



SCOTT COUNTY  
PLANNING ADVISORY COMMISSION  
MEETING MINUTES

Scott County Government Center  
200 Fourth Avenue West  
Shakopee, Minnesota

Monday, August 10, 2020  
County Board Room at 6:45 PM

**I. ROLL CALL AND INTRODUCTIONS**

Chair Vonhof opened the meeting at 6:45 PM with the following members present: Gary Hartmann, Ray Huber, Ed Hrabe by phone, Lee Watson, Barbara Johnson by phone and Donna Hentges by phone.

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

Phone attendees used Skype teleconference.

**II. APPROVAL OF JULY 13, 2020 PLANNING ADVISORY COMMISSION MINUTES**

**Motion by Commissioner Hrabe; second by Commissioner Hentges to approve the minutes of July 13, 2020 Planning Advisory meeting. The motion carried.**

**Chair Vonhof called for a roll call vote with results as follows:**

**Commissioner Vonhof: Aye**  
**Commissioner Hartmann: Aye**  
**Commissioner Hentges: Aye**  
**Commissioner Hrabe: Aye**  
**Commissioner Huber: Aye**  
**Commissioner Johnson: AyeP**  
**Commissioner Watson: Abstain**

**The motion passed with 6 Ayes and 1 Abstained vote.**

**III. CONSENT AGENDA**

(All items listed were considered by the Planning Commission to be routine and were enacted by one motion. There was no separate discussion of these items unless a Planning Commission Board member or public member so requested, in which event the item would be removed from the Consent Agenda to be considered separately. No such request was received.)

**3.1 PUBLIC HEARING 6:46 PM: JACKSON REZONE (PL#2020-038)**

- A. Request to Rezone 3 Acres from RR-1, Rural Residential Reserve District, to RR-2, Rural Residential Single-Family District.

**Location:** Section 13

**Township:** Spring Lake  
**Current Zoning:** RR-1

**Criteria for Approval:**

1. *The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official County Comprehensive Plan.*

The proposed rezoning conforms to the goals and policies contained in the 2040 Comprehensive Plan for the Rural Residential Growth area.

2. *The proposed use is or will be compatible with present and future land uses of the area.*

The use will remain single-family residential and the parcel size conforms with the 2040 Comprehensive Plan.

3. *The proposed use conforms to all performance standards contained in this Ordinance.*

The use of the property is not changing, the property will remain single-family residential.

4. *The proposed use can be accommodated with existing and planned public services and will not overburden the County or Township's service capacity.*

The use is not changing and therefore will not adversely impact public service capacity for local service providers.

5. *Traffic generation by the proposed use is within capabilities of streets serving the property.*

The existing residence has frontage on Revere Avenue and the access point will not be altered.

**3.2 PUBLIC HEARING 6:55 PM: HWY 169 COMMERCIAL FINAL PLAT (PL#2017-003)**

- A. Request for Final Plat of Highway 169 Commercial Plat Consisting of 6 Lots on 37.00 Acres.

**Location:** Section 21  
**Township:** Louisville  
**Current Zoning:** C-1

Item 3.2 was continued to the September Planning Commission Meeting.

**Motion by Commission Watson; second by Commission Johnson to approve the consent agenda as amended with item 3.2 continued. The motion carried based on a roll call vote.**

**Chair Vonhof called for a roll call vote with results as follows:**

**Commissioner Vonhof: Aye**  
**Commissioner Hartmann: Aye**  
**Commissioner Hentges: Aye**  
**Commissioner Hrabe: Aye**  
**Commissioner Huber: Aye**  
**Commissioner Johnson: Aye**  
**Commissioner Watson: Aye**

**The motion passed with 7 Ayes.**

**IV. PUBLIC HEARING 6:56 PM SHAKOEE BOWL (PL#2020-018)**

A. Request for Conditional Use Permit Amendment FOR Bowling Alley and Bar/Restaurant

**Location:** Section 22  
**Township:** Louisville  
**Current Zoning:**

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: [August 10, 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 Shakopee Bowl project name.)

