I. ROLL CALL AND INTRODUCTIONS

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

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

II. APPROVAL OF MAY 13, 2019 MINUTES

Motion by Commissioner Johnson; second by Commissioner Watson to approve the minutes of May 13, 2019 Planning Advisory meeting. The motion carried with 6 Ayes and with Commissioner Hrabe abstaining from voting due to his absence from the May 2019 meeting.

III. PUBLIC HEARING 6:30 PM: PETER KOCHLIN REZONING (PL#2019-030)

A. Request to Rezone Approximately 40 Acres from A-1, Agricultural Preservation District to UTR-C, Urban Transition Reserve Cluster District.

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<tr>
<th>Location</th>
<th>Section 25</th>
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<tbody>
<tr>
<td>Township</td>
<td>Sand Creek</td>
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<tr>
<td>Current Zoning</td>
<td>A-1</td>
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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: June 10, 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. Next open the bookmark at the top of the page and click on the Kochlin project name.)

Commissioner Comments and Questions:

Commissioner Johnson asked about the size of the 2.46 acre lot and why it is not 2.5 acres which will meet future requirements for 2.5 acres lots. Mr. Schmitz explained the requested lot size does meet the current minimum size for a lot in an Urban Transition Cluster District and pointed this out on the projected map. He stated he did not know why the applicant chose the 2.4 acre lot size as opposed to 2.5 acres.

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

Motion by Commissioner Watson to close the public hearing; second by Commissioner Hrabe to close the public hearing. The motion carried unanimously.
Motion by Commissioner Hartmann; second by Commissioner Huber based on the criteria for approval listed in the staff report, to recommend approval of the requested rezoning of 40 acres from Agricultural Preservation District to the Urban Transition Reserve District, making note the Sand Creek Township recommended approval of the request. Chair Vohhof asked for any discussion on the application. Hearing none, a voted was called. The motion carried unanimously.

Criteria for Approval (Chapters 2 & 34):

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.

IV. PUBLIC HEARING 6:35 PM: KENT GEDNALSKE PRIVATE RIDING ARENA (PL#2019-035)

A. Request for a Conditional Use Permit to Construct a Private Indoor Horse Riding Arena (PL#2019-035)

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<tr>
<th>Location:</th>
<th>Section 35</th>
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<tbody>
<tr>
<td>Township:</td>
<td>St. Lawrence</td>
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<tr>
<td>Current Zoning:</td>
<td>UER</td>
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</tbody>
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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: June 10, 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. Next open the bookmark at the top of the page and click on the Gednalske project name.)

Commissioner Comments and Questions:

Commissioner Hrabe inquired about the perpetuity language in the agreement with the applicant’s neighbor to allow for the spreading of the manure generated by the horses and if such language is typical versus listing a date. He had not seen this language used in an agreement before. He asked what would happen to the agreement should the current neighbor move. Mr. Hall referred the question to the applicant stating the applicant had interacted directly with the Soil and Water Conservation District on the matter.

Applicant Kent Gednalske reported the language in the agreement is the exact language the SWCD requested be used between the parties. He also stated he has spoken with an additional neighbor who will let him spread manure as well.
Commissioner Hentges commented, referencing her own horse farm, that from her experience manure is valued and in demand in the agricultural community. She uses it on her own fields as well and does not foresee any issues with the manure management.

Commissioner Vonhof asked about the building size and setback requirements.

Applicant Kent Gednalske reported the building does meet requirements for size and setbacks.

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 Hrabe; second by Commissioner Hentges based on the criteria for approval listed in the staff report, to recommend approval of the Conditional Use Permit for Kent & Brandi Gednalske to construct a private indoor riding arena. Chair Vonhof asked for any discussion on the application. Commissioner Johnson requested an amendment noting the township had approved the request. Commissioner Hrabe approved the amendment. A voted was called. The motion carried unanimously.

Criteria for Approval (Chapters 2, 9, & 30):

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.**
   - Adequate measures have been taken to provide ingress and egress, access to public roads and 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.

**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.

Chair Vonhof requested a discussion on the zoning requirements for riding arenas before Mr. Davis started his report. He noted that horse arenas used to be a permitted use in some zones in the county and then it was changed to a conditional use and thus requiring the hearing process. He remembers being on the board during the change. However, he stated it may be a matter to reconsider and questioned if this type of use could be done administratively at least in A-1 Zones due to the pre-set criteria. In agricultural zones it is not unlike having a barn.

Commissioner Hentges noted that when she added a horse arena about 30 years ago, they did not have to go through the conditional use hearing process.

Planning Manger Davis stated he would look further in the matter by reviewing the history of this type of arena and will consider it for future discussion. He recalled the concerns were related to more residential areas and the
generation of additional traffic. The conditional use would allow for informing neighbors of a larger building that may generate more traffic. It may make more sense in certain districts and zones over others.

Commissioner Vonhof replied he thinks it makes sense in more residential areas where there is an impact such as visual. Perhaps this was not foreseen during the decision to change from permitted use to conditional.

Commissioner Hentges noted her surprise over the concern of manure management in the arena because regardless of where the horses are being rode, they would be generating the same amount of manure.

V.  PLANNING MANAGER UPDATE-Presented by Brad Davis

In addition to the report, the Commissioner's had further discussion on various planning matters.

Commissioner Hartmann inquired about the continued process of approval after it has been approved by the Planning Commission. He asked if the project or criteria ever change for example the YMCA CUP.

Planning Manager Davis explained there may be changes to the criteria and conditions along the way prior to final approval by the Scott County Board of Commissioners. The YMCA CUP for example has gone through some revisions. When it came to the PAC it did not have a cap on the number of campers per week. Through working with the YMCA, the Township and others, there is now a cap on the number of attendees per day that has been agreed upon, an average of 500 the first 2 years and an increase to 520 after 2 years.

Commissioner Hartmann commented on a meeting with a Credit River land owner who showed him several areas of standing water in his fields which has been getting worse over the years. He asked about dealing with the increasing flow of water as more buildings are added to the land.

Planning Manager Davis stated this is what the engineers calculate, how much new surface is being added and what is left for infiltration. This is looked at for building permits, plats and conditional uses.

Chair Vonhof talked about his experience with the City of Prior Lake and their monitoring of impervious surfaces as it relates to watershed. He suggested having the Watershed District provide training on the subject to better understand the impact of the watershed.

Commissioner Huber commented on the updating of the hundred year flood models.

Commissioner Watson stated his agreement in the value of watershed training when making decisions about some of the projects.

Planning Manager Davis stated there are county staff that will be able to share and educate the Commission further on county watershed as well.

Commissioner Johnson inquired about the status of Credit River becoming a city.

Planning Manager Davis reviewed what he knew of the status of Credit River Township and the process they are going through to become a city.

VI.  GENERAL & ADJOURN

Motion by Commissioner Hentges; second by Commissioner Johnson to adjourn the meeting at 7:05 PM. The motion carried unanimously.

7/8/19

Date

Tom Vonhof
Chair, Planning Advisory Commission

Barbara Simonson
Deputy Clerk to the Board