

08-05-2024

**Planning Commission
Meeting**

Supplemental Packet

July 31, 2024

Mayor Bill Palmquist

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

Councilmember Annie Perkins

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

Councilmember Lucia Wroblewski

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

Councilmember Stan Ross

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

Councilmember Randy Nelson

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

Re: Conditional Use Permit Application of Glassman and Daniel

Dear Honorable Mayor and City Councilmembers:

We write as interested parties in connection with the Conditional Use Permit ("CUP") relating to 15237 Afton Boulevard South. This CUP application comes in the wake of observations that the unauthorized use which has been occurring at this property, which has been nature of a public entertainment facility, is not permitted and has created impacts and consequences to neighboring property owners.

Apparently, following this observation and request for correction and compliance, the owners are attempting to have their property reclassified as a quote unquote "nature center." This request is therefore simply pretextual. This standard rural residential lot is not now a nature center nor could it be one. Additionally, the application does not meet the approval criteria of the City Code.

Your City Code identifies a nature center as, "An area of land that is set aside, used and managed by a non-profit organization or government entity with an explicit interest in protecting open spaces, water resources and other natural resources. The land within the *NATURE CENTER* is to be set aside for the express purpose of protecting and preserving open space and natural resources, including the conservation of wildlife, flora, fauna or features of geological, ecological and/or other special interest, such as wetlands, streams and ravines." Nothing about

this property has ever been used for that type of purpose and it contains no features of special interest nor is it otherwise notable except as a smaller parcel of rural residential use which is given over to placement of a barn and a single-family, rural residential house. If this property qualified as a "nature center," then virtually every 5-acre property containing a house and/or a barn could so qualify and, in so doing, could mask or see authorized the introduction of public (through vans, tour buses and other vehicular traffic) to the property under the guise and pretext that it is a nature center.

It is very unfortunate that our concerns and opposition to the use of the property as a public entertainment facility is unfairly framed as being in opposition to minimal care or husbandry. It is not and this is a false choice. Our opposition stems from the obvious problems associated with introducing public transit and presence on what is and has always been a smaller single-family, rural residential lot. Obviously, nature centers, when they exist elsewhere in Washington County are typically large acreage parcels that are heavily wooded and buffered from other parcels and are not used for single-family, rural residential purposes as this lot but, instead, are dedicated and historically used for nature and nature preservation.

In connection with conditional use permits, note also that Section 153.027 of the City Code sets forth the purpose of a conditional use permit and requires consideration of the nature of the adjoining land or buildings, the effect upon traffic into and from the premises and on adjoining roads and all other factors the city shall deem a prerequisite in determining the effect of the general welfare, public health and safety. It requires consideration of whether or not it is consistent with the official City Comprehensive Plan, whether it will be compatible with present and future land uses, and whether it conforms with all performance standards.

This land has never been planned for or expected to serve as a nature center. That is true not only for this parcel but, obviously, for any other small, rural residential lots like this one. The reason for that is quite obvious and it is because it is recognized that these lots are simply not used for or appropriate for a publicly attended nature center. Again, none of the typical hallmarks of a nature center are present here nor are the general geographic protections that nature centers have (previously mentioned) that have the effect of sheltering them and buffering them from neighboring properties. None of the CUP criteria would be met by this application and to approve it would set a very problematic precedent whereby any party wishing to attract the public to their small rural residential property could do so simply by attempting to characterize it as a nature center or whatever agricultural or animal based activity they propose to engage in.

We respectfully submit the impact of vehicular and foot traffic that results from these types of uses are but one of the significant problems that this would create for this parcel or any other. Parcels are simply not set up for that type of use. The Council can feel confident in declining the application without being forced to state its views on the merits of the claimed mission of this activity because the question at hand is not whether the Council supports agricultural activities or animals but, instead, whether or not its zoning and land use criteria are met by the demand for nature center designation on a small single-family, rural residential lot that is occupied by a single-family home and a barn.

July 31, 2024

Page 3

We request and encourage the Council to deny the request and thank the Council for its adherence to the Codes, its avoidance of inappropriate precedents and its volunteer work on behalf of the City and all its residents.

Respectfully submitted,

Marian Miller-See

Donald See
