

CITY COUNCIL MEETING AGENDA TUESDAY NOVEMBER 04, 2025

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 the City Council Minutes from the October 21, 2025, Regular City Council Meeting.
- b. Approval of Accounts Payable; (Batch #1 Checks No. 24014-24035).
- 5. Reports of Boards and Committees by Council and Staff.
- 6. David Kittok (Applicant/Owner) requests that the City consider the following action for the property located at 8575 Hitsman Lane, Independence, MN (PID No. 17-118-24-24-0001):
 - a. **RESOLUTION NO. 25-1104-01** Considering a minor subdivision to allow a rural view lot subdivision. The proposed rural view lot would be 10 acres and located on the south side of Hitsman Lane.
- 7. Jerrid Voss (Applicant/Owner) request that the City consider the following action for the property located at 7646 Turner Road, Independence, MN (PID No. 28-118-24-24-0004):
 - a. **RESOLUTION NO. 25-1104-02** Considering a conditional use permit to allow a detached accessory structure that exceeds the maximum square footage of 5,000 SF. The accessory structure would be used as a private indoor riding arena.
- 8. Open/Misc.
- 9. Adjourn.



CITY COUNCIL MEETING MINUTES TUESDAY OCTOBER 21, 2025

CITY COUNCIL MEETING TIME: 6:30 PM

1. CALL TO ORDER

Mayor Brad Spencer called the meeting to order on Tuesday, OCTOBER 21, 2025, at 6:30 PM

2. PLEDGE OF ALLEGIANCE

Mayor Spencer led the group in the Pledge of Allegiance.

3. ROLL CALL

PRESENT: Spencer, McCoy, Betts, Grotting, Fisher

ABSENT: None

STAFF: City Administrator Kaltsas, Administrative Services Director Simon,

WHPS Chief DuRose

VISITORS: See Sign in Sheet

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

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

- a. Approval of the City Council Minutes from the October 7, 2025, Regular City Council Meeting.
- b. Approval of Accounts Payable; (Batch #1 Checks No. 23980-24013).
- c. 3rd Quarter Building Permit Report (For Information Only)

Motion by Grotting, seconded by Betts to approve the consent agenda. Ayes: Spencer, Betts, McCoy, Grotting, Fisher. Nays: None. Absent: None. Abstain: None. Motion Approved. 5-0

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

Council member Fisher Attended the following meeting:

• None

Council member Betts Attended the following meeting:

Fax: 763.479.0528

None

Council member McCoy Attended the following meeting:

• Fire Commission Meeting

Mayor Grotting Attended the following meeting:

• Fire Commission Meeting

Mayor Spencer Attended the following meeting:

- NW Hennepin League
- Meeting with HC Sheriff Dawanna Witt
- Fire Dept Merger Meeting
- 6 Month review for WHPS chief DuRose

City Administrator Mark Kaltsas Attended the following meeting:

- None
- 6. West Hennepin Public Safety Director Mattew DuRose: Presentation of the September and October 2025 Activity Reports.

Director DuRose thanked the Mayor and Council for their support during his first six months, expressing appreciation for the warm welcome from the councils, police commission, communities, organization members, and criminal justice partners. He noted that despite some challenges, they had been able to overcome them and work together as a team.

Director DuRose presented the monthly activity report, highlighting an 18.5-19% increase in total incidents, primarily related to traffic enforcement. He explained that while there were many traffic stops being conducted, they were ticketing only those who needed to be ticketed, with education being an important part of their approach to traffic safety.

He reported on several events including:

- Night to Unite in August with good turnout in both Independence and Maple Plain
- Golf tournament with proceeds benefiting Maple Plain Fire and West Hennepin Public Safety
- West Hennepin Public Safety defeating the fire team in softball, though one officer was injured but has since returned to work in a modified capacity

Director DuRose mentioned ongoing scams in the area, particularly those taking advantage of planning commission packets available online. He reported they were working with affected citizens and developing training to address these issues.

He reported that the Highway 12 Coalition had met several times, and that the department had hired a new officer named Mason who started the previous Thursday.

