



SCOTT COUNTY
PLANNING ADVISORY COMMISSION
MEETING MINUTES

Spring Lake Town Hall
20381 Fairlawn Ave
Prior Lake, Minnesota

Monday, February 14, 2022
Conference Room at 6:30 PM

I. ROLL CALL AND INTRODUCTIONS

Chair Vonhof opened the meeting at 6:30 PM with the following members present: Jay Picha, Lee Watson, Ray Huber, Donna Hentges, Barbara Johnson and Kent Robbins

County Staff Present: Brad Davis, Planning Manager, Marty Schmitz, Zoning Administrator; Greg Wagner, Principal Planner, Nathan Hall, Associate Planner; Tom Wolf, County Board Commissioner and Barb Simonson, Deputy Clerk to the Board.

Welcoming of new Commissioner Jay Picha by Brad Davis.

II. APPROVAL OF JANUARY 10, 2021 PLANNING ADVISORY COMMISSION MINUTES

Motion by Commissioner Hentges; second by Commissioner Robbins to approve the minutes of January 10, 2022 Planning Advisory meeting with one correction on page 3 of the minutes changing Chair Vonhof to Vice-Chair Johnson. The motion carried. Commissioner Vonhof and Commissioner Robbins abstained due to not being present at the prior meeting.

III. CONSENT AGENDA

3.1 PUBLIC HEARING 6:30 PM: SCENIC BAY ESTATES FINAL PLAT (PL#2021-072)

A. Request for Final Plat of Scenic Bay Estates Consisting of 19 Lots on 104.42 Acres.

Location: Section 36
Township: Spring Lake
Current Zoning: RR-2

Criteria for Approval:

1. *Adequate Drainage* – the proposed plat will meet all storm water drainage requirements as identified in Chapter 6 of the zoning ordinance prior to County Board consideration.
2. *Adequate Potable Water Supply* – the proposed plat, utilizing individual wells, meets the requirements of the zoning and subdivision ordinances.
3. *Adequate Roads or Highways to Serve the Subdivision* – The proposed lots will have frontage and access off of Raven Point Road, a paved Spring Lake Township road.
4. *Adequate Waste Disposal Systems* – the proposed lots will meet all requirements of the individual sewage treatment system ordinance prior to County Board consideration.
5. *Consistency with the Comprehensive Plan* – the proposed plat conforms to the goals and policies contained in the 2030 Comprehensive Plan for the development in the Rural Residential Growth Staged Area.

6. *Public Service Capacity* – the proposed development does not adversely impact the public service capacity of local service providers as the lots will utilize the existing Township road for access.
7. *Consistency with the Minnesota Environmental Quality Board's Policies- the property is below the 80 acres of changed land use that would required an Environmental Assessment Worksheet (EAW) be completed.*
8. *Consistency with Capital Improvement Plans* – the proposed plat is not requiring any county funded road improvements; therefore it is consistent with the County's capital improvement plan.

3.2 PUBLIC HEARING 6:30 PM: TISDEL REZONE (PL#2021-113)

- A. Request for Rezoning 40 Acres From UER, Urban Expansion Reserve to UERC, Urban Expansion Reserve Cluster.

Location: Section 26
Township: Helena
Current Zoning: UER

Criteria for Approval:

1. *Consistency with the Comprehensive Plan* – The proposed rezoning conforms to the goals and policies contained in the 2040 Comprehensive Plan for preservation of land in those areas that may be compatibly integrated with future urban development.
2. *Compatible with present and future land uses of the area* – The use is not changing and while the lot size is being reduced, the overall density will remain at one unit per 40 acres per UER-C District.
3. *The proposed use conforms to all performance standards contained in the Zoning Ordinance* – The use of the property is not changing. The site will continue to have a building site with the majority of the property remaining in agricultural production.
4. *Public Service Capacity* – The rezoning will not change or intensify the existing land uses, and therefore will not adversely impact public service capacity.
5. *Adequate Roads or Highways to Serve the Subdivision* – The building site has frontage and an existing driveway access on 260th Street West (County Road 2).

Motion by Commissioner Watson; second by Commissioner Robbins to approve the consent agenda. The motion carried unanimously.

IV. PUBLIC HEARING 6:30 BOLARS WALNUT MEADOWS (PL#2022-003)

- A. Request to Approve the Rezone of 11.19 Acres from RR-1, Rural Residential Reserve District to RR-2, Rural Residential Single-Family District.
- B. Request to Approve Preliminary Plat of Bolars Walnut Meadow Consisting of 4 Lots on 11.19 Acres.

Location: Section 10
Township: New Market
Current Zoning: RR-1

Greg Wagner presented the staff report for this application. The specific details within the staff report and a video are available on the official Scott County Website www.scottcountymn.gov under Government and then under County Board Agendas and Minutes by searching Planning Advisory Commission.

