



CITY COUNCIL MEETING AGENDA
REGULAR MEETING
TUESDAY, OCTOBER 3, 2017

CITY COUNCIL MEETING TIME: 6:30 PM

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. ****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 September 19, 2017 Regular City Council Meeting.
 - b. Approval of City Council minutes from the September 19, 2017 City Council Workshop.
 - c. Approval of Accounts Payable; Checks Numbered 17437-17467.
 - d. Approval of the Mayor's Attendance at the National League of Cities Annual Conference, November 14-18, 2017, in Charlotte, NC.
 - e. Approval of a Large Assembly Permit for an Auction to be Held on the Property Located at 2020 County Road 90 on October 7th, 2017.
 - f. Cancellation of the November 7th, 2017 City Council Meeting Due to the Election.
5. Set Agenda – Anyone Not on the Agenda can be Placed Under Open/Misc.
 6. Reports of Boards and Committees by Council and Staff.
 7. Morton Buildings, Inc. (Applicant) and Virgil and Theresa Marple (Owners) request that the City consider the following action for the property located at 7825 County Road 11 (PID No. 09-118-24-22-0003) in Independence, MN:

- a. **RESOLUTION NO. 17-1003-01** - Granting a conditional use permit which would allow an expansion to an existing accessory building which would cause it to be greater than 5,000 square feet.

8. Open/Misc.

9. Adjourn.

MINUTES OF A REGULAR MEETING OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, SEPTEMBER 19, 2017 –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.

2. PLEDGE OF ALLEGIANCE.

Mayor Johnson led the group in the Pledge of Allegiance.

3. ROLL CALL

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

ABSENT: None

STAFF: City Administrative Assistant Horner, City Administrator Kaltsas, Police Chief Gary Kroells

VISITORS: Liz Lindrud

4. ****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 September 5, 2017 Regular City Council Meeting.
- b. Approval of Accounts Payable; Checks Numbered 17415-17436.
- c. Approval of Additional Election Judges for the November 2017 Local and School District Elections.
- d. Approval of the Large Assembly Permit for a Horse Event to be held on September 23rd, 2017 at the Property Located at 4405 County Road 92 N.

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

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

Johnson asked to include a conduit financing opportunity discussion at the end of the agenda.

6. REPORTS OF BOARDS AND COMMITTEES BY COUNCIL AND STAFF

Spencer attended the following meetings:

- City Council Workshop

Grotting attended the following meetings:

- City Council Workshop

McCoy attended the following meetings:

- City Council Workshop
- Vehicle Fair at the Discovery Center

Betts attended the following meetings:

- Highway 12 Coalition
- City Council Workshop

Johnson attended the following meetings:

- Orono hosted a Veteran's Affair
- Highway 12 Coalition
- Regional Council of Mayor's
- Kelly Historical Farm
- Northwest League of Municipalities
- National League of Cities' Energy, Environment and Natural Resource call
- Metro Cities Committee
- City Council Workshop

Horner attended the following meetings:

- Election Judge Training
- WHCC
- City Council Workshop

Kaltsas attended the following meetings:

7. DIRECTOR GARY KROELLS, WEST HENNEPIN PUBLIC SAFETY - ACTIVITY REPORT FOR THE MONTH OF JUNE 2017 AND JULY 2017.

for the full WHPS Activity Report please refer to the City Council Packet

8. PUBLIC HEARING: Budd Avenue Improvement and Assessment Hearing

- RESOLUTION NO. 17-0919-01** – Adopting the proposed assessment for the street and utility improvements along Budd Avenue.

Kaltsas said this was addressed last year, and Maple Plain decided not to complete the assessment. The City of Independence is merely a conduit for this assessment. The City of Maple Plain reconstructed Budd Street redid Budd Street and reconstructed part of the road and the utilities in front of this particular resident. We decided we'd assess this resident. The proposed assessment for this household has not changed. The resident was notified. This was earmarked last year. The City of Maple Plain wanted to go out for more bids, which is why they postponed it.

Motion by McCoy, second by Grotting to close the Public Hearing. Ayes: Johnson, Spencer, Grotting, McCoy and Betts. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Motion by Spencer, second by Betts to approve RESOLUTION NO 17-0919-01-Adopting the proposed assessment for the street and utility improvements along Budd Avenue. Ayes: Johnson, Spencer, Grotting, McCoy and Betts. Nays: None. Absent: None. MOTION DECLARED CARRIED.

9. Consider Approval of the 2018 Preliminary Budget and Tax Levy

- a. **RESOLUTION NO. 17-0919-02** – Establishing the General and Debt Service preliminary tax levy.
- b. **RESOLUTION NO. 17-0919-03** – Establishing the Pioneer Sarah Creek Watershed preliminary tax levy.

Kaltsas stated we've held several meetings regarding this discussion. He thought we should take this opportunity to increase the Cities Cash Reserve balance. We like to maintain a fund balance of 50% of our total expenditures as we have reduced our cash reserve balance. This is preliminary which has to be certified by the end of September but we have until December to adopt a final levy. This would have a 7% increase over last year, and total levy increase of 6.5%. The benefit of this budget is it would provide \$50,000 towards our cash reserve fund which will help increase this fund as well as \$80,000 to help capture capital expenditures. The taxable rate would increase from 38.79 in 2017 to 40% in 2018. Johnson said our proposed budget is still lower than what we had for 2009, so we've been able to keep a well-functioning City. We may be able to capture more dollars with valuation increases.

Motion by Betts, second by McCoy to approve RESOLUTION NO. 17-0919-02, Establishing the General and Debt Service preliminary tax levy. Ayes: Johnson, Spencer, Grotting, McCoy and Betts. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Motion by Spencer, second by McCoy to approve RESOLUTION NO. 17-0919-03, Establishing the Pioneer Sarah Creek Watershed preliminary tax levy. Ayes: Johnson, Spencer, Grotting, McCoy and Betts. Nays: None. Absent: None. MOTION DECLARED CARRIED.

10. Open/Misc.

Conduit Financing Opportunity-

Conduit bond financing opportunity for Augustana which would be about \$6 million. We would need to hold a public hearing, which could be held October 17. The City of Independence is an option for them because we have no other bond issuances this year. We would charge a sizable fee with no down-side for the City. It's a way to generate additional revenue. They would sell these this year, hopefully in November. Johnson wondered if we'd be the only one, Kaltsas doesn't know many details but he thinks we would be.

