



JOINT PLANNING COMMISSION/CITY COUNCIL MEETING AGENDA
TUESDAY DECEMBER 18, 2018

7:00 PM

1. Call to Order
2. Roll Call
3. Consider Approval of the Minutes from the October 16, 2018 Regular Planning Commission Meeting (Planning Commission)
4. Consider Approval of the Draft 2040 Comprehensive Plan.
 - a. Planning Commission Recommendation to City Council to Approve the 2040 Draft Comprehensive Plan (Planning Commission).
 - b. City Council **RESOLUTION 18-1218-01** – Approving the Draft 2040 Comprehensive Plan (City Council).
5. Adjourn.

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE PLANNING COMMISSION
TUESDAY, OCTOBER 16, 2018 – 7:30 P.M.

1. CALL TO ORDER

Pursuant to due call and notice thereof, a regular meeting of the Independence Planning Commission was called to order by Commissioner Gardner at 7:30 p.m.

2. ROLL CALL

PRESENT: Commissioners Thompson, Dumas and Gardner
STAFF: City Administrator Kaltsas, Administrative Assistant Horner
ABSENT: Chair Phillips and Commissioner Palmquist
VISITORS: Rick and Kari Strom, John Sega, Lynda Franklin

3. APPROVAL OF MINUTES:

- a. September 18, 2018 Planning Commission Meeting
- b. October 2, 2018 City Council Meeting Minutes (For Information Only)

Motion by Thompson to approve the September 18 Planning Commission Minutes, second by Dumas. Ayes: Thompson, Gardner and Dumas. Nays: None. Absent: Phillips and Palmquist. Abstain. None. Motion Approved.

4. **PUBLIC HEARING:** Richard and Kari Stromer (Applicant/Owner) requests that the City consider the following action for the properties located at 2828 County Line Road (PID No. 18-118-24-24-0003) in Independence, MN:

- a. A minor subdivision to allow a lot line rearrangement between the two existing parcels.

Kaltsas said the applicants approached the City about the possibility of subdividing their property into two lots in 2017. At that time the applicant and the City believed that there was one property with a total of 19 acres. The City considered and denied a variance to allow the subdivision of a property in the AG-Agriculture zoning district that was less than 40 acres. Since the City denied the application for a variance and minor subdivision in 2017, the applicant has further reviewed the title for the property. The applicant has discovered that the property is comprised of two underlying and individual properties that were never formally combined by the City. The previous owner of the property combined the property identification numbers for tax purposes at the County, but never formally combined the properties with the City.

The City's attorney has reviewed the title evaluation prepared by the Applicants attorney and agrees with the findings. As a result, the City recognizes the two individual properties. Within the AG-Agriculture zoning district, the subdivision of property is prohibited with the exception of lot line rearrangements and rural view lot subdivision. The applicant is proposing to rearrange the lot line by moving the north-south property line to the east to align with the centerline of the existing creek. The west property has an existing home and accessory structures that are accessed via Maria Rd. to the west. The proposed new property would have the following detail:

Min. Lot Size: 2.5 Acres (Buildable Upland)
Proposed Lot Size: 4.32 Acres
Min. Lot Frontage Required: 250 Lineal Feet
Lot Frontage Proposed: 440 Lineal Feet
Min. Upland Acreage Required: 2.5 Acres
Upland Acreage Proposed: 2.76 Acres

The remainder property with the existing home and accessory structures would not be negatively impacted because of the proposed subdivision. The proposed new parcel would not create any nonconformities or reduced setbacks relating to the remainder property, the existing home or accessory buildings. There are several additional considerations that should be noted by the City when considering this request:

- a. The east property will be accessed via Nelson Road.
- b. The Applicant had previously completed the requisite report verifying that both properties can accommodate a primary and secondary on-site septic system. The locations of the sites are shown on the attached survey.
- c. The proposed lot line rearrangement would create two properties that meet all other applicable criteria of the City's zoning ordinance.
- d. The Applicant has prepared the requisite 10-foot drainage and utility easements around the perimeter of both properties.

