

City of Afton
PLANNING COMMISSION AGENDA

February 5, 2024

7:00 pm

**Afton City Council Chambers
3033 St. Croix Trail
Afton, MN 55001**

Please Note: This meeting will be held in-person, as well as remotely using the Zoom video conference application.

Instructions for Participating in the Meeting Remotely Via Zoom

Options for Joining the Zoom Meeting:

- **RECOMMENDED:** Use your computer, tablet or smart phone to join the meeting by logging on to <https://us02web.zoom.us/j/84410302409?pwd=eXdqQINXRmZWdWN6NXdyRIY5b0JFdz09>

- (Meeting ID: 844 1030 2409)
Passcode: 391940

- Dial-in Number (to call in to the meeting) +1 312 626 6799
When prompted, enter Meeting ID: 844 1030 2409

AGENDA

1. CALL TO ORDER –

2. PLEDGE OF ALLEGIANCE –

3. ROLL CALL -

- a) Sally Doherty
- b) Kris Kopitzke (Chair)
- c) Jim Langan
- d) Justin Sykora
- e) Christian Dawson
- f) Doug Parker
- g) Kuchen Hale
- h) Marc Porupsky
- i) Jacob Edwards

4. APPROVAL OF AGENDA –

5. APPROVAL OF MINUTES –

A. January 8, 2024 Meeting Minutes

6. REPORTS AND PRESENTATIONS – None

7. PUBLIC HEARINGS –

A. Miller Application for a Sketch Plan Review for a Proposed Subdivision of 46 Acres of Land with PID #s 22.028.20.22.0002 and 22.028.20.23.0006 Located Generally Between 15222 and 14960 Afton Boulevard

B. **NEW BUSINESS – None**

8. OLD BUSINESS -

A. Update on City Council Actions – Council Highlights from the January 16, 2024 Council meeting - attached.

9. ADJOURN –

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

CITY OF AFTON
DRAFT PLANNING COMMISSION MINUTES
January 8, 2024

The meeting was held in-person, with participation via Zoom also available.

1. **CALL TO ORDER** – Chair Kopitzke called the meeting to order at 7:00 pm.
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL** – Present: Kris Kopitzke, Justin Sykora, Doug Parker, Marc Porupsky, James Langan, Christian Dawson, Kuchen Hale. A quorum was present. Absent were Jacob Edwards & Sally Doherty (both excused).
ALSO IN ATTENDANCE – City Administrator Ron Moorse, City Council member Lucia Wroblewski
4. **APPROVAL OF AGENDA** –
Motion/Second Parker/Hale to approve the agenda for the January 8, 2024 Planning Commission meeting. Passed 7-0.
5. **APPROVAL OF MINUTES** –
Motion/Second Hale/Parker to approve the minutes of the November 6, 2023 Planning Commission meeting. Passed 6-0-1 (Porupsky abstain)
6. **REPORTS AND PRESENTATIONS** none
7. **PUBLIC HEARINGS** - Updated and Recodified City Code
Chair Kopitzke opened the public hearing at 7:05 pm.
Administrator Moorse provided the following background information: The City hired American Legal Services, a municipal code codifier, to update the City Code with ordinances that were adopted but had not been codified into the City Code, to reorganize the City Code to better group similar topics, and to provide an online version of the City Code that has much more effective search capabilities. The updated City Code does not include any new land use /zoning ordinances that have not already been adopted.
While the ordinances themselves have not been changed, commission members should focus on whether the re-organization of the code makes sense and remains logically consistent and should also look for any unintended consequences that arise from the re-organization.
No comments were received from the public.
Motion/Second Hale/Porupsky to close public hearing. Passed 7-0.
Hearing closed at 7:08 pm.
Administrator Moorse noted that the language in the code uses the words “will”, “shall”, and “should” in similar contexts. The word that best reflects the intent of these contexts should be selected and used consistently throughout the Code.
The commission found the following terms being used inconsistently in the code:
 - Board of adjustment and appeals
 - City Admin / Zoning AdminTerm use should be consistent with current positions.
The definition of “Institutional Housing” and the specific name that is used for this use needs to be changed so that it reflects the types of uses that are allowed.
Comments will go to the council meeting next week.
8. **NEW BUSINESS** – None
9. **OLD BUSINESS** -
 - A. Update on City Council Actions
Council member Wroblewski provided a summary of the December 19, 2023 Council meeting.

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10. ADJOURN –
Motion/Second Parker/Hale to adjourn. Passed 7-0.
Meeting adjourned at 7:31pm.

