



PLANNING COMMISSION MEETING AGENDA
REGULAR MEETING (VIRTUAL MEETING*)
TUESDAY JULY 21, 2020

7:30 PM Regular Meeting

1. Call to Order
2. Roll Call
3. Approval of Minutes:
 - a. June 16, 2020 Planning Commission Meeting
 - b. July 7, 2020 City Council Meeting Minutes (For Information Only)
4. **PUBLIC HEARING:** PTS Products, Inc. (Applicants/Owners) requests that the City consider the following action for the property located at 6511 US Highway 12 (PID No. 22-118-24-44-0011) in Independence, MN:
 - a. A variance to allow a new detached accessory building to have the same exterior siding as the existing building. The exterior siding does not meet the applicable design standard requirements of the City Ordinance for properties zoned CLI – Commercial Light Industrial.
 - b. Site plan approval for a commercial property.
5. **PUBLIC HEARING:** John Sega (Applicant) and MN Horsepower LLC (Owner) request that the City consider the following action for the property located at 9255 County Road 6 (PID No. 31-118-24-34-0002) in Independence, MN:
 - a. A conditional use permit amendment allowing an expansion of the existing commercial riding stable by combining two of the existing accessory buildings via an enclosed connection that would create a single building that would exceed the maximum allowable square footage of 5,000 square feet without a conditional use permit.
6. Open/Misc.
7. Adjourn.

*This meeting will be conducted virtually. Access to the meeting can be obtained via telephone or digital connection. Meeting access information will be posted on the City's website on the Friday prior to the Planning Commission Meeting. Public are invited to virtually attend and participate in the meeting.

MINUTES OF A MEETING OF THE
INDEPENDENCE PLANNING COMMISSION
TUESDAY, JUNE 16, 2020 – 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 Gardner at 7:30 p.m.

2. ROLL CALL

PRESENT: Commissioners Palmquist, Thompson, Volkenant, Dumas and Gardner
STAFF: City Administrator Kaltsas, Assistant to Administrator Horner
ABSENT: None
VISITORS: Zoom Audience members

Gardner asked Kaltsas to discuss an agenda item that needed review. Kaltsas stated there was a lot of concern around the agenda item and a social media post that was inaccurate. He noted there were also technical issues coming up so it should be pulled from the agenda so all are able to participate that would like to. The inaccurate information has caused a lot of confusion. Thompson said it was a good idea to remove it.

Motion by Palmquist to remove agenda item (5) a proposed text amendment to the City of Independence Ordinances as follows: Chapter 5, Section 510.05, Definitions and 530 Zoning District Provisions – Considering an amendment to the several definitions relating to permitted land uses in various districts and to consider amendment of permitted, accessory and conditional land uses in each district, second by Thompson. Ayes: Gardner, Thompson, Volkenant, Dumas and Palmquist. Nays: None. Absent: None. Motion Approved.

Kaltsas provided context around the agenda item. He noted the way it was written was creating legal issues in the City so it was determined there were points that needed to be clarified. Some of the definitions were ambiguous and Council decided needed to be looked at again for clarification. It would allow Council to consider and review various requests around the Ordinance. He noted Ag permitted use is regarding commercial use not hobby or personal types of operations. Ag and horticulture together allow a wide array of crops to be planted. Kaltsas said the overlay district being looked at would cover a broader area than the comprehensive plan. Kaltsas said this doesn't affect personal gardens and also does not change animal units permitted.

Dumas asked if legal, non-conforming status runs with the property with a sale. Kaltsas said it does run with the property.

Volkenant asked what an IUP is necessary. Kaltsas said if it was piece of property that didn't have a previous land-use under the definition. Kaltsas said the line of use is within the City's Comprehensive Plan. Palmquist noted the staff report and packet is on the website and both of these address these facts. Volkenant asked if the line was moving to 92. Kaltsas said that was not correct and any move like that would be a Met Council function. Gardner said it has shifted once or twice historically but not for long. Kaltsas said it could be a request but Met Council would have to approve it.

Gardner called to order the start of the official meeting.

3. Approval of Minutes:

- a. April 21, 2020 Planning Commission Meeting
- b. June 2, 2020 City Council Meeting Minutes (For Information Only)

Motion by Thompson to approve the June 16, 2020 Planning Commission minutes, second by Dumas. Ayes: Gardner, Thompson, Volkenant, Dumas and Palmquist. Nays: None. Absent: None. Motion Approved.

4. **PUBLIC HEARING:** Brett and Paige Broekema (Owner/Applicant) requests that the City consider the following actions for the property located at 6275 County Road 11, Independence, MN (PID No. 11-118-24-22-0002):
 - a. Rezoning from AG-Agriculture to RR-Rural Residential; and
 - b. A minor subdivision to allow a lot line rearrangement and two rural view lot subdivisions.

The subject property is located west of the intersection of County Road 11 and County Road 90 and on the south side of County Road 11. The property has a single-family home and is comprised of upland pasture, woodlands and wetlands. The property has the following site characteristics:

Property Information: **PID No. 11-118-24-22-0002 County Road 11**

Zoning: *Agriculture*

Comprehensive Plan: *Rural Residential*

Acreage Before: *19.92 acres*

Acreage After Parcel A: *9.96 acres*

Acreage After Parcel B: *9.96 acres*

Motion to open the Public Hearing by Gardner, second by Palmquist.

This property is zoned AG-Agriculture, but guided RR-Rural Residential by the City's 2030 Comprehensive Land Use Plan. The applicant is seeking rezoning of the property to Rural Residential which would then allow the subject property to be subdivided. The City allows the subdivision of property in the rural residential zoning district in accordance with the requirements in the City's zoning ordinance.

Rezoning

Rezoning this property is consistent with the City's 2030 Comprehensive Plan. Rezoning of this property is also consistent with the zoning of the property to the east, west and south.

Minor Subdivision

The City allows the subdivision of property in the rural residential zoning district if it can be shown to meet all applicable criteria of the ordinance. Based on the rural residential lot provisions, the maximum number of lots this property could yield would be four (4). This number is only possible if all applicable requirements were met. It is not anticipated that this property could realize the maximum number of lots due to the unique topography and wetlands and limited public road frontage. One factor that was considered in reviewing the subdivision is the location of the wetlands on the property. The wetlands cover approximately one-half of this property in a manner that appears to limit the future development potential. The City's applicable standards are further defined as follows:

Subd. 3. Density. Lots of record in the rural residential Subd. 3. Density. Lots of record in the rural residential district may be divided or subdivided into the following maximum number of lots, said maximum number to include the lot for any existing dwelling unit or other principal use: (Amended, Ord. 2010-01)
Area of Lot Maximum Number of Record of Lots Permitted

City of Independence

Planning Commission Special Meeting Minutes

7:30 p.m., June 16, 2020

7.5 acres or less One
 7.6 through 12.5 acres Two
 12.6 through 17.5 acres Three
17.6 through 22.5 acres Four
 22.6 through 27.5 acres Five
 27.6 through 32.5 acres Six
 32.6 through 37.5 acres Seven
 37.6 through 42.5 acres Eight
 42.6 through 47.5 acres Nine, plus one addn. lot for every five addn. acres of land.

In addition to the maximum lot density, the City has the following standards pertaining to Rural Residential lots.

530.03. Physical Standards.

Subd. 3. Physical standards. All lots and construction thereon must meet the following physical standards:

- (a) Minimum lot area ^a 2.50 acres buildable land*
- (b) Maximum lot area 10 acres*
- (c) Minimum lot frontage on an improved public road or street:*

Lot area Lot area Minimum frontage

2.50 – 3.49 acres ^b 200 feet

3.50 – 4.99 acres ^b 250 feet 5.00 – 10.00 acres ^b 300 feet

(e) Lot depth. The ratio of lot frontage to lot depth must be no more than 1:4.

^a A lot must be a minimum of 2.50 acres buildable land with a demonstrated capability to accommodate two on-site waste disposal systems. Buildable land must be contiguous and not separated by streams, wetlands, slopes in excess of 10% or other physical impediments.

^b A waiver to permit lots with reduced frontage on a public right-of-way, neck lots or lots with no frontage on a public right-of-way but with frontage on a common driveway may be considered and granted or not granted. If granted, evidence must be provided that all standards established and defined in Section 510.05, Subdivision 20 of this zoning code are met: (Amended, Ord. 2010-06)

A more detailed breakdown of the proposed individual lots is as follows:

Lot No.	Gross Acres	Upland Acreage	Frontage	Lot Frontage/Depth
Parcel A	9.96 acres	5.00 acres	330.52 LF	~1:4
Parcel B	9.96 acres	5.60 acres	330.52 LF	~1:4

The proposed subdivision would create one new lot. The applicant has essentially proposing to split the existing property down the middle. A wetland delineation has been completed and identifies the wetland edge and requisite buffer. Access to both lots would be from CSAH 11. The existing house has a driveway that Access to both lots would be from CSAH 11. The existing house has a driveway that would remain in place and the County has reviewed and approved the proposed location (indicated on plans) for a new driveway to serve Parcel B. As historically has been done along County Road 11, Hennepin County is requesting an additional 17 feet of right of way for future trail and road expansion. This has been a consistent request for all subdivisions along CSAH 11.

Both lots are proposing to provide the requisite 10-foot perimeter drainage and utility easements as required by ordinance (Section 500.15, Subd.'s 1 and 2). The proposed development does not trigger the City's stormwater management requirements because there will not be an increase in new impervious surface.

The newly created Parcel B will be required to pay the City's requisite park dedication fee. The requisite park dedication fees would be as follows:

Lot No. Gross Acres Park Dedication Amount

Parcel A 9.96 acres Existing Parcel

Parcel B 9.96 acres \$7,070 (\$3,500 plus 4.96 acres at \$750) total park dedication fee collected will be \$7,070.

1. The park dedication fees will need to be paid prior to the City 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
The property is guided rural residential by the City's Comprehensive Plan. The proposed rezoning and subdivision are in keeping with the intent and guidance provided by the Comprehensive Plan.
2. The applicant provided the City with the requisite percolation tests verifying that each lot can accommodate a primary and secondary septic site. The proposed sites are shown on the exhibit.
3. The applicant has prepared a wetland delineation for this property. All wetlands and their requisite buffers will be located within the drainage and utility easements.
4. The existing home on Parcel A will meet all applicable setbacks and standards in the after condition.
5. The applicant shows the building setback lines for Parcel B which demonstrates the ability of the proposed lot to accommodate a residential home and associated accessory structures.
6. The applicant is not proposing any additional public infrastructure as a result of this subdivision. The individual lots will be required to apply for and be granted a grading permit at the time of building permit application. At that time the City will review the individual lot grading the proposed rezoning and subdivision of this property appears to be in keeping with the vision of the comprehensive plan and with the character of the surrounding properties. The proposed lots conform to all applicable criteria for rural residential lots. Given the extensive wetlands on the property and its proximity to adjacent geographic features as well as the surrounding properties, there does not appear to be anything that the City would be preventing for future development. The proposed subdivision appears to meet all of the applicable standards of the City's zoning and subdivision ordinance. Staff is seeking a recommendation from the Planning Commission for the requested Rezoning and Minor Subdivision.

Should the Planning Commission recommend approval to the City Council, the following findings and conditions should be included:

1. The proposed Rezoning and Minor Subdivision meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning and Subdivision Ordinance.
2. City Council approval of the Minor Subdivision is subject to the following:
 - a. The Applicant shall address all comments and applicable requirements pertaining to the proposed subdivision.
 - b. The Applicant shall make all revisions requested in the staff report, by the Planning

Commission and City Council.

c. The Applicant shall comply with all applicable Hennepin County transportation review comments and requirements.

d. The Applicant shall obtain all necessary City, County, PCA and other regulatory agency approval and permits prior to construction.

3. The Applicant shall pay the park dedication fees in the amount of \$7,070.

4. The Applicant shall pay for all costs associated with the City's review of the rezoning and minor subdivision.

5. The Applicant shall execute all applicable documents to allow recording of the minor subdivision within six months from the date of the City Council approval.

Motion by Thompson to open the Public Hearing, second by Palmquist.

Public Hearing Open

No comments.

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

Public Hearing Closed

Motion by Palmquist to approve the Rezoning from AG-Agriculture to RR-Rural Residential; and allow a minor subdivision to allow a lot line rearrangement and two rural view lot subdivisions for the property located at 6275 County Road 11, Independence, MN (PID No. 11-118-24-22-0002);second by Thompson. Ayes: Gardner, Thompson, Volkenant, Dumas and Palmquist. Nays: None. Absent: None. Motion Approved.

5. Open/Misc.

6. Adjourn.

Motion by Palmquist, second by Thompson to adjourn at 8:15 p.m.

Respectfully Submitted,

Trish Gronstal/ Recording Secretary

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, JULY 7, 2020 –6:30 P.M.

1. CALL TO ORDER.

Pursuant to due call and notice thereof, a regular meeting of the Independence City Council was called to order by Mayor Johnson at 6:30 p.m.

3. PLEDGE OF ALLEGIANCE.

Mayor Johnson led the group in the Pledge of Allegiance.

2. ROLL CALL

PRESENT: Mayor Johnson, Councilors Betts, Grotting, McCoy and Spencer

ABSENT: None

STAFF: City Administrator Kaltsas, Assistant to Administrator Horner, Public Works Supervisor Bode, City Attorney Vose (remote)

VISITORS: (remote) Carol Mueller President (Minnesota Women in City Government), (remote) Lynda Franklin

Johnson introduced Mueller who is the President of MWCG. Mueller presented Betts with the leadership award from MWCG. The award is generally presented at the League of Minnesota Cities conference and Betts will be honored at a future event this fall. Mueller read the nomination letter. Betts served by starting with the Parks Commission in 1994 and continues to serve as a City Council member. Betts is a voting member of the Police Commission and a founding member of the Highway 12 Safety Coalition. Betts was instrumental in the development of Pioneer Park and many other initiatives.

