



SCOTT COUNTY
PLANNING ADVISORY COMMISSION
MEETING MINUTES

Scott County Board Room
200 Fourth Ave West
Shakopee, Minnesota

Monday, May 9, 2022
Conference Room at 6:45 PM

I. ROLL CALL AND INTRODUCTIONS

Chair Vonhof opened the meeting at 6:45 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 Kim Cave, Deputy Clerk to the Board.

II. APPROVAL OF APRIL 11, 2022, PLANNING ADVISORY COMMISSION MINUTES

Motion by Commissioner Robbins; second by Commissioner Hentges to approve the minutes of April 11, 2022, Planning Advisory meeting. The motion carried.

III. CONSENT AGENDA

3.1 PUBLIC HEARING 6:47 PM: VOLCHKOV INTERIM USE PERMIT (PL#2022-022)

- A. Request for Approval for an Interim Use Permit for an Accessory Dwelling Unit for a Family Member

Location: Section 11
Township: Sand Creek
Current Zoning: RR-2

Criteria for Approval:

1. The use will not create a burden on public facilities and utilities, which serve or are proposed to serve the area.
The proposed use will not have a significant impact to the public facilities that serve the property and the surrounding area.
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 existing home and accessory building have been on the property for 20 years, and the ADU structure will be located behind both structures. The surrounding landscape is agricultural cropland so there would be no impact on any other property.
3. If improvements are made, they shall be so designated and constructed that they are not unsightly in appearance to the extent that it will hinder the orderly and harmonious development of the district wherein proposed.
The proposed ADU is designed as a one-level single family residence so it will look like any other home and will not hinder any area development.

4. 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 on-site parking.
The property will continue to use the existing driveway to 170th Street West.
5. Adequate water supply, Individual Sewage Treatment System facilities, erosion control, and stormwater management are provided in accordance with applicable standards.
Adequate water supply and sewage treatment are available on site. The ADU will have its own well and will either connect to the existing septic system, if that system can be expanded, or have its own septic system.
6. All buildings/structures must meet the intent of the State Building Code and/or fire codes.
The proposed ADU will require a new home permit to show that it will comply with the State Building Code.

Conditions of Approval:

1. This IUP is issued to Timur Volchkov for a detached Accessory Dwelling Unit (ADU) to be added to his property.
2. The applicants are to file with the Scott County Planning Office in January of each year a statement indicating that they are in compliance with the conditions of this Interim Use Permit. This shall include an annual verification that the persons living in the ADU are related to the applicant/owner.
3. This IUP may be annually reviewed by the Township at a time and in a manner as prescribed by the Sand Creek Township Board.
4. The applicants shall pay an annual inspection fee for the IUP, if and when the County adopts an inspection fee ordinance.
5. The ADU shall be connected to a compliant septic drain field system as required by County Ordinance and Scott County Environmental Health. If the existing septic system is used a compliance inspection is required on the system before any septic permit can be issued.
6. The IUP shall be reviewed for termination when the property is sold, further subdivided, rezoned, or upon notification that the ADU is no longer occupied by family members.
7. Upon termination of the IUP the structure shall be removed from the property.

3.2 PUBLIC HEARING 6:47 PM: MINNESOTA CANINE CONSULTING LLC, CONDITIONAL USE PERMIT (PL#2022-029)

- A. Request for Conditional Use Permit to Amend and Transfer to Minnesota Canine Consulting LLC for Dog Training and Boarding Kennel

Location: Section 29
Township: Cedar Lake
Current Zoning: RR-1

Criteria for Plat Approval:

1. The use will not create a burden on public facilities and utilities, which serve or are proposed to serve the area.
The proposed use will not have a negative impact to the public facilities that serve the property as a kennel has operated here for over 20 years.
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 kennel facility was located to best screen and distance the structure from adjacent residences. Screening berms and trees were installed that have now matured to screen the building and outdoor areas from other properties.

3. If improvements are made, they shall be so designated and constructed that they are not unsightly in appearance to the extent that it will hinder the orderly and harmonious development of the district wherein proposed.