Respectfully submitted by:

Julie Yoho, City Clerk

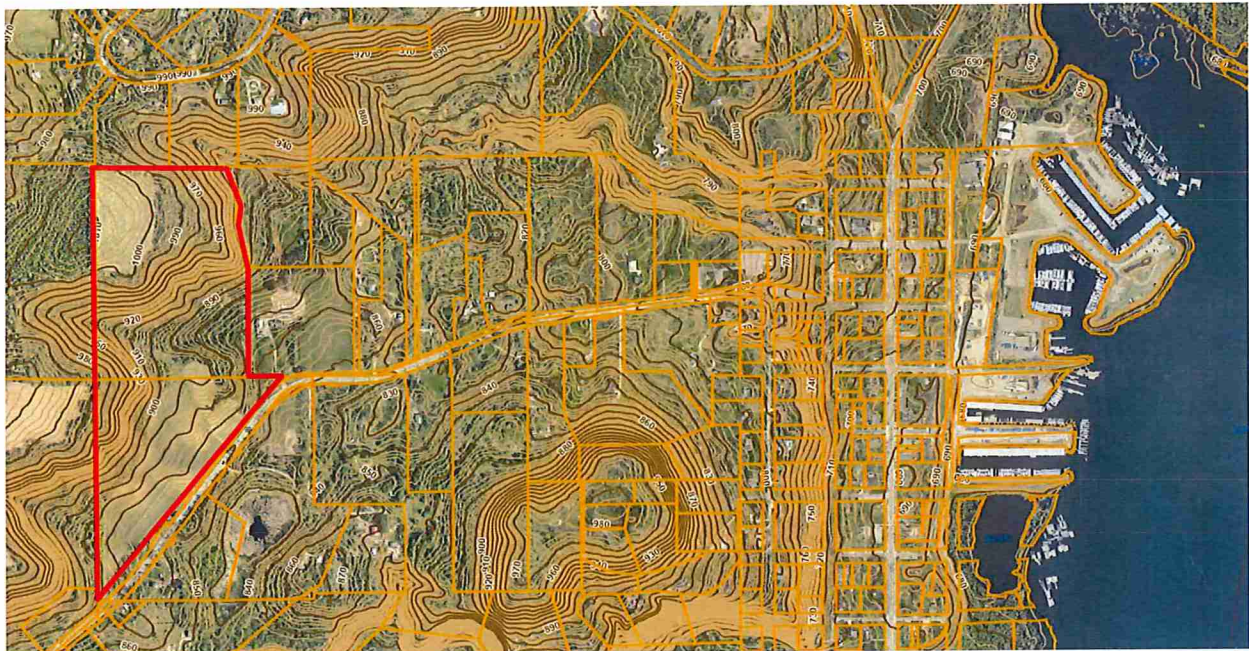
To be approved on
February 5, 2024 as (check one): Presented: _____ or Amended: _____

DRAFT

To: City of Afton Planning Commission
CC: Ron Moore, City Administrator
From: Claire Michelson, Planner
Date: January 29th, 2023
Re: Sketch Plan Review for Proposed Miller Subdivision of 46 Acres of Land with PID #s 22.028.20.22.0002 and 22.028.20.23.0006 Located Generally Between 15222 and 14960 Afton Boulevard



Project Location



PID - 22.028.20.22.0002 and 22.028.20.23.0006

Zoning District – Rural Residential

Summary

The Miller Subdivision Sketch Plan reflects a concept plan for the subdivision of approximately 46 acres of property with PID #s 22.028.20.22.0002 and 22.028.20.23.0006, located generally between 15222 and 14960 Afton Boulevard. The proposed subdivision would create eight single-family residential lots, each with a minimum area of five acres, at least 2.5 acres of which are contiguous acres that are less than 18% slope, and with at least 300 feet of public road frontage. Access to the property is proposed to be via a 1,100-foot cul de sac road from Afton Boulevard. Attached is a narrative that provides an overview of the concept plan for the proposed subdivision. The application has been sent to the Parks Committee and the Natural Resources and Groundwater Committee. Their comments are shared in this report.

Description of the Sketch Plan Review Purpose and Process

The purpose of the sketch plan review process is to inform applicants of the City's procedural requirements for a subdivision and applicable zoning and subdivision standards and convey the extent to which a proposed subdivision conforms to such regulations.