3. ****Consent Agenda****

All items listed under Consent Agenda are considered to be routine by Council and will be acted on by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- a. Approval of City Council Minutes from the June 16, 2020 Regular City Council Meeting.
- b. Approval of Accounts Payable; Checks Numbered 19703-19738.
- c. Approval of Election Judges for the August 2020 Primary Election.
- d. 2nd Quarter Building Permit Report (for Information).

Motion by Spencer, second by McCoy to approve the Consent Agenda. Ayes: Johnson, Betts, McCoy, Spencer and Grotting. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

4. SET AGENDA – ANYONE NOT ON THE AGENDA CAN BE PLACED UNDER OPEN/MISC.

5. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF

Spencer attended the following meetings:

- Planning Commission Meeting
- Minnesota Women in City Government Awards

Grotting attended the following meetings:

- Planning Commission Meeting

McCoy attended the following meetings:

- Planning Commission Meeting
- Minnesota Women in City Government Awards

Betts attended the following meetings:

- Planning Commission Meeting
- Minnesota Women in City Government Awards

Johnson attended the following meetings:

(all meetings were via zoom)

- Minnesota Women in City Government Awards
- Planning Commission Meeting
- National League of Cities Leadership Conference via zoom
- EENR Committee Meeting
- League of Minnesota Cities meeting

Horner attended the following meetings:

- Planning Commission Meeting
- Minnesota Women in City Government Awards

Kaltsas attended the following meetings:

- MnDOT and Hennepin County Highway 12 Update Meeting

6. Brett and Paige Broekema (Owner/Applicant) requests that the City consider the following actions for the property located at 6275 County Road 11, Independence, MN (PID No. 11-118-24-22-0002):

- a. **ORDINANCE No. 2020-02:** Rezoning from AG-Agriculture to RR-Rural Residential; and
- b. **RESOLUTION 20-0707-01:** A minor subdivision to allow a lot line rearrangement and two rural view lot subdivisions.

Kaltsas said the subject property is located west of the intersection of County Road 11 and County Road 90 and on the south side of County Road 11. The property has a single-family home and is comprised of upland pasture, woodlands and wetlands. The property has the following site characteristics:

Property Information: **PID No. 11-118-24-22-0002 County Road 11**

Zoning: *Agriculture*

Comprehensive Plan: *Rural Residential*

Acreage Before: *19.92 acres*

Acreage After Parcel A: *9.96 acres*

Acreage After Parcel B: *9.96 acres* This property is zoned AG-Agriculture, but guided RR-Rural Residential by the City's 2030 Comprehensive Land Use Plan. The applicant is seeking rezoning of the property to Rural

Residential which would then allow the subject property to be subdivided. The City allows the subdivision of property in the rural residential zoning district in accordance with the requirements in the City's zoning ordinance.

Rezoning

Rezoning this property is consistent with the City's 2030 Comprehensive Plan. Rezoning of this property is also consistent with the zoning of the property to the east, west and south.

Minor Subdivision

The City allows the subdivision of property in the rural residential zoning district if it can be shown to meet all applicable criteria of the ordinance. Based on the rural residential lot provisions, the maximum number of lots this property could yield would be four (4). This number is only possible if all applicable requirements were met. It is not anticipated that this property could realize the maximum number of lots due to the unique topography and wetlands and limited public road frontage. One factor that was considered in reviewing the subdivision is the location of the wetlands on the property. The wetlands cover approximately one-half of this property in a manner that appears to limit the future development potential. The City's applicable standards are further defined as follows:

Subd. 3. Density. Lots of record in the rural residential district may be divided or subdivided into the following maximum number of lots, said maximum number to include the lot for any existing dwelling unit or other principal use: (Amended, Ord. 2010-01)

*Area of Lot Maximum Number
of Record of Lots Permitted*

7.5 acres or less One

7.6 through 12.5 acres Two

12.6 through 17.5 acres Three

17.6 through 22.5 acres Four

22.6 through 27.5 acres Five

27.6 through 32.5 acres Six

32.6 through 37.5 acres Seven

37.6 through 42.5 acres Eight

42.6 through 47.5 acres Nine, plus one addn. lot for every five addn. acres of land.

In addition to the maximum lot density, the City has the following standards pertaining to Rural Residential lots.

530.03. Physical Standards.

Subd. 3. Physical standards. All lots and construction thereon must meet the following physical standards:

(a) Minimum lot area a 2.50 acres buildable land

(b) Maximum lot area 10 acres

(c) Minimum lot frontage on an improved public road or street:

Lot area Minimum frontage

2.50 – 3.49 acres b 200 feet

3.50 – 4.99 acres b 250 feet 5.00 – 10.00 acres b 300 feet

(e) Lot depth. The ratio of lot frontage to lot depth must be no more than 1:4.

A lot must be a minimum of 2.50 acres buildable land with a demonstrated capability to accommodate two on-site waste disposal systems. Buildable land must be contiguous and not separated by streams, wetlands, slopes in excess of 10% or other physical impediments.

A waiver to permit lots with reduced frontage on a public right-of-way, neck lots or lots with no frontage on a public right-of-way but with frontage on a common driveway may be considered and granted or not granted. If granted, evidence must be provided that all standards established and defined in Section 510.05, Subdivision 20 of this zoning code are met: (Amended, Ord. 2010-06)

A more detailed breakdown of the proposed individual lots is as follows:

Lot No.	Gross Acres	Upland Acreage	Frontage	Lot Frontage/Depth
Parcel A	9.96 acres	5.00 acres	330.52 LF	~1:4
Parcel B	9.96 acres	5.60 acres	330.52 LF	~1:4

The proposed subdivision would create one new lot. The applicant has essentially proposing to split the existing property down the middle. A wetland delineation has been completed and identifies the wetland edge and requisite buffer. Access to both lots would be from CSAH 11. The existing house has a driveway that would remain in place and the County has reviewed and approved the proposed location (indicated on plans) for a new driveway to serve Parcel B. As historically has been done along County Road 11, Hennepin County is requesting an additional 17 feet of right of way for future trail and road expansion. This has been a consistent request for all subdivisions along CSAH 11.

Both lots are proposing to provide the requisite 10-foot perimeter drainage and utility easements as required by ordinance (Section 500.15, Subd.'s 1 and 2). The proposed development does not trigger the City's stormwater management requirements because there will not be an increase in new impervious surface. The newly created Parcel B will be required to pay the City's requisite park dedication fee. The requisite park dedication fees would be as follows:

Lot No.	Gross Acres	Park Dedication Amount
Parcel A	9.96 acres	Existing Parcel
Parcel B	9.96 acres	\$7,070 (\$3,500 plus 4.96 acres at \$750)

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

Other Considerations:

1. The property is guided rural residential by the City's Comprehensive Plan. The proposed rezoning and subdivision are in keeping with the intent and guidance provided by the Comprehensive Plan.
2. The applicant provided the City with the requisite percolation tests verifying that each lot can accommodate a primary and secondary septic site. The proposed sites are shown on the exhibit.
3. The applicant has prepared a wetland delineation for this property. All wetlands and their requisite buffers will be located within the drainage and utility easements.
4. The existing home on Parcel A will meet all applicable setbacks and standards in the after condition.
5. The applicant shows the building setback lines for Parcel B which demonstrates the ability of the proposed lot to accommodate a residential home and associated accessory structures.
6. The applicant is not proposing any additional public infrastructure as a result of this subdivision. The individual lots will be required to apply for and be granted a grading permit at the time of building permit application. At that time the City will review the individual lot grading.

Summary:

The proposed rezoning and subdivision of this property appears to be in keeping with the vision of the comprehensive plan and with the character of the surrounding properties. The proposed lots conform to all applicable criteria for rural residential lots. Given the extensive wetlands on the property and its proximity to adjacent geographic features as well as the surrounding properties, there does not appear to be anything that the City would be preventing for future development. The proposed subdivision appears to meet all of the applicable standards of the City's zoning and subdivision ordinance.

Planning Commission Discussion:

Planning Commissioners reviewed the request and asked questions of staff and petitioner. Commissioners asked about the additional right of way dedication for Hennepin County. Commissioners clarified the location of the second driveway. Planning Commissioners found that the requirements for approving a minor subdivision had been met by the applicant and recommended approval to the City Council.

Neighbor Comments:

The City has not received any written or verbal comments regarding the proposed subdivision to permit a rural view lot. No comments were made at the Public Hearing held by the Planning Commission.

Recommendation:

The Planning Commission recommended approval of the requested Rezoning and Minor Subdivision to the City Council with the following findings and conditions:

1. The proposed Rezoning and Minor Subdivision meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning and Subdivision Ordinance.
2. City Council approval of the Minor Subdivision is subject to the following:
 - a. The Applicant shall address all comments and applicable requirements pertaining to the proposed subdivision.
 - b. The Applicant shall make all revisions requested in the staff report, by the Planning Commission and City Council.
 - c. The Applicant shall comply with all applicable Hennepin County transportation review comments and requirements.
 - d. The Applicant shall obtain all necessary City, County, PCA and other regulatory agency approval and permits prior to construction.
3. The Applicant shall pay the park dedication fees in the amount of \$7,070. The Applicant shall pay for all costs associated with the City's review of the rezoning and minor subdivision.
4. The Applicant shall execute all applicable documents to allow recording of the minor subdivision within six months from the date of the City Council approval.

Johnson asked if there was a way to combine the driveways. Kaltsas said the county approved the plan as there is good visibility so they went with their recommendation. Grotting said it ends up being a trade-off between safety and value.

Motion by Spencer, second by Betts to approve ORDINANCE No. 2020-02: Rezoning from AG-Agriculture to RR-Rural Residential for the property located at 6275 County Road 11, Independence, MN (PID No. 11-118-24-22-0002): Ayes: Johnson, Betts, McCoy, Grotting and Spencer. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

Motion by Spencer, second by Betts to approve RESOLUTION 20-0707-01: A minor subdivision to allow a lot line rearrangement and two rural view lot subdivisions for the property located at 6275 County Road 11, Independence, MN (PID No. 11-118-24-22-0002): Ayes: Johnson, Betts, McCoy, Grotting and Spencer. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

7. OPEN/MISC.

8. ADJOURN.

Motion by Betts, second by McCoy to adjourn at 7:10 p.m. Ayes: Johnson, Betts, Grotting, Spencer and McCoy. Nays: None. Absent: None. Abstain. None. MOTION DECLARED CARRIED.

Respectfully Submitted,
Trish Gronstal/ Recording Secretary

City of Independence
Request for Site Plan Review and Consideration of a Variance
for the Property located at 6511 Highway 12

<i>To:</i>	Planning Commission
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	July 21, 2020
<i>Applicant:</i>	PTS Products, Inc.
<i>Owner:</i>	Paul Soberg
<i>Location:</i>	6511 Highway 12

Request:

PTS Products, Inc. (Applicants/Owners) requests that the City consider the following action for the property located at 6511 US Highway 12 (PID No. 22-118-24-44-0011) in Independence, MN:

- a. Site plan approval to allow a new detached storage building to be located on the subject property.
- b. A variance to allow a new detached accessory building to have the same exterior siding as the existing building. The exterior siding does not meet the applicable design standard requirements of the City Ordinance for properties zoned CLI – Commercial Light Industrial.

Property/Site Information:

The property is located on the south side of Highway 12 just west of the intersection of County Road 90 and Highway 12. The property has an existing commercial building and parking lot. There is a significant wetland on the south side of the property. The property has the following characteristics:

Property Information: **6511 Highway 12**
Zoning: CLI - *Commercial Light Industrial*
Comprehensive Plan: *Commercial Light Industrial*
Acreage: 6.75 acres

6511 Highway 12 Aerial



Discussion:

The applicant is seeking site plan approval to allow an accessory building to be constructed on the subject property. In 2018, the City reviewed and approved an expansion of the existing building. The expansion of the building provided for a total of 25,600 SF of commercial space. The applicant is now seeking approval to add a 4,800 SF detached accessory storage building on the property.

Along with the request to expand the building in 2018, the applicant also sought and received approval for a variance to allow the building to be constructed using matching materials to the existing building (steel panels) rather than residing the entire building with materials that met applicable architectural design standards. The City noted that the east façade of the building met applicable design requirements and was the most visible from TH 12. The City allowed the expansion of the building using materials that matched the existing building.

The applicant is proposing a new detached accessory storage building that would be located behind the existing building. The new building would be used solely for storage and would not increase the number of employees or provide finished interior manufacturing space. The applicant would like the City to consider

granting a variance to allow the detached accessory storage building to match the exterior of the existing building (steel panels).

The subject property is zoned CLI – Commercial Light Industrial. Manufacturing is a permitted use within the CLI zoning district. New construction and expansion of existing buildings in the CLI zoning district requires the review and approval of the City. The extent of the review is based on the intensity of the proposed development along with the ability of the proposed development to meet the requirements of the zoning ordinance (Sections 530.17 and 530.23).

The City has adopted site requirements for commercial development and there are several provisions within the commercial standards that are applicable to the proposed building expansion.

530.23. - Building design requirements.

Subd. 1. *Standards established.* Building design standards are hereby established to ensure commercial and industrial buildings meet acceptable aesthetic standards.

Subd. 2. *Applicability.* The design standards in this section shall apply to the following:

- (a) All facades of new principal buildings;
- (b) All facades of new accessory buildings;
- (c) Remodeling of existing buildings that result in "refacing" more than one side of an existing building or refacing of the wall oriented towards the nearest public road.
- (d) Additions to buildings that increase the gross floor area by more than 15 percent for commercial or retail buildings, or 25 percent for industrial buildings. Additions not exceeding these thresholds may be constructed using exterior materials that match or are compatible with the existing building materials.

530.17. - Site development standards.

Subd. 3. *Setbacks.* All buildings and structures must meet or exceed the following setbacks:

- (a) Front yard setback: 100 feet from centerline of road.
- (b) Side yard setback: 20 feet from side lot line.
- (c) Rear yard setback: 20 feet from rear lot line.
- (d) Setback from boundary of agricultural or rural residential district: 100 feet.

