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AGENDA

I. ROLL CALL AND INTRODUCTIONS

II. APPROVAL OF MAY 13, 2019 MINUTES

III. PUBLIC HEARING – 6:30 KOCHLIN REZONE (PL#2019-030)
   A. Request to Rezone Approximately 40 Acres from Agricultural Preservation (A-1) to Urban Transition Reserve Cluster (UTRC)
      Location: Section 25
      Township: Sand Creek
      Current Zoning: A-1

IV. PUBLIC HEARING – 6:30 GEDNALSKE PRIVATE RIDING ARENA (PL#2019-035)
   A. Request for a Conditional Use Permit to Construct a Private Indoor Riding Arena
      Location: Section 35
      Township: St. Lawrence
      Current Zoning: UER

V. PLANNING MANAGER UPDATE

VI. GENERAL & ADJOURN
I. ROLL CALL AND INTRODUCTIONS

Chair Vonhof opened the meeting at 6:55 pm with the following members present, Gary Hartmann, Donna Hentges, Lee Watson, Barbara Johnson and Ray Huber. Ed Hrabe was absent with notice.

County Staff Present: Brad Davis, Planning Manager; Marty Schmitz, Zoning Administrator; Greg Wagner, Principal Planner; Nathan Hall, Associate Planner, Deb Brazil, Administration; Tom Wolf, County Board Commissioner; and Barb Simonson, Deputy Clerk to the Board.

II. APPROVAL OF APRIL 8, 2019 MEETING MINUTES

Motion by Commissioner Huber; second by Commissioner Watson to approve the minutes of April 8, 2019 Planning Advisory meeting. The motion carried unanimously.

III. PUBLIC HEARING 6:55 PM: ADAM AND CRYSTAL BOETTCHER (PL#2019-014)

A. Request for an Interim Use Permit to add a detached Accessory Dwelling Unit (ADU) in the Rural Residential Reserve (RR-1) District.

Location: Section 32
Township: Cedar Lake
Current Zoning: RR-1

Greg Wagner presented the staff report for this application. The specific details within the staff report and a video are available on the Scott County Website link, May 13, 2019 Planning Advisory Commission Agenda Packet. (To view the Staff report on the county website, click on the download arrow and click on Agenda, then Save and then Open. Then open the bookmark at the top of the page and click on the Boettcher project name.)

Commissioner Comments and Questions:

Commissioner Vonhof inquired about any limitations with connecting the new structure to the existing septic systems and then having two structures on the same system. Mr. Wagner explained that this is allowed as long as certain criteria such as system size and distance are met. The current system is designed for 5 bedrooms but only 3 bedrooms are in the home now so they can connect.

Commissioner Johnson inquired about future use of the space and what mechanism is in place to ensure the property is not used as a rental property. Mr. Wagner explained the Interim Use Permit encompasses the limitations with regards to rental property, noting using the dwelling unit as a rental property would be in violation of the IUP. If not used for living by family the living space would need to be converted.

Commissioner Hentges inquired about future use of the building for a business and if this is allowable. Mr. Wagner explained that the current IUP would not allow for a business operation. The owners would have to
apply for a home business IUP and go through the land use permit process and for business usage.

Commissioner Vonhof reported that he visited the property of the matter and noted the new building would be a significant improvement to the property and the landscape is such that the proposed location appears to be the most appropriate location for the dwelling.

Commissioner Watson stated he thought the written letter from the applicants clearly defined their purpose for the project.

The public hearing was opened for public comment; however no one approached the podium to comment.

Motion by Commissioner Hartmann to close the public hearing; second by Commissioner Johnson to close the public hearing. The motion carried unanimously.

Motion by Commissioner Watson; second by Commissioner Hentges based on the criteria for approval listed in the staff report, to recommend approval of the Interim Use Permit for Adam and Crystal Boettcher to add a detached Accessory Dwelling Unit. The motion carried unanimously.

Criteria for Approval (Chapters 2, 7, & 40):

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 applicants are constructing an accessory building that will have a similar style to a rural pole barn. The building location is also screened by woodlands on the property’s north and west sides, and is located behind the home.