The proposed Tract A would be required to pay the City's Park Dedication fee. For this property, the park dedication fee amount is \$3,500.00. This fee will need to be paid prior to recording the subdivision. Park dedication fee \$3,500 per lot up to 4.99 acres, plus \$750 per acre for each acre over 5.
4.32 acres = \$3,500

Staff is seeking a recommendation from the Planning Commission for the requested variance and minor subdivision with the following findings and conditions:

1. The proposed minor subdivision request meets all applicable conditions and restrictions stated in Chapter V, Section 500, Subdivisions, in the City of Independence Zoning Ordinance.
2. The Applicant shall provide, execute and record the requisite drainage and utility easement with the county within six (6) months of approval.
3. The Applicant shall pay the park dedication fees in the amount of \$3,500 prior to the applicant receiving final approval to record the subdivision by the City.
4. The Applicant shall pay for all costs associated with the City's review of the requested subdivision.
5. The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.

Thompson asked how the taxes would work with the combination of lots. Kaltsas said the properties would be separated with two different PID's. Historically it was easy for property owners to go to the county and request two PID's and the City may not even be aware of that or recognize the split. Kaltsas said the City needs to approve the split of the property and then the County can assign two PID's. Dumas said there appears to be a duality with this parcel. Kaltsas said it is a complicated issue but noted the PID doesn't create a new lot or combine lots. Kaltsas said taxes would have been wholly different if it was taxed as one property.

Public Hearing Open

Motion by Thompson to close the Public Hearing, second by Dumas.

Public Hearing Closed

Motion by Thompson to approve a minor subdivision to allow a lot line rearrangement between the two existing parcels for the properties located at 2828 County Line Road (PID No.18-118-24-24-0003) in Independence, MN; second by Dumas. Ayes: Thompson, Gardner and Dumas. Nays: None. Absent: Phillips and Palmquist. Abstain. None. Motion Approved.

5. PUBLIC HEARING: John Segal (Applicant) and MN Horsepower LLC (Owner) request that the City consider the following actions for the property Located at 9255 County Road 6 (PID No. 31-118-24-34-001) in Independence, MN:

- a. A minor subdivision to allow a rural view lot subdivision to divide the property; the northerly parcel consisting of ~10 acres, and the southerly parcel consisting of ~72 acres.
- b. A conditional use permit allowing the following:
 - i. A commercial riding stable.
 - ii. An accessory building which is greater than 5,000 square feet.

Kaltsas said the property is located on the south side of CSAH 6 near the intersection of CSAH 6 and CSAH 157. The property is comprised of an existing home, barn and several additional detached accessory structures. The property has pasture areas, paddocks and is heavily wooded. The Applicant approached the City about purchasing the subject property and converting the private horse facilities into a commercial riding stable.

In addition, the Applicant would like to subdivide the portion of the property that is separated by and lies north of CSAH 6 using the rural view lot subdivision provisions. The existing property has a home, existing barn/indoor riding arena and several additional detached accessory structures. The property has a conditional use permit which allows a non-rental guest apartment. The Applicant currently operates a commercial horse facility on a property in Minnetrista and has been looking for a permanent home in this area. The Applicant will be living on the property. The Applicant is asking the City to consider granting a conditional use permit for a commercial riding stable that would allow the boarding of up to 50 horses on the property along with the construction of a new indoor riding arena that would be larger than 5,000 sf.

Both requests require a conditional use permit from the City. The proposed commercial boarding stable would have the additional following characteristics:

NOTE: Applicants narrative attached to this report may have several discrepancies from the report. The information in this report is the most current information and should be considered.

