



PLANNING COMMISSION MEETING AGENDA
TUESDAY JANUARY 20, 2025

7:30 PM REGULAR MEETING

1. Call to Order
2. Roll Call
3. Annual Election of Commission Chair and Vice Chair.
4. Approval of Minutes:
 - a. November 18, 2025, Planning Commission Meeting Minutes.
 - b. January 6, 2026, City Council Meeting Minutes (For Information Only).
5. **PUBLIC HEARING** – Mike Kuka (Applicant/Owner) requests that the City consider the following action for the property located at 4405 County Road 92 N, Independence, MN (PID No. 04-118-24-31-0002):
 - a. A conditional use permit (CUP) to allow a detached accessory building to exceed 5,000 square feet. The applicant has an existing detached accessory building that is currently larger than 5,000 SF (approximately 8,000 SF) and considered lawful non-conforming. The applicant would like to add approximately 4,800 square feet to the existing building which will enlarge the structure and create the need for the conditional use permit.
6. Open/Misc.
7. Adjourn.



PLANNING COMMISSION MEETING AGENDA
TUESDAY, NOVEMBER 18, 2025

7:30 PM REGULAR MEETING

1. Call to Order

Pursuant to due call and notice thereof, a work session of the Independence Planning Commission was called to order by Acting Chair, Tearse at 7:30 p.m.

2. Roll Call

PRESENT: Tearse, Dumas, Volkenant, Alternates Story and Usset

ABSENT: Thompson, Gardner

STAFF: City Administrator Kaltsas, Administrative Services Director Simon

VISITORS: See Sign-in Sheet

3. Approval of Minutes:

- a. October 21, 2025, Planning Commission Meeting Minutes.
- b. November 4, 2025, City Council Meeting Minutes (For Information Only).

Motion by Story, seconded by Dumas to approve the minutes. Ayes: Volkenant, Dumas, Tearse, Usset and Story. Nays: None. Absent: Gardner and Thompson. Abstain: None.

Motion Approved. 5-0

4. PUBLIC HEARING – Mark Moorhouse (Applicant/Owner) is requesting the following action for the properties located on County Road 11 (PID No's. 08-118-24-12-0001, 08-118-24-11-0002 and 08-118-24-14-0001) in the City of Independence, MN.

- a. A minor subdivision to allow a lot combination of the following properties: (PID No's. 08-118-24-12-0001, 08-118-24-11-0002 and 08-118-24-14-0001). The proposed combination would consolidate the three (3) properties into one (1) property.

City Administrator Mark Kaltsas presented the first application requesting a minor subdivision to allow a lot combination for properties surrounding 8145 County Road 11. Kaltsas explained that

the request would consolidate three properties owned by Mark Moorhouse into one property: Parcel A (39.99 acres), Parcel B (76.8 acres) which includes a house and accessory structures, and Parcel C (41.9 acres) which is located against Robina Lake. The combined property would total 158.7 acres.

Kaltsas noted that the city allows minor subdivisions for property rearrangements that do not create additional lots. He explained that the properties would continue to meet all requirements for the agriculture zone, and no new nonconformities would be created. Kaltsas added that the county had previously requested 17 additional feet of right-of-way along County Road 11, which would be included as a condition of approval.

In response to Commissioner Dumas's question about building eligibility, Kaltsas clarified that in their current condition, Parcel A and Parcel C each have eligibility for a dwelling unit, while Parcel B has already used its eligibility despite being over 40 acres. By combining the properties, the applicant would be giving up these separate eligibilities, retaining only one principal structure on the combined property.

The public hearing was opened.

Several residents spoke with concerns:

Karen Carlson, a resident at 3450 County Road 92 North, asked about the purpose of the combination and how it would affect future lot divisions. She expressed concerns about the lack of information regarding the long-term plans for the property and noted ongoing construction noise issues.

Steve Eckman, a former commissioner, raised questions about the property's ownership structure (Robina Acres LLC) and potential tax implications. He voiced concerns about the extensive development activity occurring on the properties, describing it as "an industrial zone for the last 2 years" with continuous truck traffic and construction.