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.
   As indicated the structure will be designed with a pole style so as to fit with the rural character of the surrounding properties and within the RR-1 zoning district in Cedar Lake Township.

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 shared driveway to Vergus Avenue.

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 be connected to the existing well and existing septic drainfield system as required by the MN Department of Health and Scott County Environmental Services.
6. **All buildings/structures must meet the intent of the State Building Code and/or fire codes.**

   A building permit is required for the construction of the accessory building. The building will be constructed to all state and county codes.

**Conditions of Approval:**

1. This IUP is issued to Adam and Crystal Boettcher for a detached Accessory Dwelling Unit (ADU) to be added to their property. This ADU shall only be occupied by a family member related by blood, marriage, or adoption.

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 family members.

3. This IUP may be annually reviewed by the Township at a time and in a manner as prescribed by the Cedar Lake 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.

6. The structure utilized for the ADU shall meet the requirements of the Scott County Building Official and the State Building Code.

7. 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 a family member as outlined in condition #1 above.

IV. **PLANNING MANAGER UPDATE-Presented by Brad Davis**

V. **WORKSHOP FOR COMMISSIONERS HELD AFTER ADJOURNMENT-Presented by Brad Davis**

VI. **GENERAL & ADJOURN**

   Motion by Commissioner Hartmann; second by Commissioner Huber to adjourn the meeting at 7:15 PM. The motion carried unanimously.

__________________________________________________________________________

Tom Vonhoff  
Chair, Planning Advisory Commission

__________________________________________________________________________

Barbara Simonson  
Deputy Clerk to the Board
STAFF REPORT PREPARED FOR TOWNSHIPS &
COUNTY PLANNING ADVISORY COMMISSION

GOVERNMENT CENTER 114 · 200 FOURTH AVENUE WEST · SHAKOPEE, MN 55379-1220
(952)496-8475 · Fax (952)496-8496 · Web www.co.scott.mn.us

Peter Kochlin Rezoning # PL2019-0030

Request:

A) Rezoning of approximately 40 acres from A-1, Agricultural Preservation District to UTR-C, Urban Transition Reserve Cluster District.

Marty Schmitz, Zoning Administrator, is the project manager and is available for questions at 952-496-8349.

General Information:

<table>
<thead>
<tr>
<th>Applicant:</th>
<th>Site Location:</th>
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<tbody>
<tr>
<td>Peter Kochlin</td>
<td>976 South Sutton Lake Blvd</td>
</tr>
<tr>
<td>Property Owners:</td>
<td>Township:</td>
</tr>
<tr>
<td>Connie Kochlin &amp;</td>
<td>Section 25, Sand Creek</td>
</tr>
<tr>
<td>Curtis Hennes</td>
<td></td>
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<tr>
<td>Public Hearing Date:</td>
<td>Action Deadline:</td>
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<td>August 20, 2019(120-day)</td>
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Zoning/Comprehensive Plan Information:

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<td>Orderly Annexation Area:</td>
<td>Police District:</td>
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<td>N/A</td>
<td>Scott County Sheriff</td>
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Report Attachments:
1. Site Location Map
2. Aerial Photo
3. Survey
4. Hydric Soil Map
5. Environmental Health Memo Dated May 24, 2019
6. Township Recommendation
Request- Rezoning of 40 acres from A-1, Agricultural Preservation District to UTR-C, Urban Transition Reserve Cluster District.

Comprehensive Plan- The proposal is in conformance with the goals and policies for development in the Urban Transition Area identified in the Scott County 2030 Comprehensive Plan.

Adjacent Land Use/Zoning- North – Sutton Lake
South – 2.5 to 10 acre residential parcels, zoned UTR
East – Sutton Lake
West – 80 acre agricultural parcels, zoned A-1

Existing Conditions- The 40 acre parcel is a mix of woodlands and agricultural land. There is an existing home located in the wooded area. The home was constructed last year and is not visible on the 2018 aerial photo. Sutton Lake is located on the north and east sides of the rezoning. Sutton Lake is classified as a Natural Environment Lake by the DNR.

Ordinance Requirements- Density – 1 dwelling unit per 10 acres.

