL) of the St. Croix River (137.3 feet vs. 200 feet). Because the proposed addition would be located to the rear of the existing house, the setbacks of the addition from River Road, the bluffline and the OHWL would be greater than the setbacks of the existing house. The house backs up to a long steep slope. Both the existing house and the proposed addition meet the required side yard setback of 10 feet.

Revised Grading Plan

The applicant has revised the grading plan to eliminate the retaining wall that was to be located six feet west of the proposed addition. The revised grading solution is to build a knee wall/retaining wall on top of the west foundation wall to enable a slope away from the addition while minimizing the amount of excavation and grading required. A sketch of the knee wall and foundation wall and the altered grade, as well as a grading plan, are attached. To ensure the foundation and knee wall are structurally adequate, the following design details are planned:

- 12" block on basement wall, 8" block on addition wall
- Corners & key areas will have rebar down full wall
- Corners & key areas, block will be filled with concrete
- Most basement walls utilize 8" block, 12" wall is much stronger.
- There will only be 3' of soil against the 8" block, a triangular fill section (reference section diagram)

- Drain tile will be used to capture drainage at the rear of the addition and carry it around the house.

Drainage and Erosion Control

All drainage from the roof will be captured in rain gutters and carried directly to rain gardens on the north and south sides of the front yard. A plan for erosion control is attached.

City Engineer Review

The City Engineer has reviewed and approved the grading plan, the rain garden plans and the erosion control plan.

Variations Requested

1. The proposed addition will have an 86.6 foot setback from the centerline of River Road vs. the required 105 foot setback.
2. The proposed addition will have a 161.3 foot setback from the Ordinary High Water Line of the St. Croix River vs. the required 200 foot setback.
3. The proposed addition will have a 97 foot bluffline setback vs. the required 100 foot setback.
4. The construction of the proposed rain gardens and the excavation for the foundation and the grading of a slope behind the addition will require grading in areas with slope of 12% or greater.

Findings

The following is a set of recommended findings. The Planning Commission may revise the findings or add or subtract findings.

1. The property is zoned Rural Residential and is located in the Lower St. Croix River Bluffland and Shoreland Management Overlay District
2. The existing house is nonconforming in terms of setbacks from River Road, the bluffline and the OHWL of the St. Croix River
3. The proposed addition would not reduce the existing setbacks
4. The proposed addition would meet side yard setback requirements
5. The bulk of the proposed house addition would be screened from view from the river during leaf-on conditions
6. The color of the house is proposed to be earth tone
7. The existing house meets the 35 foot height requirement and the proposed addition would not increase the height of the house
8. The drainage from the roof of the house is proposed to be captured by rain gutters and piped directly to two rain gardens
9. The proposal includes grading in areas with slopes of 12% or greater for the construction of rain gardens and for excavation and grading at the rear of the addition.
10. A knee wall/retaining wall at the west wall of the addition is proposed to minimize excavation and grading in the steep slope area behind the addition.

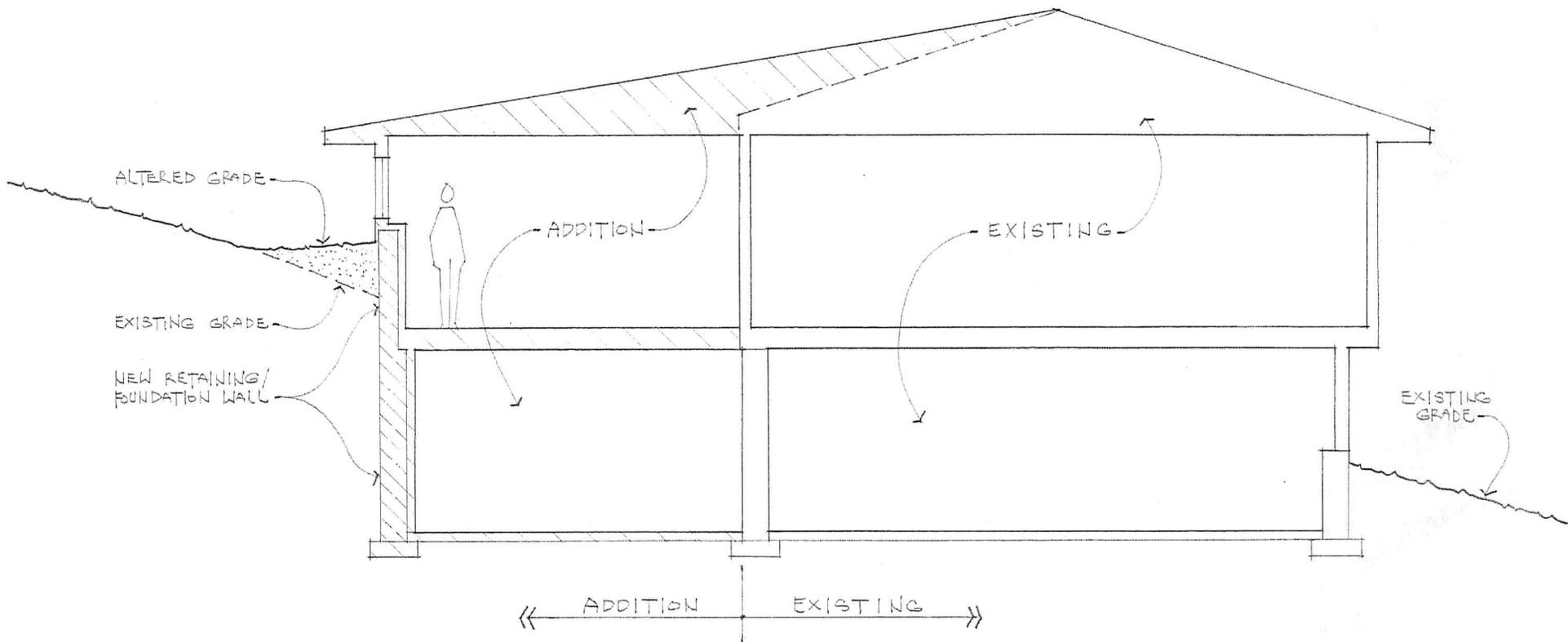
Conditions

If the Planning Commission recommends approval of the application, the recommendation may include conditions. The following conditions are recommended.

1. House color shall be earth tone
2. The house shall be located and constructed according to the survey and plans submitted with the variance application, subject to revisions as required or approved by the City.
3. Existing vegetative screening shall be maintained, with the exception of the removal of two trees as indicated in the application.
4. Any disturbed soils shall be restored as soon as possible, and any erosion control measures recommended by the City Engineer shall be put in place prior to construction and kept in place for the period recommended by the City Engineer.

