

The meeting was held remotely via Zoom due to the Covid-19 pandemic.

1. **CALL TO ORDER** – Chair Kopitzke called the meeting to order at 7:02 PM
2. **ROLL CALL** – Present: Chair Kris Kopitzke, Kuchen Hale, Doug Parker, Justin Sykora, James Langan, Roger Bowman, Christian Dawson, Scott Patten. Absent was Sally Doherty. A quorum was present.  
**ALSO IN ATTENDANCE** – Mayor Bill Palmquist, City Administrator Ron Moore, City Clerk Julie Yoho
3. **APPROVAL OF AGENDA** –  
**Motion/Second Bowman/Hale To approve the agenda for the June 28, 2021 Planning Commission meeting. Roll call: all aye, Passed 6-0.**
4. **APPROVAL OF MINUTES** –  
A. p. 7 line 316 – add text “Army Corps of Engineers had been contacted, but had no interest at this time”  
**Motion/Second Hale/Bowman to approve the minutes of the June 7, 2021 Planning Commission meeting with addition noted. Roll call: all aye, passed 4-0-2 (Langan & Patten abstain).**
5. **REPORTS AND PRESENTATIONS** - None
6. **PUBLIC HEARINGS** –  
A. Scott and Audrey Blasko Variance Application at 14040 Valley Creek Trail  
Chair Kopitzke opened the public hearing at 7:06 pm  
Administrator Moore provided information on the variance application. The variance application is to enable the house on the parcel at 14040 Valley Creek Trail to be rebuilt, and to enable the parcel, in combination with two adjacent parcels, to be considered separately sellable. The required variance is to allow the existing house to be rebuilt at its current setback of 52 feet from Valley Creek vs. the required setback of 200 feet.  
The variance application is in response to a determination by the City Attorney that the existing house on the parcel has been abandoned and is no longer considered a legally non-conforming structure, so that the automatic right to rebuild the house, as well as the right to maintain the parcel as a separately buildable and sellable parcel, has been lost. Because the Balasko’s had previously owned, sold, and repurchased the 14040 parcel as a separate parcel, they believe the parcel should continue to be considered as a separately buildable and sellable parcel.  
Doug Parker & Justin Sykora joined the meeting at 7:08 pm  
Mr. Blasko, applicant, stated they still want to donate this parcel for preservation. The county came back with an appraisal for the property that was very low. Would like the variance in order to get a better appraisal value.  
No other comments were received  
**Motion/Second Patten/Parker to close public hearing. Roll call: All aye, passed 7-0-1 (Sykora abstain)**  
Bowman stated that several months ago a variance was granted near the creek that went outside the original footprint.  
Kopitzke stated he could see granting a variance to make this a buildable lot.  
Parker stated that they are asking for a buildable lot on an existing foundation.  
Bowman suggested adding a finding that due to the pandemic, the timing of abandonment could be waived.  
Hale suggested adding a finding that if this is not going to be permanent open space, the building location may have to move.  
Kopitzke would like to minimize the variance required.  
Bowman asked how much setback could there be from the creek if the site is moved?  
Administrator Moore stated that is listed as a condition. There may be room to build a house further away from the creek.  
Parker noted that the distance from creek and the distance from road is all very constricted.  
Kopitzke stated the purpose of the variance is monetary and not a reason for hardship.

59 Bowman stated that the pandemic caused difficulty in timing.  
60 Hale stated if the open space doesn't happen, there could be a house there.  
61 Patten suggested combining lots for a better appraisal. The lots should be combined, as per the ordinance,  
62 since they are contiguous.  
63 Parker stated they could combine lots so it is buildable in terms of acreage. The limitation is the current  
64 footprint, but it will be more conforming.  
65 Blasko stated the county appraisal was less than the assessed value.  
66 Dawson stated that this hinges on the issue of abandonment. If not abandoned, it's legally a non-  
67 conforming lot that can be sold. Hardship was not created by the Blasko's. Is in support of approving the  
68 variance.  
69 Hale noted that we did run city business through 2020.  
70 Bowman noted that the county had hardship with getting title and appraisal done.  
71 Blasko stated that the property wasn't in their name until fall of 2020.

72 **Motion/Second Bowman/Hale to recommend approval of the Blasko Variance application with**  
73 **conditions and findings listed and with the addition of finding # 8 "normal regulatory timelines**  
74 **have been difficult to meet during the pandemic".**

75 **Findings**

- 76 1. The subject property and surrounding properties are zoned Rural Residential
- 77 2. The Blaskos own five contiguous parcels, with a total of approximately 20 acres, of  
78 which two of the parcels contain an existing house.
- 79 3. The existing house on the 14040 parcel has a setback of 52 feet from Valley Creek vs.  
80 the required 200 foot setback. The house is located 112 feet from the centerline of  
81 Valley Creek Trail, which exceeds the required setback of 105 feet.
- 82 4. City Attorney has determined that the existing house on the 14040 parcel has been  
83 abandoned and is no longer considered a legally non-conforming structure, so that it is  
84 not considered to be a separate parcel of land for purposes of sale or development, but  
85 must be combined with adjacent parcels under the same ownership.
- 86 5. The Blaskos had previously owned, sold, and repurchased the 14040 parcel as a separate  
87 parcel
- 88 6. In mid-2020, after the Blaskos repurchased the 14040 parcel, they determined that they  
89 wanted to preserve the full 20 acres of property by selling it to the County through its  
90 Land and Water Legacy program.
- 91 7. Because the acquisition and preservation of the property would involve removal of both  
92 houses on the 20-acre property, there has not been any work done recently on the house  
93 at 14040 Valley Creek Trail.
- 94 8. Normal regulatory timelines have been difficult to meet during the pandemic.