The City has reviewed the plans as they relate to the standards provided in the zoning ordinance. The following items should be further considered by the Planning Commission:

1. Building Design – The City ordinance states that accessory structures in the CLI zoning district shall conform to the design standards noted in the CLI section of the zoning ordinance (530.23). The standards do not provide specifically for accessory structures, but there is no other standard identified. For this reason, accessory structures are treated the same as principle buildings.

- a. Allowed materials for principal buildings. Principal commercial or industrial buildings in the commercial/industrial zoning district shall use the following materials on their exterior facades:
 - (1) Brick;
 - (2) Natural stone or stone veneers;
 - (3) Decorative concrete block (color impregnated with a split faced, robbed, or textured surface;
 - (4) Glass curtain wall panels;
 - (5) Stucco or synthetic stucco;
 - (6) Exterior insulation and finish systems (EIFS).

The applicant has prepared an illustrative image which shows the proposed exterior elevations of the new building. The primary material proposed is standing seam metal which is consistent with the majority of the existing building. The applicant is asking the City to consider allowing the proposed addition to be constructed of materials similar to the existing building noting that the majority of the addition will be located behind the existing building. The applicant also noted that the existing building located to the east of this building is constructed of similar materials. In order for the City to consider approval of the accessory building utilizing materials that match the existing building, a variance is required.

2. Site Design and Parking Requirements - The applicant is proposing to construct a gravel driveway to access the proposed building off of the existing parking lot. The City generally requires bituminous pavement for all driveways and parking areas in the CLI zoning district. The City has allowed outdoor storage areas to use a gravel surface similar to that which is being proposed. Staff will be seeking direction from the Planning Commission relating to whether or not the driveway to the accessory storage building can remain gravel as proposed or should be required to be bituminous.

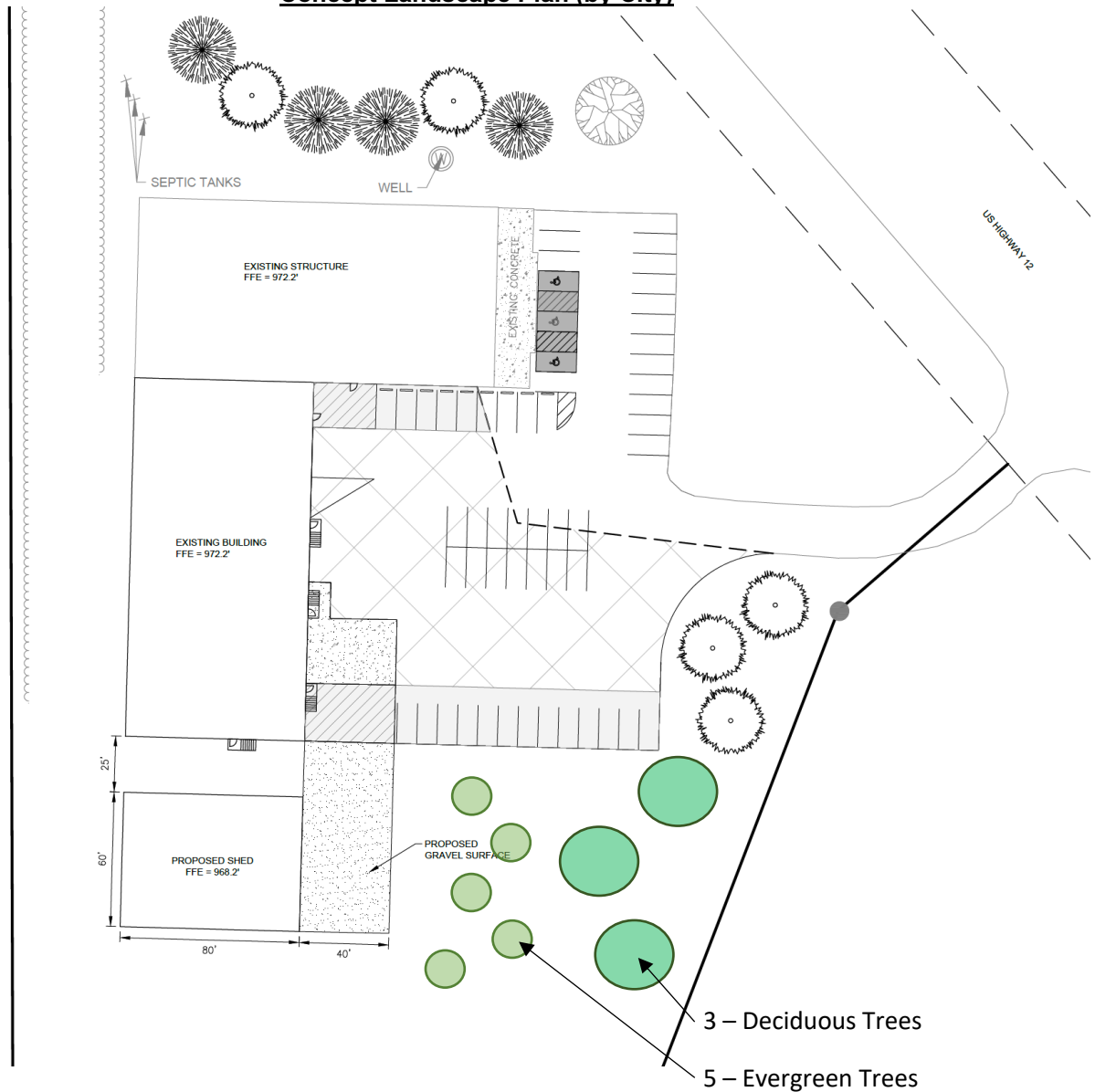
For wholesale and warehousing uses, the City requires: one parking space for each 2,000 square feet of gross floor area. The total existing building square footage is approximately 26,000 square feet and would therefore require 13 parking spaces. The existing site has 54 parking spaces. The proposed new building would add 4,800 square feet and require an additional 2 parking spaces for a total of 15 spaces. The number of existing parking spaces would satisfy parking requirements for this site even with the proposed new accessory storage building.

3. Setbacks – The City has the following setback requirements for buildings located in the CLI zoning district:
 - a. Front yard setback: 100 feet from centerline of road.
 - b. Side yard setback: 20 feet from side lot line.
 - c. Rear yard setback: 20 feet from rear lot line.
 - d. Setback from boundary of agricultural or rural residential district: 100 feet.

The proposed new accessory storage building would meet all applicable setbacks. The closest setback would be from the west (side) property line. The proposed accessory storage building would be approximately 50 feet from the west (side) property line.

4. Landscaping – The City worked with the applicant during the last plan review to develop a landscape plan that met the intent of the landscape ordinance. It should be noted that the applicant has not completed all requisite landscaping from the 2018 approval. The City has been working with the applicant to complete the requisite work. No new landscaping is proposed with this plan. The City could request additional landscaping along the east side of the building to provide additional screening from TH 12. The City would recommend requiring 5 - 6' tall evergreen trees and 3 - 2.5" caliper deciduous trees along the east side of the proposed building (see concept plan below). If recommended by the Planning Commission, the applicant can provide an updated landscape plan prior to City Council approval.
5. Storm Water Management – The proposed improvements do not trigger the one-half acre threshold for site improvements. The plan will need to comply with all applicable standards relating to storm water. The City does recognize that the runoff from the impervious surface is directed to the south and there is a significant infiltration area prior to the water getting to the wetland area at the south end of the property.
6. Lot Coverage - The maximum impervious lot coverage in the CLI zoning district is thirty (30) percent. The overall site is 293,600 square feet. Thirty (30) percent of the total site area would allow 88,000 square feet of impervious coverage. The total existing impervious surface area is 61,300 square feet. The proposed new building and associated site improvements would add an additional 8,200 square feet for a total of 69,500 square feet. This total is below the maximum coverage area.

Concept Landscape Plan (by City)



In addition to the site plan review, the City's ordinance has established criteria for consideration in granting a variance.

520.21. Standards for granting variances, Subdivision 1. The City Council may grant a variance from the terms of this zoning code, including restrictions placed on nonconformities, in cases where: 1) the variance is in harmony with the general purposes and intent of this zoning code; 2) the variance is consistent with the comprehensive plan; and 3) the applicant establishes that there are practical difficulties in complying with the zoning code (Amended, Ord. 2011-08)

Subd. 2. An applicant for a variance must demonstrate that there are practical difficulties in complying with the zoning code. For such purposes, “practical difficulties” means:

- (a) The property owner proposes to use the property in a reasonable manner not permitted by the zoning code;*
- (b) the plight of the property owner is due to circumstances unique to the property not created by the landowner;*
- (c) the variance, if granted, will not alter the essential character of the locality.*

Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems. (Amended, Ord. 2011-08)

Subd. 3. The City Council shall not grant a variance to permit a use that is not allowed under the zoning code based on the zoning classification of the affected property. (Amended, Ord. 2011-08)

520.23. Conditions and restrictions. The board of adjustments may recommend and the City Council may impose conditions on a variance. Conditions must be directly related to and must bear a rough proportionality to the impact created by the variance. (Amended, Ord. 2011-08)

Consideration of the criteria for granting a variance:

- a. The applicant is proposing to use the property in a manner consistent with the Commercial Light Industrial District - CLI.
- b. The character of the surrounding area is commercial with similar structures and site improvements.
- c. The proposed variance to allow an accessory building that matches the exterior façade and materials of the existing building on this property is in keeping with the City’s comprehensive plan.
- d. The applicant is proposing to locate the new building to the rear of the existing building which will help to mitigate potential impacts from Highway 12.
- e. The applicant can screen the proposed building with new landscaping to further mitigate any visual impacts from TH 12.
- f. The buildings in the surrounding area are generally constructed of similar building materials.
- g. The proposed building addition will meet all other requisite requirements for this property.

The City will need to determine if the requested variances meet the requirements for granting a variance.

Neighbor Comments:

The City has not received any written or verbal comments regarding the proposed site plan review.

Recommendation:

Staff is seeking a recommendation from the Planning Commission relating to the site plan review and variance. Should the Planning Commission make a positive recommendation to the City Council, the following findings and conditions should be considered:

1. The proposed site plan approval and variance request meet all applicable conditions and restrictions stated in Chapter V, Section 520.25, Site Plan Approval Procedures and Chapter V, Section 520.19, Procedures on Variances, in the City of Independence Zoning Ordinance.
2. Site plan approval shall allow the construction of the new detached storage building in accordance with the approved site plan prepared by Wenck Associates and attached hereto as Exhibit B.
3. The total impervious surface coverage for this property will not exceed 30% of the total lot area.
4. Landscaping shall be installed and maintained in accordance with the concept landscape plan. The applicant shall prepare a landscape plan prior to consideration by the City Council.
5. The variance will allow the construction of a new building using exterior materials (matching steel panels) that match the existing building and in accordance with the approved building elevations attached hereto as Exhibit C..
6. The City finds the following existing conditions of the property support the request for a variance and are consistent with the criteria for granting a variance:
 - a. The applicants are proposing to use the property in a manner consistent with the Commercial Light Industrial – CLI zoning district.
 - b. The character of the surrounding area is commercial or guided for commercial development.
 - c. The proposed expansion of the building is generally in keeping with the City's comprehensive plan.
 - d. The additional landscaping will provide a buffer between the highway and the existing and proposed building.
 - e. The variance will allow the expansion of a commercial business in the City's CLI zoning district. The City's approval of the requested applications will be beneficial in supporting its local businesses and protecting valuable jobs within the City.
7. Any change in use shall be subject to the City review and approval.
8. No outdoor storage is permitted on the property.

9. The applicant shall comply with all applicable storm water requirements and obtain any additional storm water approvals if determined necessary.
10. Any new building or site lighting shall comply with the City's applicable standards. The applicant shall submit cut sheets to the City prior to obtaining building permit approval.
11. Any future development or improvements made to this property will need to be in compliance with all applicable standards relating to the Commercial-Light Industrial zoning district.
12. The Applicant shall pay for all costs associated with the City's review of the requested site plan and variance approval.
13. The resolution shall be recorded against the property.
14. The applicant shall pay all applicable fees associated with the City processing the application for site plan review and a variance.

Attachments:

1. Applications
2. Site Plan
3. Building Elevations

City of Independence

The Independence City Code was established to protect both current and future residents from the negative impacts of improper development and to ensure a positive future for the city. The land use application review is the mechanism that allows the city to examine proposed uses to ensure compatibility with the surrounding environment, natural or otherwise. It is important to understand that a proposed use may be acceptable in some circumstances, but unacceptable in others—all applications are viewed on a case-by-case basis.

- ☐ Appeal
- ☐ Comprehensive Plan Amendment
- ☐ Concept Plan
- ☐ Conditional Use Permit
 - ☐ Residential
 - ☐ Commercial/Light Industrial
 - ☐ Telecommunications
 - ☐ Agriculture
 - ☐ Home Occupation
 - ☐ Non-Conforming Use
 - ☐ Guest/Bunk House
 - ☐ Institutional
 - ☐ CUP Amendment
- ☐ Extension Request
- ☐ Final Plat
- ☐ Interim Use Permit
- ☐ Lot Consolidation
- ☐ Minor Subdivision (Survey)
 - ☐ Lot Subdivision
 - ☐ Lot Combination
 - ☐ Lot Line Rearrangement
- ☐ Moving Buildings
- ☐ Preliminary Plat
- ☐ Rezoning
- ☒ Site Plan Review (Commercial)
- ☐ Vacation
- ☒ Variance
 - ☐ Subdivision Regulations
 - ☐ Zoning
 - ☐ Road Frontage
- ☐ Zoning Text Amendment

**Please check all that apply*

Request: To build a 80' X 60'
Storage shed just south
of existing building. see
included documents for
more detail. Does not effect
the number of employees.

Site Address or Property Identification Number(s):

6511 Hwy 12
Independence, MN 55359

NOTE: Minnesota State Statute 15.99 requires local governments to review an application within 15 days of its submission to determine if an application is complete and/or if additional information is needed to adequately review the subject request. *To ensure an expedited review, applicants shall schedule a pre-application meeting with the City Planner/Administrator at least one week prior to submittal.* Most applications have a review period of 60 days, with the City's ability to extend an additional 60 days if necessary due to insufficient information or schedule.