Motion by Betts, second by Spencer to call for a Public Hearing at the City Council meeting on October 17. Ayes: Johnson, Spencer, Grotting, McCoy and Betts. Nays: None. Absent: None. MOTION DECLARED CARRIED.

Johnson reminded the Council that he would be gone for the October 3rd meeting. Kaltsas said there will be

two Planning items that would need to be addressed but they should be non-controversial. Spencer will act as Mayor Pro-Tem that evening. Kaltsas said that the Council meeting on November 7 conflicts with the election so we may need to cancel that meeting.

11. ADJOURN.

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

Respectfully Submitted,

Beth Horner/ Recording Secretary

DRAFT

MINUTES OF A WORK SESSION OF THE
INDEPENDENCE CITY COUNCIL
TUESDAY, SEPTEMBER 19, 6:00 PM

1. CALL TO ORDER.

Pursuant to due call and notice thereof, a work session of the Independence City Council was called to order by Mayor Johnson at 6:00 pm.

2. ROLL CALL

PRESENT: Mayor Johnson, Councilors Betts, Fisher, Grotting, Spencer, and McCoy
ABSENT: None
STAFF: City Administrator Kaltsas, Administrative Assistant Beth Horner
VISITORS: Liz Lindrud

3. 2018 BUDGET AND LEVY DISCUSSION

Kaltsas wanted a last discussion prior to adopting the preliminary levy. When we got our latest tax capacity, it went up again so we captured it-an additional \$24,000. We reallocated it to cash reserves. We funded \$18,760 of capital costs, \$60,000 to Public Works, and \$48,950 to cash reserves. Kaltsas wanted to make sure the Council was fine with leaving it at 40% with a little wiggle room in case we wanted to go back and reduce that number in the final levy. Mayor Johnson wondered if there would be another update before the December meeting, and Lindrud confirmed the November meeting would be the date to finalize the tax capacity. It probably makes sense to leave it for now, with a 6.67% increase. We can bring this down if we want before December. Johnson wanted to make sure we capture the reserves and not spend it, with Spencer stressing we need to bring the reserves up a little.

4. FIRE CONTRACTS DISCUSSION

Johnson brought up the fire district map and contract. Kaltsas worked with Maple Plain Fire Chief Justin McCoy, and they figured with the market valuation that was off was only about a \$1,100 change. Kaltsas and Chief Kroells looked at the Delano Fire services contract. We currently have about a \$66,000 payment to them. We have until October 1 to notify them if we don't want to continue our contract. Kaltsas referred to the color coded map. (The map is attached). We had 39 calls in the Delano services area. Fire Chief McCoy looked at the response time of the calls and Kaltsas referred to different scenarios which are shown on the attached map. Delano dispatch goes to Wright County, so there is a 2 minute response lag. Maple Plain can get to these places quicker than Delano. We've talked with them about upgrading their radios to receive Hennepin County dispatch and Delano suggested they may charge Independence with this cost. Can Maple Plain provide the same service to this area? Out of the 39 calls, 27 would be in possible Maple Plain area, 11 would be in the border area. We'd add a \$10-12,000 increase in Maple Plain contract which means about a \$30,000-50,000 savings to the City. Johnson felt it would be hard doing this before October 1. Kaltsas suggested we renegotiate Delano contract to work out a flat-rate. Kroells stated this has never changed in all the years he's been here. He brought up the fact that Brei Kessel didn't exist when these districts were drawn, so Loretto has to go 2 minutes out of their way. McCoy felt that it's worth exploring. Dual paging would be beneficial. He felt the 2 minute lag with Wright County dispatch is conservative; it's more likely 3-4 minutes. With the transfer it makes Maple Plain quicker to respond. McCoy also mentioned with the growth of Delano, it takes Delano Fire longer to get to Independence due to the increase in stop lights.

Spencer would like to look at this in regards to the change in the City. Betts felt the more ownership we had in a department the less likely a takeover would happen. Johnson doesn't think it's right to do this without having a conversation about this first with Delano. Kroells felt strongly the lines need to change. Betts wondered when Highway 12 is under construction will Maple Plain still be able to cover this area well, or should Delano service it? Maple Plain may need to figure this possible re-route out now.

5. MISCELLANEOUS

Kaltsas got a call from Kennedy & Graven wondering if we'd be interested in a conduit financing for Augustana in Hopkins. Kaltsas stated our price would be up, so they agreed on a ½ basis point. This is a \$6 million issuance which represents about \$30,000. If we're ok with this we should call for a public hearing tonight at the council meeting.

Workshop was adjourned at 6:27 pm.

Respectfully submitted,

Beth Horner, Recording Secretary

Kaltsas wanted a last discussion prior to adopting the preliminary levy. When we got our latest tax capacity, it went up again so we captured it-an additional \$24,000. We reallocated it to cash reserves. We funded \$18,760 of capital costs, \$60,000 to Public Works, and \$48,950 to cash reserves. Kaltsas wanted to make sure the Council was fine with leaving it at 40% with a little wiggle room in case we wanted to go back and reduce that number in the final levy. Mayor Johnson wondered if there would be another update before the December meeting, and Linsrud confirmed the November meeting would be the date to finalize the tax capacity. It probably makes sense to leave it for now, with a 6.67% increase. We can bring this down if we want before December. Johnson wanted to make sure we capture the reserves and not spend it, with Spencer stressing we need to bring the reserves up a little.