95  
96 **Conditions**

- 97 1. The 14040 parcel shall be combined with the contiguous 5-acre parcel with PID#  
98 16.028.20.23.0005 and the contiguous small parcel with PID# 16.028.2-.23.0011.
- 99 2. If the house is to be rebuilt, the City may require the house to be relocated to maximize  
100 the setbacks to the creek and the road.

101  
102 Langan asked if there are any existing loans or liens on the property (none)

103 **Roll call vote: Patten nay, Langan nay, Bowman aye, Dawson aye, Parker aye, Hale aye, Kopitzke**  
104 **aye, Sykora abstain. Passed 5-2-1.**

105  
106 B. Draft Ordinance Amendment Regarding Storage Uses in the I1-C Industrial Zone

107 Chair Kopitzke opened the public hearing at 7:46 pm  
108 Administrator Moose provided a summary. The council reviewed a draft ordinance amendment  
109 regarding storage uses in the I1-C zone, and referred the draft ordinance amendment to the Planning

110 Commission for its review and feedback. The City has received an application for a “co-warehousing  
111 “commercial self-storage use in the Afton Business Park. The proposed use involves twelve 10,000  
112 square foot buildings that provide rental storage for businesses, as well as some office and conference  
113 room space available for rental. The Council, in 2018, adopted an ordinance amendment that prohibited  
114 single-story self-storage. While the proposed co-warehousing buildings look like what the applicant  
115 refers to as consumer self-storage, the applicant has indicated there are significant differences between  
116 their proposal and consumer self-storage. These include the size of the buildings and storage areas, the  
117 level of rental fees, climate control, and the available office and conference room space. The city has  
118 received an application for use similar to self-storage. Council asked for an ordinance amendment to  
119 differentiate between uses. Individual buildings are larger, climate controlled, provide office space and  
120 conference space rental.  
121 Parker asked why the council does not want self-storage.  
122 Administrator Moose replied that the concerns were regarding appearance and uncontrolled traffic.  
123 Jim Sapp, applicant, stated that this is business-to-business, short-term small warehousing with  
124 conference rooms. Currently have 8 units in the Midwest, tenants are commercial. Co-warehousing.  
125 Tenants typically stay 3 years then outgrow the space. Typically, traffic is 125 trips/day. Facility is gated  
126 and under video surveillance.  
127 No other comments were received  
128 **Motion/Second Parker/ Patten to close public hearing. Roll call: all aye, passed 8-0.**  
129 Public hearing closed at 8:00 pm.  
130 Kopitzke stated that the council wanted feedback from the planning commission. This is a good idea for  
131 the industrial zone.  
132 Patten asked if anything stored outside of buildings?  
133 Jim Sapp replied that 90% will be inside, there is parking for trailers outside.  
134 Patten noted there is a lot of pervious surface here, but he likes this use. A CUP will be required.  
135 Hale agreed this is a good use.  
136 Parker asked about typical lease length (1-3 years)  
137 Bowman asked about traffic load.  
138 Kopitzke stated the employees are not onsite every day.  
139 Jim Sapp stated most businesses come once every two weeks, average 105-135 gate openings per day.  
140 Bowman asked why an ordinance change is needed.  
141 Administrator Moose stated the council is concerned about differentiation between this and self-storage.  
142 Sykora stated this is warehousing with a fancy exterior.  
143 Parker stated it is a business-to-business transaction.  
144 Sykora asked why not call it commercial warehousing.  
145 Administrator Moose stated the concern is that self-storage will try to consider themselves warehousing.  
146 Sykora asked if there is there another way, without an ordinance change.  
147 Dawson asked if the current ordinance strictly prohibits this. Does not like making a new ordinance to fit  
148 something.  
149 Parker asked if the space is 100% climate controlled. (yes)  
150 Sykora stated that this is a great use, dislikes creating new ordinance.  
151 Hale asked if our ordinance so restrictive this isn't allowed as a warehouse.  
152 Patten will not recommend creating a special ordinance for one business.  
153 Langan left the meeting at 8:30pm

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155 **7. NEW BUSINESS** – none

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157 **8. OLD BUSINESS** –

158 A. Update on City Council actions

159 Mayor Palmquist provided a summary of the June 15, 2021 City Council meeting.

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161 **9. ADJOURN**

162           **Motion/Second Sykora/Hale To adjourn. Roll call: all aye, Passed 7-0.**

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164           Meeting adjourned at 8:39 pm.

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167           Respectfully submitted by:

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169                   JY        

170           Julie Yoho, City Clerk

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173           To be approved on August 2, 2021 as (check one):   Presented:         X         or Amended:                         

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