1. The existing horse barn is two stories and has eight stalls, storage space and a tack room.
2. The proposed indoor riding arena would be 24,750 sf and would have 30 additional stalls.
3. There is an existing 2-bedroom non-rental guest quarters attached to the existing home. The Applicant is proposing to continue using the conditional use permit for the guest quarters and would likely have 1-2 full time employees housed on the property.
3. The applicant is proposing to have a maximum of 50 horses boarded on the property at any time.
4. Access to the property for the boarders would be permitted only between the hours of 7:00 am and 10:00 pm daily.
6. The Applicant would have regular deliveries of shavings which typically come via a single-axel truck weekly or less.
7. The Applicant would have a Ferrier come to the site to shoe the horses on a regular basis. This would likely result in weekly visits. The horses are shod every 5 weeks.
8. There would be regular weekly garbage service to the property.
9. Manure is proposed to be composted on-site using a three-bin system (additional information provided by the applicant and attached to this report). The applicant would like to use the compost on the property. The applicant has shown the location of the compost bin area on the site plan. The City would require soil testing prior to land application of any manure/compost on site.
10. Hay would be delivered to the property. This is usually done 5-10 times during the summer and a few times during other parts of the year as needed. Generally, there would be approximately 12 days a year that hay is delivered to the property.
11. The Applicant would typically have between 5 and 15 guests coming to the property during the week with up to 20-25 guests coming on weekends. During the summer months there would be more activity during the daytime hours. During the school year there would be more activity occurring after school or in the evenings.
12. The Applicant is proposing to have between 4 and 8 clinics per year with no greater than 50 attendees. The clinics would be held during the regular hours of operation.
13. The Applicant has prepared a site plan that shows the location of the existing and proposed buildings. The Applicant is proposing to initially construct the indoor riding arena. The plans indicate the future location of an automated walker building and hay barn.

The City is being asked to consider approval of the complete site plan and build out. Commercial riding stables are a conditional use in the Agriculture zoning district. The subject property is zoned Agriculture. The City generally allows 1 animal unit on the first two acres and then 1 additional animal unit for each additional acre of property. The subject property is comprised of approximately 82 acres in the before condition. Should the City approve the rural view lot subdivision, the remainder property will have approximately 72 acres. Most, if not all of the 72 acres is useable upland. There are a few small possible wetlands located on the property. Applying the City's typical standard, the site would accommodate 71 animals using the gross acreage. The City has historically required that the applicants maintain a manure management plan, maintain all applicable permits relating to the management of manure on the property and maintain 1/3 acre of open pasture per animal unit. This property is heavily wooded and has approximately 18 acres of open pasture without the removal of existing woodlands.

The open pasture areas on this property in the existing condition (minor tree removal would need to occur on the western portion of the property) would accommodate 50 horses using the City's standard of 1/3 acre per horse (50 horses/1/3 acre per horse = 16.7 acres of open pasture). 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.
5. 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.

The City has visited the site and discussed the operation of the proposed commercial riding stable with the applicant. The following considerations should be noted by the City:

- This property has a geographic and topographical advantage that not all properties have as it relates to a commercial riding stable. The existing home, existing barn and proposed new indoor riding arena would be predominantly screened from CSAH 6 as well as the surrounding properties. The location on CSAH 6 aids the proposed use in that it would not negatively increase traffic on CSAH 6 due to the high traffic volume.
- The proposed use as a commercial riding stable generally fits into the character of the surrounding area and is in keeping with the City's Comprehensive Land Use Plan.
- The applicant has prepared a grading, drainage and storm water plan for the proposed site improvements. The existing home and accessory buildings generally sit at the highest point on the site and the topography slopes away in all directions. The City is in the process of reviewing the grading, drainage and storm water plan. Any comments resulting from the plan review will need to be addressed by the applicant and will be subject to the approval of the City Council. The City's approval of this project will also be subject to the Pioneer Sarah Creek Watershed Management Commissions approval of the proposed site improvements.
- The City discussed lighting with the applicant. The applicant is aware that all proposed lighting will be full cut-off type lighting. The City will work with the applicant to obtain the cut sheets and detailed plan for the proposed lighting. All building lighting will need to comply with the City's lighting standards. The outdoor riding arena could be artificially illuminated but would need to comply with applicable site lighting requirements. The City typically reviews building and site lighting during the building permit review process Delano Fire Department is in the process of reviewing the proposed site plan. Any changes and or modifications resulting from the Fire Department review will need to be fully addressed by the Applicant.
- The Applicant has provided the City with additional information relating to the replacement and upgrade of the on-site septic system. The City is working with the Applicant on the septic upgrade/replacement.
- The applicant will be required to test the soil in the existing pasture areas prior to land application of the manure. If the soil has a high in-situ phosphorous concentration which exceeds the phosphorous uptake from the vegetation, the applicant would not be permitted to land apply the manure until such time as the phosphorus levels decrease. The number and location of the soil samples will be determined by the City.
- The applicant shall manage the pasture areas by rotating their use during the growing months. A minimum of 70 percent vegetative cover shall be maintained on the pasture areas during the growing season.