4. FIRE CONTRACTS DISCUSSION

Johnson brought up the fire district map and contract. Kaltsas worked with Maple Plain Fire Chief Justin McCoy, and they figured with the market valuation that was off was only about a \$1,100 change. Kaltsas and Chief Kroells looked at the Delano Fire services contract. We currently have about a \$66,000 payment to them. We have until October 1 to notify them if we don't want to continue our contract. Kaltsas referred to the color coded map. (The map is attached). We had 39 calls in the Delano services area. Fire Chief McCoy looked at the response time of the calls and Kaltsas referred to different scenarios which as shown on the attached map. Delano dispatch goes to Wright County, so there is a 2 minute response lag. Maple Plain can get to these places quicker than Delano. We've talked with them about upgrading their radios to receive Hennepin County dispatch and Delano suggested they may charge Independence with this cost. Can Maple Plain provide the same service to this area? Out of the 39 calls, 27 would be in possible Maple Plain area, 11 would be in the border area. We'd add a \$10-12,000 increase in Maple Plain contract which means about a \$30,000-50,000 savings to the City. Johnson felt it would be hard doing this before October 1, and remembering some of the history. Kaltsas suggested we renegotiate Delano contract to work out a flat-rate. Kroells stated this has never changed in all the years he's been here. He brought up Brei Kessel didn't exist when these districts were drawn, so Loretto has to go 2 minutes out of their way. McCoy felt that it's worth exploring. Dual paging would be beneficial. He felt the 2 minute lag with Wright County dispatch is conservative; it's more likely 3-4 minutes. With the transfer it makes Maple Plain quicker. McCoy also mentioned with the growth of Delano, it takes Delano Fire longer to get to Independence due to the increase in stop lights. Spencer would like to look at this in regards to the change in the City. Betts felt the more ownership we had in a department the less likely a takeover would happen. Johnson doesn't think it's right to do this without having a conversation about this first with Delano. Kroells felt strongly the lines need to change. Betts wondered when Highway 12 is under construction will Maple Plain still be able to cover this area well, or should Delano service it? Maple Plain may need to figure this possible re-route out now.

Kaltsas got a call from Kennedy & Graven wondering if we'd be interested in a conduit financing for Augustana in Hopkins. Kaltsas stated our price would be up, so they agreed on a ½ basis point. This is a \$6 million issuance which represents about \$30,000. If we're ok with this we should call for a public hearing tonight at the council meeting.

Workshop was adjourned at 6:27 pm..

Respectfully submitted,

Beth Horner, Recording Secretary

DRAFT

Independence City Council:

I would like to have your approval to attend the National League of Cities Annual Conference November 14th to 18th, 2017, at Charlotte, North Carolina.

I would have to travel to Charlotte on Tuesday, November 14th. I am a member of the Energy, Environment and Natural Resources Steering Committee and that committee will meet on Tuesday night and Wednesday morning. Also, I am Chairman elect of the Small Cities Council and we will have a couple of meetings during the annual conference. The conference annual meeting is Saturday afternoon and the closing event is Saturday night, November 18th. I would be returning home on Sunday, November 19th.

Costs would be \$540.00 for the Registration Fee, approximately \$350.00 for airfare and I think I can get a non-convention downtown hotel room for \$200.00 or less per night.

The League of Minnesota Cities covers my cost for midyear meetings for the Energy, Environment and Natural Resources Steering Committee and Small Cities Council, but I must have city support to attend the NLC annual meeting and the Washington D. C. Congressional Cities Conference. I would like to continue serving on those committees and would appreciate your support. I am scheduled to host the Small Cities Council next summer.

A handwritten signature in black ink, appearing to read "Marvin D. Johnson", with a long horizontal flourish extending to the right.

Marvin D. Johnson, Mayor

October 3rd, 2017

PERMIT # _____



NON-CITY ASSEMBLY PERMIT APPLICATION

Fees & Definitions:

• 200+ Attendees (Large Assembly) = \$250	• 50+ Attendees (Small Assembly) = \$50
• 100+ Attendees (Medium Assembly) = \$100	• Non-profit Organizations = \$25

(Double fee for application received less than 10 business days prior to event).

Event Location: 2020 County Road 90
Type of event: Auction Number of people attending: 250 Date: Oct 7th
☐ Residential ☐ Corporate ☐ Partnership ☐ Group or Association ☐ Other
930 75

Event Holder's Name: Winnie Baird Address: 4176 42nd St. SE, Delano, MN 55328
Contact Person: Winnie Baird Home Phone: 612-599-5860 Cell Phone: 612-599-5860
2nd Contact Person: Derek Lundeen Home Phone: 507-286-5325 Cell Phone: 612-280-1725

Security Plans: WHPD
Date West Hennepin Public Safety was notified of the event: 9-26-17

Severe Weather Plans (in the event of): If r. 1 Severe Cancel or postpone

Sound Plans - amplification and sound control: _____
Outdoor Music ☐ Yes ☒ No - Starting Time _____ AM/PM, Ending Time _____ AM/PM

Food and Concessions Plans: _____
Vendor's name, address, and license number (copies of vendor license, insurance and permits must be provided)

Vendor Work #: _____ Vendor Cell #: _____

Serving Alcohol: Yes: _____ No: X
Selling Alcohol: Yes: _____ No: X (If selling alcohol contact the City for a Permit)

Restroom Provisions: How many? _____ Location: _____

Lighting - Type: _____ How many? _____
Location of lights: _____

\$1,000,000 Certificate of Liability Insurance-provide a copy: yes

Parking Plan: Please provide a site plan showing 1 parking space for each vehicle per 4 guests. If using adjacent property, written permission from property owners must be obtained.

09/27/2017
Date

[Signature]
Signature of applicant

Date

Signature of applicant

Office Use Only

Application Received: 9/27/17 Application Fee: 250 + 75 park Date Fee Paid: 9/27/17

Date \$1,000,000 certificate of liability insurance received: 9/27/17

Signature of City Official
[Signature]
Signature of West Hennepin Public Safety

Date
9-28-17
Date

* Restrictions by West Hennepin Police
— No Parking on County Road 90
— Must Place No parking signs on County 90
— Establish pedestrians crosswalk area over County 90. Funnel people to one area to cross county 90.

City of Independence

Cancelation of November 7, 2017 Regular City Council Meeting

To: City Council
From: Mark Kaltsas, City Administrator
Meeting Date: October 3, 2017

Discussion:

The general City and local school board elections will be held on Tuesday, November 7th, 2017. The City cannot hold a City Council Meeting on this night. At this time, it is anticipated that the City will not need to reschedule this meeting and can adjust all Council business to the regular meetings scheduled before or after this date. The City can schedule a new time if necessary at the October 17, 2017 City Council Meeting.

