



SCOTT COUNTY
PLANNING ADVISORY COMMISSION
MEETING MINUTES

Scott County Government Center
County Board Room
200 Fourth Ave West
Shakopee, Minnesota

Monday, February 13, 2023
County Board Room at 6:30 PM

I. ROLL CALL AND INTRODUCTIONS

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

County Staff Present: Brad Davis-Planning Manager, Marty Schmitz-Zoning Administrator; Greg Wagner-Principal Planner, Nathan Hall-Associate Planner; Kate Sedlacek- Environmental Services; Tom Wolf-County Board Commissioner and Rachel Nosbush-Deputy Clerk to the Board.

II. APPROVAL OF JANUARY 9, 2023 PLANNING ADVISORY COMMISSION MINUTES

Motion by Commissioner Hentges; second by Commissioner Huber to approve the minutes of January 9, 2023 Planning Advisory meeting. The motion carried unanimously.

III. CONSENT AGENDA

Chair Vonhof announced Item 3.2 Public Hearing of Smaagaard Oaks, Rezone, Preliminary Plat and Final Plat (PL#2023-003) has been pulled from tonight's agenda and is continued. The only hearing being heard on consent will be Mee Estates.

3.1 PUBLIC HEARING 6:30 PM: MEE ESTATES REZONE, PRELIMINARY PLAT AND FINAL PLAT (PL#2022-087)

- A. Request for Rezoning of 10 Acres From Rural Residential Reserve (RR-1) to Rural Residential Single Family (RR-2).
- B. Request for Approval of the Preliminary Plat of Mee Estates Consisting of 2 lots on 10 Acres.
- C. Request for Approval of the Final Plat of Mee Estates Consisting of 2 lots on 10 Acres.

Location: Section 14
Township: Spring Lake
Current Zoning: RR-1

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 182nd Street East, a gravel Township Road.
4. *Adequate Waste Disposal Systems* – the proposed lots meet all requirements of the individual sewage treatment system ordinance.

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 Staged Area.
6. *Public Service Capacity* – the proposed development does not adversely impact the public service capacity of local service providers as it is adding one additional lot.
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 verbally opened the public hearing.

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

Motion by Commissioner Watson; second by Commissioner Robbins to approve the Consent Agenda. The motion carried unanimously.

IV. PUBLIC HEARING 6:35 PM CAMPING WORLD HOLDINGS, INC., COMPREHENSIVE PLAN AMENDMENT (PL#2022-077)

- A. Request for a Comprehensive Plan Amendment to Re-guide 2.85 Acre Parcel in Sand Creek Township From "Industrial" to "Commercial" on the 2040 Planned Land Use Map.

Location: Section 14
Township: Sand Creek
Current Zoning: I-1

Nathan Hall presented the staff report for this application. The specific details within the staff report and a video are available at the Scott County Website link [February 13, 2023 Planning Advisory Commission](#) Agenda Packet. The staff report can be found in the full agenda packet located by clicking Planning Advisory Commission.

The agenda packet can also be found by visiting the official county website at www.scottcountymn.gov and searching under >Government>then County Board Agendas and Minutes>then search Planning Advisory Commission.

Commissioner Comments and Questions:

Commissioner Huber recused himself from the chambers due to conflict of interest.

Commissioner Robbins asked for clarification as to what use will the land be used after the rezoning.

Mr. Hall clarified the land will be re-guided to commercial which gives the applicant the option to rezone to the C-1 district. The applicant plans to conduct RV sales on the property.

Chair Vonhof noted 6 jurisdictions were contacted regarding the request and submitted comments if they would be affected and no concerns were raised.

Mr. Hall confirmed Chair Vonhof's thoughts.

Chair Vonhof verbally opened the public hearing.

Public Comments and Questions at the Podium

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 Watson; second by Commissioner Robbins, based on the criteria for approval listed in the staff report, I support this land use plan amendment and further recommend advancing the request to the County Board for preliminary action.