Office Use Only

	Date _____
Application Amount _____	Application Check # _____
Escrow Paid _____	Escrow Check # _____
Date Accepted by Planner _____	Accepted By _____
City Planner _____	

*****Note:** All parties with a fee interest in the real estate must sign this application before the City will review for consideration!

Applicant Information:

Owner Information (if different than applicant)

Name: PTS Products/Paul Soberg Name: _____
Address: 6511 Hwy 12 Address: _____
City, State, Zip: Independence, MN 55359 City, State, Zip: _____
Phone: 952-472-3677 Phone: _____
Email: psoberg@ptspro.com Email: _____
Signature: Paul Soberg Signature: _____

Checklist: Please review the checklist that goes with the request(s) as all materials in the checklist unless waived by the City.

Review Deadline and Timeline: All applications must be received by the deadline according to the schedule attached hereto. Failure to submit by the date shown will result in a delay in the scheduling of the application review by Planning Commission and City Council.

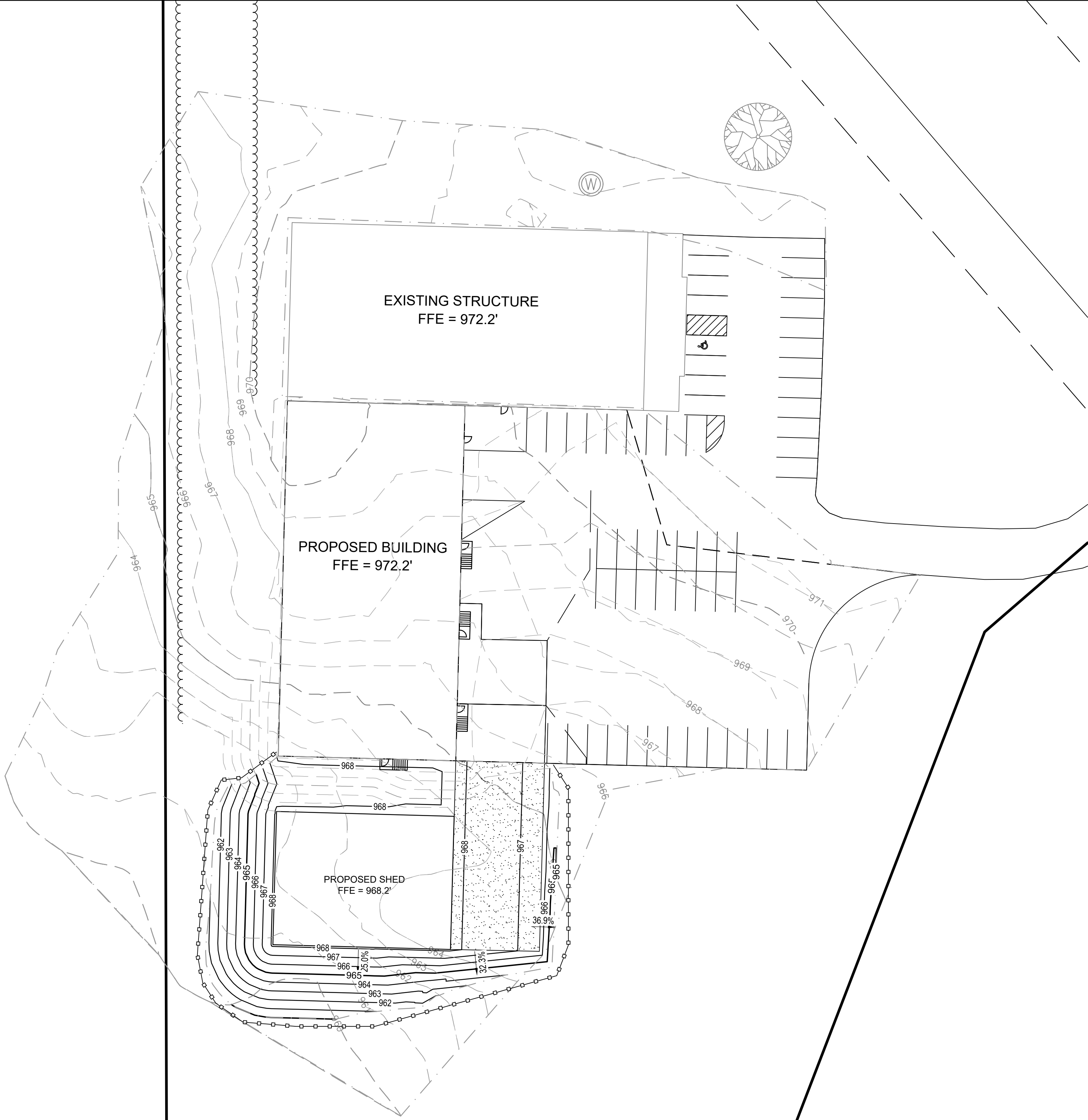
Application for Planning Consideration Fee Statement

The City of Independence has an annually adopted fee schedule. However, projects of large scope that include two or more requests will be required to provide a larger deposit than the resolution sets forth as set by the City Administrator. The fees collected for land use projects are collected as deposits. All invoices associated with each land employ application will be billed to the applicant within 30 days upon receipt by the City for each project. The City of Independence often utilizes consulting firms to assist in the review of projects. The consultant and City rates are shown at the bottom of this form. By signing this form, the applicant recognizes that he/she is solely responsible for any and all fees associated with the land use application from the plan review stage to the construction monitoring stage through to the release of any financial guarantee for an approved project. If a project is denied by the City Council or withdrawn by the applicant, the fees associated for the project until such denial or withdrawal, remain the applicant's responsibility.

I UNDERSTAND THE FEE STATEMENT AND RESPONSIBILITIES ASSOCIATED WITH THIS LAND USE APPLICATION:

Applicant Signature: Paul Soberg
Date: 6/9/2020

Owner Signature (if different): _____
Date: _____



GRADING AND EROSION CONTROL LEGEND

- CONSTRUCTION LIMITS/SILT FENCE
- PROPERTY LINE
- PROPOSED VALLEY BREAKLINE
- PROPOSED CONTOUR
- 9XX
- FG=±9XX
- ME=±9XX
- HP=±9XX
- EOP=±9XX
- 1.00%
- GRAVEL SURFACE

NOTE: TEMPORARY SILT FENCE TO BE IN PLACE AND STABILIZED PRIOR TO ANY SITEWORK. TEMPORARY CONTROLS TO BE CONSTRUCTED AS NECESSARY TO CONTROL STORMWATER RUNOFF ONCE CONSTRUCTION HAS COMMENCED.

NOTE: LIMITS OF DISTURBANCE AND SILT FENCE ARE SHOWN OFFSET FROM GRADING LIMITS FOR CLARITY. NO OFFSITE WORK IS WITHIN PROJECT SCOPE. CONTRACTOR TO INSTALL AND MAINTAIN EROSION PROTECTION ON ALL AREAS RECEIVING STORMWATER RUNOFF FROM THE SITE.

GRADING NOTES

- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF MAPLE PLAIN SPECIFICATIONS AND BUILDING PERMIT REQUIREMENTS.
- CONTRACTOR TO CALL GOPHER STATE CALL ONE @ 1-800-252-1166 AT LEAST TWO WORKING DAYS PRIOR TO EXCAVATION / CONSTRUCTION FOR UTILITY LOCATIONS.
- CONTRACTOR TO FIELD VERIFY THE LOCATIONS AND ELEVATIONS FOR EXISTING UTILITIES AND TOPOGRAPHIC FEATURES PRIOR TO THE START OF SITE GRADING. CONTRACTOR SHALL IMMEDIATELY NOTIFY THE PROJECT ENGINEER OF ANY DISCREPANCIES OR VARIATIONS.
- SUBGRADE EXCAVATION SHALL BE BACKFILLED IMMEDIATELY AFTER EXCAVATION TO HELP OFFSET ANY STABILITY PROBLEMS DUE TO WATER SEEPAGE OR STEEP SLOPES. WHEN PLACING NEW SURFACE MATERIAL ADJACENT TO EXISTING PAVEMENT, THE EXCAVATION SHALL BE BACKFILLED PROMPTLY TO AVOID UNDERMINING OF EXISTING PAVMENT.
- ALL EXCESS MATERIAL, BITUMINOUS SURFACING, CONCRETE ITEMS, ANY ABANDONED UTILITY ITEMS, AND OTHER UNSUITABLE MATERIALS SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE PROPERLY DISPOSED OF OFF THE CONSTRUCTION SITE.
- UPON COMPLETION OF EXCAVATION AND FILLING, CONTRACTOR SHALL RESTORE ALL STREETS AND DISTURBED AREAS ON SITE. ALL DISTURBED AREAS SHALL BE RE-VEGETATED WITH A MINIMUM OF 6" OF TOPSOIL.
- PROJECT LIMITS OF DISTURBANCE IS APPROXIMATELY ±40100 SQ. FT. AT NO TIME SHALL DISTURBED AREA EXCEED 0.98 ACRE IN SIZE.
- ALL SPOT ELEVATIONS / CONTOURS ARE TO FINISHED GRADE UNLESS OTHERWISE NOTED.
- GRADING FOR ALL SIDEWALKS AND ACCESSIBLE ROUTES INCLUDING CROSSING DRIVEWAYS SHALL CONFORM TO CURRENT ADA STATE/ NATIONAL STANDARDS. SLOPES SHALL NOT EXCEED 5% LONGITUDINALLY OR EXCEED 2% CROSS SLOPE. SIDEWALK ACCESS TO EXTERNAL BUILDING DOORS SHALL BE ADA COMPLIANT. CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY IF ADA CRITERIA CANNOT BE MET IN ANY LOCATION.

EROSION CONTROL NOTES

- ALL PERIMETER SILT FENCE AND ROCK CONSTRUCTION ENTRANCES SHALL BE INSTALLED PRIOR TO CONSTRUCTION.
- WITHIN ONE WEEK (7 DAYS) OF SITE GRADING, ALL DISTURBED AREAS SHALL BE STABILIZED WITH 6" TOPSOIL AND SEED.
- ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH CITY, STATE, AND WATERSHED DISTRICT PERMITS.
- THE CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL MEASURES, INCLUDING THE REMOVAL OF SILT IN FRONT OF SILT FENCES DURING THE DURATION OF CONSTRUCTION.
- ANY EXCESS SEDIMENT ACCUMULATED ONSITE SHALL BE REMOVED BY THE CONTRACTOR.
- THE CONTRACTOR SHALL REMOVE ALL EROSION CONTROL MEASURES AFTER SITE HAS BEEN STABILIZED AND VEGETATION IS ESTABLISHED.
- THE CONTRACTOR SHALL REMOVE ALL SOILS AND SEDIMENT TRACKED ONTO EXISTING STREETS AND PAVED AREAS.
- IF BLOWING DUST BECOMES A NUISANCE, THE CONTRACTOR SHALL APPLY WATER FROM A TANK TRUCK TO ALL CONSTRUCTION AREAS.
- SWEEP ADJACENT STREET IN ACCORDANCE WITH CITY REQUIREMENTS.
- ALL AREAS OUTSIDE OF HARDSCAPES TO BE RESTORED WITH CATEGORY 3 EROSION CONTROL BLANKET.
- USE MNDOT GENERAL COMMERCIAL TURF SEED MIX 25-131 ON ALL AREAS OUTSIDE OF HARDSCAPE DURING RESTORATION.

WARNING:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

CALL BEFORE YOU DIG

GOPHER STATE ONE CALL

TWIN CITY AREA: 651-454-0002
TOLL FREE 1-800-252-1166



Responsive partner. Exceptional outcomes.

SITE IMPROVEMENTS
INDEPENDENCE, MINNESOTA

Issue #

1 2

Description:
FOR CONSTRUCTION
PRELIMINARY SHED DESIGN

Date:
08/10/2018
06/04/2020

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

License #

Project #: 7334-0001

Drawn By: JTP

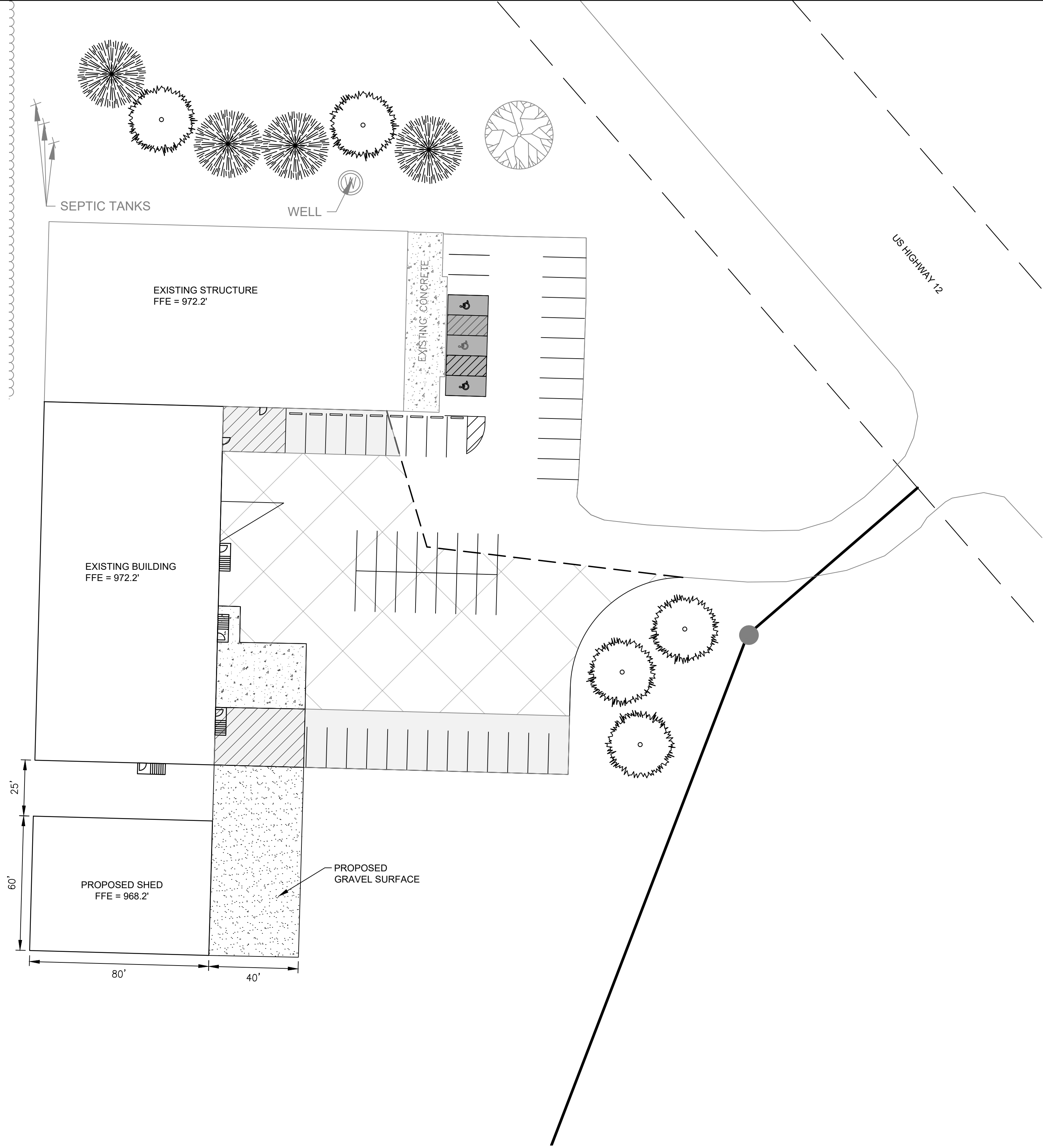
Issue Date: 06/04/2020

Issue #: 2

Sheet #:

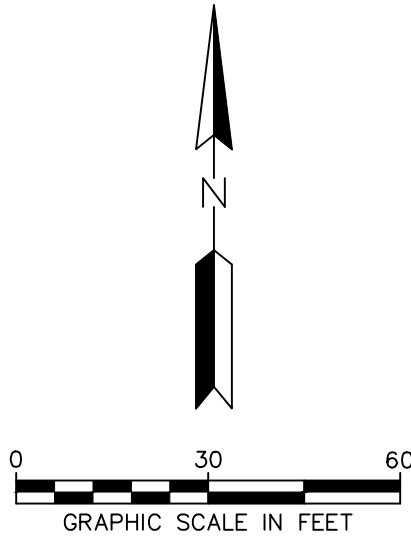
C-301

Sheet Title:
GRADING AND EROSION CONTROL PLAN



SITE LEGEND

- PROPERTY LINE
- EASEMENT LINE
- SAWCUT LINE
- (P.1) STANDARD DUTY BITUMINOUS PAVEMENT
- (P.2) HEAVY DUTY BITUMINOUS PAVEMENT
- (P.3) HEAVY DUTY CONCRETE PAVEMENT
- (#) PROPOSED PARKING COUNT
- GRAVEL SURFACE



SITE NOTES

- ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY / COUNTY REGULATIONS AND CODES, AND O.S.H.A STANDARDS.
- CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS OF AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOCKS, PRECISE BUILDING DIMENSIONS, AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS.
- ALL DISTURBED AREAS ARE TO RECEIVE 6" OF TOPSOIL, SOD, AND WATER UNTIL SOD IS FULLY ESTABLISHED.
- ALL DIMENSIONS AND RADII ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
- SITE BOUNDARY, TOPOGRAPHY, UTILITY, AND ROAD INFORMATION TAKEN FROM A SURVEY BY SCHOBORG LAND SURVEYORS DATED 8/21/17.
- TOTAL LAND AREA IS ±6.74 ACRES.
- LIMITS OF DISTURBANCE ±40100 SQ FT.
- AT NO TIME SHALL LIMITS OF DISTURBANCE EXCEED 0.98 ACRES.

WARNING:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

CALL BEFORE YOU DIG

GOPHER STATE ONE CALL

TWIN CITY AREA: 651-454-0002
TOLL FREE 1-800-252-1166

SITE IMPROVEMENTS
INDEPENDENCE, MINNESOTA

Date	Description	Issue #
08/10/2018	FOR CONSTRUCTION	1
06/04/2020	PRELIMINARY SHED DESIGN	2

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

License #
Project #
Drawn By: JTP
Issue Date: 06/04/2020
Issue #: 2
Sheet #:

C-102

SITE PLAN



Responsive partner. Exceptional outcomes.

Prepared For:
PTS PRODUCTS, INC.
6511 US-12
INDEPENDENCE, MN 55359



5/21/2020

Paul Soberg
6511 Highway 12
Maple Plain, MN 55359
Home: (612) 840-3675
Cell:
Work:
Other:

Dear Paul:

Thank you for giving us the opportunity to present you with a proposal for your building project. I will follow up with you within the next few days to answer any questions or concerns you might have.

As your Sales Consultant, I will work closely with you throughout the entire building process to help with financing, site selection, site layout for optimum land usage, site preparation and many issues you may not have considered, such as permits and proper drainage.

Morton Buildings, Inc. is the only building company that is fully integrated from receiving raw materials all the way to handing the keys over to you at the end of construction. This allows us to maintain our high quality, erecting buildings that operate efficiently with minimum maintenance and low costs year after year.

From basic to bold, small to large, and plain to fancy, Morton's buildings are constructed to satisfy almost every customer's needs. We put only the best materials and workmanship into every building and that is why we can confidently back our product with a very strong warranty package. Additionally, we can help guide you to a variety of sources for financing your construction project.

Again, thank you for allowing us to present you with this building proposal. I look forward to helping you make your building dream a reality.

Sincerely,

Richard Rothstein
Sales Consultant
Richard.Rothstein@mortonbuildings.com
Cell Phone: 320-250-2652

Office Phone: 763-295-3939
Office Fax: 763-295-3555
113 Thomas Park Dr
Monticello, MN 55362-8003



Building #1 Specifications

Building Info	Style	Width	Height	Length	Truss Spacing	Roof Pitch	Lower Chord	Peak Height	Soffit Height
	306X	60'	16' 4"	80'	8'	4/12	0/12	27' 10.5"	17' 1"

306X 60'x16' 4"x80' (#1) - Building Use: Suburban - Storage

Foundation

Morton Foundation System Morton Buildings, Inc. exclusive foundation system. Reinforced precast concrete column with an internal threaded adjustment bracket set in a ready-mix poured footing set below frost depth or a minimum of 4'-0" below building grade. Fastened to a laminated wood column with an internal column connector bracket.

Foundation Adjustments

24" MFS Extension on South Wall from 0'-1" to 80'-0"

24" MFS Extension on East Wall from 0'-1" to 60'-0"

24" MFS Extension on West Wall from 0'-0" to 60'-0"

Treated Wood splashboard system, mounted at grade to column.

Siding

South, East, North, West wall(s) Fluoroflex™ 1000 Hi-Rib Steel Minimum .019 (Fastened with Stainless Steel Screws)

Wainscot

South, East, North, West with 36" tall Fluoroflex™ 1000 Hi-Rib Steel Minimum .019 wainscot (Fastened with Stainless Steel Screws)

Roof

Fluoroflex™ 1000 Hi-Rib Steel Minimum .019 (Fastened with Stainless Steel Screws) with Vent-A-Ridge, lap rib sealant tape
Structure has not been designed for installation of anything which could retain snow on the roof.

Overhangs

South, North wall(s) 1' Wide Vented Sidewall Overhang with Standard 6" fascia, Gutters, downspouts with elbows at base
East, West wall(s) 1' Wide Non Vented Endwall Overhang with Standard 6" fascia

Walk Doors

1 A 3' x 6'8" MB 910 Plain Flat Leaf Walk Door(s) in swing left hinge with single cylinder deadbolt, lockset

Overhead Door Opening

1 B 20'0" x 14'0" Overhead Door Opening (Requiring a minimum 20'0" x 14'1" head) OHD

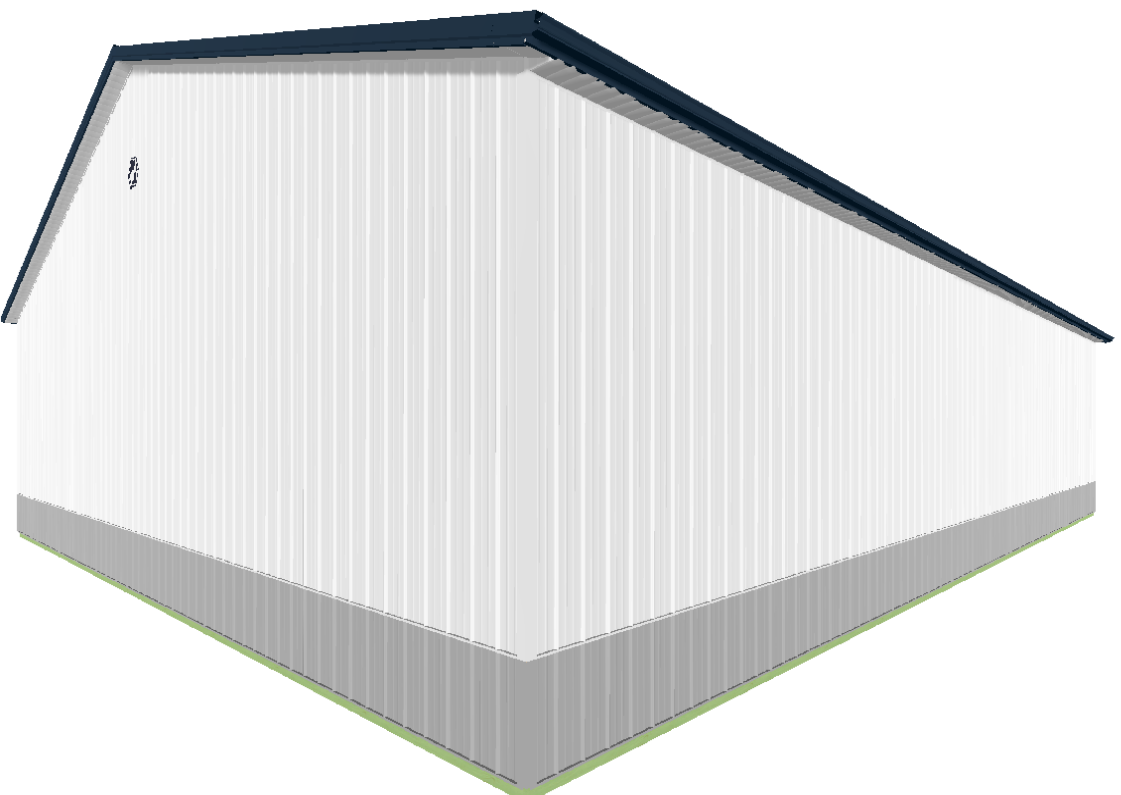


Subcontracts

Install 1- 20'2" wide x 14'1" stacked height double walled steel insulated overhead door with operator and remote

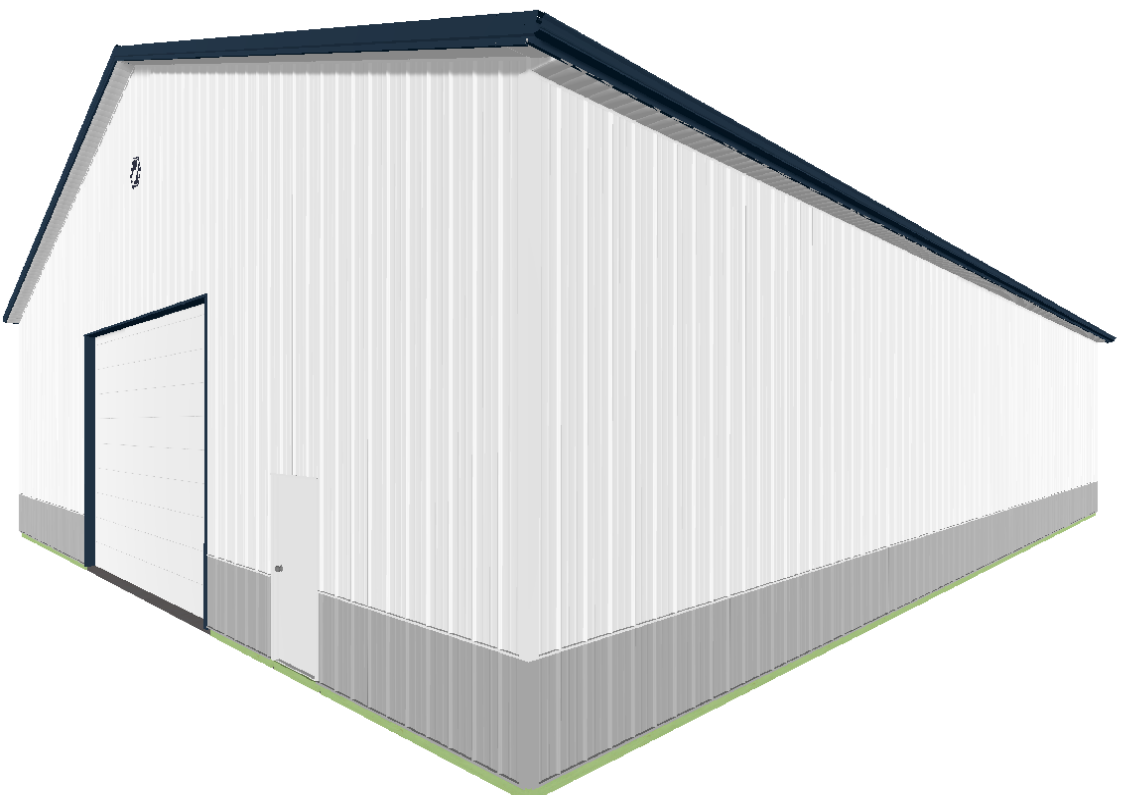


306X 60'x16' 4"x80' West and South Walls

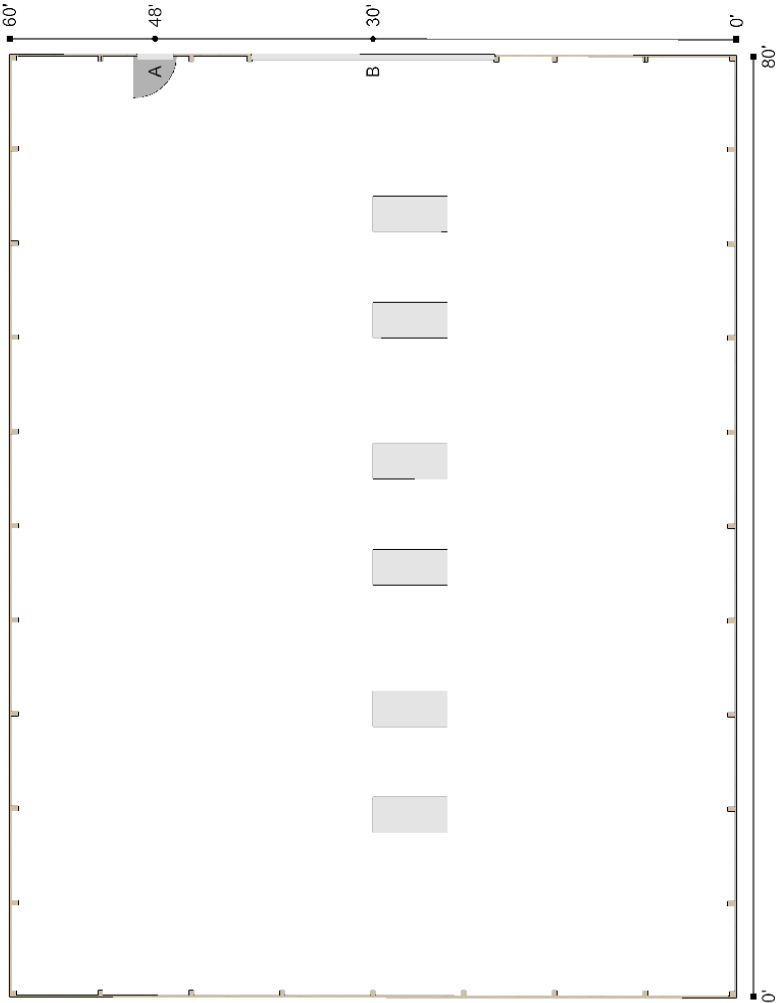




306X 60'X16' 4"X80' East and North Walls



306X 60'x16' 4"x80' (#1) Column Plan





Building Investment

Total Estimated Project Cost as described including Material, Tax, and Labor*: \$74,530.00

\$22,359.00 Down Payment

\$44,718.00 Due Upon Delivery of Materials

\$7,453.00 Due When Morton Buildings' Scope of Work is Complete

* Building Proposal Good for 15 Days from the date specified on cover letter.

If you accept this pricing proposal you must enter into a written building order which contains additional terms and conditions. This proposal is not intended to be a contract for construction.

This proposal contains information which is proprietary and/or are trade secrets and may not be disclosed to third-parties without the express written authorization of Morton Buildings, Inc.

City of Independence

Request for an Amendment to the Conditional Use Permit to Allow the Expansion of the Commercial Riding Stable on the Property located 9255 County Road 6

<i>To:</i>	Planning Commission
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	July 21, 2020
<i>Applicant:</i>	John Sega
<i>Property Owner:</i>	MN Horsepower, LLC
<i>Location:</i>	9255 County Road 6

Request:

MN Horsepower LLC (Applicant/Owner) requests that the City consider the following actions for the property located at 9255 County Road 6 (PID No. 31-118-24-34-0002) in Independence, MN:

- a. A conditional use permit amendment allowing an expansion of the existing commercial riding stable by combining two of the existing accessory buildings via an enclosed connection that would create a single building that would exceed the maximum allowable square footage of 5,000 square feet without a conditional use permit.

Property/Site Information:

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 property has the following characteristics:

Property Information: 9255 County Road 6

Zoning: *Agriculture*

Comprehensive Plan: *Agriculture*

Acreage: 72.32 acres



Discussion:

In 2018, the City granted a conditional use permit to the applicant for a commercial riding stable and new detached accessory building that exceeded the 5,000 SF maximum permitted. The applicant is now seeking approval to connect the new indoor riding arena with the existing barn. This connection would be a 26 x 20 rectangular building between the two existing buildings. In addition to the building connection, the applicant would like to add several additional small detached accessory buildings to the site and several “lean to” type additions onto the existing buildings.

The applicant has provided a conceptual site master plan showing the general location and size of each of the buildings proposed. The total additional square footage proposed, including the building connection, is approximately 7,600. The applicant has provided a narrative of the additional buildings. The applicant has

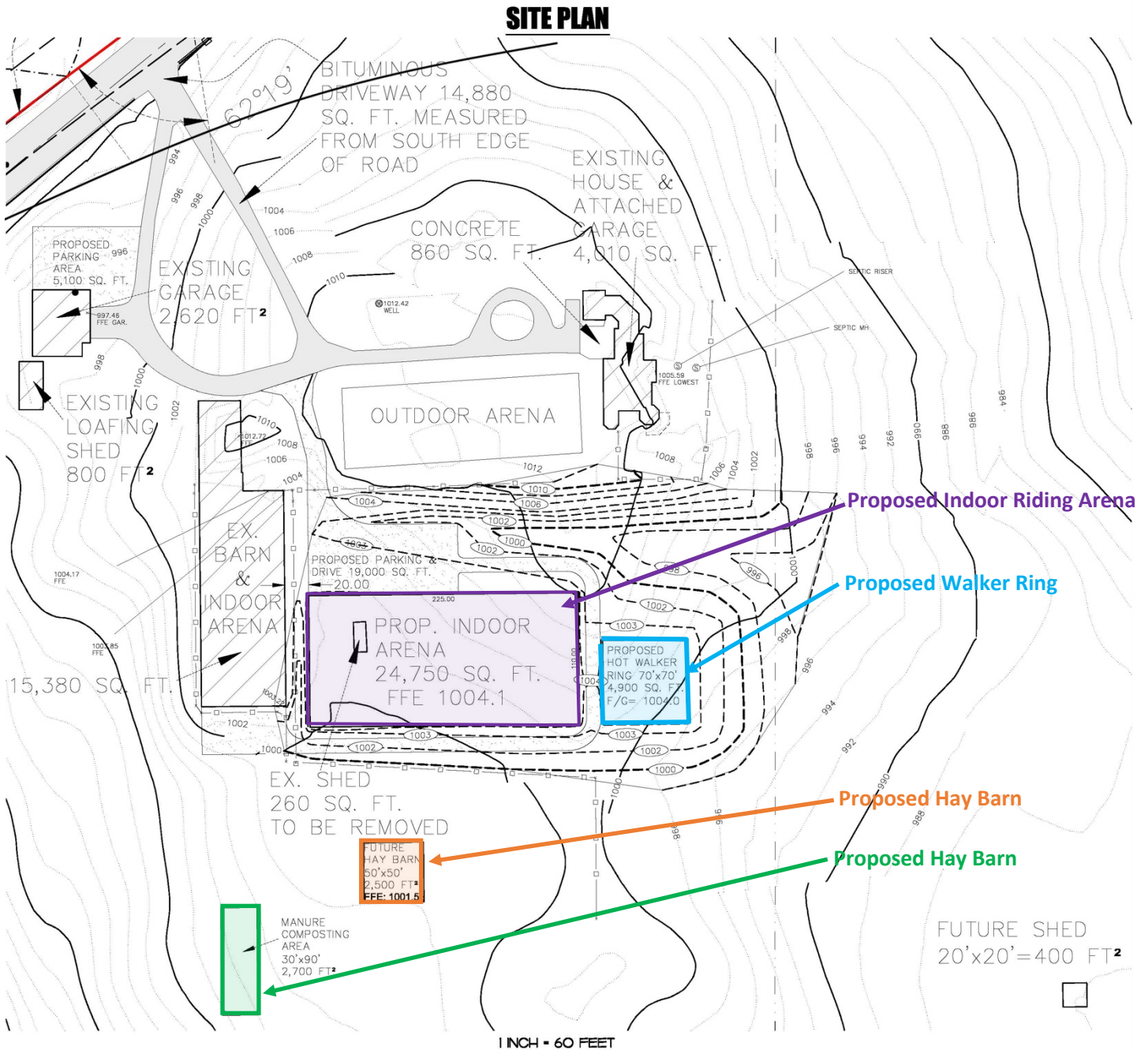
Concept Site Master Plan



MN Horsepower, LLC CUP Request – Planning Commission 7.21.2020

The City can approve the concept site master plan and then work with the applicant through the building permit process to confirm the exact building locations and grading/site plans as each building is requested by the applicant.

The previously approved site plan is shown below:

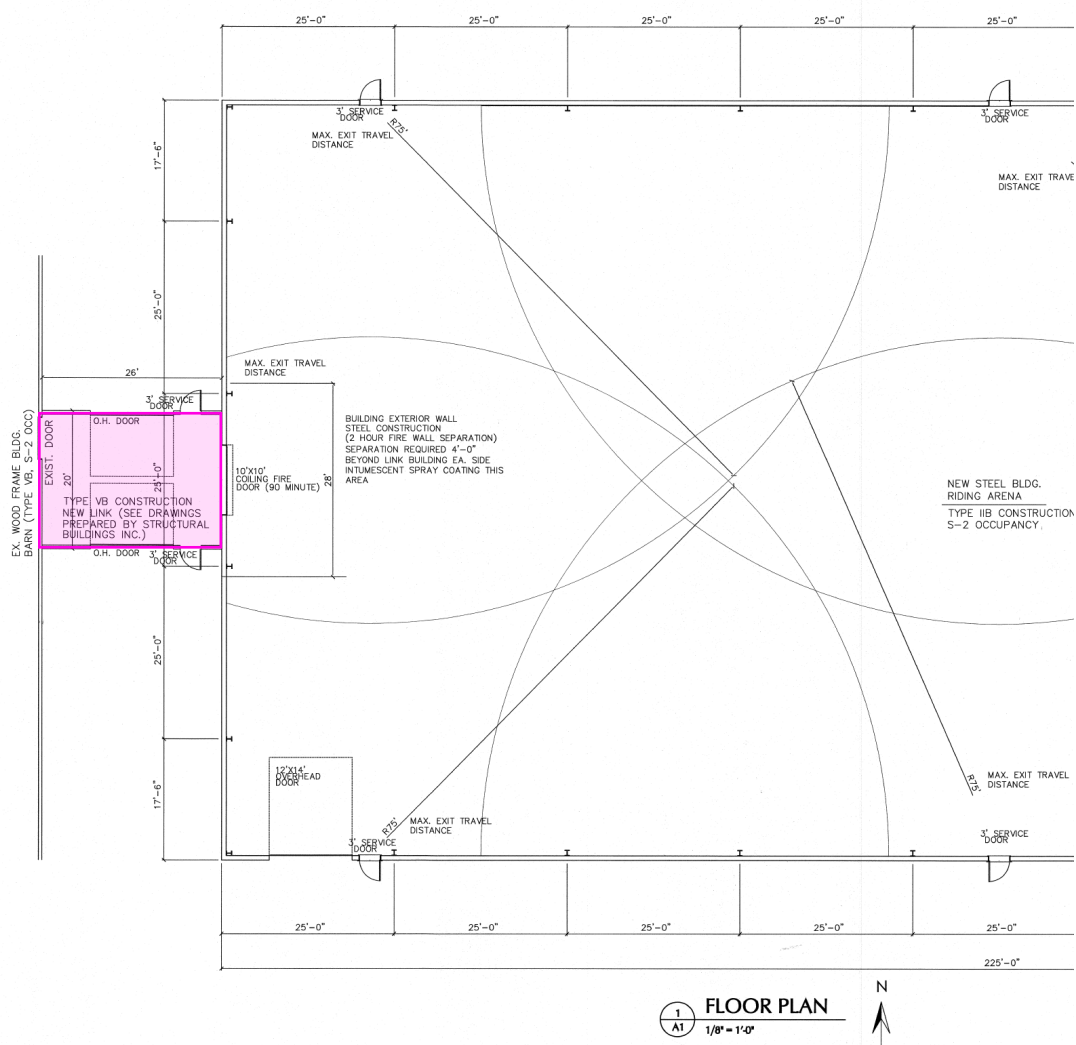


In order to expand and alter an existing CUP, the City requires an amendment. The existing CUP allows for a commercial riding stable allows for 50 horses to be boarded on the subject property. In addition, the City allowed the new indoor riding arena to be constructed which is greater than 5,000 SF.

The following key points should be considered by the Planning Commission:

- The proposed connection between the two buildings would be constructed using the same materials as the new riding arena. There will be two main overhead doors and two ingress/egress doors constructed with the connection.
- The City has reviewed the building plans from a building and fire code standpoint. The plans meet all applicable criteria and requirements.
- The Delano Fire Chief has reviewed and approved the proposed plans.
- The proposed site master plan contemplates several additional building additions and or detached accessory buildings. Due to the size and nature of the property, the City can consider approving the master plan to reduce the process for future development of the property. The proposed buildings would be utilized to serve the existing commercial operation. No expansion to the actual operation or number of horses is being requested. Staff has reviewed the proposed site master plan and found that the proposed buildings fit the general nature and layout of the property.
- All conditions of the original conditional use permit would remain in place.
- The applicant noted in their application that they would like to extend natural gas to this location. This extension does not require an amendment to the conditional use permit. Other permits may be necessary such as a right of way permit or similar. The City will work with the applicant as necessary relating to this issue.

Proposed Building Linkage Floor Plan



The criteria for granting a conditional use permit amendment are the same as granting a conditional use permit and 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 from 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 conditional 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 proposed building expansion with the applicant. Given the location of the property off of CSAH 6, the orientation of the buildings and their relationship to the surrounding properties and the existing use of the property as a commercial horse facility, it appears that the proposed application can be found to meet the requirements for granting a conditional use permit.

Neighbor Comments:

The City has not received any written or oral comments regarding the proposed conditional use permit amendment.

Recommendation:

Staff is seeking a recommendation from the Planning Commission pertaining to the request for a conditional use permit amendment. Should the Planning Commission make a recommendation to approve the requested action to the City Council, the following findings and conditions should be considered:

1. The proposed conditional use permit amendment request meets 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. All conditions of the existing conditional use permit granted by the City in **RESOLUTION NO. 18-1105-02** shall remain.
3. The conditional use permit amendment will include the following additional conditions:
 - a. The conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
 - b. The Applicant shall provide the City with an updated professionally prepared site plan prior to City Council consideration.

- c. All new buildings or building additions constructed on the property shall be in accordance with the approved site master plan, attached to the City Council approving resolution.
 - d. The Applicant shall obtain all applicable building and other permits associated with any building expansion or new detached accessory building. Each building permit will need to include grading and drainage plans.
 - e. No future expansion of the existing buildings or site master plan shall be permitted without the further review and approval by the City through the conditional use permit amendment process.
- 4. The applicant shall pay for all costs associated with the review and recording of the resolution for a conditional use permit amendment.
 - 5. The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.

Attachments:

- 1. Application
- 2. Applicants Narrative
- 3. Site Plan/Survey



**CITY OF
INDEPENDENCE
MINNESOTA**

Applicant Information

Name: John Michael Sega
Address: 9255 County Rd 6
Independence, Minnesota
55359
Primary Phone: 9522373727
Email: jmsega@outlook.com

Owner Information

Name: John Michael Sega
Address: 9255 County Rd 6
Independence, Minnesota
55359
Primary Phone: 9522373727
Email: jmsega@outlook.com

Property Address:

PID:

Planning Application Type: Conditional Use Permit, Other

Description:

Supporting Documents: Site Survey (Proposed Conditions), Construction Plans

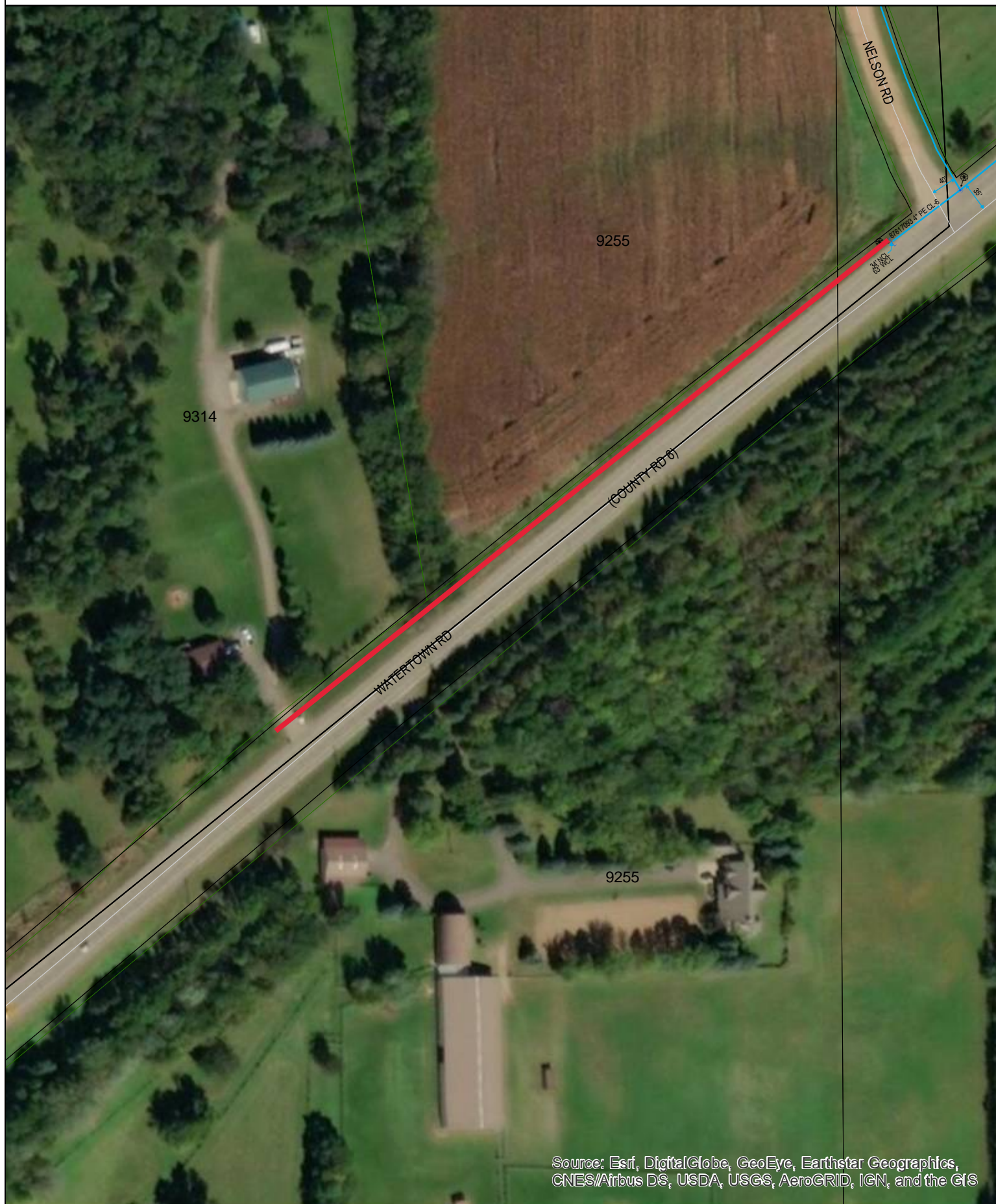
Signature:

MN Horsepower LLC is proposing an amendment to the current conditional use permit. We are proposing to add a link building that will go between the existing 180x70 post frame building and the new 225x110 steel building. The building will be 26x20 and will be post frame. The exterior will have 2 man doors and 2 overhead doors. The exterior steel will be grey and brown, the same siding and the new steel building. I have submitted from my architect signed and stamped plans that show all code and building requirements met, and Bruce informed me that everything looks good from a code standpoint but after talking with Mark, they determined I need to get the Conditional use permit amended to grant a permit. I will enclose all plans for the link building showing all views, and the location of proposed link. When meeting with the Fire chief he informed me that a link would not affect their previous approval for access as they would never park or drive fire trucks between the buildings in the event of an emergency.

MN Horsepower is also proposing the city to allow connection to Natural Gas. The gas line was recently extended from Windsong down to the intersection of Nelson Rd and 6. We would like to connect and use natural gas instead of propane if it is reasonably accessible. The Gas company would extend the line a bit further west and then into the property.

We would also like to have future buildings be able to be flexible on exact location that might fit the site better, or a general area that would be allowed giving flexibility on exact location.

We should also like to propose adding additional small storage buildings for storing shavings hay and machines. I will have a better idea of exact sizes in the coming days.



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS

Plotted by: i066161

Plot Date: 4/24/2020

Field1:

Field2:

Scale: 1" : 150'



North

RDS

ARCHITECTS

4900 HWY 169 SUITE 303
NEW HOPE MN. 55428
612-810-9628

I hereby certify that this
plan, specification or report was
prepared by me or under my
direct supervision and that I
am a duly Licensed Architect
under the laws of the State of
Minnesota.

Richard D. Stortien
Name: Richard D. Stortien
Reg. No. 21258
Date: 5/07/2020



RIDING ARENA BUILDINGS

SEGA RESIDENCE

INDEPENDENCE, MN

ISSUE

MAY 7, 2020

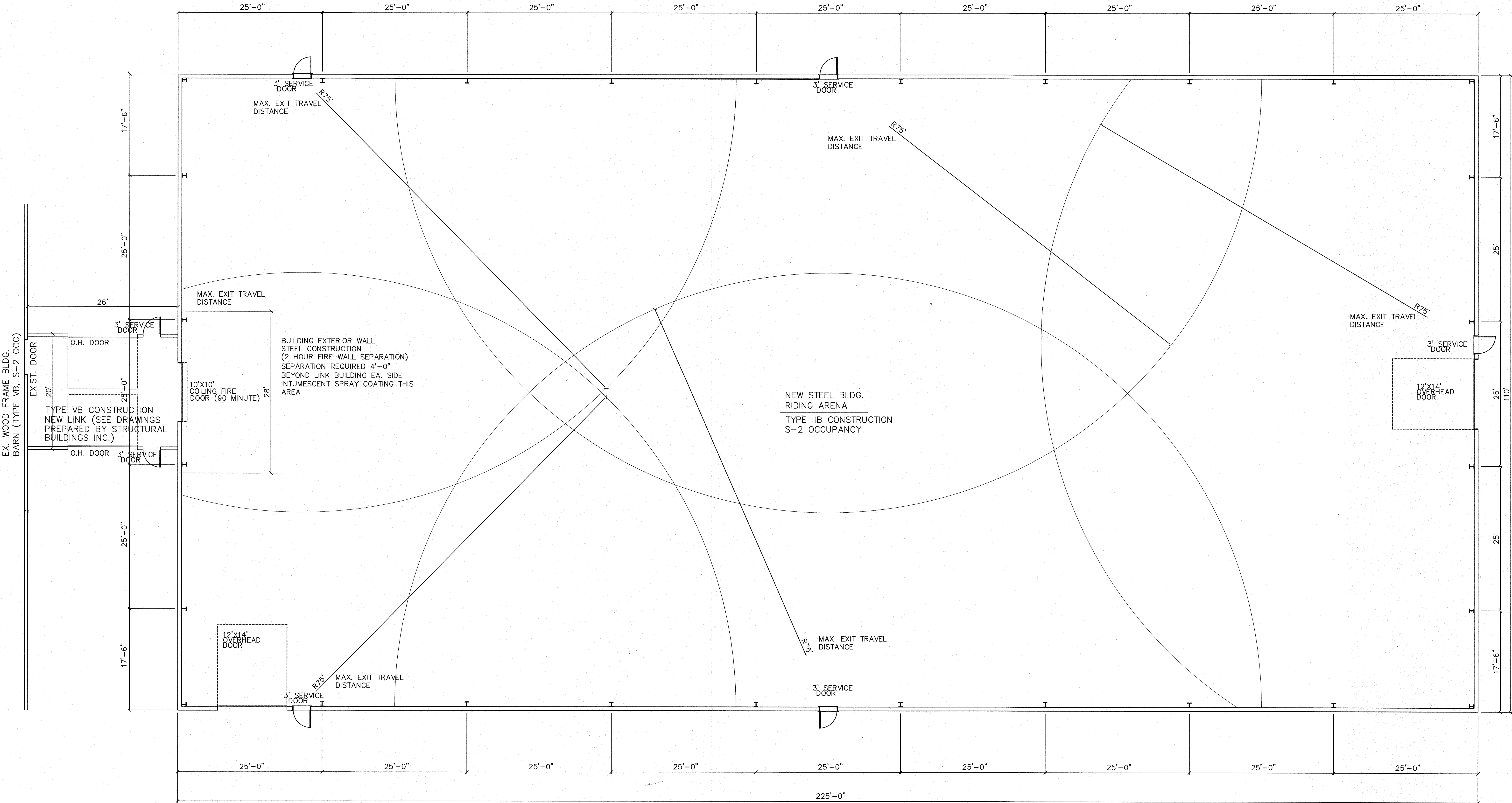
REVISIONS

JOB #202111

SHEET #

A1

OF A1



1

A1

FLOOR PLAN

1/8" = 1'-0"



EX. WOOD FRAME BLDG.
BARN (TYPE VB, S-2 OCC)

JOB NAME: SEGA - LINK BUILDING

ADDRESS: - _____ JOB #: - _____
- _____, MN - _____

PHONE #: - _____ SALES REP.: TODD

CUSTOMER SIGNATURE: _____

DRAWING HISTORY			
REV. #	DATE	NOTES	SIGNATURE
	12-10-18	CONTRACT RECEIVED	
	-	-	
△	-	-	
△	-	-	
△	-	-	
△	-	-	
△	-	-	

DOOR SCHEDULE				
LABEL	QTY.	TYPE	FRAME OUT SIZE	REMARKS
①	2	12'X12' OVERHEAD DOOR	12'-0" X 12'-0"	NON INSULATED, FLUSH,
②	2	AJ 1100 SERVICE DOOR 3068	40 5/16" X 81 1/8"	-
③	-	-	-	-
④	-	-	-	-
⑤	-	-	-	-

WINDOW SCHEDULE				
LABEL	QTY.	TYPE	FRAME OUT SIZE	
A	-	-	-	-
B	-	-	-	-
C	-	-	-	-
D	-	-	-	-



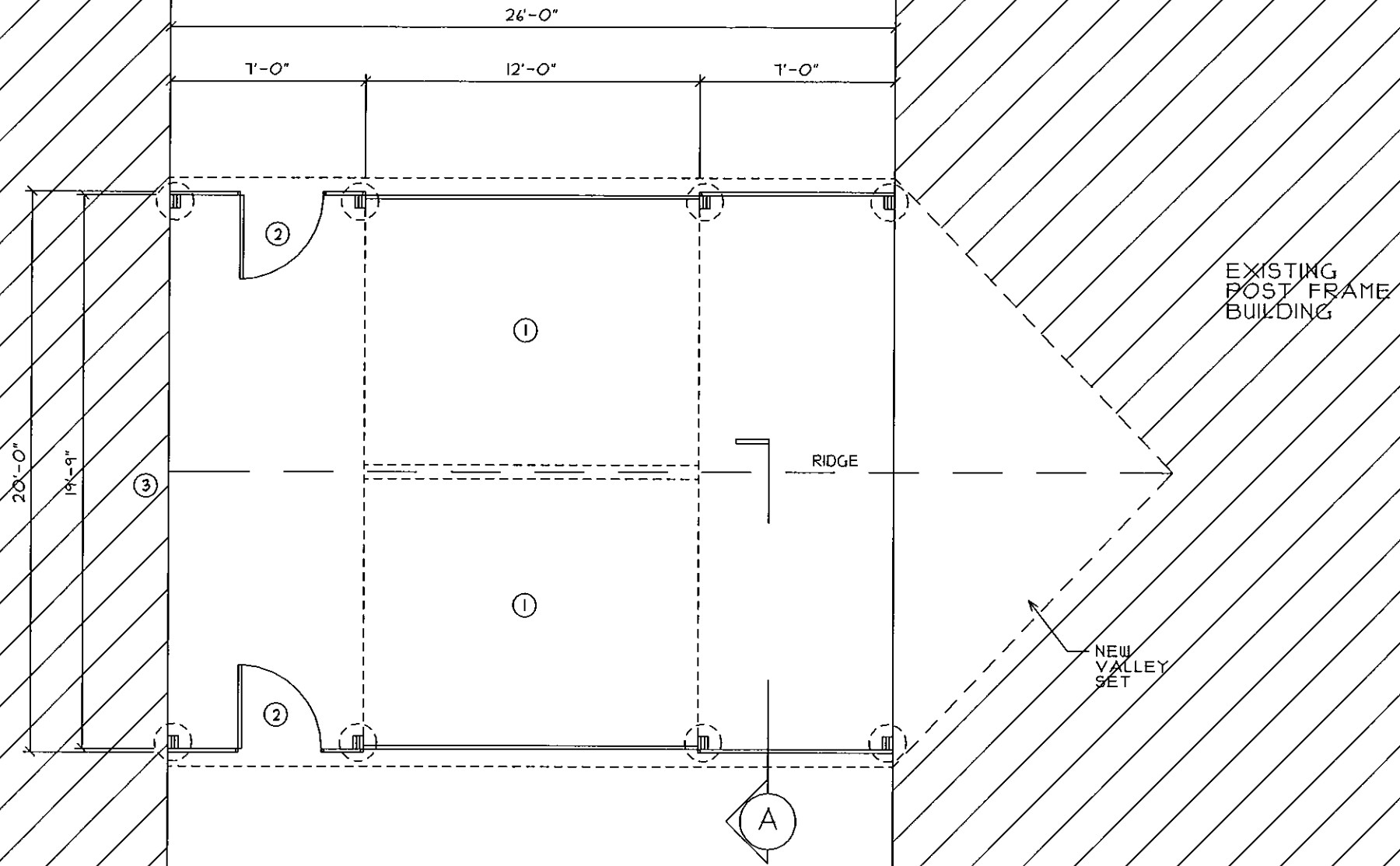
STRUCTURAL BUILDINGS INC.

12926 FIRST STREET

BECKER, MN 55308

OFFICE (763) 261-4150
FAX (763) 261-4414

NEW STEEL
FRAME
BUILDING



EXISTING
POST FRAME
BUILDING

FLOOR PLAN

SCALE: 3/16"=1'-0"



STRUCTURAL BUILDINGS INC.

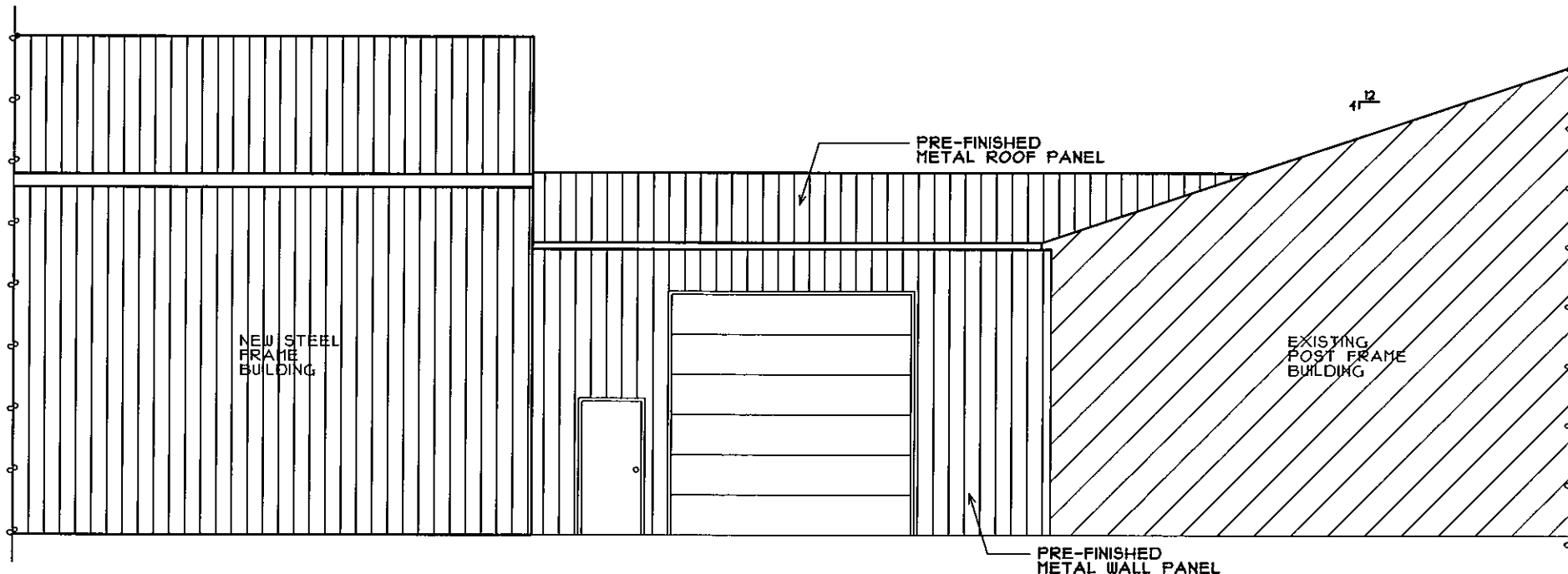
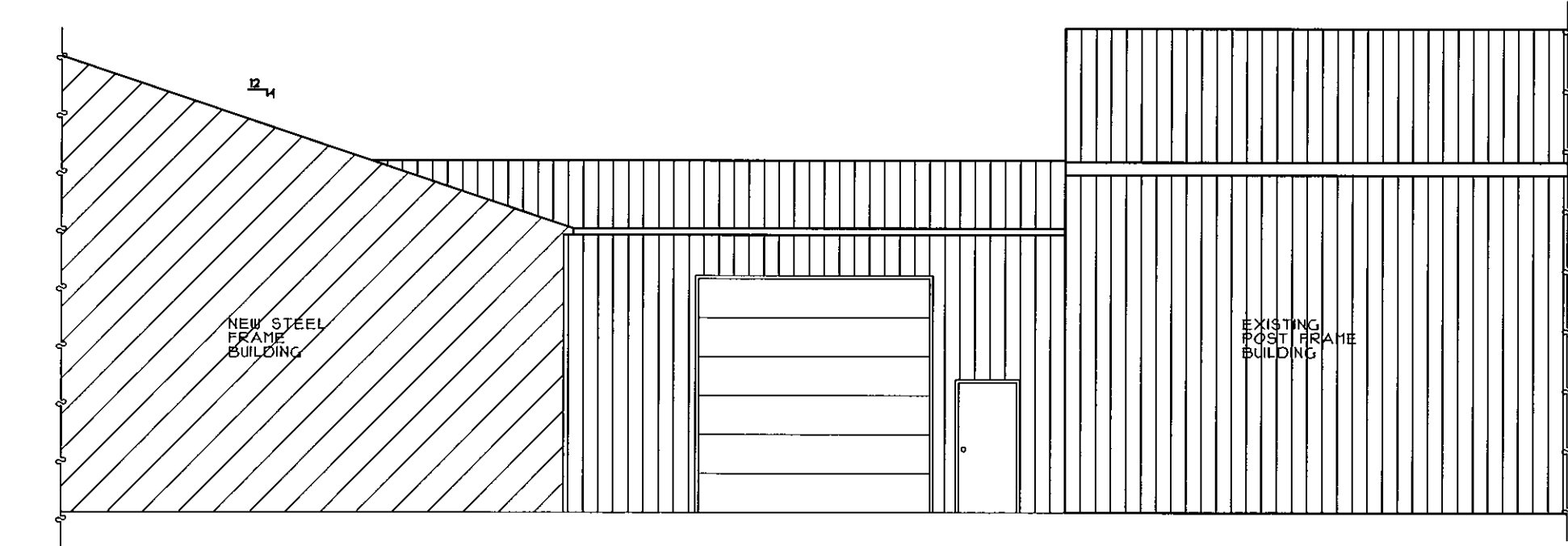
1292 1/2 FIRST STREET
BECKER, MN 55308
OFFICE (763) 241-4150
FAX (763) 241-4414


JOB TITLE: SEGA - LINK BLDG.

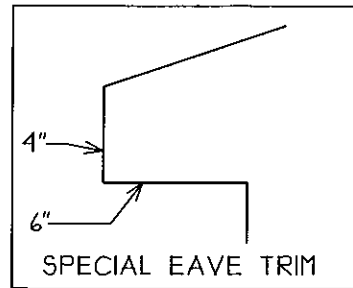
DRAWN BY: GK DATE: 12/10/18 SALES REP: TODD

REV. #-DATE: CUSTOMERS INITIAL:

SHEET



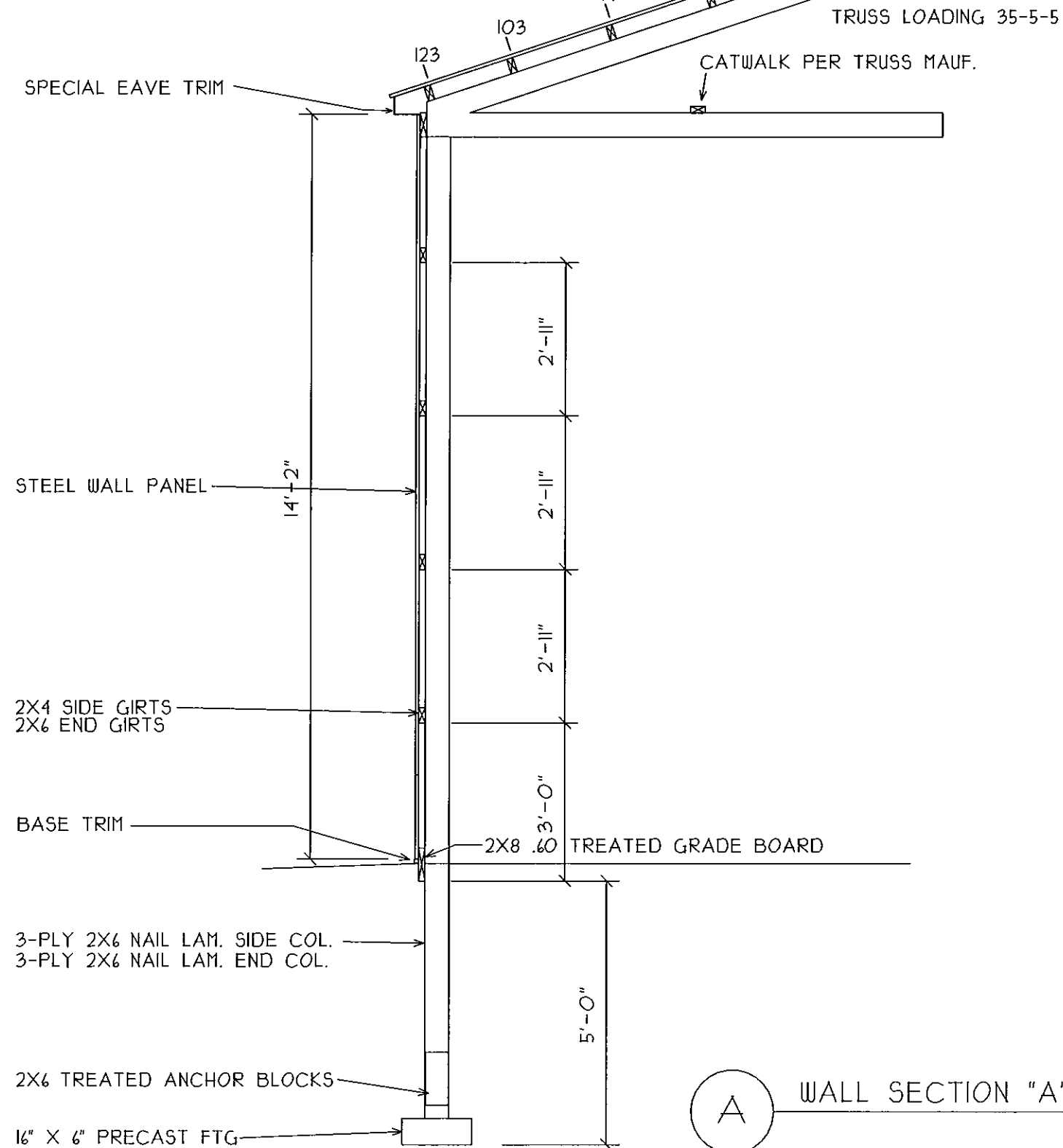
<div>  <div> <div>STRUCTURAL BUILDINGS INC.</div> <div>12426 FIRST STREET</div> <div>BECKER, MN 55308</div> </div> <div> <div>OFFICE (763) 24-4150</div> <div>FAX (763) 24-4144</div> </div> </div>	JOB TITLE: SEGA - LINK BLDG.		
	DRAWN BY: GK	DATE: 12/10/18	SALES REP: TODD
	REV. #-DATE:		CUSTOMERS INITIAL:



RIDGECAP & PROFILE VENT W/ 1" & DOWN PEAK PURLIN
MATCH TOP PURLIN TO RIDGE CAP WIDTH

STEEL ROOF PANEL

1650 MSR PURLINS
2X4 ON EDGE COVERING MULTI SPANS



STRUCTURAL BUILDINGS INC.
1292 1/2 FIRST STREET
BECKER, MN 55308
OFFICE (763) 241-4150
FAX (763) 241-4414



JOB TITLE: SEGA - LINK BLDG.

DRAWN BY: GK DATE: 12/10/18 SALES REP: TODD

REV. # DATE: CUSTOMERS INITIAL:

SHEET

3