



SCOTT COUNTY
PLANNING ADVISORY COMMISSION
MEETING MINUTES

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

Monday, December 9, 2024
County Board Room at 6:30 PM

I. ROLL CALL AND INTRODUCTIONS

Vice Chair Watson opened the meeting 6:45 PM with the following members present: Ammar Husain, Jay Picha, Kent Robbins, Ray Huber, Lee Watson and Donna Hentges; Tom Vonhof absent with notice.

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

II. APPROVAL OF NOVEMBER 12, 2024 PLANNING ADVISORY COMMISSION MINUTES

Vice Chair Watson called for a motion to approve the minutes. Motion by Commissioner Huber; second by Commissioner Robbins to approve the minutes of November 12, 2024, 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 this item from the Consent Agenda and be heard as a Public Hearing item.

No motions were made.

3.1 PUBLIC HEARING 6:48 PM: PRELIMINARY PLAT & FINAL PLAT OF SANDHILL MEADOWS (PL#2024-057)

- A. Preliminary Plat of Sandhill Meadow consisting of two lots on 9.28 acres.
- B. Final Plat of Sandhill Meadow consisting of two lots on 9.28 acres.

Location: Section 25
Township: Spring Lake
Current Zoning: RR-2

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 on Mushtown Road and 203rd Street East, both existing Township Roadways.*

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.*

3.2 PUBLIC HEARING 6:48 PM: FINAL PLAT OF CAMBRIA REH LLC (PL#2024-0##) ITEM HAS BEEN CONTINUED TO A FURTHER MEETING

A. Request for Final Plat for CREH Addition consisting of 1 lot and 2 Outlots on 88.18 Acres

Location: Section 33
Township: Louisville
Current Zoning: I-2 Heavy Industrial

John Weckman, Louisville Township Supervisor, commented the Township is still waiting on information and will have another town meeting in a month to review any additional information.

Vice Chair Watson made a motion to Approve the Consent Agenda.

Motion by Commissioner Robbins to close the consent hearing; second by Commissioner Huber. The motion carried unanimously.

Vice Chair Watson called for a vote on the motion to approve only the Sandhill Meadows 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 unanimously with 6 Ayes, 1 Abstention.

IV. PUBLIC HEARING

4.1 PUBLIC HEARING 6:52 PM: CONDITIONAL USE PERMIT FOR VITALIY TERESHKOV (PL#2024-067)

A. Request for a Conditional Use Permit for Vitaliy Tereshkov to Lease Contractor Yard and Office Space for Rural Industrial Business.

Location: Section 21
Township: Louisville
Current Zoning: I-2 Heavy Industrial

Nathan Hall presented the staff report for this application. Planning Advisory Commission packets, staff reports, video recording and approved minutes are available for download at the Scott County Website link:

[December 9, 2024 Planning Advisory Commission](#) or by visiting www.scottcountymn.gov/pacreports and selecting the current date.

Commissioner Comments and Questions

Commissioner Robbins asked if there were any concerns of pollution due to the previous metal fabricating facility the building was being used for prior to the current matter.

Mr. Hall explained the County's environmental services department has not noted any pollution or concern regarding the property.

Commissioner Husain questioned how far the septic is from Hwy. 169 and what is the standard distance for septic sites to roadways.

Mr. Hall explained septic sites are required to be 10 feet from any road right-of-way and in this matter, it is greater than 10 feet.

Vice Chair Watson opened the public hearing at 6:59 pm.

Public Comments and Questions at the Podium:

No one approached the podium.

Vice Chair Watson asked for a motion to close the hearing.

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

Motion by Commissioner Robbins; second by Commissioner Picha, based on the criteria for approval listed in the staff report, I recommend approval of the Conditional Use Permit for Vitaliy Tereshkov to lease contractor yard and office space for rural industrial business.

Vice Chair Watson called for a roll call 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 unanimously with 6 Ayes, 1 abstention.

Conditions of Approval:

1. The applicant is to file with the Scott County Planning Office in January of each year a statement indicating that he is 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. The Louisville Town Board may conduct an annual review of the business to ensure that they are in compliance with the conditions of the CUP.
3. If ownership changes, the new owner shall contact the Louisville Township Board and the County Planning Office to review the conditions of the Conditional Use Permit
4. All businesses that lease space in the building must obtain a certificate of compliance from Scott County Planning Department prior to occupancy of the building. All business uses shall conform to those uses allowed in the I-1 Rural Industrial District. This process involves a review by Scott County Planning, Environmental Health, and Building Departments as well as Louisville Town Board.
5. The applicant/business operator shall pay an annual inspection fee for the Conditional Use Permit, if and when the County adopts an inspection fee ordinance.
6. All signage shall comply with the Scott County Sign Ordinance.