City of Independence

Request for a Conditional Use Permit for the Property Located at 7825 County Road 11

<i>To:</i>	City Council
<i>From:</i>	Mark Kaltsas, City Planner
<i>Meeting Date:</i>	October 03, 2017
<i>Applicant:</i>	Morton Buildings, Inc.
<i>Owner:</i>	Virgil and Theresa Marple
<i>Location:</i>	7825 County Road 11

Request:

Morton Buildings, Inc. (Applicant) and Virgil and Theresa Marple (Owners) request that the City consider the following action for the property located at 7825 County Road 11 (PID No. 09-118-24-22-0003) in Independence, MN:

- a. A conditional use permit allowing an expansion to an existing accessory building which would cause it to be greater than 5,000 square feet.

Property/Site Information:

The property is located south of County Road 11 and just west of The County Road 11/County Road 92 intersection. There are two houses on the subject property and approximately 12 detached accessory buildings. The property has a CUP allowing for the two homes to be located on the property.

Property Information: 7825 County Road 11

Zoning: Agriculture

Comprehensive Plan: Agriculture

Acreage: 77.07 acres



Discussion:

The applicants are seeking a conditional use permit to allow the expansion of an existing building which will exceed 5,000 sf in overall size. The proposed building expansion will add approximately 1,200 SF to the existing 5,000 SF accessory building. The expansion area will be to the south of the existing building and internal to the property. All applicable setbacks will be met by the proposed addition. The existing building is used for the private storage of the owners. There are several additional accessory buildings located on this property. The owners live in the existing home on this property.

The maximum size of any accessory structure on a property is 5,000 SF. Any accessory structure greater than 5,000 SF requires a conditional use permit. In this particular case, the proposed existing building will be expanded which will result in a building greater than 5,000 SF. The City has established criteria for granting a conditional use permit.



The City has the following criteria for granting a Conditional Use Permit:

1. *The conditional use will not adversely affect the health, safety, morals and general welfare of occupants of surrounding lands.*
2. *The proposed use will not have a detrimental effect on the use and enjoyment of other property in the immediate vicinity for the proposes already permitted or on the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
3. *Existing roads and proposed access roads will be adequate to accommodate anticipated traffic.*
4. *Sufficient off-street parking and loading space will be provided to serve the proposed use.*
5. *The proposed conditional use can be adequately serviced by public utilities or on-site sewage treatment, and sufficient area of suitable soils for on-site sewage treatment is available to protect the city form pollution hazards.*

6. *The proposal includes adequate provision for protection of natural drainage systems, natural topography, tree growth, water courses, wetlands, historic sites and similar ecological and environmental features.*
7. *The proposal includes adequate measures to prevent or control offensive odor, fumes, dust, noise, or vibration so that none of these will constitute a nuisance.*
8. *The proposed condition use is consistent with the comprehensive plan of the City of Independence.*
9. *The proposed use will not stimulate growth incompatible with prevailing density standards.*

Properties greater than 10 acres do not have a limitation on the total square footage of accessory buildings permitted on the properties. The applicant could construct an additional accessory structure on the property that is detached from the existing building. The proposed expansion would include the residing and reroofing of the entire building. The requested Conditional Use Permit appears to meet all of the aforementioned conditions and restrictions. Allowing the expansion of the existing building does not appear to have any adverse effects on this property or the surrounding properties.

Neighbor Comments:

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

Planning Commission Discussion:

Commissioners reviewed the request and asked questions of staff and the applicant. Commissioners asked why the applicant was adding on to an existing building versus building another standalone building. The applicant noted that they wanted to re-side and roof the existing building so it made sense to just add onto that building. Commissioners asked if there would be any commercial use of the building and the applicant noted that this was for the private use of the homeowner. Commissioners recommended adding a condition that no commercial use of the building would be permitted. Commissioners ultimately recommended approval of the conditional use permit to the City Council.

Recommendation:

The Planning Commission recommended approval of the Conditional Use Permit with the following findings and conditions:

1. The proposed Conditional Use Permit request meets all applicable conditions and

restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.

2. No future expansion of the accessory building shall be permitted on the property without the further review and approval by the City through the conditional use permit amendment process.
3. No commercial use of the building shall be permitted.
4. The applicant shall pay for all costs associated with reviewing the application and recording the resolution.

Attachments:

1. Property Pictures
2. Building Plans and Elevations
3. Application

Attachment #1

7825 County Road 11 (Looking South)





RESOLUTION NO. 17-1003-01

A RESOLUTION GRANTING APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW AN ACCESSORY STRUCTURE LARGER THAN 5,000 SQUARE FEET ON THE PROPERTY LOCATED AT 7825 COUNTY ROAD 11 AND SUBMITTED BY VIRGIL AND THERESA MARPLE

WHEREAS, the City of Independence (the “City”) is a municipal corporation under the laws of Minnesota; and

WHEREAS, the City adopted a comprehensive plan in 2010 to guide the development of the community; and

WHEREAS, the City has adopted a zoning ordinance and other official controls to assist in implementing the comprehensive plan; and

WHEREAS, Virgil and Theresa Marple (the “Applicant”) submitted a request for a Conditional Use Permit to allow the use of a guest house on the property located at 7825 County Road 11 (PID No. 09-118-24-22-0003) (the “Property”); and

WHEREAS, the Property is zoned Agriculture; and

WHEREAS, the Property is legally described on Exhibit A attached hereto; and

WHEREAS the requested Conditional Use Permit meets all requirements, standards and specifications of the City of Independence zoning ordinance for Agriculture lots; and

WHEREAS the Planning Commission held a public hearing on September 19, 2017 to review the application for a Conditional Use Permit, following mailed and published noticed as required by law; and

WHEREAS, the city council has review all materials submitted by the Applicant; considered the oral and written testimony offered by the applicant and all interested parties; and has now concluded that the application is in compliance with all applicable standards and can be considered for approval.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MINNESOTA, that it should and hereby does approve the application by Virgil and Theresa Marple for a Conditional Use Permit per the City's subdivision and zoning regulations with the following conditions:

1. The proposed conditional use permit request meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
2. The conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in this resolution.
3. The City Council may revoke the conditional use permit if the applicant violates any of the conditions set forth in the conditional use permit.
4. No future expansion of the accessory building shall be permitted on the property without the further review and approval by the City through the conditional use permit amendment process.
5. No commercial use of the building shall be permitted.
6. The applicant shall pay for all costs associated with reviewing the application and recording the resolution.

