

CITY OF AFTON
APPROVED PLANNING COMMISSION MINUTES
April 4, 2016, 7:00 PM

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5 1. **CALL TO ORDER** – Chair Barbara Ronningen called the meeting to order at 7:00 p.m.

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

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9 3. **OATH OF OFFICE - REAPPOINTMENTS**

10 A. James Langan and Mark Nelson – James Langan had an excused absence. Administrator Moose
11 administered the Oath of Office to Mark Nelson for reappointment to a 3-year term.

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14 4. **ROLL CALL** – Present: Wroblewski, Kopitzke, Seeberger, Patten, Nelson, and Chair Ronningen. Excused
15 absences: Langan and Doherty. **Quorum present.**

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17 **ALSO IN ATTENDANCE** – Council Liaison Stan Ross, City Attorney Fritz Knaak, Mayor Richard Bend,
18 City Administrator Ron Moose and City Clerk Kim Swanson Linner.

19
20 5. **APPROVAL OF AGENDA** –

21 **Motion/Second: Wroblewski/Seeberger. To approve the April 4, 2016 Planning Commission agenda as**
22 **written. Motion carried 6-0-0.**

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24 6. **APPROVAL OF MINUTES** –

25 A. March 7, 2016 Planning Commission Meeting Minutes – Line 36, add to “overall density of “...one per
26 10 acres.” Line 90, delete the first two sentences; Line 180, end the sentence after “Rural Residential District”
27 Change the next sentence to read, “He did not know how many have historical structures possible for this use.”

28
29 **Motion/Second: Patten/Kopitzke. To approve the March 7, 2016 Planning Commission Meeting minutes**
30 **as amended. Motion carried 5-0-1 (Abstain: Seeberger).**

31
32 7. **ELECTION OF OFFICERS** -

33 A. **Chair** - Barbara Ronningen was nominated and voted in as Chair on a vote of 5-0-1 (Abstain: Ronningen.)

34 B. **Vice-Chair** - Scott Patten was nominated and voted in as Vice-Chair on a vote of 5-0-1 (Abstain: Patten.)

35 C. **Secretary** - Kris Kopitzke was nominated and voted in as Secretary on a vote of 5-0-1 (Abstain: Kopitzke.)

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37 8. **REPORTS AND PRESENTATIONS** – none.

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39 9. **PUBLIC HEARINGS** –

40 A. Islamic Society of Woodbury/East Metro application for a Conditional Use Permit for a Place of
41 Worship at 12585 Hudson Road – Chair Ronningen opened the Public Hearing at 7:07 p.m.

42 Administrator Moose reiterated that applications must meet the city’s zoning standards and described that
43 the purpose of a conditional use permit is to provide the City with a reasonable degree of discretion in
44 considering the nature of the adjoining land or buildings, the effect upon traffic, and other factors the City deems
45 important in determining the effect of the general welfare, public health and safety. Moose indicated the Islamic
46 Society of Woodbury/East Metro has applied for a conditional use permit for the construction of a place of
47 worship at 12585 Hudson Road. A place of worship is allowed in the Rural Residential zone with a conditional
48 use permit. The applicant has withdrawn their request for a driveway variance, as they have relocated and
49 redesigned the driveway to avoid any disturbance to areas with slopes 18% or greater. The facility will be used
50 primarily for worship services on Fridays (approximately 200 people); for weekend school, primarily for school
51 age children, on Sundays from 10:00 a.m. to 2:00 p.m.(100 students and teachers); and for social events on
52 weekend evenings (150 to 200 people). The proposed building design includes two minaret-type elements which
53 meet the height allowance for church spires. There will be no loudspeakers on the minarets or the exterior of the