The sketch plan review process involves obtaining early feedback from numerous committees, commissions, and jurisdictions. Informal feedback on the submitted sketch plan is intended to precede the preparation of a formal preliminary plat application. Such informal feedback may include the identification of issues of concern which need to be addressed as part of the next stage of the subdivision planning process and which may potentially influence the design of the project.

Lots and Layout

Lot Summary	Proposed Lot Size	Minimum Lot Size
Lot 1	5	5 acres
Lot 2	5	5 acres
Lot 3	5	5 acres
Lot 4	5	5 acres
Lot 5	6.1	5 acres
Lot 6	7.8	5 acres
Lot 7	5	5 acres
Lot 8	5.3	5 acres

All of the lots meet the minimum lot size, road frontage/width and depth minimum requirements. There are some irregularly shaped lots. Lot 8 the frontage is the entire circular part of the proposed cul du sac, the City subdivision code (Sec. 12-1387 Lot Requirements (M)) requires that lot widths on cul du sac lots shall be no less than 300 feet at the building setback line, and it appears that Lot 8's building setback line is less than 300 feet. Lots 1-3 along Afton Boulevard are not at right angles to the street lines as required in Section 12-1387 Subdivision (A).

Proposed Land Use

Proposed use is 8 parcels used for single-family residential. The property is currently zoned RR- Rural Residential. Single family residential is an allowed use in the Rural Residential Zoning District if it meets the lot size and density requirements.

Infrastructure

The homes will be served by individual sewage treatment systems and wells. Each lot has an identified area for a primary and secondary drain field. Soil borings will be provided with the formal preliminary plat to ensure soils are suitable for septic systems.

The concept as presented would require road construction for this subdivision. This would be a proposed 1,100 foot cul de sac road from Afton Boulevard.

Section 12-1378 In the City of Afton Code states;

E. Where adjoining areas are not subdivided, but may be subdivided, the arrangement of streets in a new subdivision shall make provision for the proper projection of streets into adjoining areas by extending the new streets to the boundaries of the subdivision at appropriate locations. Streets must be constructed to the boundary according to city specifications or it shall be documented that it is feasible to build them to the boundary. Dedication of road right-of-way shall be required to the boundary even though the street is not constructed. It shall be the responsibility of the adjoining property owner, when his land is subdivided, to build the road to city standards.

The purpose of this section of the code is that it is important to plan for a network of through-roads where possible, and that when it would make sense from a long term road planning perspective to plan for a through-road at the end of a cul de sac, the cul de sac should be built to the boundary of the property being subdivided, or a road right-of-way should be dedicated to the property line, so that the possibility of a future through-road would not be lost. This assumes there are no other barriers to building a through-road, such as the adjacent subdivision having a covenant against access from a new subdivision or a topographic barrier such as steep slopes. As shown on the sketch plan, if the road were to be extended to the westerly property there are steep slopes above 18% where the city code prohibits development on slopes steeper than 18% making it difficult to build and extend the proposed road.

The concept plan shows a stormwater infiltration pond at the intersection of the cul de sac road and Afton Boulevard to manage the additional stormwater run-off to be created by the cul de sac road. Depending on the run-off volumes for individual homes, they may require additional stormwater facilities with rain gardens.

Washington County provided comments on the sketch plan in the attached letter, and is requesting that in the preliminary plat the plan include the dedication of additional public right-of-way sufficient to provide a total right-of-way width of 120 feet for this portion of Afton Boulevard (CSAH 18) as identified in the Washington County 2040 Comprehensive Plan.

Access

Lots 1 and 2 driveways would be accessed from Afton Boulevard (County 18). Lots 3-8 would be accessed from the proposed cul de sac road. Due to the steep slopes on the northern part of the property lots 7 and 8 are proposed to be accessed from a shared driveway. Staff would like to note that shared driveways are only allowed in the city code if they serve lots of 20 acres or more.

Washington County, as reflected in its attached letter, does not support the proposed access points onto Afton Boulevard (CSAH 18). The County limits the placement of access points to county roads to minimize conflict points and improve highway safety. The current proposal does not adequately limit access points onto the county road and the proposed street (cul de sac) is in an area with constrained sight distance due to the curve in the road. Access permits will be needed to construct new street connections within the county right of way.

Significant Topographical and Physical Features

The land has two tiers separated by a steep slope. Lots 1-4 and 7-8 are located on the lower tier. Lots 5 and 6 on the upper tier. There is a significant slope on the upper area, and the Zoning Code does not allow the construction of a driveway that crosses an area with a slope of 18% or greater. Lots 5 and 6 would be accessed using an existing legally nonconforming field road that has an average slope of 10.7% and crosses an area with slopes greater than 18%.

