

CITY OF AFTON
APPROVED PLANNING COMMISSION MINUTES
June 6, 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. Roger Bowman – Administrator Moose administered the Oath of Office to Roger Bowman for
11 appointment to a 3-year term to expire in February 2019.

12
13 4. **ROLL CALL** – Present: Bowman, Wroblewski, Seeberger, Patten, Nelson, Doherty and Chair Ronningen.
14 Excused absences: Langan, Kopitzke. **Quorum present.**

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16 **ALSO IN ATTENDANCE** – Council Liaison Stan Ross, City Administrator Ron Moose and City Clerk Kim
17 Swanson Linner.

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19 5. **APPROVAL OF AGENDA** – One item was added: Item 9.B, Afton Branding Committee.

20 **Motion/Second: Patten/Wroblewski. To approve the June 6, 2016 Planning Commission agenda as**
21 **amended. Motion carried 7-0-0.**

22
23 6. **APPROVAL OF MINUTES** –

24 A. May 2, 2016 Planning Commission Meeting Minutes – Line 27, correct the Motion and Second to:
25 Nelson/Wroblewski; Line 160, delete the quotes and ‘those’ from the DNR statement.

26 **Motion/Second: Wroblewski/Nelson. To approve the May 2, 2016 Planning Commission Meeting minutes**
27 **as amended. Motion carried 5-0-2 (Abstain: Patten and Bowman).**

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29 7. **REPORTS AND PRESENTATIONS** – none.

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31 8. **PUBLIC HEARINGS** – none.

32
33 9. **NEW BUSINESS** –

34 A. Schedule Presentation Regarding Minimal Impact Design Standards – Administrator Moose explained
35 that Minimal Impact Design Standards (MIDS) guide construction projects and development plans in a way that
36 minimizes impacts to surface water and protects water quality. MIDS regulations are being used by cities and
37 watershed management organizations, such as the Valley Branch Watershed District and the Middle St. Croix
38 Water Management Organization (MSCWMO). He reported that the MSCWMO has obtained grant funding to
39 assist cities in incorporating MIDS into their zoning regulations. The MSCWMO and an engineering consultant
40 with expertise in MIDS have asked to meet with Afton’s Planning Commission to provide information about
41 MIDS and have an opportunity for questions and discussion. They propose to review Afton’s ordinances and
42 recommend incorporating regulations into our ordinances.

43 Commissioners commented that the Valley Branch Watershed District and South Washington County
44 Watershed District didn’t come to the city when they incorporated MIDS into their watershed plans. They felt
45 the MSCWMO could have time for a brief presentation and a Q & A period. They felt the city has done a good
46 job in its ordinances regarding water protection. The MSCWMO presentation regarding MIDS will be scheduled
47 for the July 11 meeting.

48
49 B. Afton Branding Committee – Commissioner Patten reported that Afton’s “story” is the focus of a newly
50 launched website and survey. The committee is listening to residents and those who work and visit here to
51 determine what the goal of the city should be – should it be tourism, a rural atmosphere, a river city, etc. Their
52 goal is to get 10% of residents to complete the survey (that would be 190 responses to the survey).
53

54 **10. OLD BUSINESS -**

55 A. Teitelbaum Minor Subdivision Application at 15511 Afton Hills Drive – Administrator Moose
56 reviewed the Chaim Teitelbaum minor subdivision application at 15511 Afton Hills Drive to subdivide the
57 existing fifteen-acre parcel into three, five-acre residential parcels. Each parcel would have access via driveway
58 directly to Afton Hills Drive. The most westerly parcel overlays an existing home while the two new parcels to
59 the east would accommodate new home construction. He explained that the Planning Commission, at its June 6,
60 2016 meeting, continued action on the minor subdivision application to enable questions regarding code
61 requirements related to driveways, particularly the number of driveways allowed on a parcel and the distance
62 required between driveways, to be addressed. Section 12-196. Parking. 170 A.7, indicates: “There shall be only
63 one driveway access for each residential lot, except by Administrative Permit.” Because there is an existing
64 driveway easement on Parcel C serving the property to the south, the second driveway access on Parcel C to
65 serve the proposed home site on Parcel C could be approved by Administrative Permit. The location of this
66 easement divides Parcel C into two halves.