Commissioner's Comments and Questions:

Commissioner Hartmann asked about noise tests and what do they take into consideration, such as highway noise. *Mr. Wagner made note of past projects such as mining operations when a noise study was done and how it was conducted, and that a base background reading is taken before measuring the noise generating activity.*

Commissioner Watson commented on condition number 11 and noted it appeared to be a standard condition. *Mr. Wagner explained it was standard for restaurants and cited other examples in the county of similar venues and hours.*

Commissioner Johnson asked for the amount parking spaces on the property.

*Applicant Dave Johnson approached the podium and reported they have 148 parking spaces and 6 handicapped spaces. Mr. Wagner noted in the staff report that 147 spaces are required for these uses.*

Commissioner Hrabe asked the applicant if he had any plans for pyrotechnics during the summer months.

*Applicant Dave Johnson reported he does have any plans or desires to do firework shows.*

Commissioner Hartmann asked about flea markets and where the applicant would set on up on the property and asked if applicant knew how many other bowling alleys were in Scott County.

*Applicant Dave Johnson reported that he has not had a flea market since he began to own the place in 2018. At this time, he has no plans to host one but also does not want to limit their options by removing that use from the CUP just in case they would ever want to host such an event. Applicant thinks the only remaining bowling alley is in New Prague with 8 lanes.*

Commissioner Hentges inquired about separate permits needed for large gatherings or assemblies. *Mr. Wagner responded that the County had amended the Large Assembly Ordinance regulations that would govern any use having over 250 people. The CUP would allow gatherings up to 250 but over 250 would require the Large Assembly Permit with review by the Township, County Sheriff's Office, and other County departments.*

Commissioner Huber asked applicant if alternative ideas to reduce noise towards the residential area have been discussed such as facing speakers towards the highway.

*Applicant Dave Johnson reported the property does have mature trees on the east side that will help reduce noise to the residents and will also be constructing a 6 ft fence. The music plan is to have acoustic music, which is in general more relaxing, easy going music for people to sit, talk, and enjoy their food. Speakers would be directed to the west towards Hwy 169. Applicant reported he is involved in local youth sports and sponsors fundraising events for the community sporting teams. He has special Olympic bowling on Saturdays. He wants it to be a family entertainment center and sports bar first not a bar/night club.*

Commissioner Hartmann inquired about water drainage and noted he has made observations about the flow of water in the area and does the applicant feel it is a concern.

*Applicant Dave Johnson noted there will be concrete curbing put it and they have already redone the whole parking lot due to damage caused by water and ice. This has improved the area greatly.*

Louisville Township representatives John Weckman and Bob Pieper commented on the how the applicant has been working with the Town Board to reach agreement on his desired use of the property including how to best limit and handle noise that may affect the area neighbors.

Planning Manger noted planning staff are monitoring a live email and would like to wait a few more minutes to see if any questions or comments have arrived in the email from other citizens.

Chair Vonhof inquired about plans to purchase additional land for parking. He also asked for clarification from Planner Greg Wagner about the final criteria and recommendations for the projects including information from the township planner Cindy Nash.

Applicant Dave Johnson reported he has first right of refusal to purchase an adjacent property should he want additional parking in the future.

Planner Greg Wagner clarified the criteria and recommendations for the Board.

The public hearing was opened to the public, no one from the general public approached the podium.

Planning Manager Brad Davis reported no other comments were received from the live email.