Approximately 29 acres of the property are currently wooded. Of those 29 acres, approximately 14 acres are steeper than 18%. The buildable area for lots 1-5 is open non-wooded areas that would require minimal tree clearing. The buildable area for lots 6-8 is in wooded areas and clearing would be needed for construction of houses, garages, septic systems and driveways. The anticipated clearing area is about .75 acres and approximately 1 acre of clearing for construction of the proposed cul du sac road. The total amount of clearing equals approximately 3.25 acres which is 11% of the wooded area. The proposed clearing appears to adhere to the city tree protection and reforestation ordinance as it is under the 30% maximum.

Natural Resources and Groundwater Committee (NRGC) Feedback Regarding Sketch Plan

The NRGC reviewed the sketch plan at its January 2, 2024 meeting, and provided the following feedback

- It was indicated it is important to minimize the removal of trees, and asked if a tree inventory was required. Staff indicated that, because the vast majority of trees will be undisturbed, a full tree inventory is not needed, but it would be helpful to have a tree inventory of those trees 6 inches or greater in diameter in the area that will be disturbed for the cul de sac road and in the wooded areas that will be disturbed for houses. This would particularly be helpful in identifying large trees that could be saved by routing the road around them or by being flexible with the driveway and house locations.
- The shared driveways are currently allowed only to serve lots that are 20 acres or larger.
- It was pointed out that there are some irregularly shaped lots, particularly the small portion of the lot that curves around the end of the cul de sac to provide the required 300 feet of frontage, and the lot lines along Afton Boulevard not being at a 90-degree angle to the road.
- It was suggested that the slope of the historic farm road that is proposed to serve two lots should be confirmed.

Parks Committee Feedback

The Parks Committee's discussion was focused on the question of whether to require a dedication of land or a cash contribution in lieu of land to meet the park dedication requirement. They discussed the benefit of an open space/ wildlife corridor running through a portion of the property, due to the large number of wild turkeys and deer moving through this property on a daily basis. While it is not clear what the width or location of an open space/wildlife corridor would be, the Committee wanted to keep the opportunity for an open space corridor available at this stage of the planning process, so did not make a decision regarding the park dedication requirement. The committee recommended that the park dedication requirement be clarified, in terms of both the amount of land that would be dedicated and the amount of the park dedication fee in lieu of a land dedication. The committee also recommended that there is a substantial value to having an open space/wildlife corridor and that they support further consideration of a corridor.

Planning Commission Feedback Requested

Motion regarding feedback to the applicant, and the City Council regarding the Miller Subdivision Sketch Plan for approximately 46 acres of property with PID#s 22.028.20.22.0002 and 22.028.20.23.0006, located generally between 15222 and 14960 Afton Boulevard.

Attachments

1. Project Narrative and Application
2. Sketch Plan
3. Letter from Washington County

Ron Moorse
City Administrator
City of Afton
3033 Saint Croix Trail
P.O. Box 219
Afton, MN 55001

Date: December 19, 2023

Dear Ron,

Please accept our sketch plan application for a subdivision on Parcel IDs 2202820220002 and 220820230006. These two parcels have an approximate area of 46 acres and lie within the Rural Residential zoning district. The proposed subdivision contains 8 lots. Each of these lots meet the requirement of 5 acres with at least 2.5 contiguous acres that are less than 18% slope and at least 300 feet of road frontage. A new road will be constructed that will be approximately 1,100 feet in length.

Lots 1 and 2 would have driveways onto Afton Boulevard (County 18). The remaining lots would have driveways from the proposed road. Lots 5 and 6 have their buildable areas above the zone of 18% slope. An existing field road is shown on the sketch plan that is approximately 12 feet wide with an average slope of 10.7%. This field road would be improved and serve as a common driveway for lots 5 and 6, so that slopes over 18% are not disturbed. A shared driveway agreement would be recorded.

It is anticipated that a storm water infiltration basin would be constructed near the intersection of the proposed road and Afton Boulevard as shown on the sketch plan. The storm water system would be designed in accordance with the requirements of Valley Branch Watershed District and the City of Afton. The proposed street would be designed in accordance with City Standards (60 foot right of way, 60-foot radius right of way at cul de sac, 24-foot pavement width with 4-ft gravel shoulders, 45-foot pavement radius at the cul de sac, max slope 8% with a 3% approach to Afton Boulevard).