PLANNING COMMISSION RECOMMENDATION REQUESTED:

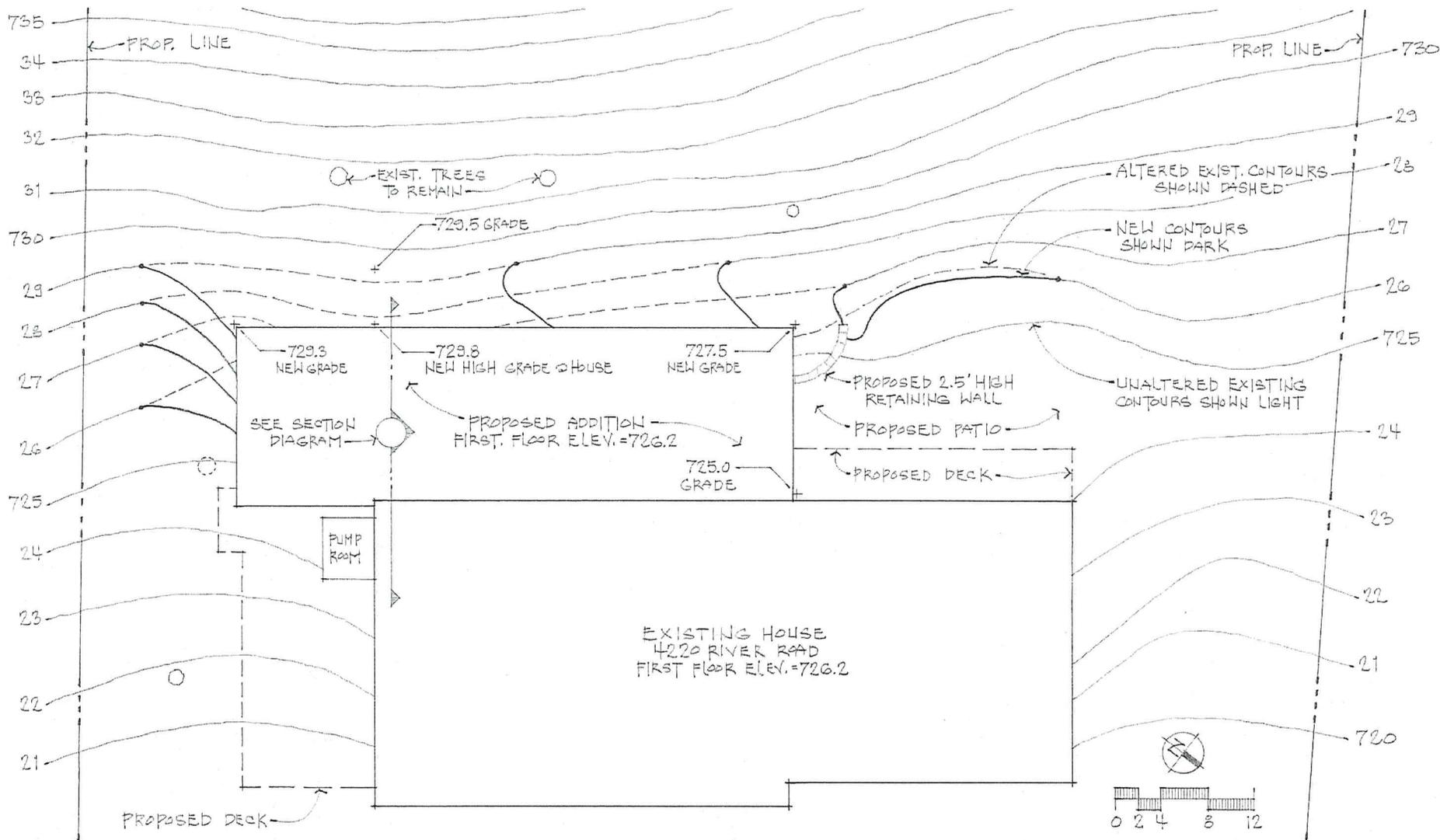
Motion regarding the Tom Gasser Variance Application at 4220 River Road, with findings, and conditions if desired.



Gasser Residence

Section Diagram - 1/4"=1'-0"

October 17, 2018
Vermeland Architects



Gasser Residence

Grading Plan - 1/8" = 1'-0"

October 17, 2018

Vermeland Architects

HAUGO GEO TECHNICAL SERVICES

September 10, 2018

HGTS Project Number: 18-0616

Mr. Tom Gasser
C/O Anderson Corporation
100 4th Avenue North
Bayport, MN 55003-1096

**Re: Geotechnical Exploration Report
Proposed Addition, 4220 River Road, Afton, MN**

Dear Mr. Gasser;

We have completed the geotechnical exploration report for the proposed addition to the single-family residence at 4220 River Road in Afton, MN. A brief summary of our results and recommendations is presented below. Specific details regarding our procedures, results and recommendations are presented in the attached report.

Two test pits were excavated within in or near the footprint of the proposed addition which encountered ½ foot, or less, of topsoil overlying silty sand and gravel that generally consisted of weathered limestone. Groundwater was not encountered in the test pits.

The vegetation and topsoil are not suitable for foundation support and will need to be removed and replaced with suitable compacted engineered fill. The underlying silty sand and gravel (weathered limestone), in our opinion, is generally suitable for foundation support and that the footings for the proposed addition can be designed for a net allowable soil bearing pressure up to 2,000 pounds per square foot.

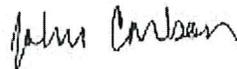
Thank you for the opportunity to assist you on this project. If you have any questions or need additional information, please contact Paul Gionfriddo at 612-271-8185 or John Carlson at 612-979-3542.

Sincerely,

Haugo GeoTechnical Services, LLC



Paul Gionfriddo, P.E.
Senior Engineer



John Carlson, P.E.
Senior Engineer

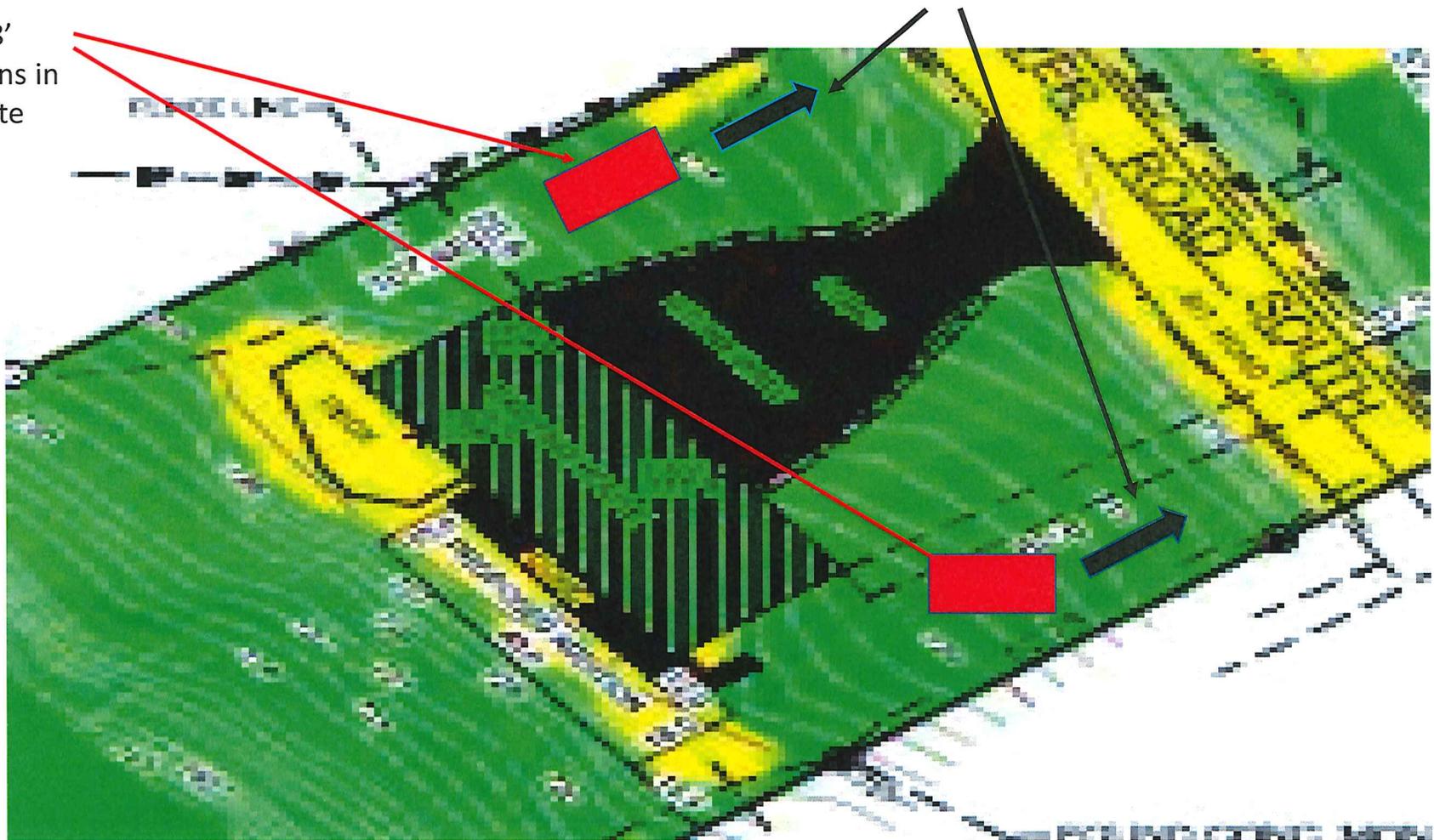
4220 River Road South Rain Garden Design