Given the location of the property off CSAH 6, the orientation of the buildings and their relationship to the surrounding properties and the existing use of the property as a private horse facility, it appears that the proposed application can be found to meet the requirements for granting a conditional use permit to allow a commercial riding stable.

Minor Subdivision to Allow a Rural View Lot

In addition to the conditional use permit, the applicant is requesting a minor subdivision to permit a rural

view lot. The property is currently bisected by CSAH 6. The portion of the property located north of CSAH 6 is approximately 10.21 acres. The acreage is measured to the Center of the road and includes the road right of way for CSAH 6.

The City's zoning ordinance allows Agriculture property to realize one rural view lot for every 40 acres of property. The 82-acre parcel could realize two rural view lot subdivisions. The proposed subdivision would create a new 10-acre lot that would allow for a new home to be constructed on the property and meet all applicable building setbacks. The Applicant is working with the City relating to the location of the primary and secondary septic sites for the north property. The newly created lot does not have any non-buildable property. The City has criteria relating to rural view lot subdivisions. The proposed lot meets the criteria as follows:

Proposed/Required Lot Conditions for Parcel B

Required Minimum Lot Size (maximum size is 10 acres): 2.5 acres (buildable upland)

Proposed Lot Size: 10.21 acres (~20,000 of right of way)

Required Lot Frontage: 300 lineal feet Proposed Lot Frontage: 1,233 lineal feet (779 lf CSAH 6, 454 lf Nelson Road)

Ratio of lot frontage to lot depth required - no more than 1:4

Ratio of lot frontage to lot depth proposed – Parcel B - ~1:1.15 (778:900)

The applicant will be required to provide the requisite drainage and utility easements for Parcel 2 (Section 500.15, Subd.'s 1 and 2). Parcel 1 will likely be further subdivided in the future and at that time the City will capture the necessary drainage and utility easements.

The remaining Parcel 1 could potentially realize one (1) additional rural view lot. The City has submitted the proposed subdivision to Hennepin County for review. Access to the property will be from Nelson Road. There does not appear to be any adverse effects on the surrounding or subject properties in the after condition because of this minor subdivision to permit a rural view lot. The proposed lot fits into the character of the surrounding area and is in keeping with the general characteristics of the properties on Nelson Road.

The newly created Parcel 2 will be required to pay the City's requisite Park Dedication fee. For this property the requirement is \$7,250 (\$3,500 + \$3,750). This fee will need to be paid prior to recording the subdivision.

*Park dedication fee of \$3,500 per lot up to 4.99 acres,
plus \$750 per acre for each acre over 5 acres*

Staff is seeking a recommendation from the Planning Commission pertaining to the request for a conditional use permit and minor subdivision with the following findings and conditions:

1. The proposed conditional use permit and minor subdivision requests meet all applicable conditions and restrictions stated in Chapter V, Section 500, Subdivisions and Chapter V, Section 510, Zoning, in the City of Independence Ordinances.