This resolution was adopted by the city council of the City of Independence on this 3rd day of October 2017, by a vote of ____ ayes and ____ nays.

Marvin Johnson, Mayor

ATTEST:

Mark Kaltsas, City Administrator

EXHIBIT A



RECEIVED
8-14-2017
 Bruce

Planning & Zoning Department: Application for Planning Consideration (2016)

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: A 38' x 32' addition
to an existing 40' x 75' / 38' x 53'
accessory building.
Parcel is 77.7 acres
zoned AG Preserve per
Zoning Map dated 3/2014.

Site Address or Property Identification Number(s):

7949
~~7825~~ Co Rd 11
PID 09.1182422.0003

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	<u>8/14/2017</u>
Application Amount	<u>1,250</u>
Application Check #	<u>7324</u>
Escrow Paid	<u>750</u>
Escrow Check #	<u>7324</u>
Date Accepted by Planner	Accepted By
City Planner	

pd

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

Applicant Information:

Name: Morton Buildings Inc.

Address: 113 Thomas Park Dr.

City, State, Zip: Monticello, MN 55362

Phone: 763-295-3939

Email: michael.herbert@
mortonbuildings.com

Signature: [Signature]

Owner Information (if different than applicant)

Name: Virgil & Theresa Marple

Address: 7825 Co Rd 11

City, State, Zip: Independence, MN 55359

Phone: _____

Email: virgilmarple@frontiernet.net

X Signature: [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 set forth a fee schedule for the year 2014 by City Ordinance. 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:

X Applicant Signature: [Signature]
Date: 8/12/17

Owner Signature (if different): _____
Date: _____

DESIGN AND EXPLANATORY NOTES

1.) EXTERIOR DOOR AND WINDOW LOCATIONS ARE TAKEN FROM THE EXTERIOR FACE OF THE NAILERS AND ARE TO THE CENTER OF THE DOOR AND WINDOW UNITS. VERIFY ALL DOOR, WINDOW, SKYLIGHT AND SIDELIGHT LOCATIONS WITH THE OWNER.

OFFICE:
REPAIR CREWS
JOB NO.
724-069748

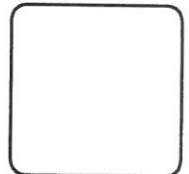
VIRGIL MARPLE
MAPLE PLAIN, MN



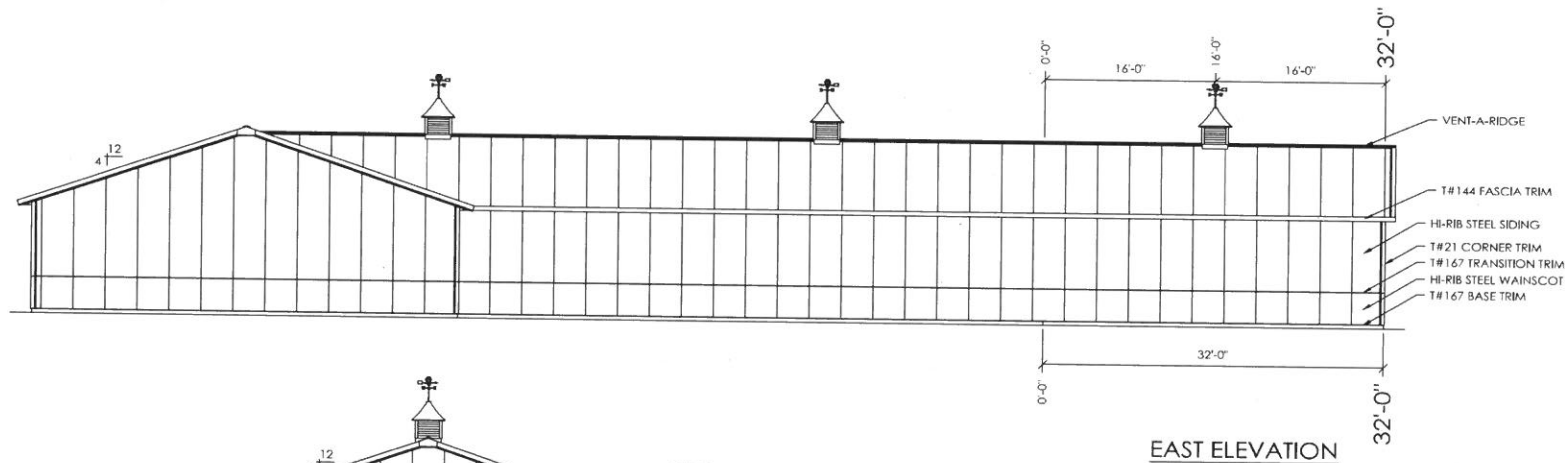
MORTON BUILDINGS, INC.
©MORTON BUILDINGS, INC. P.O. BOX 399
MORTON, IL 61550-0399
309-263-7474



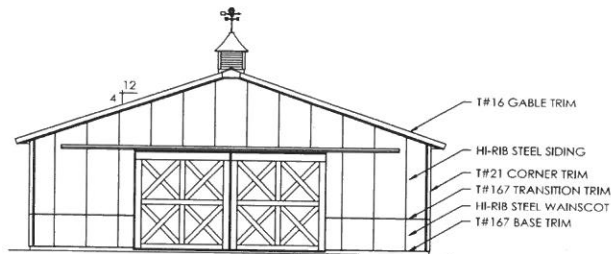
DRAWN BY:	RKS
DATE:	8/11/2017
CHECKED BY:	—
DATE:	—
REVISED DATE:	—
REVISED DATE:	—
REVISED DATE:	—