Director DuRose discussed concerns about the Hennepin County Attorney's decision not to charge felony offenses stemming from "non-public safety traffic stops." He explained that police chiefs were not consulted about this policy change, receiving notification just minutes before the public announcement. He emphasized that regardless of the County Attorney's policy, West Hennepin Public Safety would continue making traffic stops as they are an important part of traffic safety. He cited a recent example where a traffic stops for expired tabs resulted in a DWI arrest of a driver with a 0.18 blood alcohol level.

Mayor Spencer asked if federal authorities might be willing to take cases the county refused to charge, particularly those involving narcotics recovered during traffic stops. Director DuRose confirmed they were in communication with federal partners about this possibility, with their drug task force officer helping facilitate those connections.

Mayor Spencer also inquired about local connections to fraud investigations related to food and autism programs featured on KSTP. Director DuRose reported no known connections to the Independence area.

7. Highway 12 – Bonding Tour Stop Update.

City Administrator Mark Kaltsas provided an update on the upcoming Senate Bonding Committee visit. He reported that the committee would be making a 15-minute stop at City Hall on Thursday, October 30th at 10:35 AM as part of their metro area tour.

Kaltsas explained they would provide a brief summary of the Highway 12 project and funding needs. The visit would include refreshments, and they hoped to have strong attendance from first responders and community members. Preparation included a handout and presentation, with about 5-7 minutes allocated for the actual presentation before the committee needs to depart.

The city is requesting approximately \$20 million in state bonding funds, with MnDOT having approximately \$9 million already set aside for the project. They are also hoping to secure about \$7 million in federal funding through legislative earmarks. The total project is estimated to need \$35-50 million.

Kaltsas noted that MnDOT has not yet selected a preferred alternative for the project. While the city recommended a 4-lane alternative, Kaltsas believes MnDOT is likely to select a 3-lane alternative based on scoring criteria and funding requirements. The 4-lane option would require closer to \$45-50 million in total funding.

Representatives from Delano and Maple Plain would also attend the meeting, along with state elected officials including Mayor Emeritus Marvin Johnson and possibly Senator Limmer and Representative Kristin Robbins.

8. Open/Misc.

Mayor Spencer mentioned that the Lake Independence Citizens Association had requested payment for their completed project. The project came in under budget and ahead of schedule, with a total cost of \$6,178 (representing 20% of the total, with a maximum commitment of \$10,000 from the city). The flowage appears to be visibly improved according to the person who performed the clean-out.

City Administrator Kaltsas reported that Midco is preparing to issue a press release announcing they have extended broadband to almost the entire city, with only about 20 residents scheduled for updates next year. He noted that Midco has invested approximately \$6 million in private funds, while the city helped obtain about \$2-2.25 million in grant funding from Hennepin County and the state broadband program. Kaltsas remarked that the progress over the past three years has been "unbelievable," with residents now having multiple broadband options.

Regarding the fire merger contract discussion, Kaltsas reported they had met the previous week to review a draft contract. They are waiting for West Suburban Fire to complete their legal review before finalizing the agreement, with the goal of joint approval in November. Maple Plain has also issued a draft lease agreement for their building as part of the consolidation.

Kaltsas provided an update on the gravel roads project, reporting it was still a couple of weeks from completion but making good progress. The project includes using a special blend of Class 2 granite material, replacing numerous culverts, and performing ditch work and drainage improvements. Despite starting about a month later than planned due to weather delays, the project is expected to be substantially complete by the end of the month, with full completion anticipated by Thanksgiving.

9. Adjourn.

Motion by Betts, seconded by Fisher to adjourn the meeting at 6:54pm. Ayes: Spencer, Betts, McCoy, Grotting, Fisher. Nays: None. Absent: None. Abstain: None. Motion Approved. 5-0

City of Independence

Minor Subdivision to Permit a Rural View Lot for the Property Located at 8575 Hitsman Lane

To: City Council

From: | Mark Kaltsas, City Planner

Meeting Date: November 4, 2025

Applicant: David Kittok

Owner: David Kittok

Location: | 8575 Hitsman Lane

Request:

David Kittok (Applicant/Owner) requests that the City consider the following action for the property located at 8575 Hitsman Lane, Independence, MN (PID No. 17-118-24-24-0001):

a. A minor subdivision to allow a rural view lot subdivision. The proposed rural view lot would be 10 acres and located on the south side of Hitsman Lane.