The building was designed and insulated to provide sound proofing and noise abatement and is solid concrete block so it is not unsightly in appearance.

4. 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 on-site parking.

The property has a paved driveway off of County Road 2 and has a paved parking area south of the kennel building. There have been no traffic issues.

5. Adequate water supply, Individual Sewage Treatment System facilities, erosion control, and stormwater management are provided in accordance with applicable standards.
6. The building has a restroom that connect to the existing septic system. Environmental Services has reviewed the CUP amendment and septic system and has indicated that the kennel has been operating in compliance with wastewater treatment regulations. Environmental Services has no concerns with the proposed amendment.

All buildings/structures must meet the intent of the State Building Code and/or fire codes.

No building changes are proposed. Any future improvements shall require permits as required by the County Building Official for compliance with Minnesota State Building Codes.

Conditions for Plat Approval:

1. The applicant is to file with Scott County Zoning Administration in January of each year a statement that they are in compliance with the conditions of the Conditional Use Permit (CUP).
2. If ownership of the business or property changes the new owner shall contact Scott County Zoning Administration to review the conditions of the CUP. The Conditional Use Permit is issued to allow the applicant, Minnesota Canine Consulting LLC, to board and train dogs.
3. The Conditional Use Permit is granted for a maximum of 50 dogs.
4. A 5' high berm with two rows of staggered 6' evergreens, a maximum of 15' apart, shall be located along the west property line extending from approximately 30' north of the existing building to the existing light pole on the west property line. It shall be the responsibility of the property owner to maintain the property, landscaping, and parking spaces in a neat and orderly manner.
5. Prior to undertaking any physical or operational changes to the business, the operator shall contact Scott County Zoning Administration to determine if such changes are in compliance with the conditions and intent of the permit.
6. Solvents and other hazardous waste shall be managed in accordance with the Scott County Hazardous Waste Management Ordinance. Dog waste shall be disposed of through a licensed waste hauler.
7. Signage shall be allowed in accordance with the Scott County Sign Ordinance.
8. There shall be no outside storage associated with the dog kennel business.
9. All dogs being boarded or trained on the property shall be confined inside the building or within the confines of the fenced areas at all times, or under positive control through the use of training equipment such as leashes, leads and remote training collars.
10. A maximum of three dogs to one staff person (3:1 ratio dogs to staff) are allowed to be outside within the fenced area and on the property.
11. An employee must accompany any dog outside with the fenced area at all times, with the exception of returning to the kennel building for a brief and reasonable time period to retrieve another dog, equipment, or for other business purposes related to the board and/or training.

12. The dog kennel operations shall be in accordance with Minnesota Canine Consulting LLC's application letter dated March 24, 2022, the existing kennel building, and the outdoor site survey plan provided by the applicant.
13. The applicant shall comply with all local, state, and federal regulations.
14. Hours of Operation shall be limited to 7:00am to 5:00pm seven days a week. All dogs must be kept inside the building during non-business hours. Dogs outside will be monitored and noise abatement measures will be taken when dogs are outside the kennel building.
15. If there are validated complaints regarding the operations or noise from the kennel, Scott County may bring the CUP back to the Planning Commission for review and modification to the conditions of the CUP.

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

IV. PUBLIC HEARING

4.1 Public Hearing 6:56 CUP AMENDMENT INTERLOCK CONCRETE PRODUCTS LLC, (PL#2022-025)

- A. Request to Approve to Amend a Conditional Use Permit to Construct a 45,000 SF Building to house Concrete Product Production Equipment

Location:	Section 4
Township:	Sand Creek
Current Zoning:	I-2

Martin Schmitz presented the staff report for this application. The specific details within the staff report 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 Meeting to download the packet file.

Commissioner Comment and Questions:

Commissioner Hentges asked about a new driveway? *Mr. Schmitz responded they are using the 2nd existing driveway.*

Commissioner Johnson asked about screening on the west side? *Mr. Schmitz explained there are trees on the west side.*

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 Hentges. The motion carried unanimously.

Motion by Commissioner Johnson; second by Commissioner , based on the criteria and conditions for approval listed in the staff report, I recommend approval of the Amended Conditional Use Permit for Interlock Concrete Products, Inc. to add a 45,000 SF production building, noting that this recommendation is subject to staff approval of the outstanding conditions listed in the Staff Report that must be satisfactorily addressed prior to County Board consideration of the project. Noting Sand Creek Township has approved and with the removal of condition #12. The motion carried unanimously.

Criteria for Approval:

1. The proposed use will not create an excessive burden on public facilities.
2. The existing uses and proposed production area are compatible with the industrial uses on adjacent lots.
3. The proposed structures are designed of materials that will not be unsightly in appearance and will match the existing production building on the site.
4. The use is consistent with the purpose of the 1-2 zoning district and the existing CUP for the Interlock Concrete Products.
5. The existing industrial use is not in conflict with the Scott County 2040 Comprehensive Plan.
6. Adequate measures have been taken to provide ingress and egress, access to public roads and on-site parking. The property has driveway access on to Bluff Drive, a paved Township Road.
7. Prior to County Board action the request will meet all County regulations for adequate water supply, sewage treatment systems, erosion control and storm water facilities.
8. The proposed buildings will meet the requirements of the Building Code prior to building occupancy.

Conditions of Approval:

1. The applicant understands they are to file with the Scott County Planning Office in January of each year a statement stating they are in compliance with the conditions of the Conditional Use Permit as issued.
2. This CUP permit shall be annually reviewed by the Township at a time and in a manner as prescribed by the Sand Creek Township Board.
3. The applicant shall pay an annual inspection fee for the IUP, if and when the County adopts an inspection fee ordinance.
4. This Conditional Use Permit is issued specifically to Interlock Concrete Products, Inc. and if the property is sold or leased, or the use changed, the new owner/operator shall contact the Township Board and County Planning Office to review the conditions of the of the Conditional Use Permit.
5. The business shall operate in accordance with the Applicant's plans dated 3/28/2022 and narrative dated 3/25/2022 (as may be amended prior to Board action).
6. The property shall be maintained in a neat and orderly manner.
7. All signage shall conform with the Scott County Sign Ordinance.
8. Oils, solvents and other hazardous wastes shall be managed in accordance with the Scott County Hazardous Waste Management Ordinance.
9. All outside storage shall be located behind the 8' fence.
10. Absolutely no commercial wastewater shall be discharged into the sewage treatment system.
11. All parking shall be located on the site.
12. ~~Trees shall be planted 40 feet on center along the east property line. All dead or dying trees shall be replaced {To be deleted}~~
13. The site grading, landscaping, construction, and parking shall be installed, removed and maintained according to the approved project plans.
14. The square parking lot and driveway in front of the building shall be removed as identified on the Site Demolition & Grading Plans.
15. All structures shall meet the requirements of the Scott County Building Official and acquire the necessary permits as required by the State Building Code.

4.2 PUBLIC HEARING 7:10 CUP AMENDMENT SUTTON RIDGE FARM MARK AND JENNIFER JENSEN (PL#2022-023)

- A. Request to Approve to Amend an Existing Conditional Use Permit Amendment to conduct an Agricultural Tourism Operation and Farm Market to Include Farm-Stays

Location: Section 23
Township: Sand Creek
Current Zoning: A-1

Nathan Hall presented the staff report for this application. The specific details within the staff report 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 Meeting to download the packet file.

Commissioner Comment and Questions:

Commissioner Johnson asked a.) about any required State permits for food and lodging, b.) if the structure would be used as a full-time residence for a family member, and c.) if the structure will be built to "storm shelter" building standards. The applicants answered that the structure would not operate like a "bed and breakfast" - where food service is provided - but instead operate more like a vacation rental where guests provide and cook their own meals. The applicants said no food preparation would be performed by owners inside the structure. The applicants noted that their private home is 320' away, has a concrete basement - making it suitable for a storm shelter for guests at the farm-stay structure.