- Rain Garden design and plantings will follow the Washington County Conservation Homeowner Resource Packet (attached).
- Geotechnical report indicated:
 - 6" of topsoil, crushed limestone (small rock & sand) below
 - Good drainage
 - No water detected 10' deep (2 pits dug in addition location)
- Approximate location of rain gardens depicted by red rectangles shown in following diagram.
 - Sized to handle rain from current house plus addition roof = 335 sq. ft. x 6" deep
 - North Rain Garden – 10' x 18', approximately 10' in front of house, 5' from property line
 - South Rain Garden – 10' x 18' approximately 10' in front of house, 5' from property line
 - Bermed on low/east side to hold water for drainage
 - Overflow towards road (ref. following diagram)
 - Bermed to prevent potential overflow to neighbor's properties
 - Excavation depth 24"
 - Final depth 6" – 9"
 - Rock in bottom to prevent erosion
 - Plantings throughout to soak/impede water flow

- Potential plants for full shade palette (must confer with landscape expert due to extreme shade)
 - Pennsylvania Sedge
 - Bebb's Sedge
 - Sensitive Fern
 - 'Hot Lips' Turtlehead
 - Ligularia 'Desdemona'
 - Bugbane
 - Bleeding Hearts
 - 'Palace Purple' Coral Bells
 - Jacob's Ladder
 - Maidenhair Fern
- Gutters to run full length of house:
 - Gutters – 5" with Gutter Helmet covers
 - Downspouts – 3" x 4"
 - East Side - Gutter will split flow, ½ each to downspouts at SE & NE corners of house.
 - West Side
 - Gutter along new addition to flow to downspout at SW corner of house
 - Gutter along current house to flow to downspout at NW corner of house
 - All downspouts will flow into buried drain tile pipe that will carry water to rain gardens

(2) 10' x 18'
Rain gardens in
approximate
location

Overflow direction – due East





Project:

October 16, 2008

Tom & Kathy Gasser
4220 River Road
Afton, MN

To whom it may concern,

In regards to the stated project above we plan on using standard erosion control methods to manage all runoff and control any soil disturbance. The methods we plan on using include but are not limited to the following:

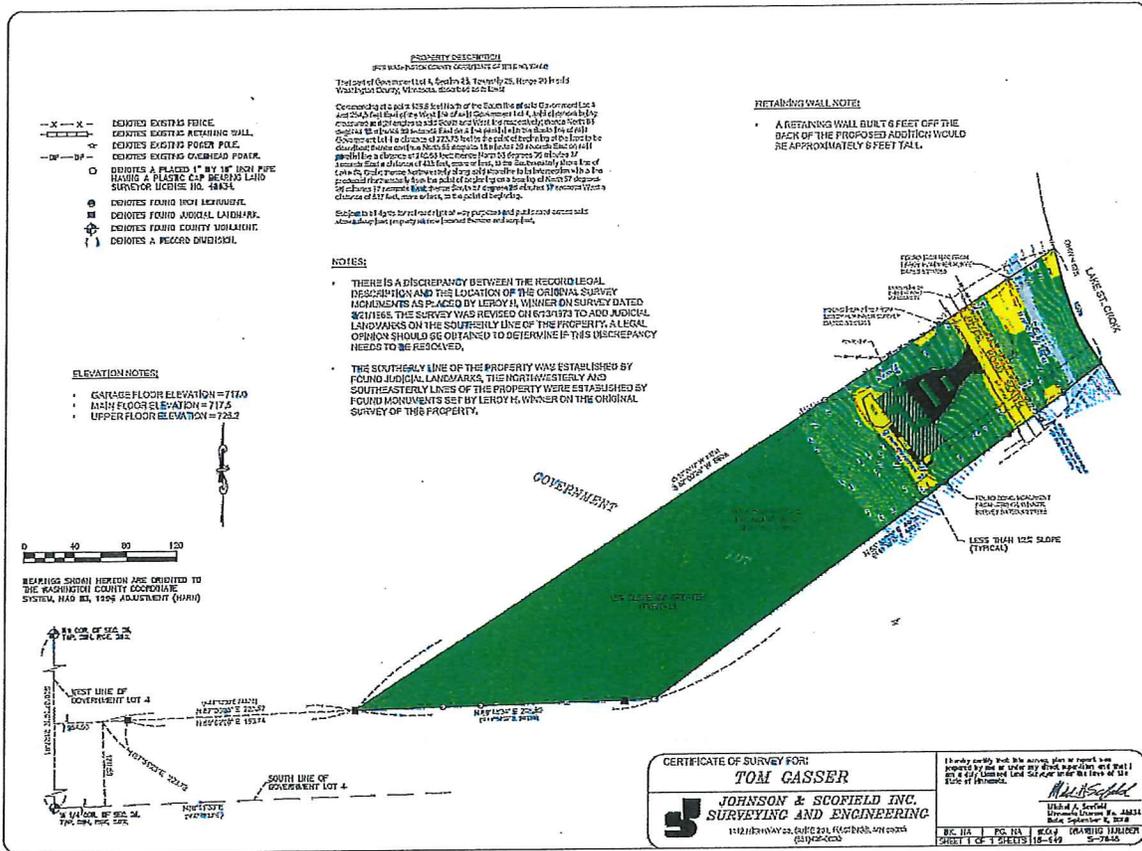
- Silt fencing installed around site in which dirt is to be disturbed in areas that will not affect access to the site
- Silt fencing around all excavated soil piles
- Temporary grading and berming to control runoff from site
- Temporary grading and berming to channel water from bluff around site to avoid excess water running through site.
- Erosion control sock along length of the driveway or access area to the site
- Clean any dirt or material tracked on road at the end of each day

All Erosion control methods will be constantly inspected and kept in working order to avoid excess runoff and erosion

A handwritten signature in black ink, appearing to read "Chick", is written over a horizontal line.

Christopher Koss, Owner
1st Choice Builders LLC

Property Survey



- PROPERTY DESCRIPTION**
 SEE WASHINGTON COUNTY RECORDS OF DEEDS, VOLUME 100, PAGE 201 AND 202, AND WASHINGTON COUNTY RECORDS OF DEEDS, VOLUME 100, PAGE 203 AND 204.
- X-X- EXISTING EXTERIOR FENCE.
 - - - - - EXISTING EXTERIOR RETAINING WALL.
 - o EXISTING EXTERIOR POWER POLE.
 - o EXISTING EXTERIOR OVERHEAD POWER.
 - o EXISTING 1" BY 1" DOWEL PIPE HAVING A PLASTIC CAP BEARING LEAD SURVEYOR LICENSE NO. 48824.
 - o EXISTING FOUND IRON NAIL/ROD.
 - o EXISTING FOUND JUDICIAL LANDMARK.
 - o EXISTING FOUND COUNTY MONUMENT.
 - () DENOTES A RECORD MONUMENT.