Property/Site Information:

The subject property is located on the north and south sides of Hitsman Lane and south of Highway 12. The property has an existing house and agriculture accessory buildings located on the north side of Hitsman Lane. The property is comprised of wetlands, wooded areas and upland pasture areas throughout. The property has the following characteristics:

Property Information: 8575 Hitsman Lane

Zoning: Agriculture

Comprehensive Plan: *Agriculture* Acreage (BEFORE): 103.54 acres

Acreage (AFTER): Remainder Tract – 91.87 acres

Proposed Tract A - 11.67 acres (10.00 Acres outside of right of way)



Discussion:

The applicant approached the City about the possibility of creating a rural view lot in accordance with applicable standards. The applicant is proposing to create one (1) rural view lot in accordance with the provisions set forth in the City's Zoning Ordinance. The subject property has a total acreage of 103.54 acres including the Hitsman Lane right of way. The provisions in the Agriculture Zoning District allow one (1) rural view lot for every 40 acres of land under the same ownership. Under the current zoning standards, the subject property has the ability to realize two (2) rural view lots for a total of three (3) lots on this property.

Rural view lots must have the following characteristics:

Lot size required: between 2.5 and 10 acres

Lot size proposed: Proposed 10-acre Parcel – 10 acres*

*Note: The proposed parcel description shows a total lot area of 11.12 acres; however, 1.12 acres is Hitsman Lane right of

way.

Minimum lot frontage required: 300 LF (for property between 5-10 acres)

Minimum lot frontage proposed: ~1,450 LF (property has two sides of frontage on

Hitsman Lane

Ratio of lot frontage to lot depth required - no more than 1:4 **Ratio of lot frontage to lot depth proposed** - \sim 1:1.5 (1,000:500)

In addition to the minimum size necessary to subdivide, the ordinance requires a minimum of 2.5 acres of buildable upland, 300 LF of frontage on a right of way and no greater than a 1:4 ratio of lot frontage to lot depth for each rural view lot. Based on the proposed subdivision, the rural view lot would have approximately 6.5 acres of useable upland and approximately 1,450 LF of frontage on Hitsman Lane.

The proposed subdivision would produce a 10-acre rural view lot. The applicant is proposing to split off a portion of the property that is not currently utilized for agriculture production due to the topography and existing vegetation. There are several wetland areas located on the north and east sides of the property. Any proposed home on the property would likely have access onto the east/west portion of Hitsman Lane. The lot is generally configured in a manner that worked with the existing conditions of the property (contours, vegetation, wetlands, etc.). The proposed lot configuration provided appears to align well with the existing property conditions and adjacent lots.

The remainder of the property (Remainder tract) is comprised of approximately 91.87 acres and will have one principal rural view lot building entitlement remaining. The existing house and accessory buildings are all located on the south side of Hitsman Lane and will not be impacted as a result of the proposed subdivision.

The city has not yet received an on-site septic report verifying that the proposed 10-acre parcel can accommodate a primary and secondary on-site septic system. The applicant will also need to revise the exhibit to show the requisite permitter drainage and utility easements and provide the legal descriptions.

The newly created 10-acre Tract will be required to pay the City's requisite Park Dedication fee. For this property the requirement is \$7,250.00. This fee will need to be paid prior to recording the subdivision.

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

The city should note the following:

- The applicant will be required to provide the full perimeter drainage and utility easements for both the proposed 10-acre Tract and Remainder Tract.
- The applicant will be required to submit verification of a primary and secondary on-site septic location for the prosed 10-acre Tract prior to City Council consideration of the requested minor subdivision.
- The city will address the property once approved.

The proposed rural view lot subdivision appears to meet all applicable standards of the city. The proposed subdivision is in keeping with the character of the surrounding area and maintains a larger agricultural property that could realize one (1) additional rural view lot in the future.

Neighbor Comments:

The City has received many inquiries from surrounding property owners requesting information about the proposed subdivision. The city has sent out or made available the proposed subdivision exhibit.