2. The conditional use permit will include the following conditions:

a. The conditional use permit will be reviewed annually by the City to ensure conformance with the

conditions set forth in the resolution. new signage shall comply with all applicable standards of the City's ordinance and require a sign permit.

- b. No more than 50 horses shall be boarded on the property.
- c. The applicant and facility must operate in compliance with manure management permit from MPCA. A copy of the valid MPCA permit is to be attached to and become a part of the conditional use permit.
- d. A minimum of 1/3 acre or green covered open space, excluding wetland, is required within the horse facility, for each horse allowed by this permit. Grass shall be maintained and be the primary groundcover in all pasture areas.
- e. The applicant shall be required to test the soil in the existing pasture areas prior to land application of the manure. If the soil has a high in-situ phosphorous concentration which exceeds the phosphorous uptake from the vegetation, the applicant would not be permitted to land apply the manure until such time as the phosphorus levels decrease. The number and location of the soil samples will be determined by the City.
- f. The applicant shall manage the pasture areas by rotating their use during the growing months. A minimum of 70 percent vegetative cover shall be maintained on the pasture areas during the growing season.
- g. The hours of operation are: summer 7:00 am – 10:00 pm.
 - i. Eight (8), one day, horse training clinics will be permitted per year and shall comply with the following provisions:
 - The horse clinics shall occur during the permitted hours of operation.
 - No more than 50 participants shall be permitted at each clinic.
 - j. No renting of hack horses shall be permitted.
 - k. No riding on adjacent private land unless authorized by owners.
 - l. No parking or standing of vehicles on County Road 6 shall be permitted at any time.
 - m. Utilize appropriate management practices to control flies and odor.
 - n. No future expansion of the barn and riding arena shall be permitted on the property without the further review and approval by the City through the conditional use permit amendment process.

3. The applicant shall pay for all costs associated with the review and recording of the resolution for a minor subdivision and conditional use permit. 37 4. City Council approval of the conditional use permit and rural view lot subdivision is subject to the following:

- a. The applicant shall obtain all requisite approvals from the Pioneer Sarah Watershed Management Commission for the proposed site work and disturbance.
- b. The applicant shall provide all requisite information and or revisions to the proposed grading and drainage plans in accordance with the review by the City's water resource consultant.

- c. The applicant shall provide all requisite information and or revisions to the proposed plans based on the Fire Department review.
- d. The applicant shall provide all requisite information and or revisions to the proposed plans based on Hennepin County review of the proposed subdivision.
- e. The applicant shall provide the City with information and details pertaining to any and all building and site lighting. All lighting will be required to comply with the City's applicable lighting standards.
- f. The Applicant shall pay the park dedication fees in the amount of \$7,250 for the newly created Parcel 2, prior to the City recording the subdivision.
- g. The Applicant shall execute and record the requisite drainage and utility easements with the county within six (6) months of approval.

- 4. The remaining Parcel 1 will have one (1) remaining rural view lot eligibility.
- 5. The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.

Thompson asked if the County had any feedback on County Road 6 and if there should be a turn lane or another driveway. Kaltsas said the formal comments have not been returned from the County yet but a possibility could be a turn lane is needed or other. He noted most of their riders are boarders so not a lot of trailers in and out.

Dumas asked about the requirement for off-site parking. Kaltsas said they have identified parking areas and he feels it is adequate.

Dumas asked if the number of horses and buildings was consistent with what has been done in the past. Kaltsas said they would have to maintain and the 50 number is right on target. He noted the manure spot would be in the woods. Kaltsas noted each horse facility is rather unique. He noted it was not a requirement that the owner lives on the property. He said there are quite a few of these properties in the City where the owners do not live on-site.

Open Public Hearing

Mike Kreklow, 420 Nelson asked if there were plans for Parcel 2. Sega said there were no plans as of now for Parcel 2. He is not really interested in putting horses on that property.