Tim Carter expressed concern about the possibility of additional outbuildings being constructed once the lots were combined. He acknowledged the applicant would have fewer options for future lot splits but more flexibility for accessory buildings.

Kent Anderson, a resident south of the property, asked how much influence resident concerns have on commission decisions and expressed frustration about ongoing noise pollution from construction activities.

The public hearing was closed.

Commissioners discussed the application and acknowledged neighbors' concerns but noted that the request itself was straightforward and met all requirements. They discussed that the application would actually reduce future development potential by eliminating building eligibilities.

Motion by Usset, seconded by Story to recommend approval of the application for the minor subdivision to allow a lot combination at 7949 County Road 11, subject to staff recommendations 1 through 5. Ayes: Volkenant, Dumas, Tearse, Story and Usset. Nays: None. Absent: Gardner and Thompson. Abstain: None. Motion Approved. 5-0

5. **PUBLIC HEARING** – Mark Moorhouse (Applicant/Owner) is requesting the following action for the properties located on County Road 11 (PID No's. 09-118-24-22-0004, 09-118-24-22-0005 and 09-118-24-21-0001) in the City of Independence, MN.
 - a. A minor subdivision to allow a lot combination of the following properties: (PID No's. 08-118-24-12-0001, 08-118-24-11-0002 and 08-118-24-14-000). The proposed combination would consolidate the three (3) properties into one (1) property.

City Administrator Kaltsas presented the second application from Mark Moorhouse, requesting a similar minor subdivision to combine three properties adjacent to 7949 County Road 11. The three parcels measure 41.16 acres, 37.54 acres, and 39.3 acres, for a combined total of 118.08 acres.

Kaltsas explained that the applicant was required to combine two of these properties (7949 County Road 11 and 7855 County Road 11) as a condition of a previously approved conditional use permit for a ground-mounted solar array. He noted that these two properties had previously been a single parcel before being split prior to the current ownership.

The public hearing had been conducted jointly with the previous item, so all public comments applied to both applications.

During deliberation, commissioners discussed recommending that the City Council consider expanding the notification radius for future applications and explore potential actions to address the concerns about ongoing construction noise that were raised by multiple residents.

Motion by Usset, seconded by Story to recommend approval of the application regarding the minor subdivision at 8145 County Road 11, subject to staff recommendations 1 through 5, with additional recommendations that Council consider: (1) increasing the radius for notification as a city business rule or potential ordinance, and (2) exploring potential actions to mitigate noise and disruption to neighbors from ongoing construction activities. Ayes: Volkenant, Dumas, Tearse, Story and Usset. Nays: None. Absent: Gardner and Thompson. Abstain: None. Motion Approved. 5-0

6. Open/Misc.

City Administrator Kaltsas informed the commission there would be no December meeting. He mentioned that results from a comprehensive water study would be available in the coming weeks, which would lead to further discussions about developing a water system for Independence that could potentially serve the airport property south of town.

Commissioner Tearse asked about activity on County Road 92 north of Highway 6, and Simon confirmed it was drain tile work being done on a farm property.

7. Adjourn.

**Motion by Story, seconded by Volkenant to adjourn the meeting at 8:35pm.
Motion Approved. 5-0**

Respectfully Submitted,

Amber Simon/Recording Secretary



CITY COUNCIL MEETING MINUTES
TUESDAY JANUARY 6, 2026

CITY COUNCIL MEETING TIME: 6:30 PM

1. CALL TO ORDER

Mayor Brad Spencer called the meeting to order on Tuesday, January 6, 2026, at 6:30 PM

2. PLEDGE OF ALLEGIANCE

Mayor Spencer led the group in the Pledge of Allegiance.