Planning Commission Discussion:

Commissioners reviewed the request and asked questions of staff and the applicant.

Commissioners clarified that the property being created was only 10.00 acres with the additional acreage being part of the right of way. Commissioners asked about the exception property, and it was noted that this was a separate standalone property with a house and that it was not owned by the overall property owner. Commissioners noted that one leg of Hitsman Road could be shut off with future highway reconstruction. Commissioners found that the requested minor subdivision met all applicable requirements and recommended approval to the City Council.

Recommendation:

The Planning Commission recommended approval of the request for a rural view lot subdivision with the following findings and conditions:

- 1. The proposed rural view lot subdivision meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
- 2. City Council approval of the rural view lot subdivision is subject to the following:
 - a) The Applicant shall pay the park dedication fees in the amount of \$7,250.00, for the newly created 10-acre Tract, prior to the applicant receiving final approval to record the subdivision by the City.
 - b) The Applicant shall pay for all costs associated with the City's review of the requested minor subdivision.
 - c) The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.
 - d) The Applicant shall provide, execute and record the requisite drainage and utility and right of way easements with the county within six (6) months of approval.
 - e) The Remainder Parcel will have one (1) remaining rural view lot eligibility.

Attachments:

- 1. Application
- 2. Proposed Subdivision Exhibit (Before and After)



RESOLUTION OF THE CITY OF INDEPENDENCE HENNEPIN COUNTY, MINNESOTA

RESOLUTION NO. 25-1104-01

A RESOLUTION APPROVING A MINOR SUBDIVISION TO ALLOW A RURAL VIEW LOT SUBDIVISION FOR THE PROPERTY LOCATED AT 8575 HITSMAN LANE

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 2020 to guide the development of the community; and

WHEREAS, the City has adopted a Zoning and Subdivision Ordinance and other official controls to assist in implementing the Comprehensive Plan; and

WHEREAS, David Kittok (the "Applicant/Owner") has submitted a request for a minor subdivision for the property located on 8575 Hitsman Lane: (PID No. 17-118-24-24-0001) in the City of Independence, MN; and

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

WHEREAS, the Property is zoned AG-Agriculture; and

WHEREAS the requested minor subdivision meets all requirements, standards and specifications of the City of Independence subdivision and zoning ordinance for Agriculture Property; and

WHEREAS the City held a public hearing on October 21, 2025, to review the application for a minor subdivision, following mailed and published noticed as required by law; and

WHEREAS, the City Council has reviewed 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

David Kittok for a minor subdivision to allow a rural view lot subdivision per the City's subdivision and zoning regulations with the following conditions:

- 1. The proposed rural view lot subdivision meets all applicable conditions and restrictions stated Chapter V, Section 510, Zoning, in the City of Independence Zoning Ordinance.
- 2. City Council approval of the rural view lot subdivision is subject to the following:
 - a) The Applicant shall pay the park dedication fees in the amount of \$7,250.00, for the newly created 10-acre Parcel, prior to the applicant receiving final approval to record the subdivision by the City.
 - b) The Applicant shall pay for all costs associated with the City's review of the requested minor subdivision.
 - c) The Applicant shall provide the city with verification that the proposed 10-acre property can support a primary and secondary on-site septic system.
 - d) The Applicant shall record the subdivision and City Council Resolution with the county within six (6) months of approval.
 - e) The Applicant shall provide the legal descriptions, execute and record the requisite drainage and utility and right of way easements with the county within six (6) months of approval.
 - f) The Remainder Parcel will have one (1) remaining rural view lot eligibilities based on the current zoning ordinance.

	-	of the City of Independence on this 4	th day of
November 2025, by a vote of	ayes and	nays.	
		Brad Spencer, Mayor	
ATTEST:			

Mark Kaltsas, City Administrator

EXHIBIT A

(Legal Description of Property)

Proposed Tract A:

That part of the Northwest Quarter of Section 17, Township 118, Range 24, Hennepin County, Minnesota, described as follows:

Commencing at the northeast corner of said Northwest Quarter; thence on an assumed bearing of South 0 degrees 02 minutes 43 seconds East, along the east line of said Northwest Quarter, 1346.14 feet to the point of beginning of the land being described; thence North 58 degrees 43 minutes 56 seconds West, 896.10 feet; thence South 27 degrees 45 minutes 03 seconds West, 523.54 feet to the intersection with the center line of Hitsman Lane per the recorded plat thereof, in the office of the Hennepin County Recorder, Document No. 4064377; thence southeasterly along said center line of Hitsman Lane to the intersection with the east line of said Northwest Quarter; thence North 0 degrees 02 minutes 43 seconds West, along said east line, 412.73 feet to the point of beginning.