Motion by Gardner to close the Public Hearing, second by Dumas.

Public Hearing Closed

Thompson asked if the lighting was reviewed and conditions applied. Kaltsas said it would be when the final plans come in and enforced to comply. Kaltsas noted comments back from the Delano Fire Chief on building code. Sega said it was about a fire door/ wall if closer than 20' and he is planning on making it 26'.

Thompson asked why the rural view was being called out now if no action was being taken on it. Kaltsas said it is needed for the record. It would be amended as Ordinance is today.

Motion by Thompson to approve a conditional use permit allowing a commercial riding stable and an accessory building which is greater than 5,000 square feet (pursuant to Staff Recommendations 1-3) for the property Located at 9255 County Road 6 (PID No. 31-118-24-34- 001) in Independence, MN; second by Dumas. Ayes: Thompson, Gardner and Dumas. Nays: None. Absent: Phillips and Palmquist. Abstain. None. Motion Approved.

Motion by Thompson to a minor subdivision to allow a rural view lot subdivision to divide the property; the northerly parcel consisting of ~10 acres, and the southerly parcel consisting of ~72 acres (pursuant to Staff Recommendations 4-6 with a minor edit clarifying rural view lot eligibility per the Ordinance as it stands today) for the property Located at 9255 County Road 6 (PID No. 31-118-24-34- 001) in Independence, MN; second by Dumas. Ayes: Thompson, Gardner and Dumas. Nays: None. Absent: Phillips and Palmquist. Abstain. None. Motion Approved.

6. **PUBLIC HEARING:** A proposed text amendment to the City of Independence Ordinances as follows:

- a. Chapter 5, Section 530.01, Subd. 3 Accessory Uses – Considering an amendment to the maximum height of an accessory structure. The City will discuss increasing the permitted height of detached accessory structures.

Kaltsas said in 2013 the City updated the accessory structure ordinance to establish a more proportional relationship between the amount of detached accessory structure square footage allowed on a property and the size of the property. In practice, the new ordinance has worked well and there have been no variances granted relating to the size of a detached accessory structure since the amendment. One area of the ordinance that was changed at the same time was the maximum height permitted for detached accessory structures. The City has received concerns and comments from property owners relating to the maximum height permitted. The City has also granted two (2) variances relating to the maximum height of detached accessory structures. The general concern is that the maximum height permitted varies based on the height of the principal structure. If a resident has a single-level home, the maximum height of a detached accessory structure is limited to the single-level home height. This causes some issues for residents with larger properties that would like to have a larger detached accessory structure but have a single level home. Staff has looked at the permitted heights of accessory structures from surrounding communities.

City Accessory Structure Comparison Table	
Jurisdiction	Height
Independence	height of principle structure
Winsted	1 story/16 feet
Delano	20 feet or height of principal***
Waconia	20 feet***
Minnetrista	height of principal structure
Mound	height of principal structure
Mayer	17 feet
Maple Plain	1 story/16 feet***
Victoria	24 feet/12 feet
Watertown	12 feet
* Cannot be located in front yard	
** Over 1,000 requires CUP	
*** Measured to Peak of roof	

It should be noted that not all communities allow as large of a detached accessory structure as the City of Independence. Staff would like to further discuss the maximum permitted height of detached accessory structures with the Planning Commission.

The City's current ordinance states the following:

3 The height of an accessory structure shall not exceed the height of the principle structure. The height of the principle and accessory structure shall be measured in accordance with the definition provided in this ordinance, Section 510.05, Subdivision 10.

In application of the ordinance over the past 5 years, the City has consistently had requests for detached accessory structures that have heights (measured to the midpoint of the roof) in the 20- 25-foot range. Many of the single-level homes measure closer to 17-20 feet in height measured to the midpoint of the roof. This typically leaves single-level property owners with an issue when considering building a detached accessory structure.