54 building. The property is located on the south side of Hudson Road approximately one-half mile east of
55 Manning Avenue. The property is bordered by light industrial zoning on the north and west, and by rural
56 residential zoning on the east and south. The proposed building will be located in the north-central portion of the
57 site, with parking to the west and north of the building. The southern portion of the property will be rented for
58 growing crops; it will continue as an agricultural use. The existing accessory buildings will be used for storage
59 of equipment related to a planned community garden. The existing house will be used in conjunction with the
60 use of the open field area on the northeast portion of the property. The house can provide shelter and restroom
61 facilities that are more convenient to the field than the proposed new facility. The house will also be used for
62 other social activities that are more suited to a smaller space than to the new facility. The proposal includes 1.54
63 acres, or 5.27% of impervious coverage, which is less than the maximum allowed coverage of 10%. Primary
64 and secondary septic systems have been identified, Washington County Public Health indicated that, based on a
65 soil report received on March 7, 2016, it is highly likely that the soils are suitable for the required septic
66 systems. The proposal meets all required setbacks. The proposed parking area meets the wetland setback and is
67 allowed to be located within the powerline easement. The City Engineer has reviewed the parking area and
68 number of spaces required, and has indicated the parking area meets requirements. The code requires 94 parking
69 spaces and 94 spaces are being provided. The City Engineer has reviewed the lighting plan, and has indicated it
70 generally meets the City's requirements, but may exceed the allowed illumination level in some areas. The final
71 lighting plan will need to meet the City's requirements. The City Engineer has reviewed the landscaping plan
72 and determined it generally meets the City's requirements. However, it does not indicate landscaping on the
73 sloping areas of the right-of-way; the applicant should provide ground cover detail for these areas to assure the
74 area is maintained with appropriate ground cover. The proposed construction meets the thresholds that require a
75 Valley Branch Watershed District (VBWD) permit. The applicant will submit the grading and drainage plan to
76 the VBWD for their permit review. A condition of the approval of the conditional use permit will be the
77 approval of a permit by the VBWD. The City Engineer has reviewed the proposed grading and drainage plan.
78 While the plan appears to work conceptually, the City Engineer has requested more detailed information
79 regarding the infiltration capability of the pond, including soils and the water table in the area of the proposed
80 infiltration pond. Because the property is large enough to allow flexibility in the final drainage solution, the City
81 Engineer is not requiring additional information or plan modifications at this time. The conditions of the CUP
82 approval include the requirement that the final drainage solution needs to be approved by both the City Engineer
83 and the Valley Branch Watershed District.

84 Irfan Ali, applicant representative, spoke about the members of their Islamic Center board and their
85 connections to the professional and greater community. He indicated that there will be no exterior noise
86 generating device used for their call to worship. He felt the majority of traffic will be coming off of I-94 and
87 Manning Avenue to Hudson Road to access their site. He committed to working with the City Engineers to
88 address concerns about "over-lighting" the parking, but maintained they wish to have a level of lighting for safe
89 and secure access of visitors to the property.

90
91 Public Comment

92 Chair Ronningen emphasized that public comments should be restricted to those relevant to the conditional use
93 permit and issues of land use.

94 1) Randy Brenner, 354 Minar Avenue S, lives to the east of the proposed site, hopes to hear the laughter of
95 children coming from the site.

96 2) Iman Zeman, 4100 East 66th St, Inver Grove Heights, requested support of this institution, as he felt they
97 would be good neighbors.

98 3) Ted Schmitz, 12774 3rd Street S, had concerns about several issues in the proposal, which were
99 addressed by staff or the applicant indicating that all city zoning codes will be complied with.

100 4) Lazlo Farago, 382 Minar Avenue S, was concerned about noise levels from the site, especially during
101 festivals or events, and suggested a more solid barrier to the residences on the east.

102 5) Samuel Wolff, Summit Avenue, St. Paul, commented that he felt this use would make a wonderful
103 addition to the city.

104 6) Laverne Nelson, 12838 2nd Street S, was concerned about the traffic flow from I-94 to Manning and
105 onto Hudson Road, indicating several accidents have occurred at these busy intersections.

106 7) Sandra Paulson, 322 Minar Avenue, felt the noise level would be loud and suggested additional trees to
107 buffer sound transfer to the residential neighborhood to the east.

108 8) Jay Sperry, 13840 Tomahawk Lane S, a 16-year resident, is concerned about the traffic on Hudson
109 becoming even busier than it already is. He also did research that showed there is a 10% reduction to property
110 values when a mosque goes in an area (from a study in the United Kingdom). He believes there is no Muslim
111 community in Afton.

112 9) Bob Dickie, 15887 35th Street S, resident of Afton since 1984, felt downward casting lights are what the
113 Lutheran church has down the road, and felt the ordinances should and would be applied fairly to this
114 application.

115 10) Naima Kahn, 3165 Frontier Drive, Woodbury, commented that she commutes to St. Paul every day
116 from Woodbury and is familiar with traffic on Manning Avenue and Hudson Road. She commented that she has
117 not seen any problems with traffic flow on Hudson Road. She felt that this worship place will be similar to the
118 Lutheran Church that is just down the road. She personally is very glad this facility is going in; she stated that
119 having a worship community makes her feel less socially isolated. Chair Ronningen commented that for
120 comparison, Shepherd of the Valley, the Lutheran Church on Hudson Road has ten times the membership of this
121 proposed use. So, by comparison, this use should not bring that great an impact on traffic flow on Hudson Road.