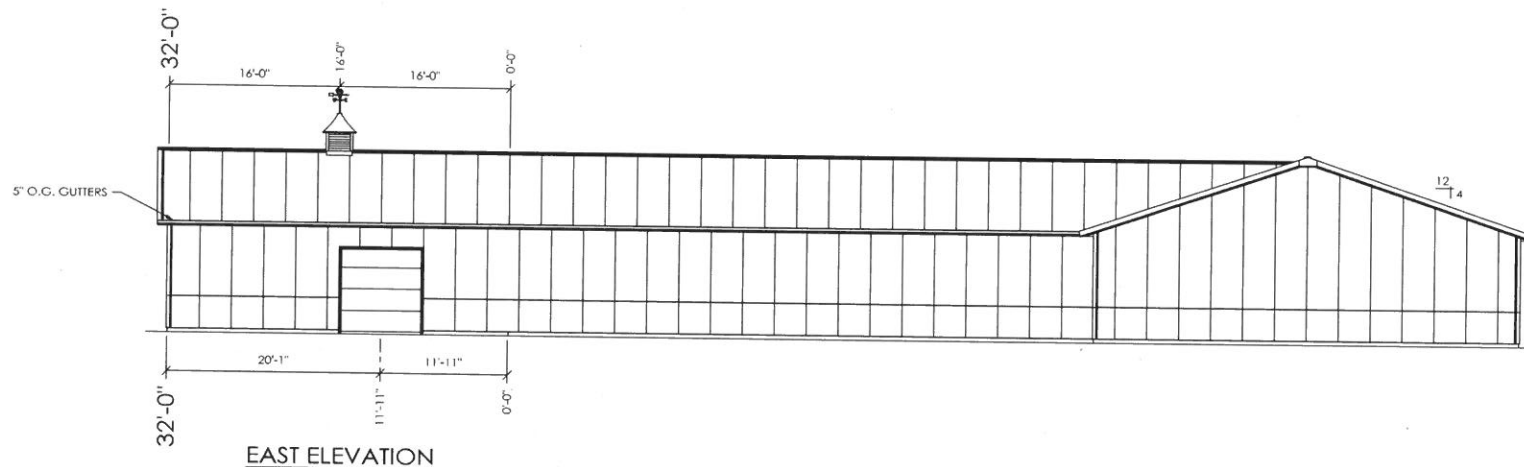
SCALE: AS NOTED
SHEET NO.
S2 OF S4



EAST ELEVATION

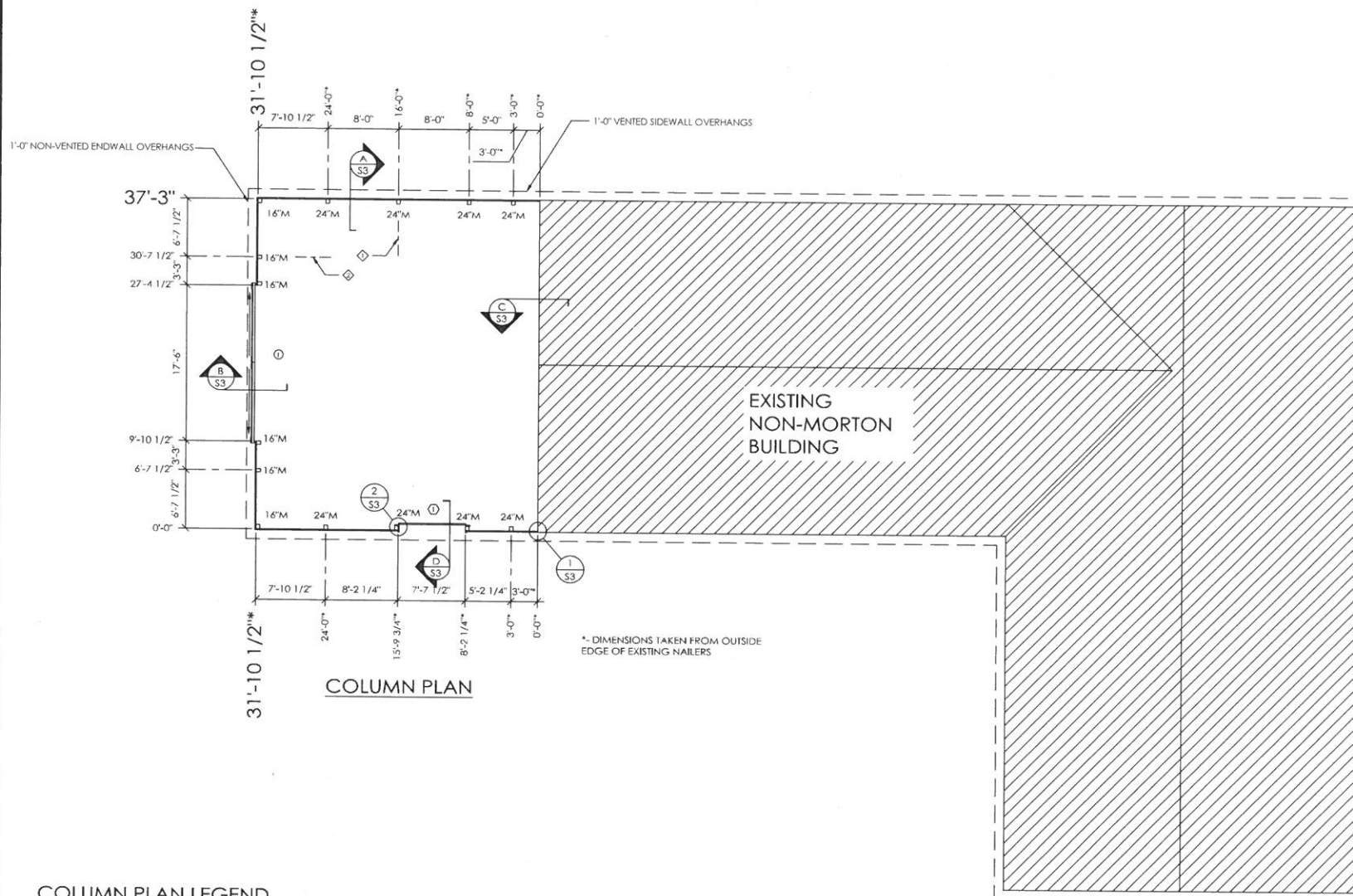


SOUTH ELEVATION



EAST ELEVATION

SCALE: 1" = 4' 8" = 16'