3. ROLL CALL

PRESENT: Spencer, Fisher, McCoy, Grotting (virtual)

ABSENT: Betts

STAFF: City Administrator Kaltsas, Administrative Services Director Simon, PW
Supervisor Ben Lehman

4. **CONSENT AGENDA******

Mayor Spencer stated that the consent agenda items would be considered routine and acted on by one motion unless someone would like to remove an item for discussion. The consent agenda

- a. Approval of City Council Minutes from the December 16, 2025, Regular City Council Meeting.
- b. Approval of City Council Minutes from the December 16, 2025, Joint City Council Meeting (City of Independence and City of Maple Plain)
- c. Approval of Accounts Payable; (Batch #1 - Checks No. 24107-24140).
- d. *For Information* – Elected and Appointed Current Term Status.

Motion by Fisher, seconded by McCoy to approve the consent agenda. Ayes: Spencer, Fisher, McCoy, Grotting. Nays: None. Absent: Betts. Abstain: None. Motion Approved. 4-0

5. Annual City Council Appointments.

a. **RESOLUTION No. 26-0106-01 - Annual Organizational Appointments.**

The Council reviewed the annual organizational appointments. Mayor noted that Councilmember Steve Grotting would be absent frequently during the spring and asked if he wanted to continue with his current appointments or make changes. Grotting expressed a preference to maintain his positions with backup support when needed. Councilmember Fisher agreed to serve as Grotting's backup for Public Works when he is unavailable.

The Council also discussed other appointments, including the Maple Plain Fire Department Commission, which is anticipated to be terminated in the next couple of months following the fire department merger. The Mayor indicated he would contact Joe Baker to confirm his willingness to continue serving in his appointed role.

The Council also briefly discussed the requirement to maintain official newspapers for legal notices, with Crow River News designated as the official paper and Pioneer and Delano as optional papers for publication. There was discussion about the outdated nature of this state requirement given declining newspaper subscriptions, with the hope that eventually state statute would change to allow website posting for legal purposes.

Motion by McCoy, seconded by Fisherto approve Resolution 26-0106-01 for annual organization appointments. Ayes: Spencer, Fisher, McCoy, Grotting. Nays: None. Absent: Betts. Abstain: None. Motion Approved. 4-0

6. Annual Fee Schedule Adoption.

a. **ORDINANCE No. 2026-01 – Adopting the 2026 Fee Schedule Adoption.**

City Administrator Mark presented the annual fee schedule, noting that there were no significant changes from the previous year except for a recommended 3% increase in the city sewer quarterly access and availability charges to keep pace with inflation. He explained that a comprehensive sewer fund capital plan is in development and will be presented to the Council in the first half of the year.

The Administrator further detailed that staff has been evaluating all 34 lift stations, including pumps, panels, and physical structures, to create a 10-year capital plan for the sewer system. This will allow for better financial planning rather than the reactive approach taken in previous years. The Mayor noted that historically the sewer fund had been managed on a break-even basis including depreciation but without adequate capital budgeting for replacements.

Motion by McCoy, seconded by Fisher to approve Ordinance 2026-01 adopting the 2026 Fee Schedule. Ayes: Spencer, Fisher, McCoy, Grotting. Nays: None. Absent: Betts. Abstain: None. Motion Approved. 4-0

7. Reports of Boards and Committees by Council and Staff.

Council member Fisher Attended the following meeting:

- None

Council member McCoy Attended the following meeting:

- Joint Council Meeting

Council member Grotting Attended the following meeting:

- Conversation with Lehman about upcoming PW projects for this year

Mayor Spencer Attended the following meeting:

- Joint Council Meeting
- Met with Mayor Maas-Kuske

8. Open/Misc.

The Mayor reported on discussions with Mayor Julie Mosski regarding the potential establishment of a special taxing district overlay for fire services, which would not necessarily run the fire department but would pay for fire services. This would offer flexibility and could incorporate factors beyond taxable market value, such as calls for service. He noted that Medina has also expressed interest in this approach, and suggested employing lobbyists to help draft legislation for a special district.

Councilmember McCoy mentioned the importance of participating in the upcoming fire station study.

The Administrator provided an update on the water feasibility study, indicating that internal meetings have been held with consultants and another meeting is scheduled for January 14th. Following that meeting, a workshop will be scheduled with the Council to present initial findings regarding water service options for future development areas.