There are approximately 29 acres of the property that are currently wooded. Of that 29 acres, approximately 14 acres are steeper than 18%. The buildable area for lots 1,2,3,4, and 5 are in open (non-wooded) areas with minimal tree clearing anticipated. The buildable area for lots 6,7, and 8 are in wooded areas and clearing is anticipated for construction of houses, garages, septic systems, and driveways. It is anticipated that these 3 lots will each have approximately 0.75 acres of clearing. Approximately 1 acre of clearing will be required for construction of the proposed road. The total amount of clearing anticipated is 3.25 acres, which is 11% of the wooded area. All clearing will adhere to the City tree preservation ordinances.

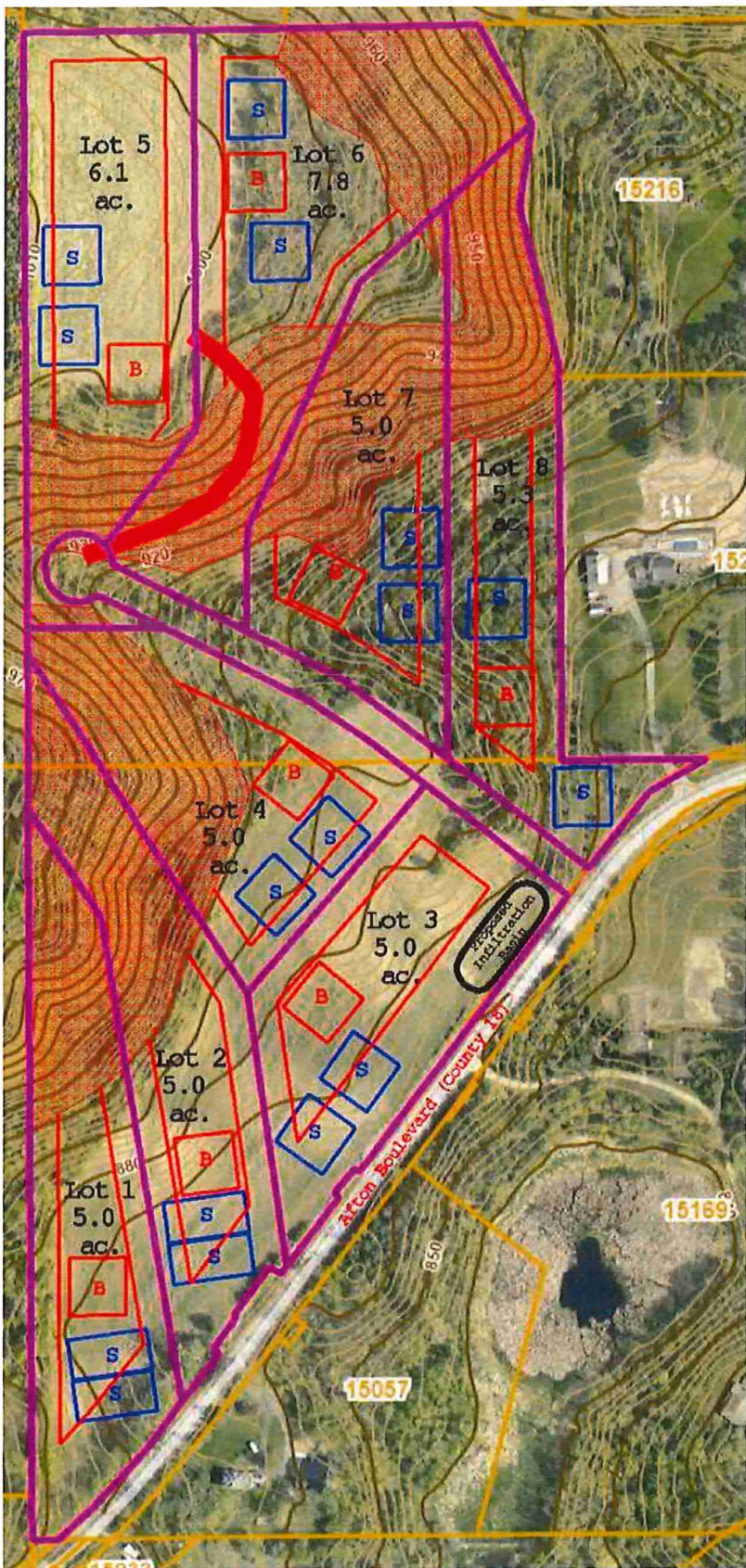
The proposed subdivision is designed to meet City ordinances for the Rural Residential district. We appreciate the opportunity to submit a sketch plan for review and look forward to addressing any questions or comments prior to making a preliminary plat application.