RESTRICTED WALL NOTE
 A RETAINING WALL BUILT 6 FEET OFF THE EDGE OF THE PROPOSED ADDITION WOULD BE APPROXIMATELY 6 FEET TALL.

NOTES:

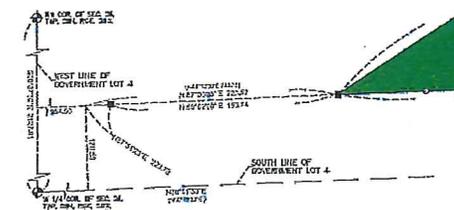
- THERE IS A DISCREPANCY BETWEEN THE RECORD LEGAL DESCRIPTION AND THE LOCATION OF THE ORIGINAL SURVEY MONUMENTS AS PLACED BY LEROY H. WINNER ON SURVEY DATED 1916. THIS SURVEY WAS REVISED ON 10/17/14 TO ADD JUDICIAL LANDMARKS ON THE SOUTHERLY LINE OF THE PROPERTY. A LEGAL OPINION SHOULD BE OBTAINED TO DETERMINE IF THIS DISCREPANCY NEEDS TO BE RESOLVED.
- THE SOUTHERLY LINE OF THE PROPERTY WAS ESTABLISHED BY FOUND JUDICIAL LANDMARKS. THE NORTHWESTERLY AND SOUTHEASTERLY LINES OF THE PROPERTY WERE ESTABLISHED BY FOUND MONUMENTS SET BY LEROY H. WINNER ON THE ORIGINAL SURVEY OF THIS PROPERTY.

ELEVATION NOTES:

- GRASSY FLOOR ELEVATION = 717.0
- MAIN FLOOR ELEVATION = 717.5
- UPPER FLOOR ELEVATION = 722.2



READING SHOWN HEREIN ARE ORIGINATED TO THE WASHINGTON COUNTY COORDINATE SYSTEM, NAD 83, 1985 ADJUSTMENT (NAD83)