Lot Size – 1 acre of non-hydric land and sufficient area to accommodate a primary and alternate individual sewage treatment system.

Lot Width – 100 feet.

Structure Setbacks:
Front Yard: 30 feet from local road R.O.W.
Side Yard: 15 feet.
Rear Yard: 30 feet.
Sutton Lake: 150 feet

Proposed Development- Density – 1 dwelling unit per 40 acres.

Lot Sizes – 2.46 acres. The parcel will be created through an Administrative Subdivision, during which the parcel will be reviewed for septic compliance.

Lot Width – 100 feet.

Existing Roads- The homestead has frontage and access to South Sutton Lake Blvd, a gravel Sand Creek Township road.

Proposed Roads- There are no road improvements proposed for this project.

Recorded Documents- The rezoning will be recorded on the property.

Public Notice- Required public hearing notices were sent to property owners within a half-mile of the site.
Background:
Peter Kochlin is requesting to rezone approximately 40 acres located in Section 25 of Sand Creek Township. The property is owned by Connie Kochlin & Curtis Hennes, the applicant’s mother and uncle. The request is to rezone the parcel from the A-1, Agricultural Preservation District, to UTR-C, Urban Transition Reserve Cluster District. This area of Sand Creek Township is within the Urban Transition Area as identified in the 2030 Comprehensive Plan. The rezoning will maintain a one unit per 10 acre density, but allows a parcel less than 10 acres to be created.

To qualify for rezoning to the UER-C zoning district, the proposed subdivision must preserve 70% of the non-hydric soils or 80% of the non-wetland land for future development. 23.15 acres of non-hydric soil was identified on the 40 acres proposed for rezoning. Approximately 2.25 acres of non-hydric soil will be included on the homestead parcel leaving approximately 20.90 acres (90%) of non-hydric land preserved for continued agricultural purposes/future development. Because the property is over 4 miles from the urban development and it will remain in agricultural production a ghost plat concept plan was not required.

The rezoning will enable an existing home located on the subject site to be separated on a 2.46 acre lot. Because the home was constructed last year it is not visible on the 2018 aerial photo. The remaining land will remain undeveloped agricultural land and woodland. Three additional densities remain on the parcel. The Subdivision Ordinance allows the subdivision of a
homestead from a 40 acre or larger parcel to be done through an administrative subdivision so no plat application is necessary.

Scott County Zoning Administration has reviewed the proposed lot to determine conformance with County Ordinance requirements. As proposed, the lot meets the minimum land area requirements. The lot is configured to include the home, driveway, and septic area. The applicant has located an alternate septic drainfield site east of the existing home. Scott County Environmental Health staff has reviewed and approved the proposed alternate septic site for compliance with the Subsurface Sewage Treatment Ordinance.

No new roads are proposed as part of the subdivision. Access to the home is from South Sutton Lake Blvd, a gravel Township road. No wetlands have been identified around the building site, and since the remaining land will be in agricultural production a wetland delineation is not required for that area. No new structures or land disturbances are proposed as part of the administrative subdivision so an erosion control plan is also not required.

Township Recommendation:
The Sand Creek Town Board recommended approval of the request at their May 2019 monthly meeting. A copy of the recommendation is included with the agenda.

Staff Recommendation:
Based on the project information submitted by the applicant and subject to the conditions of approval, the proposed rezoning conforms to the Zoning Ordinances. Therefore, staff recommends approval of the rezoning based on the criteria for approval listed below:

Criteria for Approval:
1. *Consistency with the Comprehensive Plan* - the proposed rezoning conforms to the goals and policies contained in the 2030 Comprehensive Plan.

2. *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 10 acres.

3. *The proposed use conforms to all performance standards contained in the Zoning Ordinance* - the use of the property is not changing, the majority of the property will remain in agricultural production.

4. *Public Service Capacity* - the use is not changing and therefore will not adversely impact public service capacity for local service providers.

5. *Adequate Roads or Highways to Serve the Subdivision* – the homestead has frontage and driveway access to South Sutton Lake Blvd, a gravel Sand Creek Township road.