122 11) George Erler, 12748 3rd Street S, was concerned about the driveway onto Hudson Road. Moose
123 confirmed that a MN/DOT permit will be required for the driveway off of Hudson Road.

124 12) Anthony Tedesco, 7990 Forest Blvd, Woodbury, felt the members of this worship community would be
125 welcoming and felt the differences in religion are very small. He supports the approval.

126 13) Brad Bechel, 12350 8th Street Ct S, asked about the watershed drainage on the site. Administrator
127 Moose and Chair Ronningen indicated that with the addition of the infiltration ponds, the rate of runoff would
128 be no greater, and probably would be much less, than what currently exists on the site.

129 14) Patricia Swanson, 14810 42nd St S, wondered how many Muslims are Afton residents. Chair Ronningen
130 informed the city does not have that data, but the applicants are residents in the fact that they are landowners of
131 the property. Swanson asked if the money used for this project is from foreign or domestic sources; what is the
132 cost of the facility; has a social impact study been done? Ronningen informed these items do not pertain to the
133 application before the Planning Commission.

134 15) Karen Weiss, 13575 40th Street S, asked if the existing house will be occupied. Moose replied that the
135 applicants have indicated the house will not be used as a dwelling unit, but it is planned to be used as meeting or
136 support space for activities happening on the property.

137 16) Ahmad Shamsi, 9568 Hillingdon Road, Woodbury, commented he has had the honor of maintaining the
138 property (mowing grass) since it was purchased, and hopes to continue maintaining the property so as to be a
139 good neighbor.

140 17) Alberta Gillespie, 7585 (Radio Drive?), felt the social impact would be a benefit.

141 18) Dr. Rwoof Reshi, 9337 Wedgewood Drive, Woodbury, felt the designation of their worship group
142 should not be “part of ‘them’ in the community; but rather, be “part of ‘this’ community.”

143 19) Jaylani Hussein, Executive Director of CAIR-MN (Council on American-Islamic Relations), 1650 Hwy
144 36, Roseville, informed that the first mosques appeared in the area in 1921, this community of worshipers looks
145 forward to being welcomed as a new neighbor and as a tremendous asset to the community.

146
147 **Motion/Second: Patten/Kopitzke. To close the Public Hearing at 7:56 p.m. Motion carried 6-0-0.**

148
149 Commission Discussion

150 Commissioners asked about the continuation of a portion for farming and if the existing house will ever be
151 used as a dwelling unit, much like a parsonage, or if staff will be have offices there?

152 Ali replied that the southern 19 acres will continue to be rented out for agriculture and the Center will pay
153 taxes on that portion of land. The house is planned to be an ancillary use for recreational activities or for other
154 small meeting spaces. They have no plans at this time for having it be used as a dwelling.

155 Ronningen advised that current practice for churches is to offer a housing subsidy for ministers, rather than
156 provide living facilities on site.

157 Kopitzke asked whether the CUP should address all of the uses on this site, as there seem to be three
158 separate uses: place of worship, residence, and agricultural uses.

159 Moose advised that each of those can be handled within the conditions imposed on the CUP approval.

160 The City Attorney advised that the City can create a condition for review and approval for additional uses
161 on the property, such as a dwelling or agricultural use, especially uses related to the mission or the religion, such
162 as a kid's group home, for instance, is allowed and can be added now as a condition or later as an amendment to
163 the CUP.

164 It was asked if the numerous small sheds will remain in use. The applicant indicated they intend that the
165 sheds will remain and be in use for equipment, for use by the farmer, and used for the community garden.

166 Moose indicated that since the property is more than 20 acres, they have an unlimited amount of accessory
167 buildings available.

168 Additional questions about the Center's daily and weekly activity were expressed.

169 The applicant detailed that they have prayers five times a day of which 5 to 100 people could attend;
170 however, there will be no public (exterior) call to prayers. Social activities will happen several days a week and
171 a weekly service will take place (similar to other religious organizations).