67
68 **Motion/Second: Ronningen/Bowman. To recommend approval to City Council for the Chaim Teitelbaum**
69 **Minor Subdivision application at 15511 Afton Hills Drive, including findings and conditions below.**
70

71 **Findings:**

- 72 1. The subject property is located in the Rural Residential zone, as is all property surrounding it.
- 73 2. The Rural Residential zone allows residential use with five-acre minimum lot size.
- 74 3. The subdivision meets all subdivision requirements.
- 75 4. Allowing one driveway access, through an Administrative Permit, to be shared by Parcel C with
76 the existing easement access to the parcel to the south, will reduce the amount of impervious
77 surface on slopes in the area and be better for the environment.
- 78 5. Allowing one driveway access, through an Administrative Permit, is preferred for safety and
79 traffic access onto Afton Hills Drive rather than two driveways on Parcel C so close together.

80
81 **Conditions:**

- 82 1. Easements as required by the City Engineer shall be granted.
- 83 2. All drainage and utility easements shall be subject to the review and approval of the City
84 Engineer.
- 85 3. All grading, drainage and erosion control issues shall be subject to review and approval by the
86 City Engineer, and by the Valley Branch Watershed District if they meet permit thresholds.
- 87 4. Scenic easements shall be placed on all slopes greater than 18%.
- 88 5. The developer shall execute a scenic easement agreement and shall record the scenic easement
89 concurrent with the subdivision.
- 90 6. Park dedication requirements shall be satisfied at the time of final subdivision approval in
91 accordance with Section 12-1270 of the Subdivision Ordinance.
- 92 7. Permits for individual septic systems to serve new homes on parcels B and C shall be obtained
93 from the Washington County Public Health Department at the time of application for building
94 permits for those homes, and all requirements of the septic permits shall be met.
- 95 8. All driveways shall comply with Section 12-84 of the Zoning Ordinance and be subject to review
96 and approval by the City Engineer.
- 97 9. Applicant was strongly advised to apply to the City for an Administrative Permit to have a
98 driveway come off the existing driveway easement which bisects the newly created parcel, for one
99 shared access to Afton Hills Drive serving both the existing parcel to the south and proposed
100 Parcel C.

101
102 **Motion carried 7-0-0.**
103

104 **B. Brown Trout LLC Variance Application at 15311 Putnam Boulevard and Minor Subdivision**
105 **Application at 15311 Putnam Boulevard and 2573 Stagecoach Trail** – Administrator Moose reviewed the
106 application for properties at 15311 Putnam Boulevard and 2573 Stagecoach Trail, both of which are owned by
107 Brown Trout LLC, requesting a variance to allow the access to the Putnam Boulevard parcel to come from an
108 easement through the Stagecoach Trail property and requesting a minor subdivision to relocate the lot line
109 between the Putnam Boulevard and Stagecoach Trail parcels. The Planning Commission, at its May 2, 2016
110 meeting, continued action on the variance and minor subdivision applications due to concerns about the
111 feasibility of two driveways on the Stagecoach Trail parcel and to enable the applicant to consider combining
112 the parcels to eliminate the need for both the variance and the subdivision. Moose explained that the applicant
113 revised the minor subdivision plan to relocate the lot line between the two parcels so that the new house is
114 located on the Stagecoach Trail parcel, enabling the new house to have direct access to Stagecoach Trail, rather
115 than through an easement. The new plan also proposed that the access to the Putnam parcel be provided from a
116 driveway to the Putnam Boulevard right-of-way, in effect reopening the vacated portion of Putnam that would
117 then connect with Stagecoach Trail. This driveway would require a license agreement to allow the use of the
118 Putnam Boulevard right-of-way, but would eliminate the need for a driveway access variance. Washington
119 County indicated that the access to Stagecoach seems “reasonable,” but that future access is not guaranteed and
120 a future access permit would be subject to the requirements, ordinances, etc of the County at the time of a
121 county driveway access permit.