Sincerely,










Torry Kraftson, P.E.
Estimator/ Project Manager, Miller Excavating, Inc.

Miller Concept: 8 lots, 1100 feet of new road



LEGEND

-  Existing Field Road
10.7% grade
-  Slopes over 18%
-  10,000 S,F, Potential Building Site
-  10,000 S,F, Potential Septic Site
-  Proposed Lot Line
-  Building Setback
-  North
- Scale: 1"=200'



PUBLIC WORKS

Wayne Sandberg, P.E., Director, County Engineer
Frank D. Ticknor, P.E., Deputy Director

January 31, 2024

Ronald Moorse
City Administrator
City of Afton
3033 Saint Croix Trail, PO Box 219
Afton, MN 55001

Comments on Miller Subdivision Sketch Plan

Dear Administrator Moorse,

Thank you for the opportunity to review and provide comments on the Miller sketch plan for the proposed subdivision located along County State Aid Highway (CSAH) 18 (Afton Blvd). We are grateful for the City of Afton's partnership in ensuring the safety and mobility of our County transportation system. Our development review team has reviewed the sketch plan proposal and offers the following comments.

CSAH 18 is currently classified as an "A-Minor Connector" roadway. The Washington County 2040 Comprehensive Plan contains access criteria for county roads related to spacing, sight lines, and availability of local road connections. CSAH 18 requires preserving 120 feet of right-of-way for this portion of CSAH 18. The site sketch does not indicate any dedication of right-of-way along the parcel, and does not meet the needs identified in the Comprehensive Plan. The applicant will be required to update the plan to show a dedication of right-of-way along the parcel.

With respect to spacing, collector roads are guided for full-access intersections at a minimum spacing of 1/4 mile (1,320 feet). Washington County is dedicated to the pursuit of access management practices to maintain the intended balance of access and mobility on county roadways; therefore, Washington County does not support the proposed access points proposed onto CSAH 18. The proposal shows a proposed public street and two driveway access points with minimal spacing between each access points. The County limits the placement of access points to county roads to minimize conflict points and improve highway safety. The subdivision proposal does not limit access points onto the county road and the proposed public street is located in area with constrained sight distance due to the curve. The County recommends that the City work with the developer and limit the development to one access point and ensure that each lot is accessed off the proposed public street. Access permits will be needed to construct new street connections within the county right-of-way.

Washington County's policy is to assist local governments in promoting compatibility between land use and highways. Residential uses located adjacent to highways often result in complaints about traffic noise. Traffic noise from this highway could exceed noise standards established by the Minnesota Pollution Control Agency (MPCA), the U.S. Department of Housing and Urban Development, and the U.S.

Department of Transportation. Minnesota Rule 7030.0030 states that municipalities are responsible for taking all reasonable measures to prevent land use activities listed in the MPCA's Noise Area Classification (NAC), where the establishment of the land use would result in violations of established noise standards. Minnesota Statute 116.07, Subpart 2a exempts County Roads and County State Aid Highways from noise thresholds. County policy regarding development adjacent to existing highways prohibits the expenditure of highway funds for noise mitigation measures. The applicant should assess the noise situation and take any action outside of County right of way deemed necessary to minimize the impact of any highway noise.

All utility connections to County highway right of way for the development require Washington County Right of Way permits. Typically, these utility connection permits are the responsibility of the utility companies.

Thank you again for the opportunity to provide comments on the proposed sketch plan for the Miller Subdivision. We look forward to continuing to work with the City of Afton to ensure that development in this area is successful and well-served by the transportation network.

If you have any questions, please get in touch with me at 651-430-4307 or daniel.elder@co.washington.mn.us

Sincerely,



Daniel Elder
Planner II

Cc (email only):

Wayne Sandberg, Public Works Director/County Engineer
Frank Ticknor, Deputy Director Public Works
Lyssa Leitner, Public Works Planning Director
Joe Gustafson, Traffic Engineer
Kevin Peterson, Design Engineer

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Washington County is an equal opportunity organization and employer

January 16, 2024 City Council Meeting Highlights

The Council:

- Approved a variance application for a garage at 16530 Swede Hill Dr S.
- Approved annual appointments for 2024.
- Designated the City Engineer and City Attorney for 2024.