Planning Advisory Commission/Township Alternatives:
1. Approve the request as recommended by Planning staff with the specified conditions.

2. Approve the request as recommended by the Planning staff with amendments to the conditions.

3. Table the request for a specific reason.

4. Deny the request for a specific reason.
Suggested Motion for Planning Advisory Commission or Township Board:
Based on the criteria for approval listed in the staff report, I recommend approval of the requested rezoning of 40 acres from the Agricultural Preservation District to the Urban Transition Reserve Cluster District.
SAND CREEK TOWNSHIP
SECTION 25
PETER KOCHLIN
REQUEST FOR REZONING
SAND CREEK TOWNSHIP
SECTION 25
PETER KOCHLIN
REQUEST FOR REZONING
Memo

Date: May 24, 2019
To: Marty Schmitz, Zoning Administrator
From: Mary VonEschen, Environmental Services Department
Subject: PL2019-0031 Peter Kochlin Admin Subdivision

The Scott County Environmental Services Department has completed a review of the septic system locations and soil boring information for the above project, we approve the new alternate septic site location. The septic system information and soil information provided (dated March 9, 2019) appears to be in conformance with the Scott County Subsurface Sewage Treatment System Ordinance #4 and Minn. Rules Chapter 7080.

If you have any questions, please contact me at (952) 496-8344.
TOWNSHIP RECOMMENDATION FORM

On May 02, 2019, the Town Board of Sand Creek Township discussed with Richard Buchholz, the request to Rezone 40 acres from A-1 to urban expansion Reserve Cluster (urec) to split a home off on a 2.46 acre parcel.

After reviewing the request, the Town Board:

X RECOMMENDS APPROVAL
WITH THE FOLLOWING CONDITIONS: None

RECOMMENDS DISAPPROVAL
FOR THE FOLLOWING REASONS:

HAS NO RECOMMENDATION, BUT WILL FORWARD THE REQUEST TO THE PLANNING COMMISSION OR BOARD OF ADJUSTMENT.

SIGNED:
Maggie Gehrke                     Clerk

John E. Sander                    Supervisor

Brendan L.                       Supervisor

Bill Lubich                      Supervisor
Gednalske Private Indoor Riding Arena

Request:

Conditional Use Permit (CUP) to construct a private indoor horse riding arena.

Nathan Hall, Associate Planner is the project manager and is available for questions at 952-496-8892.

General Information:

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<tr>
<th>Applicant</th>
<th>Site Location:</th>
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<tr>
<td>Kent &amp; Brandi Gednalske</td>
<td>21226 Delaware Ave</td>
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<tr>
<td>Kent &amp; Brandi Gednalske</td>
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<tr>
<td>Chapters 2, 9, &amp; 30</td>
<td>Ridgeview Ambulance</td>
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Report Attachments:
1. Site Location Map
2. Site Aerial Photo
3. Project Narrative
4. Site Plan
5. Architectural Elevations & Floor Plan
6. Scott SWCD Memo and Attachments
7. Township Recommendation
Request- Conditional Use Permit to construct a private indoor horse riding arena.

Comprehensive Plan- The proposal is in conformance with the goals and policies of the Urban Expansion Area identified in the 2030 Scott County Comprehensive Plan.

Adjacent Land Use/Zoning- **Northwest** - 18.02 acre residential parcel, zoned UER  
**South** - 60 acre agricultural parcel, zoned A-1  
**East** - 10.67 - 80 acre residential parcels, zoned UER

Existing Conditions- The parcel includes an existing home and two detached accessory buildings located in the northeast part of the property. Animal shelters are also present. The property is primarily open with some wooded areas.

Ordinance Requirements- **Lot Size** - 10 acres

  **Structure Setbacks:**  
  Front: 150' from the centerline or 100' from road right-of-way whichever is greater from the County Highway.  
  Side: 30'  
  Rear: 60'

Proposed Development- **Lot Size** - 12.5 acres

  **Setbacks** - The arena is proposed west of the home. Per the site plan, it will be approximately 147' from the north property line and approximately 111' from the west property line.

Existing Roads- The property has driveway access onto Delaware Avenue, a County Highway.