7. All structures utilized for the business shall meet the requirements of the Scott County Building Official.
8. Oil, solvents and other hazardous wastes shall be managed in accordance with the Scott County Hazardous Waste Management Ordinance.
9. All outdoor storage will need to be approved by the Scott County Planning Department and Louisville Township.

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

1. The use will not create an excessive burden on public facilities and utilities that serve or are proposed to serve the area.
The property and surrounding uses (north and south) are within an Industrial area served by a U.S. Highway. There are no imminent plans to provide municipal services to the area, and this use will have similar traffic generation as the surrounding uses.
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 use is allowed in the I-1 district through a CUP and is adjacent to other industrial and commercial 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.
The structure has existed on the site since the 1960s and is of similar type and style to other buildings in the Industrial area.
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 use is consistent with the uses allowed as a CUP in the I-1, Rural Industrial District.
5. The use is not in conflict with the Comprehensive Plan of Scott County.
The Comprehensive Plan guides this property as Industrial Area so the proposed use is allowed within this area.
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.
The Minnesota Department of Transportation has reviewed the proposal and has no comments regarding the proposed use of the property.
7. Adequate water supply, individual sewage treatment system facilities, erosion control and stormwater management are provided in accordance with applicable standards.
The proposed business will utilize an individual well and private sewage treatment system.
8. All buildings/structures must meet the intent of the State Building Code and/or fire codes.
The proposed building will require building permits and review by the Scott County Building Department for conformance to the State Building Code.

4.2 PUBLIC HEARING 7:01 PM: CONDITIONAL USE PERMIT FOR HAWKS PROPERTY LLC (PL#2024-039)

- A. Request for Conditional Use Permit for Hawks Property LLC., to operate a contractor yard for excavating & landscaping, truck repair and to lease space to other industrial users.

Marty Schmitz presented the staff report for this application. Planning Advisory Commission packets, staff reports, video recording and approved minutes are available for download at the Scott County Website link: [December 9, 2024 Planning Advisory Commission](#) or by visiting www.scottcountymn.gov/pacreports and selecting the current date.

Commissioner Comments and Questions:

Commissioner Robbins asked if the Applicant is now able to work on the property.
Mr. Schmitz responded once the CUP is approved and the criteria and conditions are met he will receive a certificate of compliance and will be able to use the property for its intended purpose.
Commissioner Robbins questioned how many employees would be working here.

Mr. Schmitz explained at this time he was unaware of how many employees would be working.

Commissioner Husain questioned the outdoor parking and if it will all be paved or gravel.

Mr. Schmitz explained the front customer parking area will be paved, and the back portion will remain gravel.

Vice Chair Watson opened the public hearing at 7:14pm.

Public Comments and Questions at the Podium:

No one approached the podium.

Vice Chair Watson asked for a motion to close the hearing.

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

Motion by Commissioner Robbins; second by Commissioner Huber, based on the criteria for approval listed in the staff report, I recommend approval of the Conditional Use Permit for Hawks Property LLC. (Mike Hawkins) to operate a contractor yard for excavating & landscaping and to lease space to other industrial users, noting that this recommendation is subject to the conditions that must be satisfactorily addressed prior to County Board consideration of the project.

Chair Vonhof called for a roll call 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 unanimously with 6 Ayes, 1 Abstention.

Criteria for Approval (2-6-1):

1. *The proposed use will not create an excessive burden on public facilities.*

The proposed use should not have a negative impact to the public facilities that serve the property. The property has access to Louisville Road a paved township road.

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 is compatible with industrial uses on adjacent lots and surrounding area.

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.*

The buildings were constructed decades ago back in the 1970s and 1980s. The applicant will be applying for building permits and make improvements to the buildings. These structures have been here for many years and will not hinder the orderly development of the area.

4. *The use is consistent with the purposes of the Ordinance the purpose of the I-1 zoning district in which is proposed to be located.*

The use is consistent with the purpose of the I-1 Zoning.

