



SCOTT COUNTY
PLANNING ADVISORY COMMISSION
MEETING MINUTES

Scott County Board Room
200 Fourth Ave West
Shakopee, Minnesota

~~Monday, September 12, 2022~~
Conference Room at 6:40 PM

I. ROLL CALL AND INTRODUCTIONS

Chair Vonhof opened the meeting at 7:01 PM with the following members present: Donna Hentges, Barbara Johnson and Kent Robbins. Commissioners Picha, Huber and Watson were absent with notice.

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

II. APPROVAL OF AUGUST 8, 2022 PLANNING ADVISORY COMMISSION MINUTES

Motion by Commissioner Johnson; second by Commissioner Robins to approve the minutes of August 8, 2022 Planning Advisory meeting. The motion carried.

III. CONSENT AGENDA

3.1 PUBLIC HEARING 7:03 PM: NSP/XCEL CONDITIONAL USE PERMIT (#PL2022-47)

A. Request to Amend Conditional Use Permit (CUP) #PL2022-47 for Northern State Power Company d/b/a Xcel Energy to operate an Essential Service – Substation with a permanent staging yard

Location: Section 15
Township: Jackson
Current Zoning: UBR

Criteria for Approval:

1. The applicant is to file with Scott County Zoning Administration in January of each year a statement stating that they are in compliance with the conditions of the Conditional Use Permit (CUP).
2. This Conditional Use Permit is issued to Northern State Power Company d/b/a Xcel Energy for an essential service substation and outdoor staging yard.
3. If the property is sold the new operator shall contact Scott County Zoning Administration and the Jackson Town Board to determine if the Conditional use Permit needs to be updated or amended with any operational changes.
4. The Jackson Town Board may conduct an annual review of the substation to ensure that they are in compliance with the CUP conditions.
5. The applicant shall pay an annual inspection fee for the CUP, if and when the County adopts an inspection fee ordinance.
6. The property shall be developed and operated according to the application letter dated July 7, 2022, project narrative and to the project plans dated April 29, 2014 (expansion approved by State of MN

PUC) with staging yard expansion approved in 2020; any modifications to the approved plans must be reviewed and approved by Scott County Zoning Administration and by the Jackson Town Board.

7. The property shall be maintained in a neat and orderly manner. Landscaping shall be installed according to the landscaping narrative/plan (Exhibit D of approved plans).
8. All signage shall comply with the requirements of the County Zoning Ordinance.
9. Building permits shall be obtained for any construction activities as required by the State Building Code.

3.2 PUBLIC HEARING 7:05 PM: THEIS PRELIMINARY PLAT AND FINAL PLAT (#PL2022-049)

- A. Request for Preliminary Plat and Final Plat of Theis Acres Consisting of 1 lot and 1 outlot on 88.75 Acres

Location: Section 35
Township: Louisville
Current Zoning: TR-C

Criteria for Approval:

1. *Adequate Drainage* – the proposed plat does not require a resource management plan under regulations in Chapter 6 of the zoning ordinance. A conservation easement shall be dedicated over the delineated wetland.
2. *Adequate Potable Water Supply* – the proposed plat, utilizing an individual well, meets the requirements of the zoning and subdivision ordinances.
3. *Adequate Roads or Highways to Serve the Subdivision* – the property has frontage and will have a shared driveway access onto Marystown Road (County Road 15) and the plat is dedicating an additional 15 feet of right-of-way.
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 Transition Reserve Area.
6. *Public Service Capacity* – the proposed development does not adversely impact the public service capacity of local service providers.
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.

Chair Vonhof asked for a motion to open the public hearing; motion by Commissioner Robins; second by Commissioner Hentges to open the public hearing. The motion carried unanimously.

Chair Vonhof opened the floor for public comment. No one approached the podium.

Chair Vonhof asked for a motion to close the public hearing. Noting no further comments from the public there was a motion by Commissioner Robbins; second by Commissioner Hentges to close the public hearing. The motion carried unanimously.