122
123 **Motion/Second: Ronningen/Doherty. To recommend DENIAL to the City Council for the Brown Trout**
124 **LLC Minor Subdivision Application at 15311 Putnam Boulevard and 2573 Stagecoach Trail, with the**
125 **following findings of fact.**

126
127 **Findings of Fact:**

- 128 **1. The variance request does not comply with the three requirements listed in Section 12-477.**
129 **Construction on nonconforming lots of record:**
 - 130 *A. Lots of record in the office of the county recorder on August 19, 1975, that do not meet the*
131 *requirements of Section 12-401 may be allowed as building sites provided the use is permitted in*
132 *the zoning district, the lot has been in separate ownership from abutting lands at all times since*
133 *it became substandard, was created compliant with official controls in effect at the time, sewage*
134 *treatment and setback requirements of this article are met and the lot meets the requirements of*
135 *the zoning ordinance, article II of this chapter, regarding nonconformity.*
 - 136 *B. A variance from setback requirements must be obtained before any use, sewage treatment system,*
137 *or building permit is issued for such lot...*
 - 138 *C. If, in a group of two or more contiguous lots under the same ownership, any individual lot does*
139 *not meet the requirements of Section 12-401 the lot must not be considered as a separate parcel*
140 *of land for the purposes of sale or development. The lot must be combined with the one or more*
141 *contiguous lots so they equal one or more parcels of land, each meeting the requirements of*
142 *Section 12-401 and the zoning ordinance, article II of this chapter.*
- 143 **2. Putnam Boulevard is not an open road, therefore no access is possible from the proposed**
144 **subdivision’s Putnam parcel.**
- 145 **3. Putting a driveway over the steep slope from the proposed Putnam parcel is problematic; a**
146 **driveway must be 12% or less. The slope over which the driveway is proposed is much steeper.**
- 147 **4. The house under construction should not have had a building permit issued without access and**
148 **frontage verified and approved by the city.**
- 149 **5. A house may not be less than 50 feet to the front of the lot.**
- 150 **6. While both proposed parcels meet the minimum lot area of 5 acres, the minimum contiguous**
151 **buildable area of 2.5 acres and minimum lot width of 300 feet, there are a number of existing legal**
152 **non-conformities and the new house and septic system require the proposed lot line realignment**
153 **to meet the required side yard setback.**
- 154 **7. Subdivisions with two non-conforming lots are not allowed in the Afton City Code.**

155
156 **Motion carried 7-0-0.**

157
158 C. Comprehensive Plan Update Process – Commissioner Nelson offered language to revise the solar resource
159 portion of the Comp Plan. The language was acceptable to commissioners.

160 Administrator Moorse indicated that the City Clerk had updated the Afton Density Calculations, with new
161 home permits and demolitions in the city as of 12/31/2015. The total build-out available under current density
162 was corrected to 518 new homes.

163
164 D. Draft City Council Minutes – were provided in the packet; of note was that the Natural Resources and
165 Groundwater Committee and the Parks Committee will review their respective sections of the Comp Plan and
166 report back to the Planning Commission by September.

167
168 E. Update on City Council Actions – Council Liaison Ross reported that a petition came before Council to
169 maintain Upper 34th Street as a standard road. Council denied the petition and directed staff to work with the
170 residents on top of the hill to work out a shared maintenance agreement, with the city as a party to the agreement
171 as well, as the City has agreed to contribute \$9,000 to the Afton Historical Society to restore and maintain Mt.
172 Hope Cemetery, which will cause more traffic to the “Old Cemetery Road.”

173
174 **11. ADJOURN –**

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176 **Motion/Second: Wroblewski/Nelson. To adjourn the meeting at 8:32 p.m. Motion carried 7-0-0.**

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178 Respectfully submitted by:

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180
181 _____
182 Kim Swanson Linner, City Clerk

183
184 **To be approved on July 11, 2016 as (check one): Presented: X or Amended: _____**