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

**Commissioner Husain: Aye
Commissioner Picha: Aye
Commissioner Robbins: Aye
Commissioner Huber: NA
Commissioner Vonhof: Aye
Commissioner Hentges: Aye
Commissioner Watson: Aye**

The motion passed unanimously with 6 Ayes, 1 Abstention.

Chair Vonhof noted Commissioner Huber reentered the chambers.

V. PUBLIC HEARING 6:39 PM DEUTSCH HOME BUSINESS INTERIM USE PERMIT (PL#2023-001)

A. Request for Approval of the Interim Use Permit Amendment to Operate a Home Extended Business.

Location: Section 27
Township: Town of Helena
Current Zoning: UER

Greg Wagner presented the staff report for this application. The specific details within the staff report and a video are available at the Scott County Website link: [February 13, 2023 Planning Advisory Commission Agenda Packet](#). The staff report can be found in the full agenda packet located by clicking Planning Advisory Commission.

The agenda packet can also be found by visiting the official county website at www.scottcountymn.gov and searching under >Government>then County Board Agendas and Minutes>then search Planning Advisory Commission.

Commissioner Comments and Questions:

Applicant Keith Deutsch approached the podium for further presentation and explanation as to his reasoning for opening a home extended business.

Commissioner Robbins wanted to know the plans for the agricultural land to the north.

Mr. Wagner explained the property to the north is agricultural and partial DNR wetland. The City of New Prague is reviewing their Comprehensive Plan this year and is looking at the future land use and whether that will be residential or commercial around TH 21 and CSAH 21.

Commissioner Robbins asked if this property is to become commercial, Mr. Deutsch's property will be considered a regular business.

Mr. Wagner confirmed that Mr. Deutsch and the City have been talking about future land use and business expansion.

Commissioner Husain asked for the definition of a home extended business.

Mr. Wagner explained the home extended business is run out of an accessory building on the property of the applicant/business. The applicant plans to use a shed on his property for the business operations.

Commissioner Husain questioned the business plan, stating the plan is for electric motor sport why start with electric motorbikes and what assurance can the Applicant give that this is not going to escalate to electric vehicles.

Mr. Deutsch explained his business plan in phases. He does plan to work with electrical motorbikes at the beginning to create revenue. Once he has the revenue he will expand to electric motorcycles.

Chair Vonhof asked if he only plans to sell electric motorbikes or electric motorcycles.

Mr. Deutsch explained he plans to have fleets of both as he has contracts with police departments and other state agencies who use electric vehicles as part of their occupation. Mr. Deutsch further explained once he has profited enough from selling electric motorbikes, he will continue to sell them after he starts selling electric motorcycles.

Commissioner Hentges asked if he is focused on getting away from the bikes.

Mr. Deutsch is focused on the motorcycle portion of this. He is focused on the motorbikes at the moment to help build the revenue.

Commissioner Huber asked if he sees main road motorcycles down the line such as Harley's.

Mr. Deutsch explained his intention to sell a kit, where you take old dirt bikes fit them with this kit to run as electric instead of gas, at half the price of purchasing a brand new off road bike.

Commissioner Robbins asked what the costs are on these.

Mr. Deutsch explained he can sell a kit for roughly \$3,500 with a profit.

Chair Vonhof questioned if his plan is to begin with electric motorbikes and morph into motorcycles and these kits.

Mr. Deutsch confirmed.

Commissioner Hussain asked if the building structure is a part of his future plan.

Mr. Deutsch explained the layout of the building and how he has been updating the shed. In time he will expand into the back of the shop as he is only using half of the shop presently.

Commissioner Pica questioned why MNDOT did not feel safety improvements are necessary. He was curious as to an access road.

Mr. Deutsch explained he is willing to change his access point. Mr. Wagner clarified that in the future there would likely be a frontage road so the access will be removed from the state highway.

Chair Vonhof verbally opened the hearing.

Public Comments and Questions at the Podium

No one approached the podium.

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

Motion by Commissioner Watson; second by Commissioner Huber, based on the criteria for approval listed in the staff report, I recommend approval of the home-extended business Interim Use Permit for Keith Deutsch to operate an electric motorsports dealership.