**Motion by Commissioner Hartmann to close the public hearing; second by Commission Watson. The motion carried with a roll call vote.**

**Chair Vonhof called for a roll call vote to close the public hearing with results as follows:**

**Commissioner Vonhof: Aye  
Commissioner Hartmann: Aye  
Commissioner Hentges: Aye  
Commissioner Hrabe: Aye  
Commissioner Huber: Aye  
Commissioner Johnson: Aye  
Commissioner Watson: Aye**

**The motion passed with 7 Ayes**

**Motion by Commissioner Watson; second by Commission Hartmann, based on the conditions and criteria for approval listed in the staff report, I recommend approval of the Conditional Use Permit Amendment for Shakopee Bowl, LLC to operate an Indoor Commercial Recreational Use (bowling alley), Outdoor Commercial Recreational Use (volleyball, whiffle ball) and a Bar/Restaurant, noting the amended conditions recommended by the Township and presented to the Planning Commission. The motion carried with a roll call vote.**

Commissioner Hartmann provided feedback commending the applicant and township for working together on the matter, to the Town Board for doing their homework and to the applicant for reviving the family friendly bowling alley.

Commissioner Johnson thanked Commissioner Hartmann for his recognition of the parties.

**Chair Vonhof called for a roll call vote to approve the request with results as follows:**

**Commissioner Vonhof: Aye  
Commissioner Hartmann: Aye**

**Commissioner Hentges: Aye**  
**Commissioner Hrabe: Aye**  
**Commissioner Huber: Aye**  
**Commissioner Johnson: Aye**  
**Commissioner Watson: Aye**

**The motion passed with 7 Ayes.**

**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 use has been operating since 1978 and has not created a burden on public facilities or utilities.*

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 5-acre parcel is surrounded on all sides by vacant commercially zoned property. The nearest residential home is 1/8 mile to the east and the east lot line of the subject property has a mature wood line that provides screening.*

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 bowling alley building is a precast concrete structure constructed in 1998 and is similar to other commercial venues of this type. They have added windows and doors to improve lighting in the bar/restaurant 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.

*Indoor and Outdoor Commercial Recreation are allowed as Administrative Permits in the Commercial District. Bars/Restaurants are allowed via Conditional Use Permits.*

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

*The Comprehensive Plan guides this property as Commercial, which would support this type of recreational use and bars/restaurants.*

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 site has two existing paved accesses to 133<sup>rd</sup> Street West, a paved township road, and the applicants repaved and striped the parking lot where it previously had no delineated parking rows or spaces. Proposed parking meets County Ordinance standards for required spaces. No off-site parking is allowed.*

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

*The facility has its own well for water supply and has a septic system that has passed compliance inspections in 1998 and 2018. The applicants have also begun pumping the system on a quarterly basis as recommended by Scott County Environmental Services.*

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

*Building permits have been obtained for the remodeling work as required by the State Building Code and Scott County Building Official.*

**Conditions of Approval:**

1. The applicant is to file with ~~Scott County Planning Office~~ Scott County Zoning Administration in January of each year a statement indicating that ~~he is the site and business are~~ in compliance with the conditions of the Conditional Use Permit (CUP). ~~Failure to do so may be a basis for revocation of the Conditional Use Permit.~~
2. If ownership of the business changes, the new owner shall contact the ~~Scott County Planning Office~~ Zoning Administration and Louisville Township to review the conditions of the permit.
3. This CUP issued specifically to Shakopee Bowl LLC (d.b.a. Horseshoe Bar and Grill) to allow an indoor/outdoor commercial recreational facility, bar/restaurant, and certain outdoor events
  - a. Outdoor commercial recreational consists of the volleyball courts, whiffleball fields, and recreational games area, all as shown on the site plans.
  - b. Outdoor events consisting of periodic special events limited to less than 250 persons and are also limited to car shows, flea markets, antique shows, corporate functions, weddings, farmers market, and family carnivals.
4. Any one-time outdoor event in excess of 250 people shall be subject to the Scott County Large Assembly Ordinance procedures and requirements. The maximum number of people at any outdoor event shall be ~~limited to 1,000~~ established as part of a Large Assembly Permit Application review by the County and Township Board.
5. All parking shall be provided on site. No parking shall be allowed on private driveways or state, county, or township road rights-of-way. All lighting shall comply with the Scott County Zoning Ordinance for lighting standards.
6. Signage shall comply with the Scott County Zoning Ordinance for signage. ~~be limited to 400 sq. ft. allowed by Variance #850-V-2 approved in 1982.~~
7. ~~All outdoor events shall be located west of the existing building.~~ The site shall be developed in compliance with existing building and outdoor facilities (volleyball courts and associated patio), and new outdoor recreation areas as identified on the application site plan that include a 50'x 50' concrete patio for bar/restaurant seating, a 30'x 50' concrete area for recreational games (corn hole, rope toss, and other similar games) with seating and a 42"x42" firepit, a 20'x 40' smoking patio, and a 100'x 100' whiffle ball play field. (Site plans attached to this report will be stamped and dated on County Board approval date).