Road Improvements- No road improvements have been proposed.

Public Notice- Required public hearing notices were sent to all property owners within one-quarter (1/4) mile.
Analysis:
Kent and Brandi Gednalske are requesting a Conditional Use Permit (CUP) to construct a private indoor riding arena. Parcels having 12.5 acres are allowed up to 4,000 sq. ft. of detached accessory building area, and through a CUP can add up to an additional 10,000 sq. ft. private horse riding arena. In the Urban Expansion Reserve (UER) Zoning District, horses are allowed on parcels provided the property has 2 productive acres for the first horse (1 animal unit) and 1 productive acre for each additional horse.

The Gednalskes' are proposing to build a 6,240 sq. ft. (60'x104') indoor riding arena. The building would not include stables and would only be used for indoor riding. The applicant has stated that they currently keep three (3) horses on the property and intend to have a fourth (4th) for part of the year. The proposed arena would be located west of the home and existing accessory buildings in the northwest of the property. The proposed structure would be 147 ft. from the north property line and 111 ft. from the western property line.

The applicant has been communicating with the Scott Soil and Water Conservation District (SWCD) staff regarding manure and pasture management. The concern of manure disposal was raised and the applicant has provided a written agreement with a neighboring property owner to spread the manure in the neighboring fields. The construction of the building will require a building permit and compliance with the Minnesota State Building Code. Natural Resources staff has noted that a Storm Water Pollution Prevention Plan in accordance with Section 6A-3-3 of the Zoning Ordinance will be required prior to grading or building permits. Environmental Services staff has
reviewed the request and has no opposition or additional requirements related to the project.

**Township Recommendation:**
The St. Lawrence Town Board recommended approval of the request at their May, 2019 meeting with the condition that County Code be met and the structure is used for agricultural use only.

**Staff Recommendation:**
Based on the project information submitted by the applicants and subject to the conditions of approval, the proposed indoor riding arena conforms to the Zoning Ordinance; therefore, staff recommends approval of the Conditional Use Permit based on the eight criteria for approval listed below:

**Conditions of Approval:**
1. The applicant is 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 the Conditional Use Permit (CUP).

2. 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.

3. The applicants shall pay an annual CUP inspection fee, if and when the County adopts an inspection fee ordinance.

4. If ownership changes, the new owner shall contact the St. Lawrence Town Board and Scott County Zoning Administration to review the conditions of the CUP.

5. The maximum number of animal units shall be limited by the productive acreage of the property. The Scott SWCD may conduct an annual review to verify that the pasture management and manure management are in compliance with the approved plan.

6. Any future improvements to the proposed private riding arena shall meet all requirements of the State Building Code and all applicable codes as required by the Scott County Building Official.

7. The riding arena shall be used only as a private horse riding arena; no commercial boarding shall be allowed. Any other use of the structure is a violation of the CUP and the Scott County Zoning Ordinance.

8. The applicant shall provide a Stormwater Pollution Prevention Plan in accordance with 6A-3-3 prior to the issuance of grading or building permits.

**Criteria for Approval (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 are serving 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.

   As proposed, the location of the indoor riding arena exceeds the required property line setbacks. The arena will be more than 100 feet from the nearest property boundary.

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 indoor riding arena is designed of materials that are not unsightly in appearance, and will be typical of a rural accessory building.

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 indoor riding arena is consistent with the intentions of Chapter 9 of the Zoning Ordinance and with uses allowed on 10 acre parcels in the UER zoning district.

5. The use is not in conflict with the Scott County 2030 Comprehensive Plan.

   The proposal is in conformance with the 2030 Comprehensive Plan and the keeping and enjoyment of animals such as horses.

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.

   Access will be via the existing residential driveway access to Delaware Avenue.

7. Adequate water supply, individual sewage treatment system facilities, erosion control and stormwater management are provided in accordance with applicable standards.

   Any water would be obtained via a private well; wells are permitted by the MN Department of Health. No restroom is proposed in the building. Erosion and sediment control will be reviewed with the building permit for the arena.