Commissioner Hentges asked how a second residence on this single parcel is possible given the current zoning of the property? Applicant stated the property is 80 acres and the density under the A-1 zoning is one unit per forty acres, so this property can yield two densities. The applicants also stated that they removed the original building and are rebuilding in the same location. *Mr. Davis clarified that while the property is zoned A-1 and the acreage can yield two densities, each residence would need to be located on a separate lot. In this case, staff is considering this second residence on the same lot more as an accessory dwelling unit or caretakers unit that also includes guests for a farm stay. This is a unique situation, but can be considered as part of the overall conditional use permit for agricultural tourism. Mr. Davis said staff was supportive of this unique situation, provided the person living in the residence was an employee of the agricultural tourism & farm-stay operation.*

Commissioner Hentges also asked what the maximum number of guests would be in the farm stay? Applicants replied that 4 guests total may be accommodated within 2 rentable bedrooms, which are 12x14 each.

Commissioner Watson asked about the revised conditions of approval. *Mr. Schmitz came forward and reported & explained applicants are aware of the revisions.*

Applicants gave a report on their plans to operate the farm tourism business and on their experiences operating this business since the original CUP was issued in 2020.

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

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

Motion by Commissioner Watson; second by Commissioner Robbins, based on the criteria for approval and the amended conditions listed in the staff report, I recommend approval of the Conditional Use Permit to conduct an

agricultural tourism operation including farm-stays and a farm market, noting that this recommendation is subject to approval of the condition listed in the staff report that must be satisfactorily addressed prior to County Board consideration of the project, noting that the Sand Creek Town Board has recommended approval of this request. The motion carried unanimously.

Criteria for CUP Approval:

1. The use will not create a burden on public facilities and utilities, which serve or are proposed to serve the area.
The proposed use will not create a burden on public facilities which serve the property.
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 proposed use will be approximately 600 feet from the nearest neighboring residence. The surrounding properties are generally agricultural in nature and compatible with agricultural tourism.
3. If improvements are made, they shall be so designated and constructed that they are not unsightly in appearance to the extent that it will hinder the orderly and harmonious development of the district wherein proposed.
The proposed building has been designed in a similar style to other rural agricultural buildings.
4. 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 on-site parking.
The site has driveway access to County Highway 10, a paved county road. The applicant has demonstrated that they are able to provide adequate parking on-site and will be required to document traffic generation annually.
5. Adequate water supply, Individual Sewage Treatment System facilities, erosion control, and stormwater management are provided in accordance with applicable standards.
The property utilizes individual wells for water. The proposed CUP will need to meet County Ordinance regulations for onsite sewage treatment and stormwater management.
6. All buildings/structures must meet the intent of the State Building Code and/or fire codes.
The proposed structure shall meet the requirements of the State Building Code.

Conditions of Approval (underline conditions are new):

1. The applicant is to file with the Scott County Zoning Administration Office in January of each year a statement indicating that they are in compliance with the conditions of the Conditional Use Permit (CUP).
2. The applicant is to file with the Scott County Zoning Administration Office in January of each year a report indicating the traffic generation the previous year.
3. If traffic generated by the facility is creating safety issues on County Road 10, the County Highway Engineer can request a traffic study to be performed by a 3rd party traffic consultant to assist the Engineer in determining if additional turn lanes are required at the entrance of the site. The cost of preparing the traffic study and installation of the needed turn lanes shall be paid by the applicant.
4. This CUP may be annually reviewed by the Township at a time and in a manner as prescribed by the Sand Creek Township Board.
5. The applicant shall pay an annual inspection fee for the CUP, if and when the County adopts an inspection fee ordinance.
6. The agricultural tourism operation including farm-stays and farm market shall operate as outlined in the application narrative dated Spring 2022 and survey dated 9/24/2020.