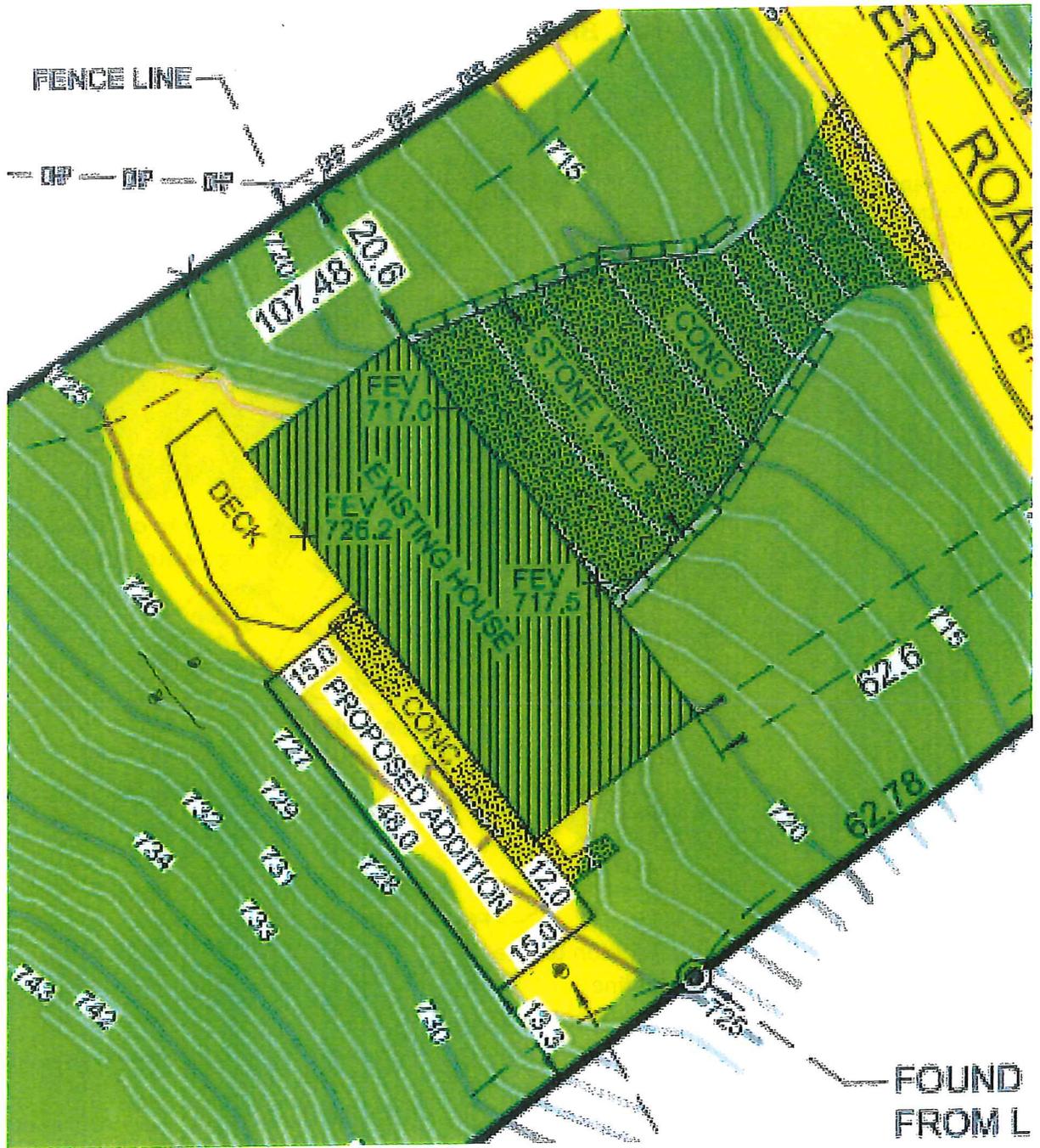


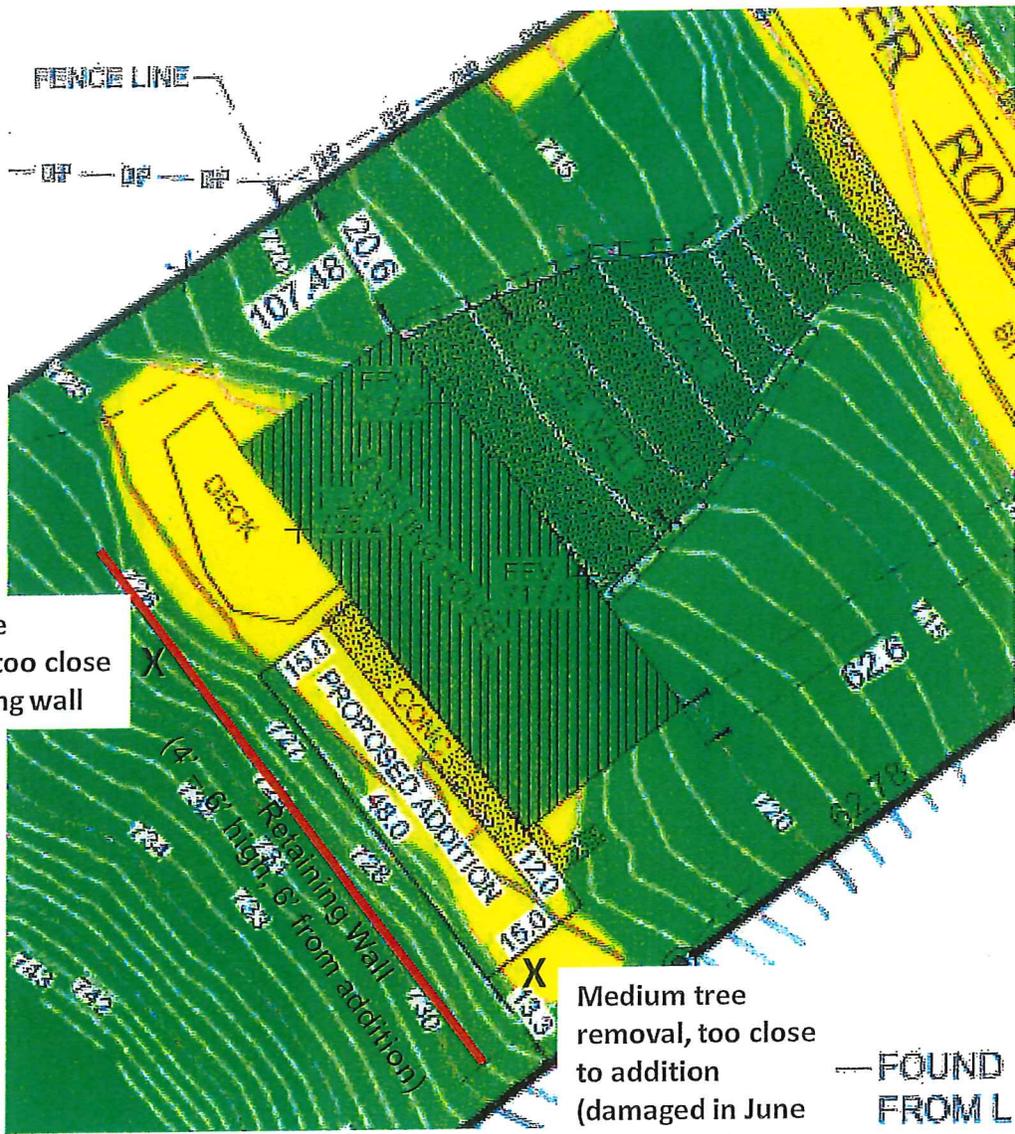
CERTIFICATE OF SURVEY FOR
TOM GASSER
 JOHNSON & SCOFIELD INC.
 SURVEYING AND ENGINEERING
 11211 BIRCHWAY DR. SUITE 201, FORT WORTH, TEXAS 76133-4000
 (817) 491-0000

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Texas.

Tom Gasser
 Tom Gasser
 Licensed Land Surveyor No. 48824

BC: HA PC: HA SC: G DRAWING NUMBER
 SHEET 1 OF 1 SHEETS 118-149 5-78-05



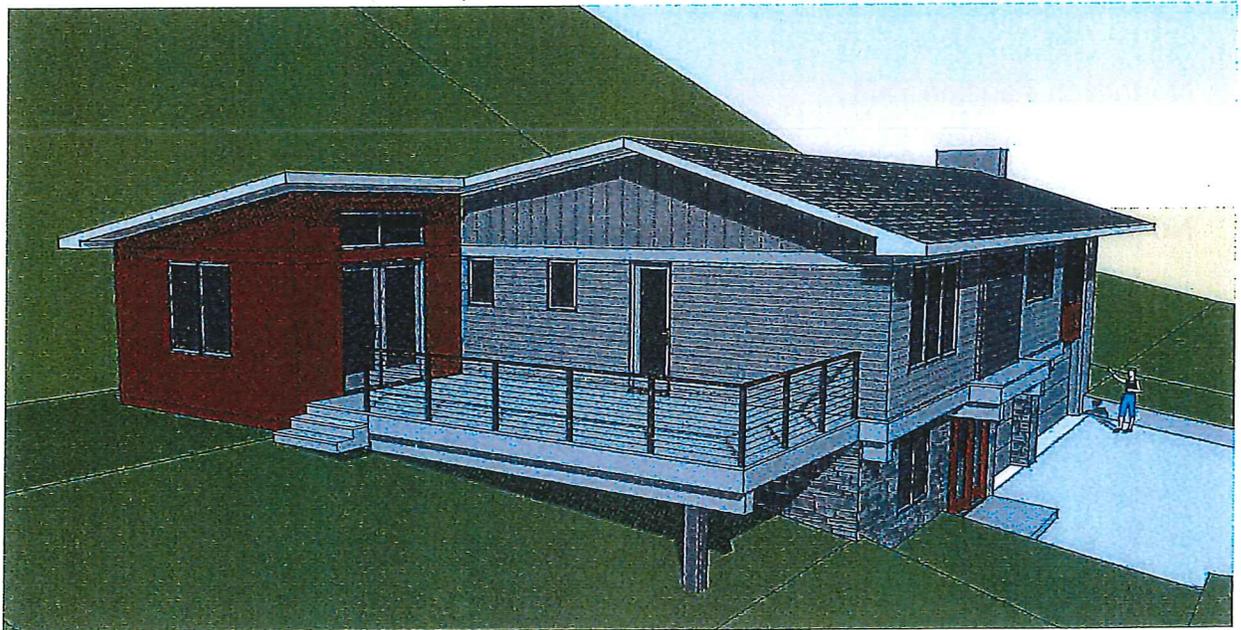
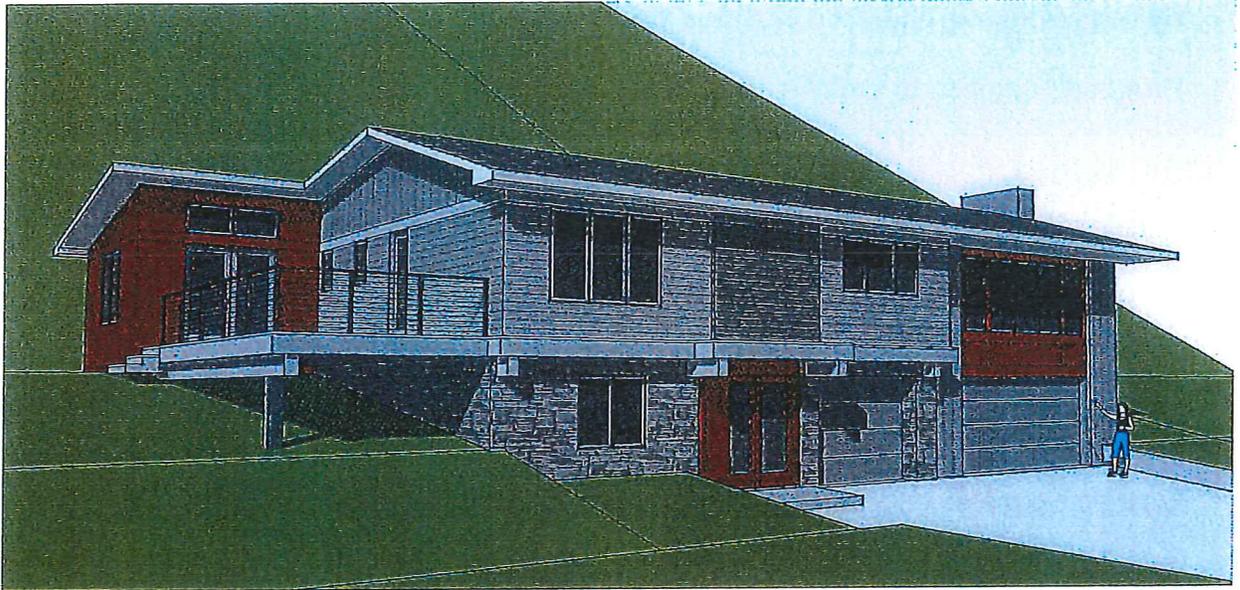