172

173 **Motion/Second: Kopitzke/Wroblewski. To recommend approval to the City Council for the Islamic**
174 **Society of Woodbury/East Metro application for a Conditional Use Permit for a Place of Worship at**
175 **12585 Hudson Road, with the conditions presented, and adding conditions 13, 14, and 15.**

176

177 **Conditions**

178 **The following is a list of recommended conditions to be placed on the Conditional Use Permit**

- 179 **1. Easements as required by the City Engineer shall be granted**
- 180 **2. Scenic easements shall be placed on all slopes greater than 18%,**
- 181 **3. The property owner shall execute a scenic easement agreement**
- 182 **4. The property owner shall obtain a septic permit from the Washington County Public Health**
183 **Department**
- 184 **5. Any permits required by Mn/DOT, including permits for the driveway, shall be acquired and all**
185 **requirements placed on the permits shall be met**
- 186 **6. A permit shall be obtained from the Valley Branch Watershed District, and all requirements of**
187 **that permit shall be met**
- 188 **7. The grading and drainage plan shall be constructed according to final plans approved by the City**
189 **Engineer. Silt fences or other types of erosion control shall be properly installed prior to**
190 **construction; and shall be maintained in good condition until the construction is complete.**
- 191 **8. The lighting plan shall be subject to review and approval by the City Engineer and City**
192 **Administrator.**
- 193 **9. No unscreened outdoor storage shall be permitted on the site.**
- 194 **10. No loud speakers shall be placed on the minarets or the exterior of the building resulting in noise**
195 **disturbance to the neighbors.**
- 196 **11. Non-compliance with the conditions of this permit shall be considered a violation, and may result**
197 **in revocation of this permit.**
- 198 **12. Compliance with conditions of this permit shall be monitored on a periodic basis.**
- 199 **13. Notification to the city is required if the house becomes occupied.**
- 200 **14. The Agricultural use is allowed on the south portion of the parcel.**
- 201 **15. Additional screening shall be added as a vegetative buffer on the east side of the house. Applicants**
202 **shall work with the City Engineer for appropriate vegetation.**

203

204 **Motion carried 6-0-0.**

205

206 **9. NEW BUSINESS –**
207 A. City of Woodbury Comprehensive Plan Amendment, Stonemill Farms 16th, Project No. 24-2016-00201
208 - Administrator Moorse summarized the request from the City of Woodbury to amend their Comprehensive
209 Plan. The amendment would change the use of a vacant piece of property in the Stonemill Farms development,
210 at the corner of Settlers Ridge Parkway and Lake Road and would allow for 5.66 acres to be guided as medium
211 density residential instead of neighborhood commercial. This would enable the construction of a townhome
212 development similar to what is being constructed to the east of this property.

213
214 **Commissioners voiced support for the change from neighborhood commercial to medium density**
215 **residential for the City of Woodbury Comprehensive Plan Amendment, Stonemill Farms 16th, Project No.**
216 **24-2016-00201. This recommendation will advance to City Council at their April 19th meeting.**
217

218 **8. OLD BUSINESS -**

219 A. Comprehensive Plan Update Process – Chair Ronningen said to get the process going, she will provide
220 updates to the Afton data provided from Met Council. Staff was directed to send PC members the Met Council
221 definitions of land use, so that discussion can begin, particularly with regard to the definition of “commercial.”
222 Commissioners should review the current Comprehensive Plan to determine if other changes should be
223 considered to ensure, for instance, that the “strategies” are not obsolete, whether new land use sections need to
224 be added, or whether language indicating “such as” can be listed as a guide going forward, but not be a
225 definitive list of land uses. Riparian buffers and wildlife corridors should be reviewed and determine if the city
226 is providing adequate protections. Commissioners were interested in having data from the MN Department of
227 Transportation on traffic counts for Manning Avenue and whether the road is sufficient for traffic now and what
228 they may see for future use levels.

229 Chair Ronningen indicated that after gathering this data and having initial discussions at the May 2016 PC
230 meeting, that perhaps a joint PC/CC work session should be planned.

231
232 B. Draft City Council Minutes – were provided in the packet.

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234 C. Update on City Council Actions – Administrator Moorse reported on Council actions of the March
235 meeting.

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238 **10. ADJOURN –**

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240 **Motion/Second: Nelson/Wroblewski. To adjourn the meeting at 8:49 p.m. Motion carried 6-0-0.**

241
242 Respectfully submitted by:

243
244
245 _____
246 Kim Swanson Linner, Deputy Clerk

247
248 **To be approved on May 2, 2016 as (check one): Presented: _____ or Amended: X**