Subject to the right of way of Hitsman Lane, per the recorded plat thereof, in the office of the Hennepin County Recorder, Document No. 4064377.

Remnant Tract Description:

The East 122 1/2 rods of the Northwest Quarter of Section 17, Township 118, Range 24, except that part of the Northeast Quarter of the Northwest Quarter of Section 17, Township 118, Range 24, lying Northerly of the Great Northern Railroad; and also except that part described as follows:

Commencing at a point 9 1/2 rods Westerly from the dividing line between the Northeast Quarter and the Northwest Quarter of Section 17, Township 118, Range 24, in the center of the public road as now traveled; thence Southerly 16 rods; thence at right angles Westerly 20 rods; thence at right angles Northerly 16 rods; thence Easterly at right angles 20 rods to the place of beginning,

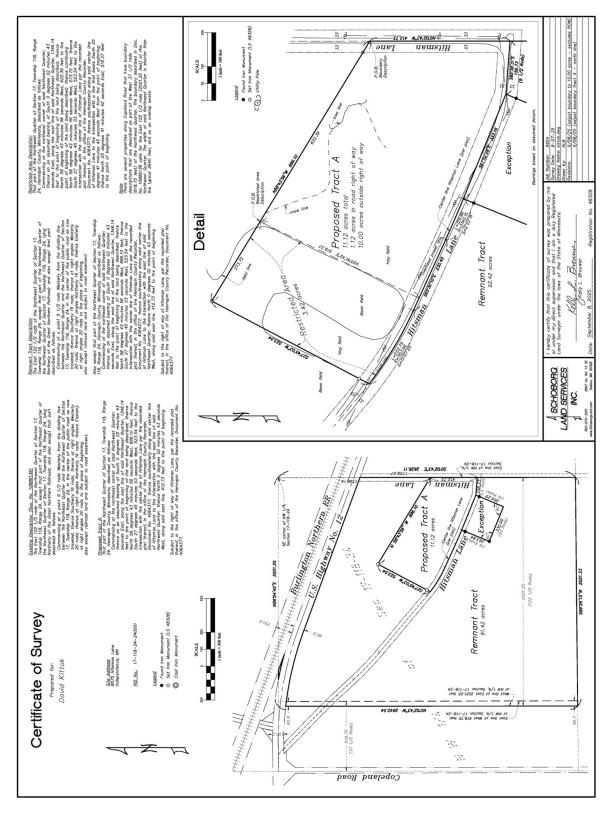
Also except railroad land and subject to road easement.

Also except that part of the Northwest Quarter of Section 17, Township 118, Range 24, Hennepin County, Minnesota, described as follows:

Commencing at the northeast corner of said Northwest Quarter; thence on an assumed bearing of South 0 degrees 02 minutes 43 seconds East, along the east line of said Northwest Quarter, 1346.14 feet to the point of beginning of the land being described; thence North 58 degrees 43 minutes 56 seconds West, 896.10 feet; thence South 27 degrees 45 minutes 03 seconds West, 523.54 feet to the intersection with the center line of Hitsman Lane per the recorded plat thereof, in the office of the Hennepin County Recorder, Document No. 4064377; thence southeasterly along said center line of Hitsman Lane to the intersection with the east line of said Northwest Quarter; thence North 0 degrees 02 minutes 43 seconds West, along said east line, 412.73 feet to the point of beginning.

Subject to the right of way of Hitsman Lane, per the recorded plat thereof, in the office of the Hennepin County Recorder, Document No. 4064377.