Commissioner Comment and Questions:

Commissioner Huber requested clarification on hydric soil and if that will affect the areas available for building on lot #4. Mr. Wagner reported the county does not have hydric soil limitations on structures only septic systems.

Commissioner Robbins inquired about the applicant's future plans for the proposed lots. *Mr. Wagner stated his understanding was they will be selling the lots.*

Commissioner Hentges suggested a that resolving the septic site concerns on Lot #3 be added as a condition. *Mr. Wagner explained there is a provision in the conditions that will address the septic site concerns listed in the conditions required before County Board consideration.*

Commissioner Johnson asked if the Town Board had any comment on the proposed shared driveways. *Mr. Wagner reported the Town Board made no comments on the shared drives.*

Chair Vonhof opened the floor for public comment. No one came forward to comment.

Motion by Commissioner Robbins to close the public hearing; second by Commissioner Picha. The motion carried unanimously.

Motion by Commissioner Huber; second by Commissioner Johnson, based on the criteria for approval listed in the staff report, I recommend approval of the rezoning from RR-1 to RR-2, and preliminary & final plat of Bolars Walnut Meadow, consisting of 4 lots on 11.10 acres, noting that this recommendation is subject to approval of the conditions listed in the staff report that must be satisfactorily addressed prior to County Board consideration of the project and noting the Town Board has recommended approval.

Chair Vonhof called for a roll call vote on the motion to approve the request as follows:

**Commissioner Robbins: Aye
Commissioner Hentges: Aye
Commissioner Hrabec: Aye
Commissioner Huber: Aye
Commissioner Vonhof: Aye
Commissioner Johnson: Aye
Commissioner Watson: Aye**

The motion passed unanimously with 7 Ayes.

Criteria for Approval:

1. *Adequate Drainage* – the proposed plat meets all storm water drainage requirements as identified in Chapter 6 of the zoning ordinance.
2. *Adequate Potable Water Supply* – the proposed plat, utilizing individual wells, meets the requirements of the zoning and subdivision ordinances.
3. *Adequate Roads or Highways to Serve the Subdivision* – The proposed lots have frontage and driveway access to 230th Street East, a paved New Market Township road.
4. *Adequate Waste Disposal Systems* – the proposed lots will meet all requirements of the individual sewage treatment system ordinance prior to County Board consideration.
5. *Consistency with the Comprehensive Plan* – the proposed plat conforms to the goals and policies contained in the 2040 Comprehensive Plan for the development in the Rural Residential Growth Area.
6. *Public Service Capacity* – the proposed development does not adversely impact the public service capacity of local service providers as the lots will utilize the existing Township road for access.

7. *Consistency with the Minnesota Environmental Quality Board's Policies- the proposal does not require any environmental review and is therefore consistent with the policies of the Minnesota Environmental Quality Board.*
8. *Consistency with Capital Improvement Plans – the proposed plat is not requiring any county funded road improvements; therefore, it is consistent with the County's capital improvement plan.*

V. PUBLIC HEARING 6:40 DIDDY'S DOCK CUP (PL#2022-001)

A. Request to Amend the Conditional Use Permit

Location: Section 26
Township: St. Lawrence
Current Zoning: C-1

Nathan Hall presented the staff report for this application. The specific details within the staff report and a video are available on the official Scott County Website www.scottcountymn.gov under Government and then under County Board Agendas and Minutes and by searching Planning Advisory Commission.

Commissioner Comment and Questions:

Commissioner Johnson stated she will be recusing herself from the Diddy's Docks matter due to a conflict of interest.

Commissioner Huber referenced the Township recommendation and requested clarification on their condition regarding no stockpiles of new equipment.

The applicant came forward and explained the site will only be used for sales and displays of product, no storage or large stockpiles.

Chair Vonhof opened the floor for public comment. No one came forward to comment.

Motion by Commissioner Watson to close the public hearing; second by Commissioner Robbins. The motion carried unanimously.

Motion by Commissioner Huber; second by Commissioner Watson, based on the criteria for approval listed in the staff report, I recommend approval of the Conditional Use Permit amendment for sale of used cars to include boat lifts, docks and other marine equipment and noted the Town Board has recommended approval.

Chair Vonhof called for a roll call vote on the motion to approve the request as follows:

Commissioner Robbins: Aye
Commissioner Hentges: Aye
Commissioner Hrabe: Aye
Commissioner Huber: Aye
Commissioner Vonhof: Aye
Commissioner Johnson: Abstain
Commissioner Watson: Aye

The motion passed with 6 Ayes.

Criteria for CUP Approval (Chapter 2-6-1):

1. *The use will not create an excessive burden on public facilities and utilities which serve or are proposed to serve the area.*

The proposed use will not have any impact on public facilities that serve the property provided that the site plan is followed and access to the service road is kept clear.

2. *The use will be sufficiently compatible with, or separated by sufficient distance from, or screened from adjacent agricultural or residential land uses so that there will be no deterrence to the use or development of adjacent land and uses.*

The building and display lot are setback from the property lines by the distances required in the Zoning Ordinance. There are no adjacent residential land uses.