When the City considered the height in 2013, there was a consensus that detached accessory structures should be proportional and subordinate to the principle structure on the property. In order to help achieve the subordinate relationship, the maximum height of the detached accessory structure was limited. Due to the wide array of property size, building architecture and other factors, many of the proposed detached accessory structures do not have a significant relationship with the principle structure.

Staff is seeking Planning Commission feedback and discussion on this issue and offers the following for further consideration:

1. The City could consider establishing a maximum height in lieu of the relationship with the principle structure. This could be a two-part maximum height that establishes a minimum permitted or the height of principle structure, whichever is greater (i.e. the maximum height permitted is 25 feet or the height of the principle structure, whichever is greater).
2. The City could consider establishing a single, maximum height for all detached accessory structures (i.e. the maximum height for all detached accessory structures is ____ feet).
3. The City could consider establishing a variable scale that is proportionate to the size of the property (i.e. the maximum height permitted for detached accessory structures on properties less than 2.5 acres is ____ feet, the maximum height permitted for detached accessory structures on properties greater than 2.5 acres, but less than 10 acres is ____ feet, the maximum height permitted for detached accessory structures on properties greater than 10 acres is ____ feet).

Thompson asked how split ramblers were measured. Kaltsas said from the front to the middle of the roof. Dumas asked if we were telling people what looks weird on a property and protect neighbors and their view. Kaltsas noted subordinate structures come into play. Thompson said the challenge is the cost of the process being variance-based. Kaltsas asked if there could be a waiver process or smaller fee that is proportional to allow a review based on established criteria. Dumas said we need consistency and have a separation by number or minimum lot size, etc. Kaltsas said he likes the idea of a review board but would have to determine what that would like as a separate role. Kaltsas said maybe a number can be written that is an acceptable relationship. Kaltsas noted it must be an ordinance that is

easy to interpret and to get compliance. He said the point about roads is interesting. Kaltsas thanked the Commissioners for the input and direction. He said he would bring back language to be considered at a future meeting. Gardner noted that screening is an option also.

5. Open/Misc.

6. Adjourn.

Motion by Thompson, second by Dumas to adjourn at 8:55 p.m.

Respectfully Submitted,

Trish Gronstal/ Recording Secretary

DRAFT

City of Independence

Consider Adoption of the Draft 2040 Comprehensive Plan

To: City Council/Planning Commission
From: Mark Kaltsas, City Administrator
Meeting Date: December 18, 2018

Discussion:

In response to the 2040 issuance of the regional system statements, the City of Independence is required to update its local comprehensive plan. The comprehensive plan update will ensure consistency with the most recently adopted regional plans and policies and provide the City with a comprehensive development map for the next twenty years. The updated plan will guide development and land use through the year 2040. Due to changes in population forecasts, growth and housing trends, it is imperative that the City evaluate its past and ensure that it is prepared to secure its future.

The City's Comprehensive Plan consists of many different focuses, that when combined, provide the City with a map to guide future development. There are several key aspects of the plan that are most often referenced and applied during the continued growth and development/redevelopment of the community. The portion of the plan that is most widely used and or referenced by the City on a day to day basis is the Land Use Plan.

The City has completed the 2040 Comprehensive Plan. The Comprehensive Plan compiles all of the information prepared during the last year and half pertaining to the plan. It is anticipated that the plan will be submitted to the Metropolitan Council as required by the Land Use Planning Act. Comments provided by surrounding jurisdictions have been incorporated into the updated plan. The City will continue to work on the plan, incorporate changes and make revisions as necessary based on comments and feedback.

Staff will review the plan at the meeting. Following the meeting, Planning Commissioners, Council Members and the public will be able to review the draft, ask questions of staff and provide comments relating to all aspects of the plan. It is anticipated that the City will hold another public open house and public hearing to review the revised plan prior to final adoption of the plan following approval by the Metropolitan Council.