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

   A building permit will be required for the indoor riding arena. County Staff will review the building permit application to verify that the structure meets the intent of the State Building and/or fire codes.
Planning Advisory Commission/Township Board Alternatives:
1. Approve the request as recommended by Zoning Staff with the specified conditions.
2. Approve the request as recommended by the Zoning Staff with amendments to the conditions.
3. Table the request for a specific reason.
4. Deny the request for a specific reason.

Suggested Planning Commission/Township Board Motion:
Based on the criteria for approval listed in the staff report, I recommend approval of the Conditional Use Permit for Kent & Brandi Gednalske to construct a private indoor riding arena.
ST. LAWRENCE TOWNSHIP
SECTION 35
KENT & BRANDI GEDNALSKE
REQUEST FOR
CONDITIONAL USE PERMIT
To the planning department,

For your consideration my wife and I are seeking a Conditional use permit to have a private riding arena put on our property. Our property address is 21226 Delaware ave. Jordan MN, 55352. (Section 35 Township 114 Range 024 P/O N1/2 NW1/4 COM 803.6’ of NE COR, W 726’, S 750’, E 726’ N 750’ to POB) Our property is zoned Urban expansion reserve.

Below I have copied criteria for conditional use permit section 2-6-1 and answered each question.

Attached you will also find a satellite photo off the Scott county website. I have highlighted the current structures on the property, and then added the location of the proposed riding arena.

Minimal grading needed, the location the arena is going to be placed was used by the previous owner as a staging/parking area for their equipment, as they used the property as a landscaping supply business. Fall of last year had excavator come into add addition topsoil around this parking area so that new grass could be planted to prevent water runoff in future.

Screening/landscaping is already existing. The proposed build site has heavy tree cover on all sides. There is minimal visibility to build location. Not going to remove this tree coverage, as they are tall pine and black maple trees.

Building planned has eve lights, not planning on adding electric at this time.

The following was taken off of the Scott county website under conditional use permit criteria. (2-6-1 Criteria for Granting Conditional Use Permits )

1. The use will not create an excessive burden on public facilities and utilities which serve or are proposed to serve the area.
   a. No, will not present new burden on public facilities and/or utilities. Minimal public utilities will be needed in construction. No electric being installed at this time. Eve lights will be installed along top edge to allow light in.

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.
   a. Yes, proposed building site is in a mostly central location on our property. We have heavy tree cover/grass buffer areas surrounding that portion of our property to give privacy to us and our westerly neighbor. The western neighbors would be only ones who could see this shed and only during seasons with no foliage cover.
b. The structure would be 147' from north property line and 111' from western property line.

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. Scott County Zoning Ordinance Chapter 2 Administration
   a. This is going to be new construction, using typical color sheet metal

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.
   a. Purpose of building is to be used as private riding arena for personally owned horse, which would comply to the ordinance.
   b. Arena will have a compacted aglime base 1.5-2.5" with a top footing of some kind of either washed sand and clay or washed sand and aglime.

5. The use is not in conflict with the Comprehensive Plan of Scott County.
   a. No interference with the 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.
   a. This building will be for private use. Horses are kept on property. No changes warranted. Building site is off end of driveway, well set back from road.

7. Adequate water supply, individual sewage treatment system facilities, erosion control and storm water management are provided in accordance with applicable standards.
   a. Will be no water/sewer to building
   b. Erosion control mitigated with fescue grass coverage, and buffer areas to reduce storm water runoff around the build site
   c. Pasture management has been something we have focused on since moving to the property. Pastures are very actively rotated. We typically rotate between 3 pastures. Time spent on pastures depends on time of year, rainfall and overall condition of pasture. We take an active role in making sure our pastures are healthy. We provide sufficient cover so we don’t have run off, nor over burden of manure. Pastures are actively dragged and mowed so we don’t have dead spots from manure or grass falling over.
   d. We are currently clearing old overgrowth on west side of property as well, to add another pasture into the rotation. Sufficient buffers have been kept in place and additional will be added to prevent erosion this year as well.
   e. We have full intentions at living at our property for a long time, we want to keep our property actively producing and protect the community aquifer.
   f. This new shed will not be used to house animals, it is for personal horse riding purposes only. Thus, no additional manure load will be incurred on the property. The above points discuss whole property standards, not just related to the shed.