Small Tree
removal, too close
to retaining wall

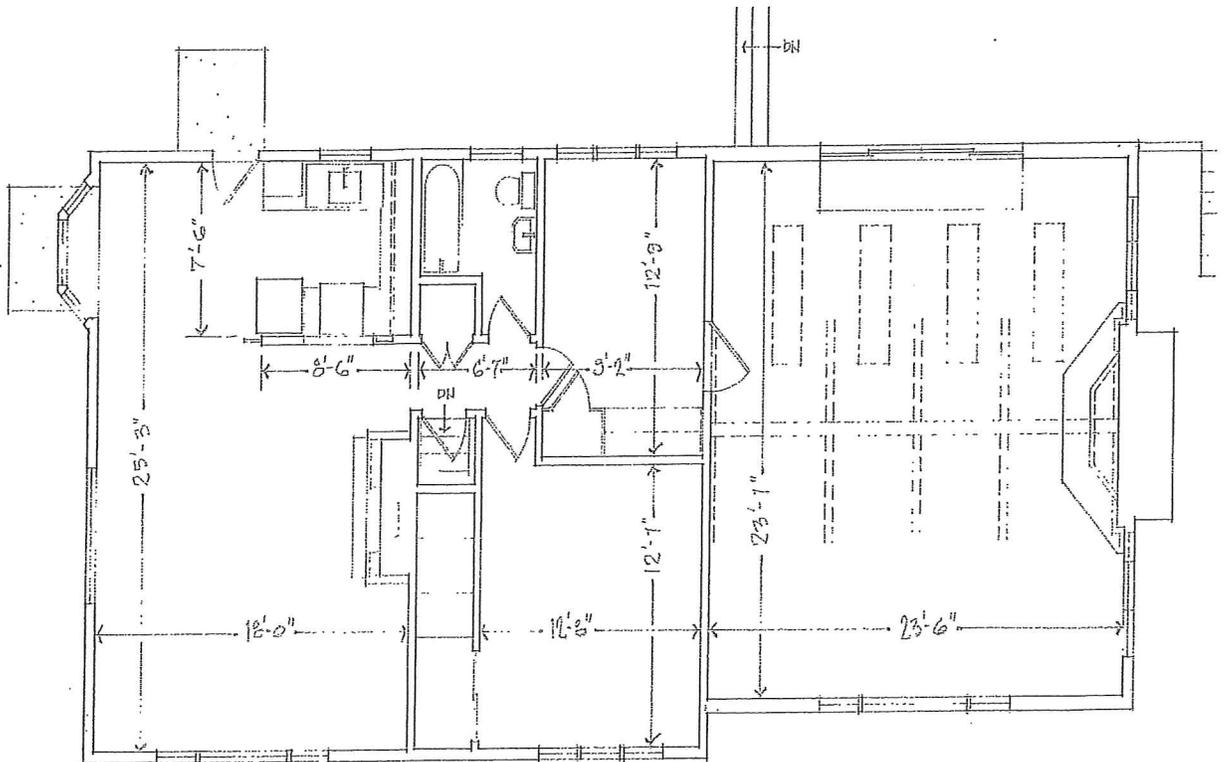
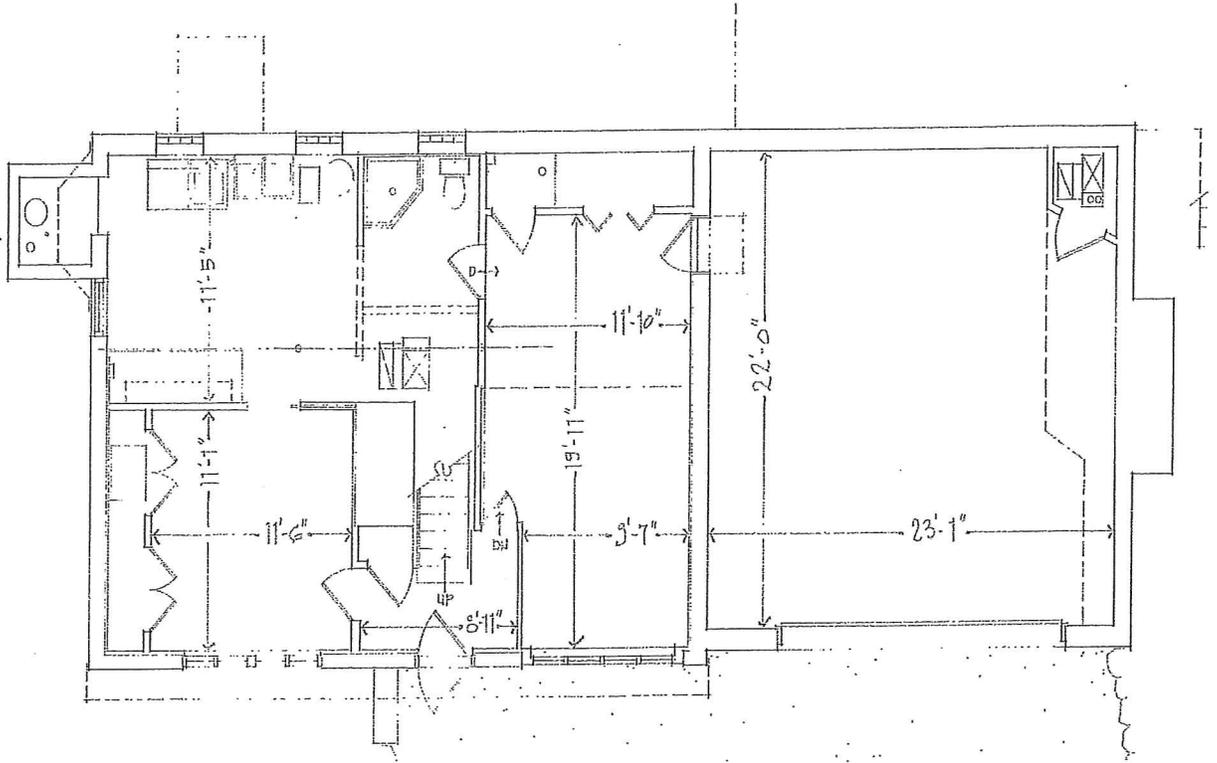
Medium tree
removal, too close
to addition
(damaged in June
2018 storm)