8. Alcoholic beverages may be allowed by legal permit approved liquor license for the sale and consumption of alcohol according to state and county regulations.
- ~~9. The applicant shall provide fire protection, medical services, and security for outdoor events. (Condition removed as it would be addressed under a Large Assembly Permit Application).~~
- ~~10. All solid waste shall be properly disposed of within 24 hours of an outdoor event. (Condition removed as it would be addressed under a Large Assembly Permit Application).~~
11. Hours of operation for serving food and liquor on the outdoor patios shall be from 9:00 a.m. to 1:00 a.m., or as otherwise established under an approved liquor license. Hours of operation for outdoor events, specifically the volleyball courts and wiffleball field, shall be limited from 9:00 a.m. – 10:00 p.m. on Sunday through Thursday, and until 11:00 p.m. on Friday and Saturday.
12. Live music allowed outside on the patio area shall consist of acoustic style performance with acoustic style speakers only. Speakers shall face westward, so sound is directed toward the west opposite from residential areas to the east and south. Hours for any outdoor patio music shall be 9:00 a.m. to 10:00 p.m. Noise levels shall at all times comply with MPCA decibel standards for noise control. Further, no music, instruments, speakers, or other device for the production or reproduction of sound in a distinctly and loudly audible manner as to disturb the peace, quiet, and comfort of any person nearby is permitted. Noise from music or the gatherings of persons on the property between 10:00 p.m. and 9:00 a.m. in such a manner as to be plainly audible at the property line of the structure or building in which it is located shall be a violation.
13. No camping or open fires shall be allowed, except for the outdoor fire pit allowed on the patio.
14. Operation of the property shall be in conformance with Louisville Township ordinances, including but not limited to nuisance and parking ordinances, as amended from time to time.
- ~~15. No concerts or bands shall be permitted at an outdoor event without prior written approval of the Louisville Town Board. (Condition removed as it would be addressed under a Large Assembly Permit Application).~~
- ~~16. The request shall not be forwarded to the County Board until the compliance inspection for the sewer system has been evaluated and approved by County staff. (Condition removed as septic system compliance is reviewed for any building permit and a 2018 passing compliance inspection report was received).~~
- ~~17. Restroom facilities for outdoor events shall be provided by portable facilities in compliance with requirements of the Department of Health. (Condition removed as it would be addressed under a Large Assembly Permit Application).~~
- ~~18. The applicant shall provide the County and Town Board with an operational plan of events at least 30 days prior to each event. (Condition removed as it would be addressed under a Large Assembly Permit Application).~~

~~19. This CUP shall be reviewed in November of 1998 to review compliance of the conditions.  
(Condition removed as passing compliance inspection received in 2018).~~

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

**VI. GENERAL & ADJOURN**

**Motion by Commissioner Huber; second by Commission Watson to adjourn the meeting at 7:47 PM. The motion carried unanimously.**

  
Tom Vonhof  
Chair, Planning Advisory Commission

Date 9/14/2020

  
Barbara Simonson  
Deputy Clerk to the Board

Date 9/14/2020