EXHIBIT B(Approved Site Plan)



Certificate of Survey

Prepared for: David Kittok

<u>Site Address:</u> 8575 Hitsman Lane Independence, MN

PID No.: 17-118-24-240001

<u>Legend</u>

46.7

S89°26'15"W 2021.33

- Found Iron Monument
- O Set Iron Monument (LS 48328)
- Cast Iron Monument

Existing Description (Doc. No. 10886139)

The East 122 1/2 rods of the Northwest Quarter of Section 17, Township 118, Range 24, except that part of the Northeast Quarter of the Northwest Quarter of Section 17, Township 118, Range 24, lying Northerly of the Great Northern Railroad; and also except that part

Commencing at a point 9 1/2 rods Westerly from the dividing line between the Northeast Quarter and the Northwest Quarter of Section 17, Township 118, Range 24, in the center of the public road as now traveled; thence Southerly 16 rods; thence at right angles Westerly 20 rods; thence at right angles Northerly 16 rods; thence Easterly

at right angles 20 rods to the place of beginning, also except railroad land and subject to road easement.

<u>Proposed Tract A:</u>
That part of the Northwest Quarter of Section 17, Township 118, Range 24, Hennepin County, Minnesota, described as follows:

Commencing at the northeast corner of said Northwest Quarter; thence on an assumed bearing of South 0 degrees 02 minutes 43 seconds East, along the east line of said Northwest Quarter, 1346.14 feet to the point of beginning of the land being described; thence North 58 degrees 43 minutes 56 seconds West, 896.10 feet; thence South 27 degrees 45 minutes 03 seconds West, 523.54 feet to the intersection with the center line of Hitsman Lane per the recorded plat thereof, in the office of the Hennepin County Recorder, Document No. 4064377; thence southeasterly along said center line of Hitsman Lane to the intersection with the east line of said Northwest Quarter; thence North 0 degrees 02 minutes 43 seconds West, along said east line, 412.73 feet to the point of beginning.

Subject to the right of way of Hitsman Lane, per the recorded plat thereof, in the office of the Hennepin County Recorder, Document No.

Remnant Tract Description:

The East 122 1/2 rods of the Northwest Quarter of Section 17, Township 118, Range 24, except that part of the Northeast Quarter of the Northwest Quarter of Section 17, Township 118, Range 24, lying Northerly of the Great Northern Railroad; and also except that part described as follows:

Commencing at a point 9 1/2 rods Westerly from the dividing line between the Northeast Quarter and the Northwest Quarter of Section 17, Township 118, Range 24, in the center of the public road as now traveled; thence Southerly 16 rods; thence at right angles Westerly 20 rods; thence at right angles Northerly 16 rods; thence Easterly at right angles 20 rods to the place of beginning, also except railroad land and subject to road easement.

Also except that part of the Northwest Quarter of Section 17, Township 118, Range 24, Hennepin County, Minnesota, described as follows: Commencing at the northeast corner of said Northwest Quarter; thence on an assumed bearing of South 0 degrees 02 minutes 43 seconds East, along the east line of said Northwest Quarter, 1346.14 feet to the point of beginning of the land being described; thence North 58 degrees 43 minutes 56 seconds West, 896.10 feet; thence South 27 degrees 45 minutes 03 seconds West, 523.54 feet to the intersection with the center line of Hitsman Lane per the recorded plat thereof, in the office of the Hennepin County Recorder. Document No. 4064377; thence southeasterly along said center line of Hitsman Lane to the intersection with the east line of said Northwest Quarter; thence North 0 degrees 02 minutes 43 seconds West, along said east line, 412.73 feet to the point of beginning.

Subject to the right of way of Hitsman Lane, per the recorded plat thereof, in the office of the Hennepin County Recorder, Document No.