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

Commissioner Husain: Aye

Commissioner Picha: Aye

Commissioner Robbins: Aye

Commissioner Huber: Aye
Commissioner Vonhof: Aye
Commissioner Hentges: Aye
Commissioner Watson: Aye
The motion passed unanimously with 7 Ayes.

Chair Vonhof wished the applicant luck with his endeavor.

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 utilize public facilities or utilities that will serve the area. The City of New Prague is reviewing the future land use for this area and utility plans as part of their comprehensive plan update.
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 pole building is similar to other accessory buildings on adjacent parcels and is screened from view on the public road by another accessory building on the property. The site is also separated from urban residential land uses by a DNR Natural Environment Lake to the east and south.
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 structure is designed as a rural accessory structure similar to other pole buildings in the township areas.
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 driveway access onto State Highway 21. MnDOT has reviewed the proposed use and determined that the home business will not generate traffic to warrant access improvements. It is also likely in the future that an urban road network would be developed to remove the access off of the state highway.
5. *Adequate water supply, Individual Sewage Treatment System facilities, erosion control, and stormwater management are provided in accordance with applicable standards.*
Scott County Environmental Services has reviewed the proposed business use and bathroom addition with the applicant. A septic permit will be required to review connecting the bathroom to the existing system or if a holding tank would be acceptable. Erosion Control would be reviewed with any building permit applications.
6. *All buildings/structures must meet the intent of the State Building Code and/or fire codes.*
Use of the accessory building shall comply with applicable Minnesota State Building Codes and any changes will require permits as determined by the County Building Official.

Conditions of Approval:

1. The Interim Use Permit (IUP) is issued solely to Keith Deutsch to operate an electric motorsports' s dealership home-extended business.
2. The applicant is to file with the Scott County Zoning Administration in January of each year a statement indicating that the business is in compliance with the conditions of the Interim Use Permit (IUP).
3. This IUP may be annually reviewed by the Township at a time and in a manner as prescribed by the Helena Township Board.
4. The applicant shall pay an annual inspection fee for the IUP, if and when the County adopts an inspection fee ordinance.
5. The business shall be run according to the applicants' business narrative and shall comply with all County Zoning Ordinance regulations for home businesses.
6. Any signage shall comply with the Scott County Sign Ordinance and sign regulations for home-extended businesses.

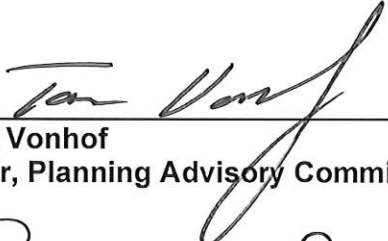
7. There shall be no more than one non-resident employee working on site. All the motorsports items for sale or for repair shall be stored within the building; no outside storage of any business related equipment or vehicles is permitted.
8. The applicant shall schedule inspections and obtain a Hazardous Waste License as required from Scott County Environmental Services Department.
9. The applicant shall work with a licensed septic designer regarding connection of the restroom to the septic drainfield or tank as required under the septic permit.
10. Any floor drains or shop sinks that would have grease/oil/cleaners, etc. must drain to a holding tank as required by the County Building and Environmental Services Departments.
11. The structure utilized for the business shall meet the requirements of the Scott County Building Official and the State Building Code prior to locating the home extended business on the property.
12. If the property is sold, subdivided, or the business operations cease for 1 year, the IUP shall terminate. Additionally, the IUP shall terminate upon annexation into the City of New Prague and the applicant shall obtain a business use permit as required under City of New Prague Zoning regulations.

VI. PLANNING MANAGER UPDATE REPORT-Presented by Brad Davis

VII. ENVIRONMENTAL REVIEW WORKSHOP

VIII. GENERAL & ADJOURN

Motion by Commissioner Robbins; second by Commissioner Pica to adjourn the meeting at 7:06 PM. The motion carried unanimously.



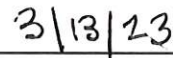
Tom Vonhof
Chair, Planning Advisory Commission



Date



Rachel Nosbush
Deputy Clerk to the Board



Date