— FOUND
FROM L

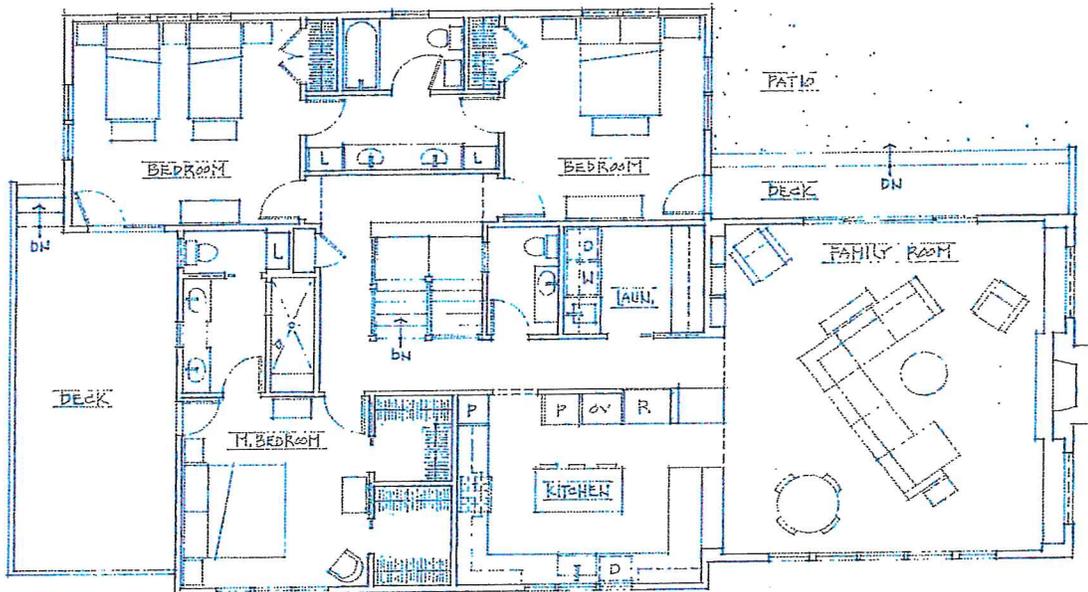
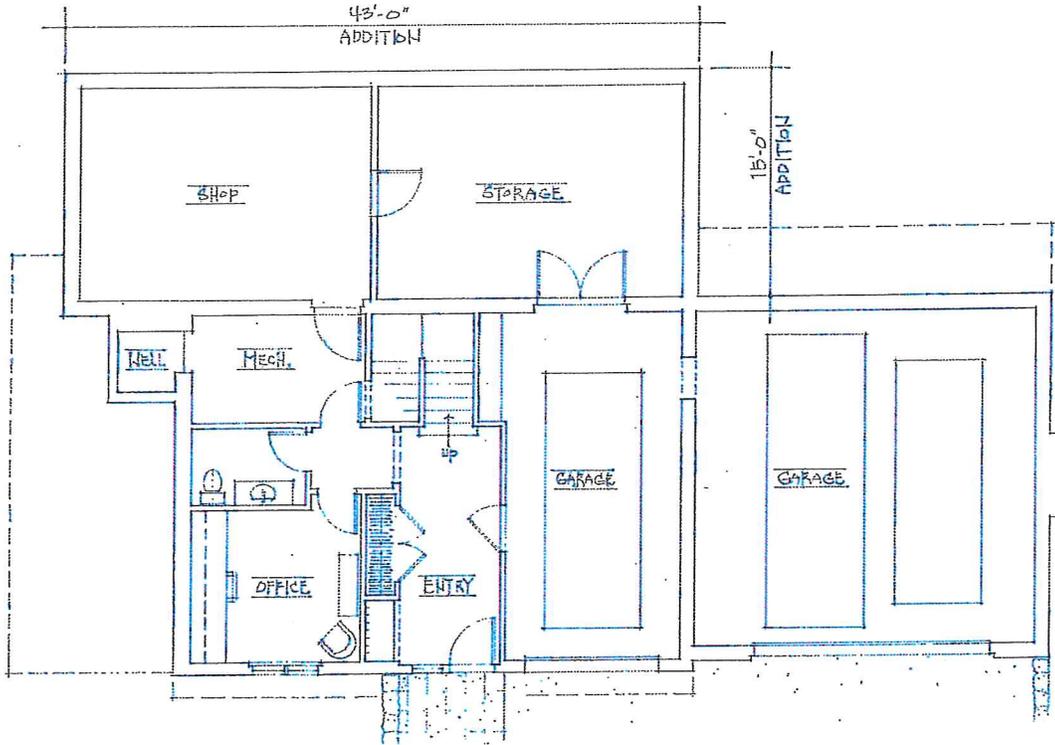
4220 Proposed House Elevations