3. *Each structure or improvement is so designed and constructed that it is not unsightly in appearance to the extent that it will hinder the orderly and harmonious development of the district wherein proposed*

There are no proposed changes to the existing structures except to remove a non-conforming accessory building.

4. *The use is consistent with the purposes of the Ordinance and the purposes of the zoning district in which the applicant intends to locate the proposed use.*

The proposed sales office and display area is consistent with the intentions of Chapter 16 of the Zoning Ordinance. The sales use of the property is a conditional use in the C-1 District.

5. *The use is not in conflict with the Scott County 2040 Comprehensive Plan.*

The commercial use of the property is in conformance with the Scott County Comprehensive Plan.

6. *Adequate measures have been taken to provide ingress and egress so designed as to minimize traffic congestion, provide adequate access to public roads, and provide sufficient on-site parking. Adequate measures have been taken to provide ingress and egress, access to public roads and on-site parking.*

Access will be from through a paved service roadway. The site will be able to accommodate parking on-site.

7. *Adequate water supply, individual sewage treatment system facilities, erosion control and stormwater management are provided in accordance with applicable standards.*

The proposed use will be in compliance with the exiting individual sewage treatment system. There are no proposed changes to the site grading or stormwater.

8. *All building/structures meet the intent of the State Building Code and/or fire codes.*

No new buildings are proposed. The demolition of the accessory building will require a demolition permit.

Conditions of Approval:

(**Bold**=Edited Condition) (Underlined=New Text) (~~Strikethrough~~=Removed Condition)

1. The applicant is to file with the Scott County Planning Office in January of each year a statement stating that they are in compliance with the conditions of the Conditional Use Permit. Failure to do so may be a basis for revocation of the Conditional Use Permit.
2. **This Conditional Use Permit is specifically issued to Diddy's Docks, (Charlie Dumdei, owner), for a dock, boat lift, and marine equipment sales business, and if the property is sold or use changes within the structure and/ or new uses are considered it shall be reviewed by the Planning, Inspections and Environmental Services Departments and a member of the Town Board to determine if the Conditional Use Permit shall be necessary.**
3. **The outdoor display area shall be limited to the area illustrated on the site plan dated 12/27/2021.**
4. **No junk vehicles or marine equipment in disrepair shall be allowed on the site.**
5. **Placement of outdoor displays shall be limited as to the site plan dated 12/27/2021.**
6. **No parking or equipment storage shall be allowed with the primary and alternate septic locations.**
7. No parking shall be allowed on the service road.
8. The property shall be kept in a neat and orderly manner.
9. All signage (including streamers, banners, or pennants) shall be managed in accordance with the Scott County Hazardous Waste Management Ordinance.
10. No repair work shall be allowed on the premise.

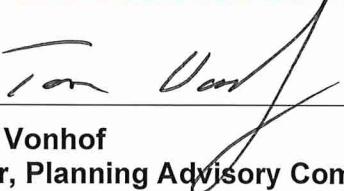
11. Oils, solvents and other hazardous wastes shall be managed in accordance with the Scott County Hazardous Waste Management Ordinance.
12. Adequate customer parking shall be provided in accordance with the Scott County Zoning Ordinance.
- ~~13. The applicant has a period of ten (10) months to come into compliance with Environmental health requirements.~~
14. Only domestic sewage may be discharged to the septic tank/drainfield. All wastewater from commercial, industrial, floor drain and non-domestic sink sources shall be plumbed to a holding tank unless otherwise approved in writing by the Scott County Environmental Health Office.
15. The applicant shall maintain a 10' setback from the west property line.
- ~~16. The applicant shall purchase, install and maintain "No Parking" signs on the north side of the service road (fire lane).~~
17. The number of signs and spacing shall meet county code.
- 18. The St. Lawrence Town Board may conduct an annual review of the CUP to ensure that the applicants are in compliance with the conditions of the CUP.**

VI. PLANNING MANAGER UPDATE REPORT-Presented by Brad Davis

VII. GENERAL & ADJOURN

Motion by Commissioner Robbins ; second by Commissioner Hentges to adjourn the meeting at 6:55 PM. The motion carried unanimously.

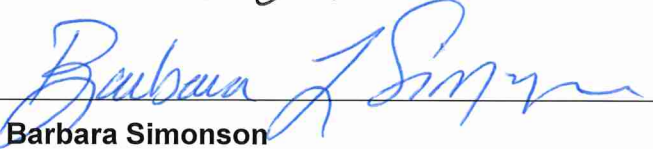
VIII. COMMISSIONER WORKSHOP ON NOISY LAND USES



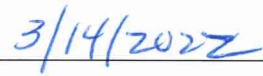
Tom Vonhof
Chair, Planning Advisory Commission



Date



Barbara Simonson
Deputy Clerk to the Board



Date