COLUMN PLAN LEGEND

- - 3-2x6 LAMINATED COLUMN LOCATION
- - HEADERED TRUSS LOCATION
- ① - 18'-0" x 9'-8" DOUBLE SLIDING ALUMASTEEL DIAMOND "M" END DOOR WITH CROSSBUCKS WITH SATIN STAINLESS STEEL HANDLE
- ② - 7'-8" x 7'-10" OVERHEAD DOOR
- ③ - 37'-3" CUSTOM R.C. TRUSS @ 8'-0" O.C. TYPICAL
- ④ - CONTINUOUS 2x4 LOWER CHORD TRUSS TIES AND 2x6 DIAGONAL END BRACES APPROXIMATELY 6'-6" 8'-0" O.C. TYPICAL
- (1) 2'-6"x2'-6" NON-FUNCTIONAL CUPOLA WITH "M" 30" WEATHERVANE
- ALL STEEL FASTENED WITH STAINLESS STEEL SCREWS
- ROOF LAP RIB SEALANT TAPE
- 16'M - 16" DIAMETER FOOTING WITH 4" TO BOTTOM OF 21" THICK CONCRETE PAD (2500 PSI MINIMUM), 20" BELOW BOTTOM OF PRECAST CONCRETE COLUMN AROUND EXPOSED REBAR CAGE AND 3/4"x14" THREADED ROD WITH AN ADDITIONAL MINIMUM 1" ABOVE BOTTOM OF PRECAST CONCRETE COLUMN, PLACE CONCRETE BELOW AND ABOVE BOTTOM OF LOWER COLUMN IN ONE OPERATION.
- 24'M - 24" DIAMETER FOOTING WITH 4" TO BOTTOM OF 21" THICK CONCRETE PAD (2500 PSI MINIMUM), 20" BELOW BOTTOM OF PRECAST CONCRETE COLUMN AROUND EXPOSED REBAR CAGE AND 3/4"x14" THREADED ROD WITH AN ADDITIONAL MINIMUM 1" ABOVE BOTTOM OF PRECAST CONCRETE COLUMN, PLACE CONCRETE BELOW AND ABOVE BOTTOM OF LOWER COLUMN IN ONE OPERATION.



37'-0" DIAGONAL DIMENSION = 48'-6 3/4"

CONSTRUCTION PLANS

THIS IS A FINAL SET OF CONSTRUCTION DRAWINGS.
ALL ALTERATIONS TO THESE PLANS MUST BE
ACKNOWLEDGED BY A CHANGE ORDER.

ESTIMATOR'S SIGNATURE

FIRST CONTACT: _____ ESTIMATOR _____ PHONE EXTENSION _____

SECOND CONTACT: _____ ESTIMATOR _____ PHONE EXTENSION _____

DATE PLANS SENT _____

OFFICE:
REPAIR CREWS
JOB NO.
724-069748

VIRGIL MARPLE
MAPLE PLAIN, MN



MORTON BUILDINGS, INC.



309-263-7474

MORTON, IL 61550-0399

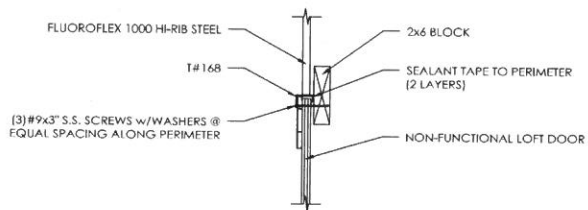
P.O. BOX 399

DRAWN BY: RKS
DATE: 8/11/2017
CHECKED BY: _____
DATE: _____
REVISED DATE: _____
REVISED DATE: _____
REVISED DATE: _____

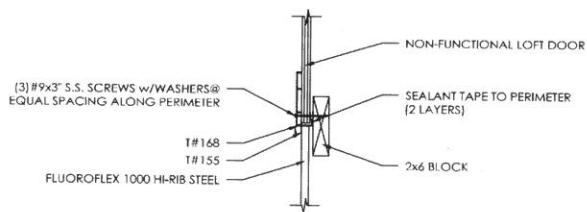
SCALE: AS NOTED

SHEET NO.

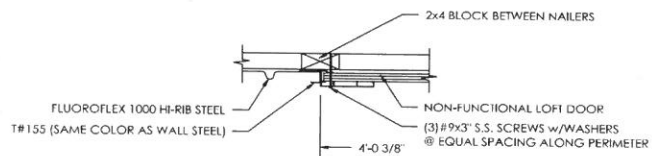
S1 OF S4



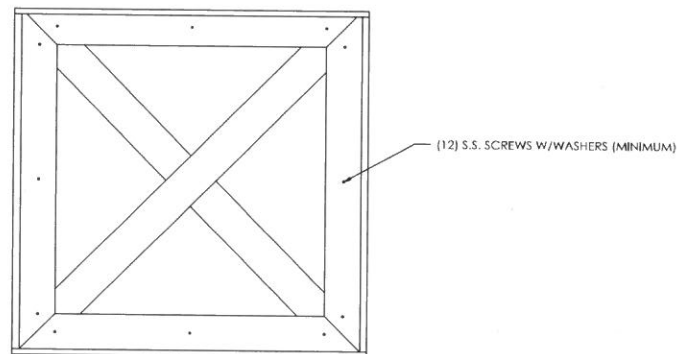
FALSE LOFT DOOR HEAD DETAIL
SCALE: 1 1/2" = 1'-0"



FALSE LOFT DOOR SILL DETAIL
SCALE: 1 1/2" = 1'-0"



FALSE LOFT DOOR JAMB DETAIL
SCALE: 1 1/2" = 1'-0"



LOFT DOOR ELEVATION
SCALE: 1" = 1'-0"