The Mayor informed the Council that Medina will be discussing the Lake Independence/Snow Lake zone on January 20th, which conflicts with Independence's meeting schedule. He noted that Medina's draft ordinance still included wake boat regulations that Independence had removed from their version, suggesting further coordination would be needed to avoid confusion during the upcoming boating season.

The Mayor also shared that he had received Greenfield's engineering study for improvements to the Lakes boat access, which proposed \$400,000 in upgrades to make it ADA compliant without adding capacity. He has been in communication with the DNR about the project and noted that Independence controls the top of the hill and should have input on any changes.

The Administrator reported that the city had been released from its MS4 permit requirements, though staff would evaluate which construction policies meeting those standards should be maintained despite being relieved from the reporting requirements.

9. Adjourn.

Motion by McCoy, seconded by Fisher to adjourn the meeting at 6:49PM. Ayes: Fisher, Spencer, McCoy, Grotting. Nays: None. Absent: Betts. Abstain: None. Motion Approved. 4-0

■City of Independence

Request for a Conditional Use Permit to Allow the Expansion of an Existing Accessory Building that will Exceed 5,000 SF on the Property Located at 4405 County Road 92 N.

<i>To:</i>	Planning Commission
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	January 20, 2026
<i>Applicant:</i>	Mike Kuka
<i>Owner:</i>	Mike Kuka
<i>Location:</i>	4405 County Road 92 N

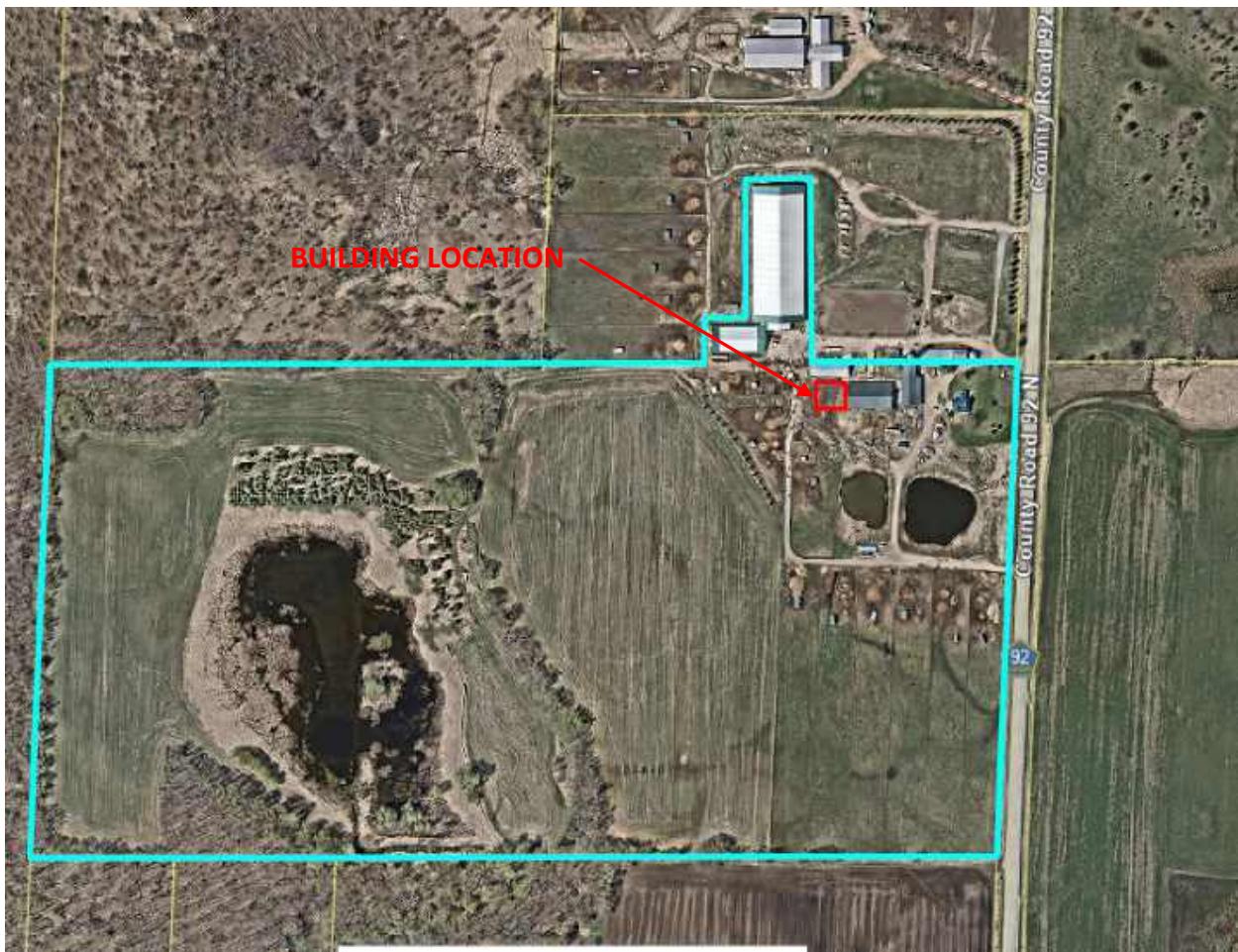
Request:

1. Mike Kuka (Applicant/Owner) requests that the City consider the following action for the property located at 4405 County Road 92 N, Independence, MN (PID No. 04-118-24-31-0002):
 - a. A conditional use permit (CUP) to allow a detached accessory building to exceed 5,000 square feet. The applicant has an existing detached accessory building that is currently larger than 5,000 SF (approximately 7,200 SF) and considered lawful non-conforming. The applicant would like to add approximately 4,800 square feet to the existing building which will enlarge the structure and create the need for the conditional use permit.

Property/Site Information:

The property is located on the west side of CSA H 92 and north of CSAH 11. The property is comprised of rolling topography, ponds, wetlands and pasture. The applicant has two properties under the same ownership. The property has the following characteristics:

Property Information 4405 County Road 92 N
Zoning: *Agriculture*
Comprehensive Plan: *Agriculture*
Acreage: 80.07 acres



Discussion:

The applicant is seeking a Conditional Use Permit to allow the expansion of the existing detached accessory structure "barn" which would exceed 5,000 SF. The existing detached accessory building is considered lawful non-conforming as it was constructed prior to the adoption of the current standard and was not permitted via a conditional use permit. The existing detached accessory structure is 60 x 120 (7,200 SF). The applicant would like to add a 60 x 80 (4,800 SF) addition onto the existing building that would bring the total square footage to 12,000 SF (see attached plans). This would exceed the maximum amount of square footage permitted for a single accessory building (5,000 SF).

The total square footage of all detached accessory structures for properties greater than 10 acres is unlimited. The applicant is proposing to expand the building for their own personal agricultural use. It should be noted that this building is not considered a part of the commercial riding stable that is also located on this property. Any approval of this conditional use will contain a prohibition on the use of this building for commercial uses and or in association with the commercial riding stable. The existing building is located in the general vicinity of the other accessory buildings on property and not near an edge or adjacent property. The existing building is located approximately 50' from the north (side) property line.

The city requires a minimum of 15' from a side property line for detached accessory buildings. All other setbacks significantly exceed applicable standards and would be fully compliant.

The criteria for granting a conditional use permit are clearly delineated in the City's Zoning Ordinance (Section 520.11 subd. 1, a-i) as follows:

1. The conditional use will not adversely affect the health, safety, morals and general welfare of occupants of surrounding lands.
2. The proposed use will not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity for the proposes already permitted or on the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.
3. Existing roads and proposed access roads will be adequate to accommodate anticipated traffic.
4. Sufficient off-street parking and loading space will be provided to serve the proposed use.
5. The proposed conditional use can be adequately serviced by public utilities or on-site sewage treatment, and sufficient area of suitable soils for on-site sewage treatment is available to protect the city form pollution hazards.
6. The proposal includes adequate provision for protection of natural drainage systems, natural topography, tree growth, water courses, wetlands, historic sites and similar ecological and environmental features.
7. The proposal includes adequate measures to prevent or control offensive odor, fumes, dust, noise, or vibration so that none of these will constitute a nuisance.
8. The proposed condition use is consistent with the comprehensive plan of the City of Independence.
9. The proposed use will not stimulate growth incompatible with prevailing density standards.