7. Any operational changes, specifically hosting of large public events or the addition of other site facilities, shall be reviewed by Sand Creek Township and County staff to determine compliance with the intent of the CUP.
8. Large assemblies of more than 250 persons, shall be limited to six events annually. Prior to the event taking place the applicant shall provide the Zoning Department a plan for the event including anticipated attendance, hours of the event, parking, access, bathroom facilities, and any other information the Zoning Department deems appropriate.
9. The proposed building and surrounding farm are intended to be used for youth and adult education, corporate workshops, youth birthday parties without alcohol, cooking demonstrations, agricultural best practice seminars, farm retail sales, farm-stays and similar events. It is not intended to be used as a wedding venue.
10. The CUP shall operate in accordance with the Scott County Individual Sewage Treatment Systems (ISTS) Ordinance. A water meter shall be installed, and readings provided to the Environmental Health Department as required.
11. The proposed building shall meet all requirements of the State Building Code for the proposed use and all applicable codes as required by the Scott County Building Official.
12. No parking shall be allowed on the County Road.
13. Signage shall comply with the requirements in the Scott County Zoning Ordinance.

4.3 PUBLIC HEARING 7:32 ORDINANCE AMENDMENT SASHA BOYKO, CSB HOLDINGS, (PL#2022-027)

- A. Request to Approve Amending Scott County Zoning Ordinance No. 3: Chapter 20, Table 20-4: Uses Table to Allow 1) Auto, Implements, Heavy Equipment, Truck, and RV Sales, 2) Outdoor Sales, Rental, or Display Areas, and 3) Outdoor Parking of Semi-Tractor Trailers as Accessory Uses for properties in the Rural Business Reserve, Rural Industrial, and Heavy Industrial Zoning Districts

Location:	Section 13
Township:	New Market
Current Zoning:	RBR

Greg Wagner presented the staff report for this application. The specific details within the staff report 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 Meeting to download the packet file.

Commissioner Comment and Questions:

Commissioner Robbins asked approximately how much acreage and in what areas of the County would this type of activity be allowed? Mr. Wagner responded using a zoning map to show areas zoned for industrial and rural business reserve uses where this type of activity is most common.

Commissioner Huber requested clarification that the display space would be limited to 30% of the property and will be screened or stored behind building? Mr. Wagner confirmed this was accurate.

Commissioner Huber also asked if the amendment is just for semi-tractor trailers? Mr. Wagner responded that outdoor storage is already approved this also allows semi-trucks and trailers.

Chair Vonhof asked since the Rural Business Reserve zoning district is relatively new what is the difference between other industrial zoning district? Mr. Wagner answered one of the major differences is uses such as contactor yards.

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

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

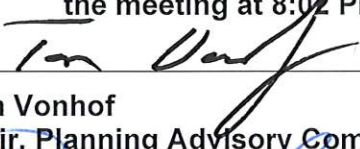
Motion by Commissioner Watson; second by Commissioner Pica, to recommend approval of the Zoning Ordinance amendments to Chapter 20-4 Zoning Uses Table to allow amendments to the RBR, I-1 and I-2 Zoning Districts as outlined on the attached Exhibit B. The motion carried unanimously.

V. PRESENTATION ON COUNTY TIP-Transportation Improvement Plan - Presented by Craig Jensen

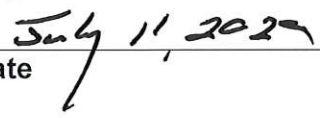
VI. PLANNING MANAGER UPDATE REPORT-Presented by Brad Davis

VII. GENERAL & ADJOURN

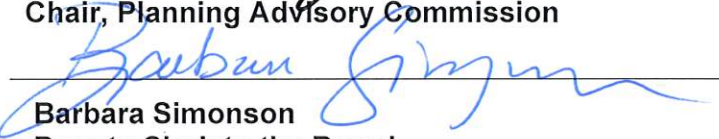
Motion by Commissioner Robbins; second by Commissioner Huber to adjourn the meeting at 8:02 PM. The motion carried unanimously.



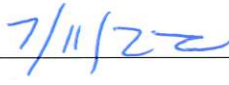
Tom Vonhof
Chair, Planning Advisory Commission



Date



Barbara Simonson
Deputy Clerk to the Board



Date