



SCOTT COUNTY
PLANNING ADVISORY COMMISSION
MEETING MINUTES

Scott County Government Center
200 Fourth Avenue West
Shakopee, Minnesota

Monday, January 13, 2020
County Board Room at 6:30 PM

I. ROLL CALL AND INTRODUCTIONS

Chair Tom Vonhof opened the meeting at 6:30 PM with the following Commissioners present: Donna Hentges, Ed Hrabe, Lee Watson, Ray Huber, Barbara Kane Johnson and Gary Hartmann.

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

II. APPROVAL OF DECEMBER 9, 2019 MINUTES

Motion by Commissioner Johnson; second by Commissioner Huber to approve the minutes of December 9, 2019 Planning Advisory Commission Meeting. The motion carried with 5 Ayes and with Commissioners Vonhof and Hartmann abstaining due to not being present at the December 9, 2019 PAC meeting.

III. PUBLIC HEARING 6:30 PM: LEGACY ADDITION (PL#2019-021)

- A. Request to Rezone 29.52 Acres From Rural Residential Reserve (RR-1) to Rural Residential Single Family (RR-2).
- B. Request to Approve the Preliminary Plat and Final Plat of Legacy Addition Consisting of 5 Lots on 29.52 Acres.

Location: Section 13
Township: Spring Lake
Current Zoning: RR-1

Associate Planner, Nathan Hall 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: [January 13, 2020 Planning Advisory Commission Agenda Packet](#). (To view the staff report on the county website using the link, click on the download arrow, then click on Agenda, then Save and then Open. Next, open the bookmark at the top of the page and click on the Legacy Addition project name.)

Commissioner Questions and Comments:

Commissioner Johnson asked why there was no grading proposed for the plat approval. *Mr. Hall reported that the grading as part of the plat. The applicants for each individual lot site will need to apply for grading permits at the time of construction on the lot and home site.*

Commissioner Johnson inquired about any tree preservation requirements from the Town Board due to the amount of woodland on the property. She further asked about whether future property owners could clear cut any number of trees if they wanted to do so. *Mr. Hall explained there are no limitations on tree removal at this site if they are not intruding into surrounding protected features such as a protected lake.*

Zoning Administrator, Marty Schmitz approached the podium to further add to the tree preservation response. He explained the county ordinance structure as it relates to tree preservation, conservation areas and the developer's responsibility. He pointed out that in this case, the proposed plat does not meet those thresholds, therefore a tree preservation plan is not required as part of the plat. Each individual lot owner will have the ability to do grading and site prep to accommodate the house and driveway with the liberty to remove trees. He also noted that when people purchase these types of wooded lots, they are typically very interested in keeping as many trees as possible which is why they chose a wooded lot.

Commissioner Huber stated agreement with Mr. Schmitz comments on the desire of property owners to keep trees on wooded lots.

Commissioner Johnson noted the past example of the Savannah Oaks development where tree protection was included in the process. *Zoning Administrator, Marty Schmitz explained the subject property did not meet the thresholds to require tree preservation as it is not in a conservation area as delineated in the public values mapping. In addition, the developer is not proposing any grading or tree removal in the creation of the lots, all the grading will be done as the individual lots develop.*

Chair Vonhof asked if there was any delineation as to what may be significant and/or scrub trees on the property. *Mr. Schmitz reported the applicant was not asked to provide this information as part of the plat as it was not required.*

Commissioner Vonhof inquired about the three residences off one driveway and noted the township's approval of this design as it is off a township road. *Mr. Hall confirmed the roadway is indeed a township road and the proposed driveways have been reviewed and approved by the Town Board.*

The public hearing was opened for public comment:

Gary Tupy, who is assisting the developers and representing them at the meeting, reported originally the property was platted to have a through road with 9 lots. This plat would have had significant environmental impacts on such features like the wetlands. The owners eventually moved forward with fewer but bigger lots. He expects zero tree removal will be required due to the modification. The trees follow the wetland borders as the land's useable acreage was farmed for many years. He has walked all the lots extensively and notes there are a few heritage trees, but the majority are dead fallen woods. The environmental impact will be very little if any. Mr. Tupy stated he was present at the Town Board meeting and they were supportive of the three residences off one driveway plan and it being a private matter between the future owners.

With no further public comment there was a motion to close the public hearing. Motion by Commissioner Watson; second by Commissioner Hartmann to close the public hearing. The motion carried unanimously

Motion by Commissioner Watson; second by Commissioner Huber based on the criteria for approval listed in the staff report, to recommend approval of the rezoning, preliminary plat, final plat of Legacy Addition, consisting of 5 lots on 29.52 acres, noting that this recommendation is subject to the conditions listed in the staff report that must be satisfactorily addressed prior to County Board consideration of the project. The motion carried unanimously.

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 Revere Avenue, a paved 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 five additional lots.
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.

And noting that Spring Lake Town Board recommended approval of this request at their December 2019 monthly meeting.

IV. ELECTIONS OF OFFICERS FOR 2020 PLANNING ADVISORY COMMISSION

Chair Vonhof opened the meeting for nominations for Chair of the Planning Commission.

Commissioner Johnson nominated Commissioner Tom Vonhof; second by Commissioner Huber.

Chair Vonhof called for any further nominations 3 times.

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

Chair Vonhoff called for a vote on Chair nomination of Tom Vonhof. The vote carried unanimously for Tom Vonhof.

Chair Vonhof opened the meeting for nominations for Vice Chair of the Planning Commission.

Commissioner Watson nominated Commissioner Barbara Johnson; second by Commissioner Huber.

Chair Vonhof called for any further nominations 3 times.

Motion by Commissioner Hrabe; second by Commissioner Hartmann to close the nominations. The motion carried unanimously.

Chair Vonhoff called for a vote on Vice Chair nomination of Barbara Johnson. The vote carried unanimously for Barbara Johnson.

Chair Vonhof opened the meeting for nominations for Secretary of the Planning Commission.

Commissioner Johnson nominated Commissioner Lee Watson for Secretary; second by Commissioner Hentges.

Chair Vonhof called for any further nominations 3 times.

Motion by Commissioner Johnson; second by Commissioner Hentges to close the nominations. The motion carried unanimously.

Chair Vonhoff called for a vote on the Secretary nomination of Lee Watson. The vote carried unanimously for Lee Watson.

Chair Vonhof read the officer vote results on the record as voted above.

V. PLANNING MANAGER UPDATE REPORT-Presented by Brad Davis

VI. GENERAL & ADJOURN

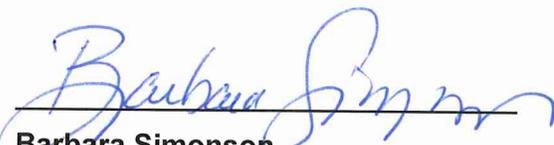
Motion by Commissioner Hartmann; second by Commissioner Huber, to adjourn the meeting at 6:59 PM. The motion carried unanimously.

VII. ORDINANCE WORKSHOP FOR COMMISSIONERS FOLLOWING ADJOURNMENT



Tom Vonhof
Chair, Planning Advisory Commission

March 9, 2020
Date



Barbara Simonson
Deputy Clerk to the Board

3/9/2020
Date