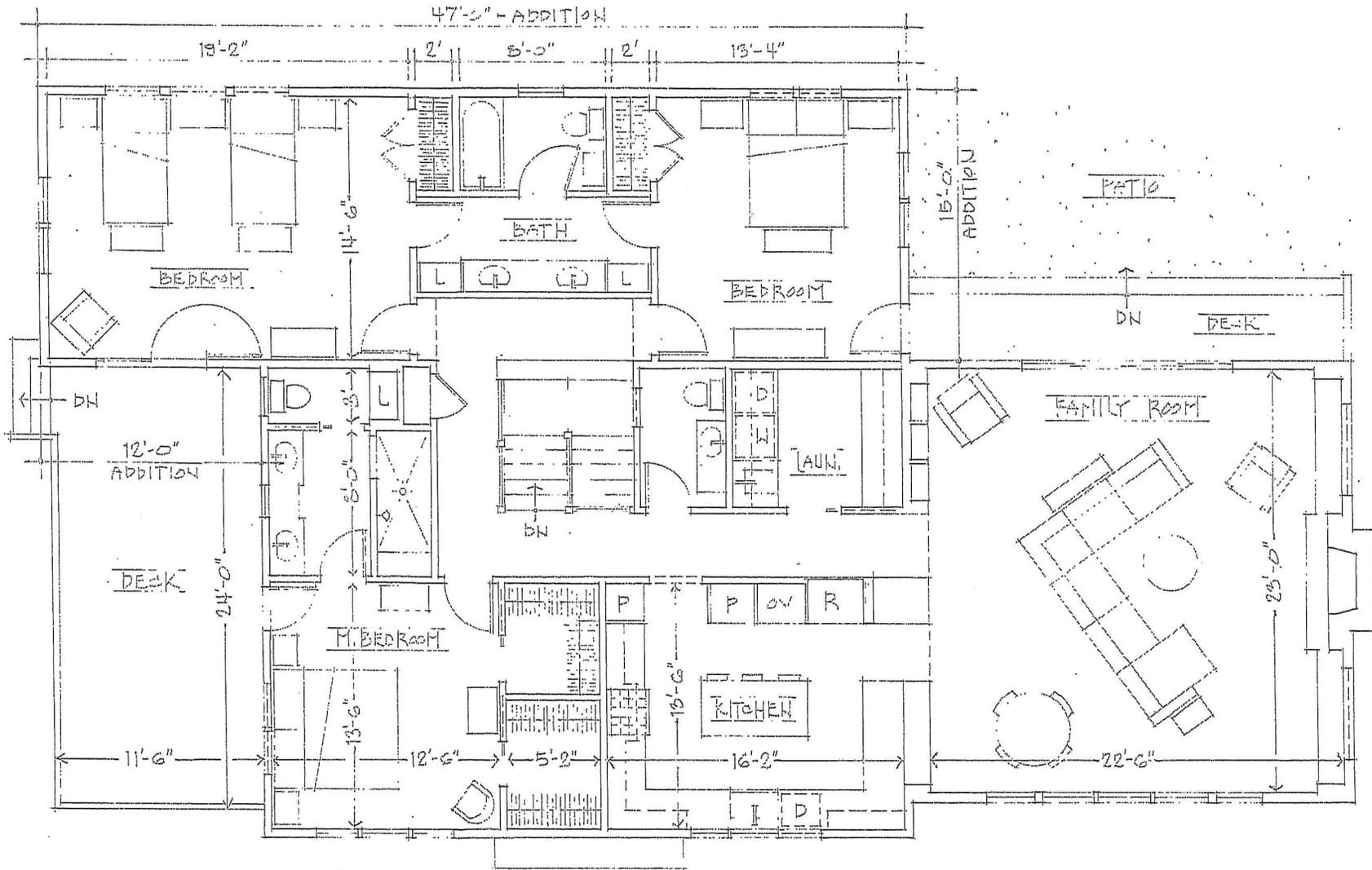


4220 Current House Floor Plans



4220 Proposed Floor Plans

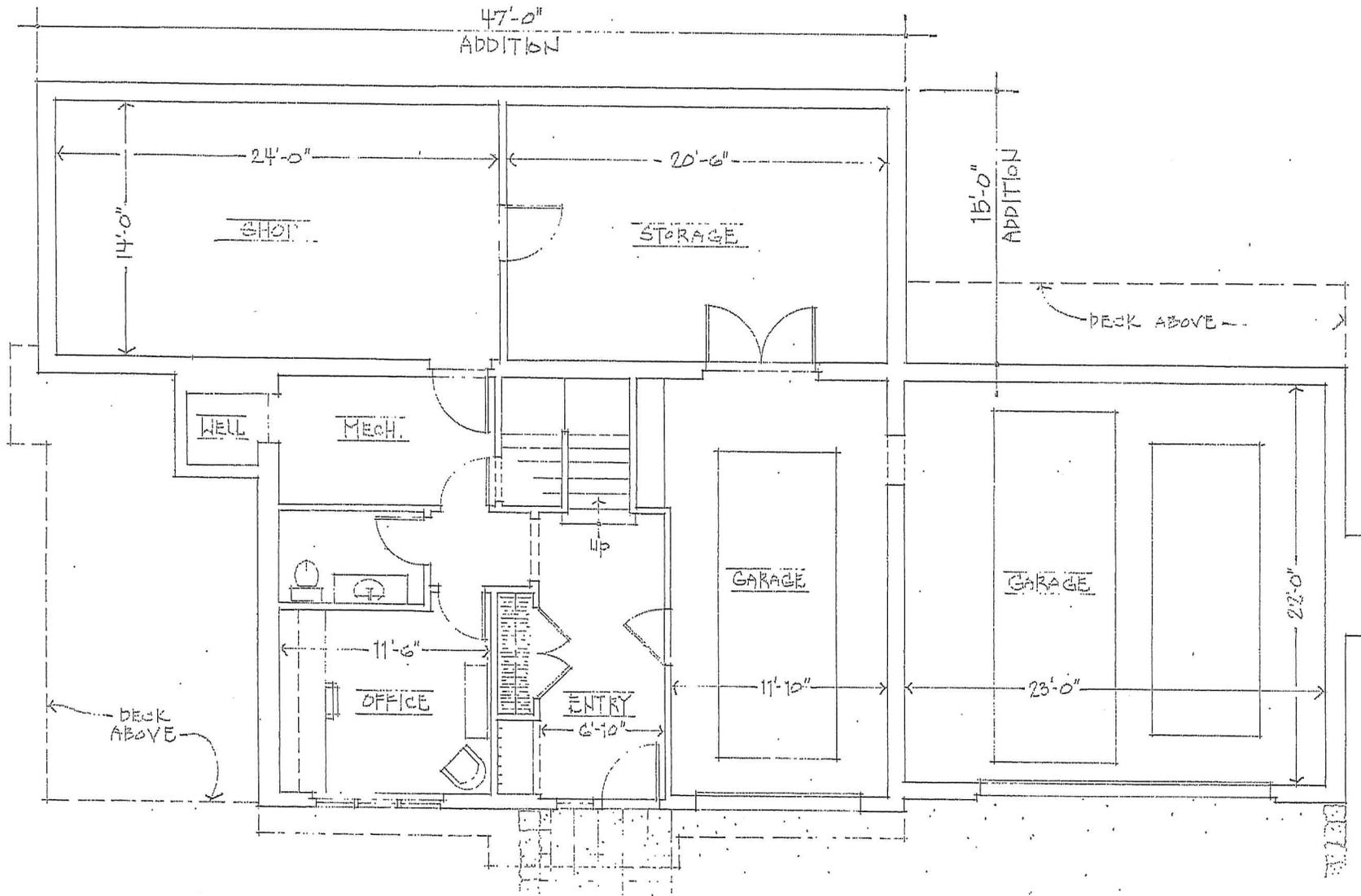




Gasser Residence

First Floor Plan - 3/16" = 1'-0"

September 1, 2018
 Vermeland Architects



Gasser Residence

Basement Floor Plan - 3/16" = 1'-0"

September 1, 2018

Vermeland Architects

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

Planning Commission Memo

Meeting: November 5, 2018

To: Chair Kopitzke and members of the Planning Commission

From: Ron Moorse, City Administrator

Date: October 31, 2018

Re: Planning Commission Member Areas of Specialization Regarding the Zoning Code.

At the October 1, 2018 Planning Commission meeting, Chair Kopitzke and Commissioner Doherty presented a proposal to divide the various sections of the Zoning Code among the Planning Commission members to enable individual members to become subject matter experts on specific sections of the code, so that each can serve as resources to the broader Commission. This would enable the Commission as a whole to have expertise regarding all sections of the Zoning Code. The Commission did not complete its discussion regarding the proposal at its October 1 meeting. Attached is an outline of the 12 articles of the Zoning Code as well as the full Table of Contents of the Zoning Code. In addition, a 13th Article, Stormwater Management and Erosion Control, was added to the Zoning Code when the Minimum Impact Design Standards (MIDS) were adopted.

Chapter 12 updated 5-16-2016

CC member	Section detail	pages
	Article 2: Zoning	9-10
ALL	Sec 12-51 through sec 12 -54	9-10
	Sec 12-55 Definitions	10-23
	sec 12-55 Definitions A - E	
	sec 12-55 Definitions F-J	
	sec 12-55 Definitions K - O	
	sec 12-55 Definitions P - T	
	sec 12-55 Definitions U - Z	
	sec 12-55 Definitions A - E	
	Division 1: Generally	9-26
	Division 2: Administration	26-45
	Division 3: Districts	45-66
	<i>Floodplain overlay district</i>	
	<i>shoreland management overlay district</i>	
	<i>conservancy overlay district</i>	
	<i>St Croix River overlay district</i>	
	<i>Agricultural preserves (AP) overlay district</i>	
	<i>Agricultural (A) zoning district</i>	
	<i>Rural residential (RR) zoning district</i>	
	<i>Village historic site, residential (VHS-R) and commercial (VHS-C) zoning districts</i>	
	<i>Light Industrial (I-1A), Light Industrial (I-1B), and Light Industrial (I-1C).</i>	
	<i>Marine Services (MS) zoning district</i>	
	<i>Preservation and Land Conservation Development (PLCD).</i>	
	Article 3: Shoreland Management	110-126
	Article 4: LOWER ST. CROIX RIVER BLUFFLAND AND SHORELAND MANAGEMENT	126-137
	Article 5: Floodplain Regulations	137-151
ALL	Article 6: Subdivisions	153-180
	Article 7: Heritage Preservation	180-189
	Article 8: Buildings and Building Regulations	
	Article 9: Sewage	
	Article 10: Mining	
	Article 11: Personal Wireless Communications Antennas and Towers	206-211
ALL	Article 12: Preservation and Land Conservation Developments	211-215

LAND USE¹

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¹ Cross references – Planning Commission, § 2-141 et seq.; natural resources and groundwater commission, § 2-186 et seq.; utilities, Ch. 24.

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Council Meeting Highlights
October 16, 2018

- The Council approved No Parking on 50th Street near the informal entrance to Afton State Park, to be effective when Afton State Park constructs a 12-space parking lot at this location.
- The Council accepted the proposal from CarlsonSV for Professional Auditing Services
- The Council approved rate increases of 3% for both solid waste services and recycling services for Highland Sanitation
- The Council approved a trial use of liquid salt pretreatment for ice and snow control on City streets to reduce the amount of salt sand used on the streets.
- The Council approved the renewal of the agreement for law enforcement services with Washington County
- The Council approved the Washington County All Hazard Mitigation Plan Heritage
- The Council approved a plaque recognizing the funding assistance and volunteer efforts that made the Community Gardens a reality