Key 2040 Plan Elements:

1. Based on recent discussions relating to the possible sewered development of certain lands in the City, this plan provides for specific sewered residential development areas. The City will need to carefully develop the corresponding zoning and development standards which will guide and regulate the advance of the sewered residential areas.
2. The City has identified an urban residential area on the western border of the City to accommodate affordable housing in response to the Metropolitan Council's requirement.
3. An updated local stormwater management plan has been prepared and incorporated into the plan.

Plan Considerations:

4. The draft plan will continue to be refined and fully formatted prior to submitting to surrounding communities and the Metropolitan Council.
5. There are some tables and or exhibits which may still need to be updated, but do not impact the information provided in the plan. These will be completed prior to submittal.
6. The plan provides goals and objectives at the end of each chapter which summarize key points and provide general guidance relating to next steps that the City can take to implement the plan. Please provide input relating to these sections and the suggested goals.
7. There are many components of the 2040 Plan that closely resemble the adopted 2030. As previously discussed, the 2030 plan was not fully realized due to the economic downturn and many of the studies, goals and objectives are still wholly pertinent to the 2040 Plan.
8. There may be appendices that reference past or current studies that are not attached to this document. If there are questions relating to any of the prescribed appendices, please let staff know.

Council/Commission Recommendation:

Staff is seeking a motion from the Planning Commission to recommend approval of the draft 2040 Comprehensive Plan. Staff is seeking approval of RESOLUTION No. 2018-1218-01 approving the draft 2040 Comprehensive Plan.

The surrounding jurisdiction submittals are as follows:

Jurisdiction Type	Jurisdiction Name
Adjacent Community	Corcoran
Adjacent Community	Greenfield
Adjacent Community	Maple Plain
Adjacent Community	Medina
Adjacent Community	Minnetrista
Adjacent Community	Orono
Adjacent Community	Watertown Twp.
Adjacent Community	Carver County
Adjacent Community	Hennepin County
Out of Region Community	Delano
Out of Region Community	Franklin Twp.
Out of Region Community	Wright County
Regional Park Implementing Agency	Three Rivers Park District
School District	277; Westonka
School District	278; Orono
School District	879; Delano
School District	883; Rockford
State Agency	MnDOT
Watershed Management Organization	Carver County Watershed Management Organization
Watershed Management Organization	Minnehaha Creek Watershed District
Watershed Management Organization	Pioneer-Sarah Creek Watershed Management Commission

Attachments:

- 2040 *Draft* Comprehensive Plan



RESOLUTION NO. 18-1218-01

RESOLUTION APPROVING THE DRAFT 2040 COMPREHENSIVE PLAN AND DIRECTING STAFF TO SUBMIT THE PLAN TO SURROUNDING JURISDICTIONS

WHEREAS, the City of Independence (hereinafter the City), in accordance with the Land Use Planning Act (Minn Stat. 473.145-473.871) has developed a Draft 2040 Comprehensive Plan; and

WHEREAS, the City of Independence has developed the Draft 2040 Comprehensive Plan to promote the health, safety and welfare of the City by effectively guiding long-range growth and development within the City; and

WHEREAS, a public hearing was held on December 18, 2018 wherein the Draft 2040 Comprehensive Plan herein was reviewed recommended for approval by the Planning Commission and by members of the public; and

WHEREAS, adjacent government units were given an opportunity to comment on the plan prior to the public hearing; and

WHEREAS, after said public hearing, the City Council adopted the proposed 2040 Comprehensive Plan Update subject to approval by the Metropolitan Council; and

WHEREAS, the Comprehensive Plan may be used as the basis for, among other things, updating the zoning ordinance and as a guide for approving or disapproving actions affecting growth and development within the jurisdiction of the City of Independence; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Independence, Minnesota to approve the Draft 2040 Comprehensive Plan prepared and attached hereto.

This resolution was adopted by the City Council of the City of Independence on this 18th day of December 2018, by a vote of ___ ayes and ___ nays.

Marvin D. Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator