

MINUTES OF A MEETING OF THE  
INDEPENDENCE PLANNING COMMISSION  
TUESDAY, SEPTEMBER 15, 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, Volkenant, Dumas, Thompson and Gardner  
STAFF: City Administrator Kaltsas, Assistant to Administrator Horner  
ABSENT: None  
VISITORS: Trevor Clemming Jr., Christina Clemming

3. Approval of Minutes:

- a. July 21, 2020 Planning Commission Meeting
- b. September 1, 2020 City Council Meeting Minutes (For Information Only)

**Motion by Palmquist to approve the July 21, 2020 Planning Commission minutes, second by Volkenant. Ayes: Gardner, Volkenant, Dumas and Palmquist. Nays: None. Absent: None. Abstain: Thompson. Motion Approved.**

4. **PUBLIC HEARING:** Trevor Clemming Jr. (Applicant/Owner) requests that the City consider the following action for the property located at 2740 Nelson Road (PID No. 18-118-24-42-0001) in Independence, MN:
  - a. A conditional use permit (CUP) to allow a commercial riding stable to be operated on the subject property.

Kaltsas said the Applicant recently purchased the subject property and approached the City about the possibility of obtaining a conditional use permit to allow boarding and commercial riding stable operations on the property. The property has historically been operated as a private horse farm. There are eight stalls located within the existing barn. There is an existing quonset style building that is used for storage and would be renovated inside to accommodate an additional 6-10 stalls. There is an existing indoor and outdoor riding arena. The indoor riding arena and barn are connected.

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 25 acres. Of the 25 acres, approximately 21 acres is useable upland based on the national wetland inventory and Hennepin County natural resources mapping. Applying the City's typical standard, the site would accommodate 24 animal units using the gross acreage.

The City has historically required that the applicants comply with 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. In December 2018, City Council adopted a Manure Management Policy for the City. The policy provides regulations relating to the management of manure associated with commercial horse operations in the City. This property is subject to the Manure Management Policy.

The subject property is primarily comprised of open pasture, several small trees stands and a wetland in the southeast corner. There are approximately 15 acres of open pasture. The requisite amount of open pasture needed to comply with the City's Manure Management Policy (1/3 acre per animal unit) would be 8 acres (24 animal units). The applicant noted that the horses are not fully dependent on pasture grazing as all horses will be boarded inside the stall barn or renovated quonset building and receive hay and feed supplements.

The proposed commercial boarding stable would have the additional following characteristics: The proposed commercial boarding stable would have the additional following characteristics:

1. The existing horse indoor riding arena is one-story and 8,400 SF in size.
2. The existing barn is 2,275 SF and has a total of 8 stalls.
3. There would be no full-time employees on the property. The Applicant is working with a trainer that would provide lessons and boarding for private clients. The typical number of guests on the property during regular hours will be 3-5. There may be additional guests for group trainings and clinics.
4. The applicant has stated that they would initially have 16 horses on the property in addition to the cows that are currently on the property. They would like to have the option to accommodate a maximum of 24 animal units on the property.
5. Ferrier's would come to the site to shoe the horses on a regular basis.
6. There would be regular garbage service and deliveries to the property.
7. Manure is proposed to be collected on-site and stored in a new manure enclosure that would have a concrete floor and wood wall construction. The applicant would like to spread the manure if possible, in accordance with the manure management policy. Any manure that could not be field spread would be hauled off-site as needed.
8. The applicant has already received a delivery of hay that will provide an adequate supply for this Hay would be delivered as needed after that supply is consumed.
9. The City typically regulates the number of events, training sessions or gatherings that are greater than 15 people in size through the conditional use permit. The City has commonly applied a limit to no more than two larger events per year that would allow up to 50 people. Any event greater than 50 participants would be subject to the review and approval of a large assembly permit.
10. The Applicant has worked with the City to provide a site plan of the existing and proposed conditions.

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

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

- 8. The proposed condition use is consistent with the comprehensive plan of the City of Independence.
- 9. The 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 reviewed the site and discussed the operation of the proposed commercial riding stable with the applicant.

The following additional considerations should be noted by the City:

- This property has historically been operated as a private horse farm and riding stable.
- 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. It should be noted that there is a cluster of five-acre parcels located west and north of the subject property. All properties in this area are guided for long-term Agriculture.
- The applicant will need to fully comply with the City’s recently adopted Manure Management Policy. This will include maintaining the prescribed buffer from the existing wetland located in the southwest corner of the property and constructing a new manure Management Policy. This will include maintaining the prescribed buffer from the existing wetland located in the southwest corner of the property and constructing a new manure containment area.

The location of the property, the orientation of the buildings and their relationship to the surrounding properties and the existing use of the property as a private horse farm aid in mitigating potential impacts relating to the commercial use of the property. The City will need to find that the proposed commercial riding stable meets the requirements for granting a conditional use permit. Staff is seeking a recommendation from the Planning Commission pertaining to the request for a conditional use permit with the following findings and conditions:

- 1. The proposed conditional use permit requests meet all applicable conditions and restrictions stated in 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.
  - b. Any new signage shall comply with all applicable standards of the City’s ordinance and require a sign permit.
  - c. No more than 24 horses (total animal units) shall be boarded on the property. The applicant and facility must operate in compliance with the City of Independence Manure Management Policy.
  - e. The hours of operation are: 7:00 am – 10:00 pm.
  - f. No parking shall be permitted on public roadways.
  - g. Two (2), one day, horse related events will be permitted per year and shall comply with the following provisions:
    - The horse related events shall occur during the permitted hours of operation.
    - No more than 50 participants shall be permitted at each event.
  - h. No renting of hack horses shall be permitted.
  - i. No riding on adjacent private land unless authorized by owners.
  - j. Must utilize appropriate management practices to control flies and odor.
  - k. No Must utilize appropriate management practices to control flies and odor.
  - k. No riding on adjacent private land unless authorized by owners.
  - l. No future expansion of the accessory structures 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 conditional use permit.
4. The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.

Thompson suggested clarifying the information in 2c. Palmquist agreed and Kaltsas said he would clarify the total animal units.

Thompson asked about the amount of traffic on the gravel road. Kaltsas said if it created a dust nuisance it could be addressed through the CUP at any time. Kaltsas noted the City proactively treats gravel roads.

Palmquist asked if parking needed to be addressed. Kaltsas said it was determined there was ample off-street parking.

Gardner noted there have been horses boarded here before and there have never been any complaints or problems that he is aware of.

**Motion by Gardner to open the Public Hearing, second by ?.**

### **Public Hearing Open**

Christina Clemmings (Applicant) noted there is plenty of gravel for parking. She asked how pigs are quantified for animal units. Kaltsas noted they were probably counted as a ½ unit.

**Motion by Palmquist to close the Public Hearing, second by ?.**

### **Public Hearing Closed**

**Motion by Thompson to approve a conditional use permit (CUP) to allow a commercial riding stable noting the clarification of 2c that 24 is the maximum number of animals allowed to be operated on the subject property located at 2740 Nelson Road (PID No. 18-118-24-42-0001) in Independence, MN N: second by Volkenant. Ayes: Gardner, Volkenant, Dumas, Thompson and Palmquist. Nays: None. Absent: Thompson. Motion Approved.**

10. Open/Misc.

Gardner asked for an update on the new internet option in Independence. Kaltsas said Xtratyme will run fiber between residential lots serving multiple residents off of point-to-point. He noted this could be a nice option for residents with speeds up to a gigabyte. Kaltsas noted the new tower erected behind city hall. Kaltsas said the City has also initiated a grant with Mediacom for \$300k for upgrades that will allow the ability to serve 105 residents. They are working on running fiber in ground currently. Kaltsas clarified that high-speed internet is a private utility so city has no control over it.

11. Adjourn.

**Motion by Palmquist, second by Dumas to adjourn at 8:20 p.m.**

Respectfully Submitted,

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Trish Gronstal/ Recording Secretary  
City of Independence  
Planning Commission Special Meeting Minutes  
7:30 p.m., September 15, 2020