Consideration for the proposed conditional use permit should weigh the impact of constructing an accessory building that exceeds 5,000 square feet. The city established the maximum accessory building size of 5,000 SF so that it could vet larger buildings given their potential impact on surrounding properties. The location of the existing building on the property, building setbacks, building height and other features of the building are permitted in the A-Agriculture zoning district. Given the size of the property, size of other existing structures on the property, and the applicant's ability to meet and exceed all applicable setbacks, the impact of the proposed structure relating to the standards for issuing a conditional use permit appear to have been met.

The proposed amendment is generally consistent with the use of similar Agriculture zoned properties in this area. Should the CUP be approved by the City Council, the Planning Commission has recommended that the following conditions be noted by the City:

- Any modifications to the structure or intensification of the use will be reviewed by the City and will be subject to all applicable standards and requirements.

- The use of this building will need to conform to all applicable standards in the A-Agriculture zoning district.
- The proposed building cannot be used for any commercial uses and cannot be used in relation to the existing commercial riding stable on the same property.
- The applicant shall ensure that all work related to the grading, drainage and restoration activities on this property be completed in accordance with all applicable standards.
- The city will require the applicant to provide a grading plan prior to issuance of building approval.
- The proposed building addition can be seen on the exhibit below (shown in red).



The Planning Commission will need to review the request and determine that all criteria for granting a conditional use permit have been satisfied by the applicant. Based on the discussion and public hearing it may be necessary to consider additional conditions if recommended for approval.

Recommendation:

Staff is seeking a recommendation from the Planning Commission for the request for a Conditional Use Permit. Should Planning Commission recommend approval of the request, the following findings and conditions should be considered:

1. The proposed Conditional Use Permit request meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. Any modifications to the structure or intensification of the use will be reviewed by the City and will be subject to all applicable standards and requirements.
3. The use of this building will need to conform to all applicable standards in the A-Agriculture zoning district.
4. The proposed building cannot be used for any commercial uses and cannot be used in relation to the existing commercial riding stable on the same property.
5. The applicant shall ensure that all work related to the grading, drainage and restoration activities on this property be completed in accordance with all applicable standards.
6. The city will require the applicant to provide a grading plan prior to issuance of building approval.
7. The applicant shall pay for all costs associated with processing, reviewing and recording the conditional use permit.

Attachments:

1. Property Pictures
2. Building Floor Plan and Elevation

Attachment #1

(Looking South



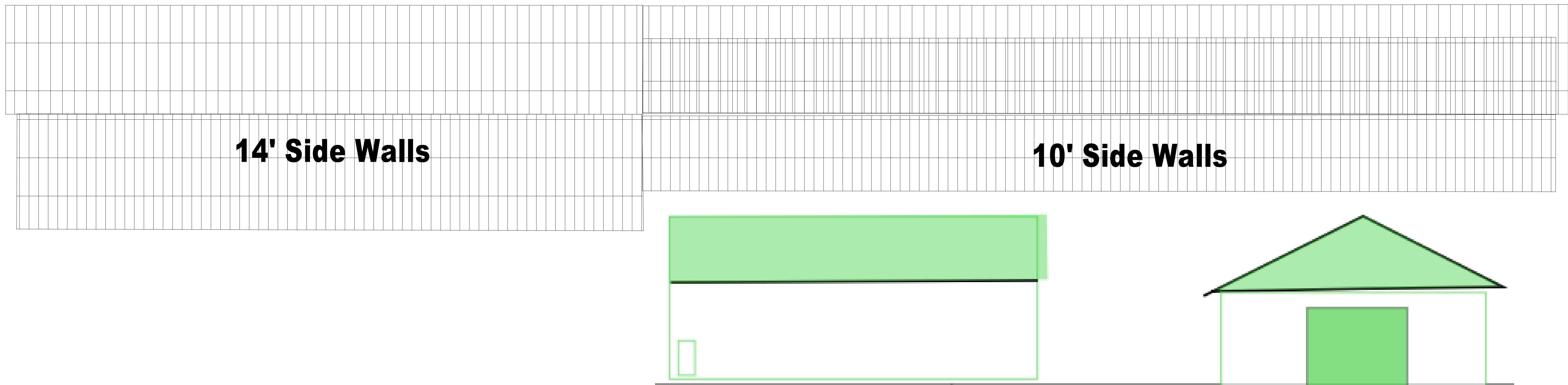
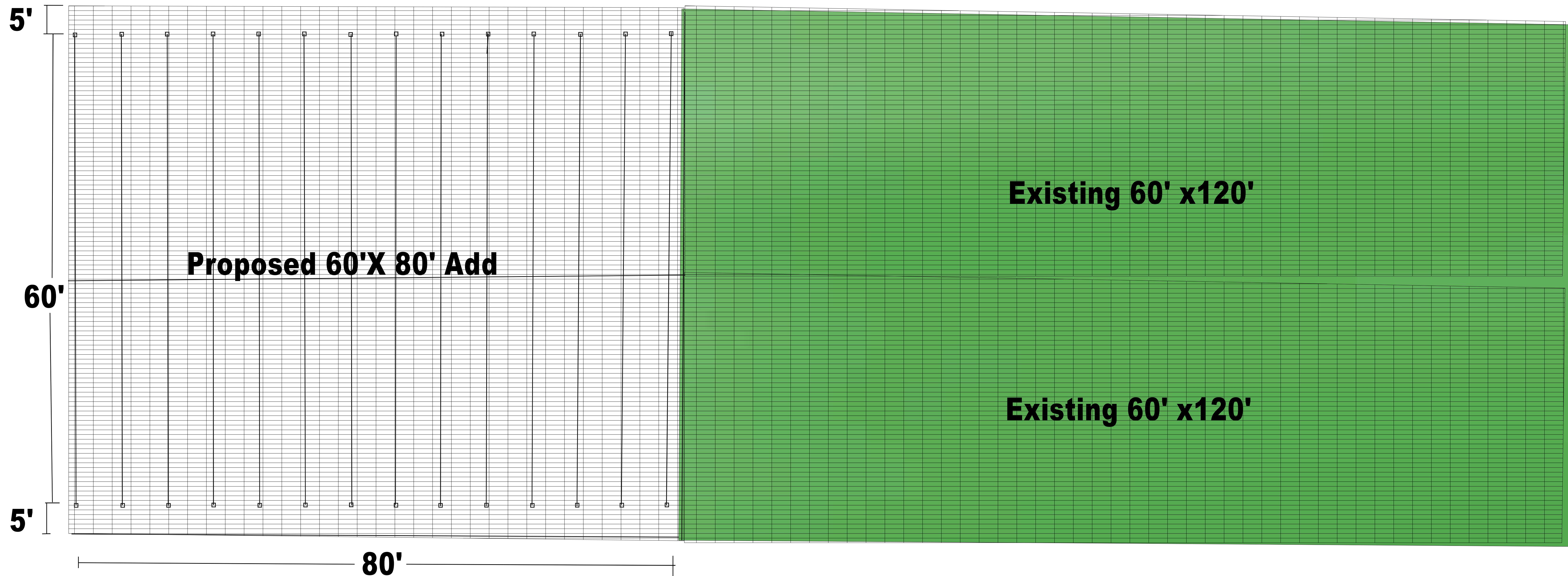
(Looking North)



(Looking Northwest)



Kuka Equestrian Ctr



Revision #: 001

Date: 11/6/2025

Scale:

1" = 6'

Landscape Plan: 80 x60' Add

Kuka Shed Add

Landscape Design by: Mike Kuka

L&K Tree & Shrub Inc.