OFFICE:
REPAIR CREWS
JOB NO.
724-069748

VIRGIL MARPLE
MAPLE PLAIN, MN

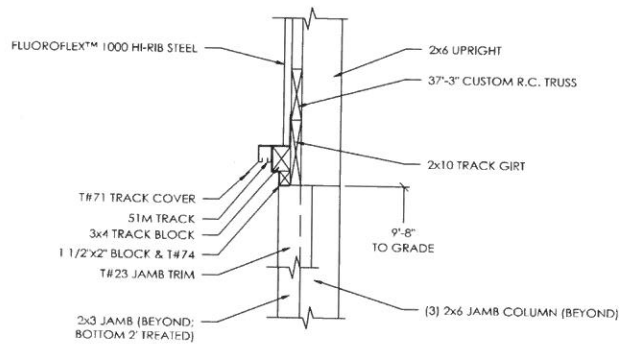


MORTON BUILDINGS, INC.
© MORTON BUILDINGS, INC. P.O. BOX 399 MORTON, IL 61550-0399



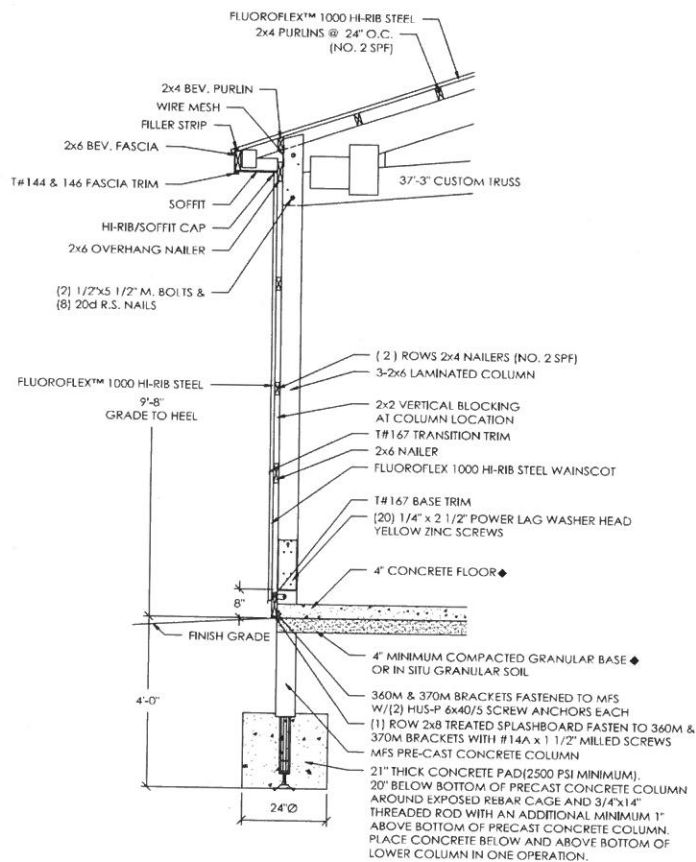
DRAWN BY:	RKS
DATE:	8/11/2017
CHECKED BY:	—
DATE:	—
REVISED DATE:	—
REVISED DATE:	—
REVISED DATE:	—
REVISED DATE:	—

SCALE: AS NOTED
SHEET NO.
S4 OF S4



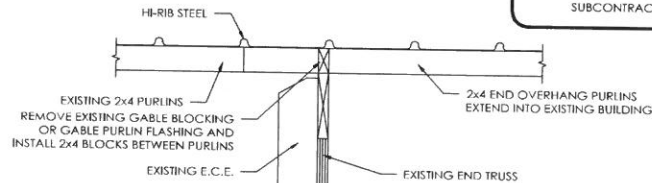
SLIDING DOOR HEADER SECTION B

SCALE: 1" = 1'-0"

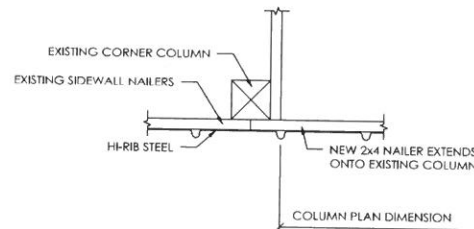


SIDEWALL SECTION A

SCALE: 1/2" = 1'-0"

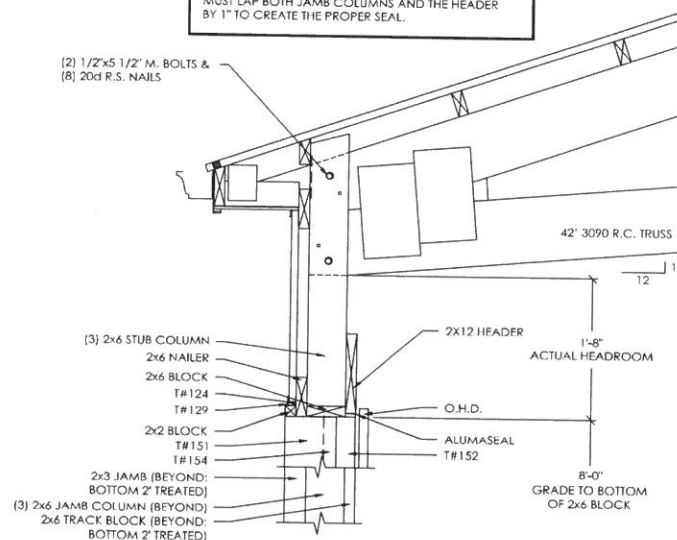


ROOF CONNECTION SECTION C



CONNECTION DETAIL #1

NOTE:
THIS OVERHEAD DOOR IS AN ODD WIDTH AND/OR HEIGHT. PAY PARTICULAR ATTENTION TO THE DIMENSIONS PROVIDED AND CONFIRM THEM TO MAKE SURE THE FINISHED OPENING WILL WORK FOR THIS SPECIAL DOOR. KEEP IN MIND, WITH THE FLOOR IN PLACE, THE OVERHEAD DOOR PANEL MUST LAP BOTH JAMB COLUMNS AND THE HEADER BY 1" TO CREATE THE PROPER SEAL.



OHD HEADER SECTION D

SCALE: 1" = 1'-0"

DESIGN AND EXPLANATORY NOTES

1. THE PRECEDING SYMBOL IDENTIFIES ITEMS THROUGHOUT THE PLANS THAT ARE NOT PROVIDED BY MORTON BUILDINGS, INC. OR MORTON BUILDINGS' SUBCONTRACTORS AND ARE THE OWNER'S RESPONSIBILITY.

OFFICE:
REPAIR CREWS
JOB NO.
724-069748

VIRGIL MARPLE
MAPLE PLAIN, MN

MORTON BUILDINGS, INC.
305-263-7474
MORTON BUILDINGS, INC. P.O. BOX 399 MORTON, IL 61550-0399

DRAWN BY: RKS
DATE: 8/11/2017
CHECKED BY: —
DATE: —
REVISED DATE: —
REVISED DATE: —
REVISED DATE: —
REVISED DATE: —

SCALE: AS NOTED
SHEET NO.
S3 OF S4