



SCOTT COUNTY
PLANNING ADVISORY COMMISSION
MEETING MINUTES

Scott County Government Center
County Board Room 226
200 Fourth Ave West
Shakopee, Minnesota

Monday, December 11, 2023
County Board Room at 6:30 PM

I. ROLL CALL AND INTRODUCTIONS

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

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 Rachel Nosbush-Deputy Clerk to the Board.

II. APPROVAL OF NOVEMBER 13, 2023 PLANNING ADVISORY COMMISSION MINUTES

Motion by Commissioner Huber; second by Commissioner Robbins to approve the minutes of November 13, 2023 Planning Advisory meeting. The motion carried unanimously.

III. CONSENT AGENDA

Vice Chair Watson presented the Consent Agenda and asked Commissioners and members of the audience if anyone wished to remove any item from the Consent Agenda.

No motions were made.

3.1 CONSENT HEARING 6:30 PM: PEIPER REZONE (PL#2023-087)

- A. Request to Approve a Rezone of 80 Acres From Urban Expansion Reserve (UER) to Transition Reserve Cluster (TRC) to Separate the Homestead From the Agricultural Land on 10 Acres

Location: Section 21
Township: Sand Creek
Current Zoning: Urban Expansion Reserve (UER)

Criteria for Approval:

1. *The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official County Comprehensive Plan.*
The proposed rezoning conforms to the goals and policies contained in the 2040 Comprehensive Plan for land preservation in the Transition Area.
2. *The proposed use is or will be 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 80 acres.

3. *The proposed use conforms to all performance standards contained in this Ordinance.*
The use of the property is not changing; the majority of the property will remain in agricultural production.
4. *The proposed use can be accommodated with existing and planned public services and will not overburden the County or Township's service capacity.*
The use is not changing and therefore will not adversely impact public service capacity for local service providers.
5. *Traffic generation by the proposed use is within capabilities of streets serving the property.*
The homestead has access from CSAH 10 and no increase in traffic generation is anticipated since the use is not changing.

3.2 CONSENT HEARING 6:30 PM: KRENTZ REZONE (PL#2023-082)

- A. Request to Approve a Rezone of 118.49 Acres From A-1, Agricultural Preservation District, to A-3, Agricultural Preservation Density District

Location: Section 26
 Township: Blakeley
 Current Zoning: A-1, Agricultural Preservation District

Criteria for Approval:

1. *The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official County Comprehensive Plan.*
The proposed rezoning conforms to the goals and policies contained in the 2040 Comprehensive Plan for preservation of agricultural land.
2. *The proposed use is or will be 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.
3. *The proposed use conforms to all performance standards contained in this Ordinance.*
The use of the property is not changing, the majority of the property will remain in agricultural production.
4. *The proposed use can be accommodated with existing and planned public services and will not overburden the County or Township's service capacity.*
The use is not changing and therefore will not adversely impact public service capacity for local service providers.
5. *Traffic generation by the proposed use is within capabilities of streets serving the property.*
The property has frontage on German Road and access points will not be altered.

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

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

Commissioner Husain: Aye
 Commissioner Picha: Aye
 Commissioner Robbins: Aye
 Commissioner Huber: Aye
 Commissioner Vonhof: Absent
 Commissioner Hentges: Aye
 Commissioner Watson: Aye

The motion passed unanimously with 6 Ayes.

IV. PUBLIC HEARING

4.1 PUBLIC HEARING 6:33 PM: KARLSEN-LIGGETT PRELIMINARY PLAT & CONDITIONAL USE PERMIT (PL#2023-060)

- A. Request for Preliminary Plat of Endeavor 1st Addition Consisting of 1 Lot on 22.66 acres.
- B. Request for Conditional Use Permit (CUP) for Erik Karlsen, Tricia Liggett, and Richard Liggett to construct and lease buildings for Indoor Storage and Business Uses in the Rural Business Reserve Zoning District.

Location: Section 13
Township: New Market
Current Zoning: Rural Business Reserve (RBR)

Greg Wagner presented the staff report for this application. Available for download are the details of the staff report, video recording of the meeting and minutes are available at the Scott County Website link: [December 11, 2023 Planning Advisory Commission](#). Planning Advisory Commission packets can be found by visiting the official Scott County website at www.scottcountymn.gov then by searching Government > County Board Agendas & Minutes > selecting Planning Advisory Commission under the Event Categories or going to meeting date.

Commissioner Comments and Questions:

Commissioner Hentges questioned the use of the building to the east of the property.

Mr. Wagner responded it is a transmission repair shop with four bays.

Commissioner Hentges further questioned the use of the surrounding land.

Mr. Wagner explained the surrounding areas included a wetland to the south, a 50 acres farm parcel and Interstate 35 to the west and wooded areas surrounding the property in question and a township road. Mr. Wagner further explained there was one neighboring property owner who reached out and explained he has no issues with the proposed development.

Commissioner Robbins questioned what types of potential businesses would lease the property.

Mr. Wagner responded this area would mainly be indoor storage facilities, small auto repair shops with parking out front, electrical and plumbing companies and warehouse storage facilities with UPS driving through as part of day to day operations for warehouse businesses.