8. Feedlot Requirements
a. Pasture Management
   i. We have also taken an active role in manure management since moving into our property to help reduce the risk of nitrates getting into our well water. We utilize a dry lot to keep horses in at night as well as during the winter months. Dry lot is kept clean with skid loader. Manure is removed multiple times a year.

b. Manure Management
   i. Currently we are using a turned windrows method to compost the manure as well as having written permission from neighbor Jim Schwingler to be able to spread manure on his pastures.

c. List the number of horses to be house on the property
   i. 3 permanent 1 additional in fall/winter (futurity horse usually kept with trainer)

d. Odor and insect control
   i. Manure in pastures consistently dragged to help mitigate smell and keep insects away.

e. Method for disposing of dead or diseased animals
   i. Rendering service would be utilized

f. Runoff management
   i. Manure is kept out of waterways; Dry lot is kept scraped of manure and brought to separate location for composting
g. Manure location
   i. Manure storage locations after scraping through winter, before spreading. Rotated between the two locations every other year and then reseeded.

9. All buildings/structures must meet the intent of the State Building Code
   a. Yes. Engineered plans will provided by builder (Cleary Builders). All state codes will be followed.
Site Plan – Gednalske Riding Arena

Proposed arena

Future
Pasture
Pasture
Pasture
Pasture

Outdoor area

104.6'
64.2'
3.5'
104.0'

Dry lot
Memorandum

May 22, 2019

To: Scott County Planning and Zoning Department

From: Diann Korbel, Ag Program Specialist
Scott Soil and Water Conservation District (SWCD)

Subject: Kent Gednalske Conditional Use Permit application (CUP)

This memorandum is being sent to clarify some of the review aspects of the Gednalske CUP application.

First, a productive acreage\textsuperscript{1} determination was conducted in May of 2019 to identify what animal unit densities would be allowed on the Gednalske property per chapter nine of the Scott County Zoning Ordinance. The aerial photo investigation utilized 2018 photography and revealed an estimate of 5.0 productive acres which inferred all pastures\textsuperscript{2} were to be considered productive acres without feedlot\textsuperscript{3} condition and would qualify as areas for pasturing\textsuperscript{4}. The 5.0 productive acres would allow Gednalske to house 4.0 animal units year round.

The narrative submitted for the CUP application addresses all of the requirements necessary to receive a CUP.

One concern regarding the narrative plan of operation submitted is the disposal of manure. The spreadable acreage should be 7 acres to dispose of the manure generated by 4 horses per the attached MN extension service Nutrient Summary calculation. The current 5 productive acres, (4 of which are spreadable due to tree cover) fall short of the minimum acres calculator estimated 7 acres needed to dispose of the collected Phosphorous nutrients at agronomic rates on the grassed pasture areas. To account for this, the Gednalske's have a written agreement with a neighboring crop farmer to spread manure on his 59 acres of land planted to row crops annually.

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\textsuperscript{1} Productive Acreage - An area of land used for Crop Production or Pasturing, measured in acres. Lawns and other landscaped areas may be included as Productive Acreage provided they will be used for Crop Production or Pasturing purposes, as attested to in an affidavit signed by the applicant. Lands that are not currently used for Pasturing may be included as Productive Acreage provide: a) the minimum living and residual vegetative cover requirements under the Pasturing definition is maintained, and b) the land is not enrolled in a conservation program that prohibits it from being used for cropping, grazing and/or animal waste disposal. Wetlands and areas being grazed but which do not meet the minimum living and residential vegetative cover requirements for the Pasturing definition (i.e. feedlots) shall not qualify as Productive Acreage.

\textsuperscript{2} Pastures - Areas where grass or other sod-forming vegetation is grown for the purpose of Pasturing.

\textsuperscript{3} Feedlot - A lot or building, or combination of lots and buildings, intended for the confined feeding, breeding, raising or holding of animals and specifically designed as a confinement area in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure.

