



SCOTT COUNTY
PLANNING ADVISORY COMMISSION
MEETING MINUTES

Scott County Government Center
200 Fourth Avenue West
Shakopee, Minnesota

Monday, March 9, 2020
County Board Room at 6:54 PM

I. ROLL CALL AND INTRODUCTIONS

Chair Vonhof opened the meeting at 6:54 PM with the following members present: Gary Hartmann, Ray Huber, Ed Hrabe, Lee Watson, Barbara Johnson and Tom Vonhof. Donna Hentges was absent with notice.

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 JANUARY 13, 2020 PLANNING ADVISORY COMMISSION MINUTES

Motion by Commissioner Hrabe; second by Commissioner Johnson to approve the minutes of January 13, 2020 Planning Advisory meeting. The motion carried unanimously.

III. CONSENT AGENDA

3.1 PUBLIC HEARING 6:55 PM: MIK'S ACRES (PL#2020-005)

- A. Request for Preliminary and Final Plat of Mik's Acres 2nd Addition consisting of 1 lot on 11.74 acres.

Location: Section 33
Township: Cedar 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 lot has frontage and proposed driveway access on Vergus Avenue, a gravel town road.
4. *Adequate Waste Disposal Systems* – the proposed lot meets 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 Reserve Area.

6. *Public Service Capacity* – the proposed development does not adversely impact the public service capacity of local service providers as the lot will utilize the existing Township road for access.
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 Cedar Lake Township recommended approval of this request at their November monthly meeting.

3.2 PUBLIC HEARING 6:55 PM: HIRMAN ADDITION (PL#2020-003)

- A. Request for Preliminary and Final Plat of Hirman Addition consisting of 2 lots on 30 acres.

Location: Section 22
Township: Cedar 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 260th Street E. and Panama Avenue, paved County Roads.
4. *Adequate Waste Disposal Systems* – the proposed lots will meet all requirements of the individual sewage treatment system ordinance prior to County Board approval.
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 Reserve 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.

Motion by Commission Johnson; second by Commission Huber to approve the consent agenda. The motion carried unanimously.

IV. PUBLIC HEARING 6:56 PM FINAL GRADE (PL#2020-007)

1. Request for Conditional Use Permit Amendment to Expand Outside Storage and Recycle Concrete Material

Location: Section 4
Township: Sand Creek
Current Zoning: I-1

Marty Schmitz 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: [March 9, 2020 Planning Advisory Commission Agenda Packet](#). (To view the staff report on the county website using the link, click on the download arrow and click on Agenda, then Save and then Open. Next open the bookmark at the top of the page and click on the Final Grade project name.)

Commissioner's Comments and Questions:

Commissioner Huber questioned what triggered the infiltration ponds on the property and what is the height of the berm located between the facility and the highway. What type of retaining wall will be built? *Mr. Schmitz reported the infiltration ponds were required as a result of significant expansion of the outside storage in a past project. The stormwater standards have not changed significantly from 2005 to today. The bulk of the language was developed in 2001. The berm is 4-8 feet tall. Mr. Schmitz deferred to the applicant to address what type of retaining wall will be built.*

Applicant Ron Anderson, President of Final Grade, approached the podium and reported they will be using a product/material produced by the neighboring business, Interlock Concrete, and will consist of 800lb large block that are structurally designed to be stacked up to 10 feet tall.

Bill Schneider, Sand Creek Town Board Supervisor, approached the podium, he stated Final Grade has been a good business owner in Sand Creek and the Town Board has no complaints.

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

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

Motion by Commissioner Huber; second by Commission Hartmann, based on the conditions and criteria for approval listed in the staff report, I recommend approval of the CUP Amendment for RJ Property Holdings, LLC to operate and excavating company, Final Grade, Inc., and lease office/shop space to industrial users in the I-1 zoning district, noting that there are conditions that must be satisfactorily addressed prior to County Board consideration of the project. Noting the Sand Creek Town Board as recommended approval. Commissioner Hrabe asked for clarification if the conditions include the utility agreement, Planner Marty Schmitz confirmed it is listed in the conditions. The motion carried unanimously.