Erik Karlsen, Applicant, explained at the moment he has been approached by a welding company and a lawn care company who is looking for indoor storage.

Commissioner Huber questioned if Dupont Avenue was adequate for tractor trailers and if the road itself could withstand heavy traffic.

Mr. Wagner responded that Dupont Road is paved up to the entrance of the property.

Commissioner Huber asked if there is a traffic concern.

Mr. Wagner explained there was not a traffic study conducted and the Highway Department had reviewed the plan and is requiring that a right turn lane be installed on County Road 46 when the 10th building is constructed. Mr. Wagner further confirmed the main portion of the traffic will be using the paved portion of the township road.

Commissioner Pica asked for how long a lease would be held.

Mr. Karlsen responded anywhere from 1-3 years.

Commissioner Huber asked the Applicant if the plans could consist of a 10,000 sq. ft. building.

Mr. Karlsen confirmed it is a possibility.

Vice Chair Watson verbally opened the Public Hearing.

Public Comments and Questions at the Podium:

No one approached the podium.

Vice Chair Watson asked for motion to close the hearing.

Motion by Commissioner Hentges to close the public hearing; second by Commissioner Huber. 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 of the Preliminary Plat and Conditional Use Permit (CUP) for Erik Karlsen, Tricia Liggett, and Richard Liggett to construct and lease buildings for Indoor Storage and Business Uses in the Rural Business Reserve Zoning District.

Vice Chair Watson 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: Absent
Commissioner Hentges: Aye
Commissioner Watson: Aye

The motion passed with 6 Ayes.

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

1. The proposed use does not create an excessive burden on public facilities.
2. The proposed use is compatible with or separated by a sufficient distance from uses on adjacent lots.
3. The proposed structures will be designed of materials that are not unsightly in appearance.
4. The use is consistent with the purpose of the RBR Zoning District.
5. The 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.
7. Adequate water supply, sewage treatment systems, erosion control and storm water facilities have been approved by County Staff.
8. The proposed buildings will need to meet all Building Code requirements.

Conditions of CUP 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 (CUP) is for Erik Karlsen, Tricia Liggett, and Richard Liggett to construct and lease buildings for Indoor Storage and Business Uses in the Rural Business Reserve Zoning District.
3. If the property is sold or the use changes the new owner/operator shall review said changes with Scott County Zoning Administration and New Market Township to determine if the Conditional Use Permit needs to be updated or amended.
4. The New Market Town Board may conduct an annual review of the business 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. Tenants and/or businesses leasing space in a building must apply for a Certificate of Compliance that shall include review of the proposed use by Scott County Zoning, Building Inspections, and Environmental Services as well as New Market Township to determine compliance with county ordinances and the state building code.
7. The property shall be developed according to the applicant's narrative and approved plans including Overall Site Plan, Grading, Drainage & Erosion Control Plans and Landscaping Plans dated (currently dated October 19, 2023, as maybe amended prior to County Board Action); any modifications to the approved plans must be reviewed and approved by Scott County Zoning Administration and by the New Market Town Board.
8. All signage and lighting shall comply with the Scott County Zoning Ordinance.
9. Oils, solvents, and other hazardous wastes shall be managed in accordance with the Scott County Hazardous Waste Management Ordinance. A hazardous waste inspection and license shall be obtained

as required by Scott County Environmental Services. Floor drains shall connect to holding tanks separate from the septic system.

10. All parking and internal drive aisles shall be constructed and paved as identified on the approved civil plans. Parking for users shall be in the designated parking spaces adjacent to each building or areas designated for parking by the property owners. All drive aisles shall be kept open to provide access to emergency vehicles.
11. Landscaping shall be installed according to the approved landscaping plan dated 10/19/223 (as may be amended prior to County Board consideration). Any dead or dying plant shall be removed and replaced according to Zoning Ordinance requirements.
12. The property shall be maintained in a neat and orderly manner. The project narrative and site plans do not indicate areas for outdoor storage so outdoor storage shall be prohibited unless an area is designated by the property owner, shows sufficient screening, and is approved by Scott County Zoning Administration. No overnight parking of semi-trucks or heavy construction vehicles shall be permitted.
13. Building Permits shall be obtained for construction and any future modifications to the buildings as required by the State Building Code, State Fire Code, and the Scott County Building Official.
14. The applicant/property owners shall obtain all necessary permits from the MN Department of Transportation for drainage or work in the state right-of-way.

V. PLANNING MANAGER UPDATE PRESENTED BY BRAD DAVIS

VI. GENERAL & ADJOURN

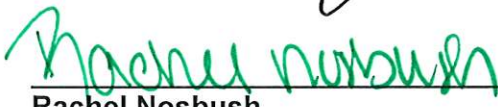
Motion by Commissioner Pica; second by Commissioner Robbins to adjourn the meeting at 7:03 PM. The motion carried unanimously.



Tom Vonhof
Chair, Planning Advisory Commission



Date



Rachel Nosbush
Deputy Clerk to the Board



Date