Chair Vonhof asked for a motion to approve the consent agent. Motion by Commissioner Johnson; second by Commissioner Robbins to approve the consent agenda. The motion carried unanimously.

IV. PUBLIC HEARING 7:06 PM: SVOBODA CONDITIONAL USE PERMIT (#PL 2022-051)

A. Request for Conditional Use Permit to Establish a Multiple Tenant Sales Facility

Location: Section 26

Township: Louisville

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 by searching Planning Advisory Commission Meeting to download the packet file.

Commissioner Comment and Questions:

Commissioner Robbins inquired what would be sold at this location. *Nathan Hall answered that the facility can sell automobiles, docks and marine equipment.*

Commissioner Hentges asked if the township recommended approval of the conditional use permit for the proposed building. *Nathan Hall asked the applicant to come to the podium to show recommendation form, confirming that the township did recommend approval of the conditional use permit and building.*

Commissioner Johnson inquired if the township is recommending approval of the use, not just the building. *Bill Svoboda, applicant and property owner, explained the township supported the sale of marine equipment, car sales and the new building. No boat sales will occur on-site.*

Chair Vonhof confirmed the current plan is to sell docks and cars. *Bill Svoboda, applicant and property owner, confirmed that was correct.*

Chair Vonhof opened the floor for further comments. No one approached the podium.

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

Motion by Commissioner Robbins; second by Commissioner Hentges, based on the criteria for approval listed in the staff report, I recommend approval Conditional Use Permit to establish a multiple tenant sales facility. It is also reported that the St. Lawrence Township approves the Conditional Use Permit.

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

Commissioner Robbins: Aye

Commissioner Hentges: Aye
Commissioner Picha: Absent
Commissioner Huber: Absent
Commissioner Vonhof: Aye
Commissioner Johnson: Abstain
Commissioner Watson: Absent

The motion passed unanimously with 4 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 except to build a detached building for storage. The building would be consistent with the use of the site and the district.
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 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 existing 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.*
The new accessory building will require a building permit. The demolition of the existing accessory building will require a demolition permit.

Conditions of Approval:

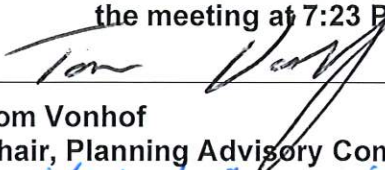
1. The applicant is to file with the Scott County Planning Office in January of each year a statement stating that they are in compliance with the conditions of the Conditional Use Permit.

2. This Conditional Use Permit is specifically issued to William and Kathleen Svoboda to lease office and sales lot space to multiple users for automobile and dock sales, 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 changes to the Conditional Use Permit shall be necessary.
3. The outdoor display area shall be limited to the area illustrated on the site plan dated 7/29/2022.
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 7/29/2022.
6. ~~No parking or equipment storage shall be allowed on 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 in accordance with the Scott County Zoning 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. Only domestic sewage may be discharged to the septic tank/drain field. 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.
14. The applicant shall maintain a 10' setback from the west property line.
15. 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.
16. The applicant shall pay an annual inspection fee for the CUP, if and when the County adopts an inspection fee ordinance.
17. With the approval of the new Conditional Use Permit, the existing permit will be terminated.

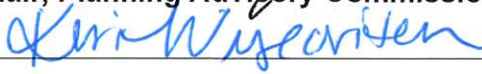
VI. PLANNING MANAGER UPDATE REPORT-Presented by Brad Davis

VII. GENERAL & ADJOURN

Motion by Commissioner Robins; second by Commissioner Hentges to adjourn the meeting at 7:23 PM. The motion carried unanimously.


 Tom Vonhof
 Chair, Planning Advisory Commission


 Date


 Keri Wiscovitch
 Deputy Clerk to the Board


 Date