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

1. The proposed use will not create an excessive burden on public facilities.
2. The proposed use is compatible with industrial uses on adjacent lots.
3. The existing structure is designed of materials that are not unsightly in appearance.
4. The use is consistent with the purpose of the I-1 Zoning District.

5. The use is not in conflict with the Scott County 2020 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 existing building meets the requirements of the Building Code.

Conditions to be Satisfied Prior to County Board Consideration:

1. The applicant shall receive documentation of approval for the construction of the retaining wall within the existing utility easement prior to County Board consideration.
2. Any conditions and/or comments in the Natural Resources review memo dated 2/25/20 shall be satisfied prior to County Board action.

Conditions of Approval:

1. The applicant is to file with the Scott County Planning Office in January of each year a statement indicating they are in compliance with the conditions of the CUP. Failure to do so may be a basis for revocation of the CUP.
2. If ownership changes, the new owner shall contact the Sand Creek Town Board and the County Planning Office to review the conditions of the CUP. The CUP is issued, the operation of Final Grade Excavating, Inc., and leasing office/shop space to industrial users in the I-1 Zoning District
3. All outside storage except for material stockpiles shall be screened from Highway 169.
4. All parking shall be located on-site in areas as designated on the site plan dated 4/02/19 prepared by Otto and Associates.
5. The business and site shall be operated and maintained in accordance with the applicant's letter dated 5/2/2005.
6. All signage shall comply with the Scott County Sign Ordinance.
7. All structures utilized for conducting business shall meet the requirements of the Scott County Building Official and State Building and Fire Codes.
8. Oil, solvents and other hazardous wastes shall be managed in accordance with the Scott County Hazardous Waste Management Ordinance.
9. Outside storage of products and equipment shall be limited to the gravel yard as indicated on the site plan dated 4/02/19.

10. The property shall be maintained in a neat and orderly manner.
11. At any time prospective tenants are applying to occupy the building, the applicant, RJ Property Holdings, LLC., will be required to meet the Planning Department, Building Inspections Department, Environmental Health Department and Sand Creek Township to ensure the proposed use by the tenant of the building and site is compatible with the structure, CUP, service capacity, and zoning requirements applicable to the property; upon successful review the tenant will be issued a Certificate of Compliance by Scott County.
12. Estimated additional water use and septic system impacts by prospective tenants will be reviewed by Environmental Health before that tenant will be allowed to occupy the building or portion thereof.
13. Material stockpile heights shall not exceed 30 feet and not more than 50,000 tons of any type of material may be stored on the entire property at any time.
14. A Scott County Solid Waste License is required for any concrete or asphalt recycling facilities on the site. Conditions may be placed on the license limiting volumes, stockpile height, stockpile location, or any other conditions the County or Township considers necessary to protect the interest and views of the surrounding area and roads.
15. Concrete and asphalt crushing activities shall be limited to 7am to 6 pm Monday through Saturday
16. The Sand Creek Town Board may conduct an annual review of the business to ensure that they follow the CUP conditions.
17. The applicant shall pay an annual inspection fee for the CUP, if and when the County adopts an inspection fee ordinance.

V. PLANNING MANAGER UPDATE REPORT-~~Presented by~~ Brad Davis

VI. GENERAL & ADJOURN

Motion by Commissioner Hentges; second by Commission Hrabe to adjourn the meeting at 7:15 PM. The motion carried unanimously.

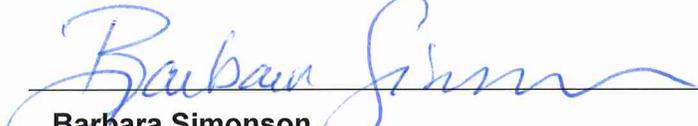
VII. ORDINANCE WORKSHOP FOR COMMISSIONERS FOLLOWING ADJOURNMENT



Tom Vonhof
Chair, Planning Advisory Commission

May 14, 2020

Date



Barbara Simonson
Deputy Clerk to the Board

5/11/2020

Date