\textsuperscript{4} Pasturing - The grazing of animals in an area of land where the residence time and concentration of animals is such that no less than 80% living or residual vegetative cover is maintained at all times, except that up to 10% of the total pasture area may have coverage less than 80% for supplemental feeding and or watering purposes. Tree and shrub canopy may be counted at a ratio of one half to one towards meeting the minimum vegetative cover requirements. Percent cover shall be determined by the Scott Soil and Water Conservation District using standard transect-line and aerial photo interpretation methodologies.
Finally, Chapter 9-4-4 Standards for Conditional Use Permits, Item 4 requires acquisition of an MPCA permit. This requirement is up to the discretion of Scott County as the Minnesota Pollution Control Agency (MPCA) would not require an operation of this size (less than 50 animal units outside shore land) to get registered/permitted.

In summary, Scott SWCD recommends approval of the Gednalske CUP application.

All of the supporting documentation for the aforementioned calculations is included with this memorandum for review.
# Nutrient Summary

*Manure & Crop Nutrient Calculator*

**May 21, 2019**

<table>
<thead>
<tr>
<th>Name</th>
<th>Kent Gednalske</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address</td>
<td>21226 Delaware Ave</td>
</tr>
<tr>
<td>Phone</td>
<td>763-259-8426</td>
</tr>
<tr>
<td>Description</td>
<td>Maximum of 4 horses grazed on perennial grass pastures in good condition</td>
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## Manure Nutrient Supply

**Total Nutrients From All Manure Sources After Storage and Handling Losses**

<table>
<thead>
<tr>
<th>Nutrient</th>
<th>Pounds</th>
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<tbody>
<tr>
<td>Nitrogen (N)</td>
<td>123</td>
</tr>
<tr>
<td>Phosphate (P2O5)</td>
<td>128</td>
</tr>
<tr>
<td>Potash (K2O)</td>
<td>302</td>
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</table>

## Crop Nutrient Demand

**Total Annual Nutrient Demand Based On The Crop Rotation**

<table>
<thead>
<tr>
<th>Nutrient</th>
<th>Pounds</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nitrogen (N)</td>
<td>240</td>
</tr>
<tr>
<td>Phosphate (P2O5)</td>
<td>72</td>
</tr>
<tr>
<td>Potash (K2O)</td>
<td>252</td>
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</table>

**Per Acre Average Nutrient Demand Based On The Crop Rotation**

<table>
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<th>Pounds per Acre</th>
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<tr>
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<td>60</td>
</tr>
<tr>
<td>Phosphate (P2O5)</td>
<td>18</td>
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<tr>
<td>Potash (K2O)</td>
<td>63</td>
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## Spreadable Acres Needed To Utilize Manure Nutrients

<table>
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</tr>
<tr>
<td>Phosphate (P2O5)</td>
<td>7</td>
</tr>
<tr>
<td>Potash (K2O)</td>
<td>5</td>
</tr>
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</table>

## Additional Spreadable Acres Required (if Needed)

<table>
<thead>
<tr>
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<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nitrogen (N)</td>
<td>0</td>
</tr>
<tr>
<td>Phosphate (P2O5)</td>
<td>3</td>
</tr>
</tbody>
</table>
I, [Name], agree to let Kent Gednalske spread his horse manure on my [59] acres of land in row crops in perpetuity.

[Signature]
TOWNSHIP RECOMMENDATION FORM

On May 9, 2019, the Town Board of St. Lawrence discussed with Kent Gednalske, the request to apply for a "Conditional Use Permit" to build a 60' x 104' Horse Riding Arena.

After reviewing the Request, the Town Board:

X RECOMMENDS APPROVAL WITH THE FOLLOWING CONDITIONS:

meet County Code, Ag use only

RECOMMENDS APPROVAL WITH THE FOLLOWING REASONS:

HAS NO RECOMMENDATION, BUT WILL FORWARD THE REQUEST TO THE PLANNING COMMISSION OR BOARD OF ADJUSTMENT.

SIGNED:

Pamela Brooks
CLERK

David South
SUPERVISOR

Leigh Kendall
SUPERVISOR

White - County

Yellow - Township Copy

Pink - Applicant's Copy

Form #1910