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

The proposal is in conformance with the goals and policies for the Industrial Area identified in the 2040 Comprehensive Plan.

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

There is ingress and egress, access to public roads and on-site parking. The property has access to Louisville Road a paved township road.

7. *Adequate water supply, sewage treatment systems, erosion control and storm water management are provided in accordance with standards.*

Prior to Board action the proposal will be shown to meet the applicable sewage treatment, erosion control and stormwater standards. Any changes to the proposed plans will need to be reviewed and approved by Staff for conformance with applicable standards.

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

The buildings were constructed decades ago back in the 1970s and 1980s. Prior to a Certificate of Compliance being issued for a business to occupy these structures a building permit will need to be issued for work done on the structures without permit and the building will need to be shown to meet the building code for their intended use. Any future improvements to the buildings shall require County approval and must be in compliance with Minnesota State Building & Fire Codes.

Conditions of 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. Failure to do so may be a basis for revocation of the CUP.
2. This Conditional Use Permit is issued to Hawks Property LLC. to operate a contractor yard for excavating & landscaping, truck repair and to lease space to other industrial users as requested in the applicant's email narrative dated Email Narratives dated 6/20/2024 & 7/26/2024.
3. If the property is sold or the use changes, said changes shall be reviewed by Scott County Zoning Administration, Building Inspections and Environmental Services Departments and by the Louisville Town Board to determine if the Conditional Use Permit needs to be updated or amended.
4. The Louisville Town Board may conduct an annual review of the business to ensure that they are in compliance with the CUP conditions.
5. The owner shall, upon reasonable advanced notice, provide County and Township staff and/or its agents with access to the property for inspection for compliance with this conditional use permit.
6. The applicant shall pay an annual inspection fee for the CUP, if and when the County adopts an inspection fee ordinance.
7. All signage shall comply with the Scott County Sign Ordinance and approved sign permits.
8. Oils, solvents and other hazardous wastes shall be managed in accordance with the Scott County Hazardous Waste Management Ordinance. A hazardous waste license inspection shall be conducted, and a hazardous waste license obtained as required by Scott County Environmental Services.
9. Only domestic sewage may be discharged to the septic tank/drainfield. All wastewater from commercial industrial floor drains and non-domestic sink sources shall be pumped to a holding tank unless otherwise approved in writing by the Scott County Environmental Health Office.
10. The applicant shall provide permanent protection for the septic tanks against vehicle parking/traffic.
11. All truck/trailer parking, equipment and material storage shall be in the designated "Outside Storage/Parking Area" on the approved site plan. No truck/trailer parking is allowed outside of this area except for those vehicles waiting repair as shown on the approved plans. Employee & customer parking and vehicles waiting repair can be located on the parking area between the front of the building and Louisville Road. Any vehicle that is waiting repair for more than one week shall be stored in the "Outside Storage/Parking Area". No other locations on the Subject Property may be utilized for parking, and no parking shall be permitted in the Louisville Road right-of-way.
12. The property shall be maintained in a neat and orderly manner. There shall be no unlicensed, inoperable, or salvage vehicles (semi-tractors, trailers, equipment) on the property. Unlicensed, inoperable, or salvage vehicles are a violation of the Zoning Ordinance and would be a basis for revocation of the Conditional Use Permit
13. This is a priority condition: The "Outside Storage/Parking Area" identified on the approved site plans may be a gravel surfaced area; however, the applicant/property owner must pave, asphalt or concrete Parking and drive areas between the front of the building and Louisville Road within four (4) years from the CUP approval date. Failure to comply with this condition shall immediately void the CUP.
14. The tree/landscaping shown on the plan shall be completed no later than June 30, 2025. All parking, drive and vehicle and equipment shall maintain a 10-foot setback from the trunk of any tree shown on the Plan. In addition, bumper stops or boulders shall be installed to protect the trees. Any dead, dying or damaged tree shall be replaced.

15. This is a priority condition: No occupancy is permitted in the west building until building permits have been issued for work done in this structure without required building permits. Any future building or site improvements shall be reviewed for compliance with Scott County Zoning Ordinance regulations and building codes.
16. All businesses that lease space in the buildings or outdoor storage areas must obtain a certificate of compliance from Scott County Planning Department prior to occupancy of the buildings or outdoor storage areas. All business uses and any change in existing uses shall conform to those uses allowed in the I-1, Rural Industrial District. This process involves a review by Scott County Planning, Environmental Health, and Building Departments as well as Louisville Town Board.
17. The applicant/landowner shall be responsible for ongoing maintenance of required stormwater management infrastructure and shall be responsible for any modifications to stormwater infrastructure.
18. The surface water management system as shown on the site plans treats and manages the water generated by this property. As a condition precedent to occupancy of the site and as a condition of this permit, the applicant/owner shall enter into an agreement with Louisville Township satisfactory to the Township for the maintenance of the surface water management system. The surface water management system shall be constructed and maintained at the applicants/owner's sole expense. If required by the Township, the applicant/owner shall provide the Town Board with a drainage and utility easement pursuant to the maintenance agreement in a form acceptable to the Town Board and Town Attorney.
19. All exterior lighting shall conform to the Scott County lighting standards
20. County Ordinance requires a \$5000 financial guarantee to ensure that site grading is completed according to the approved plans.
21. Applicant shall receive a MNDOT Drainage Permit for storm water discharge into the Hwy 169 road right-of-way.

4.3 PUBLIC HEARING 7:15 PM: AMENDMENT TO ZONING ORDINANCE NO. 3 FOR CANNABIS ZONING REGULATIONS AND OUTDOOR CULTIVATION

- A. Request to Amend Scott County Ordinance No. 3 to add Chapter 17: Cannabis Land Uses, Amend Chapter 16: Land Use Descriptions and Standards, and amend Chapter 20, Table 20-4 Uses to establish zoning regulations for cannabis uses.

Brad Davis presented the staff report for both ordinances. Planning Advisory Commission packets, staff reports, video recording and approved minutes are available for download at the Scott County Website link: [December 9, 2024 Planning Advisory Commission](#) or by visiting www.scottcountymn.gov/pacreports and selecting the current date.

Commissioner Comments and Questions:

Commissioner Robbins asked if making the setback to 500 feet gives a little bit of leeway for businesses.
Mr. Davis confirmed it does provide more leeway,

Commissioner Husain asked who owns the approved zoning areas.
Mr. Davis responded the property owners within those areas are the owners and if someone is willing to set up a shop in those areas they are allowed to do so.
Commissioner Husain made further comment that he appreciated the staff's time in creating the maps and all of the hard work that went into this presentation.

Commissioner Robbins questioned the approval of outdoor cultivation and if passed where outdoor cultivation will take place.
Mr. Davis responded the draft ordinance does not include an outdoor cultivation-only land use category at this time.

Commissioner Huber questioned outdoor cultivation will be allowed at some point.
Mr. Davis confirmed if the market shows a demand for outdoor-only cultivation, staff would bring this topic back for a possible amendment.

Vice Chair Watson opened the public hearing.

Public Comments and Questions at the Podium:

Cheryl Doucette, Louisville Township, asked if outdoor growing would be one of the cannabis businesses limited to 13.

Mr. Davis responded that outdoor growing is unlimited, only the number of retail businesses in the county would be limited to 13.

Vice Chair Watson asked for a motion to close the hearing.

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

Motion by Commissioner Robbins; second by Commissioner Huber, based on the criteria for approval listed in the staff report, I recommend approval the proposed draft amendments to the Zoning Ordinance as presented in the staff report and that these ordinance amendments be forwarded to the County Board for consideration and action.

Vice Chair Watson called for a roll call 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

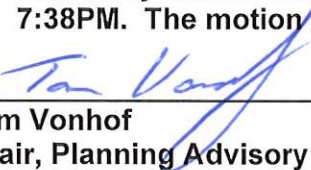
Commissioner Watson: Aye

The motion passed unanimously with 6 Ayes, 1 Abstention.

V. PLANNING MANAGER UPDATE PRESENTED BY BRAD DAVIS

VII. GENERAL & ADJOURN

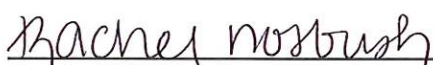
Motion by Commissioner Robbins; second by Commissioner Picha to adjourn the meeting at 7:38PM. The motion carried unanimously.



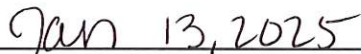
Tom Vonhof
Chair, Planning Advisory Commission



Date



Rachel Nosbush
Deputy Clerk to the Board



Date