Restricted Area Description: That part of the Northwest Quarter of Section 17, Township 118, Range

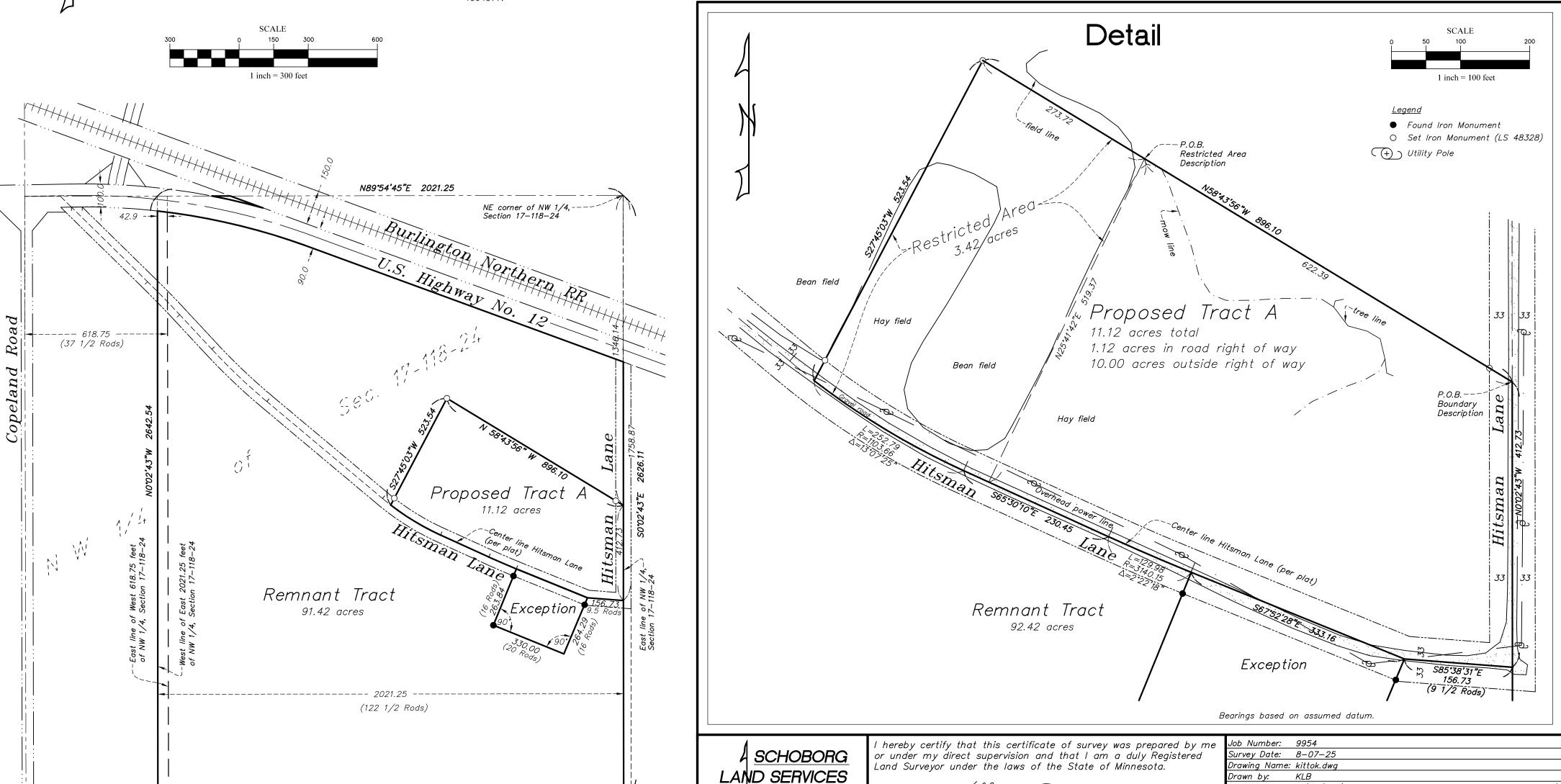
24, Hennepin County, Minnesota, described as follows: Commencing at the northeast corner of said Northwest Quarter; thence on an assumed bearing of South 0 degrees 02 minutes 43 seconds East, along the east line of said Northwest Quarter, 1346.14 feet to the point of beginning of the land being described; thence North 58 degrees 43 minutes 56 seconds West, 622.39 feet to the point of beginning of the land being described; thence continuing North 58 degrees 43 minutes 56 seconds West, 273.72 feet; thence South 27 degrees 45 minutes 03 seconds West, 523.54 feet to the intersection with the center line of Hitsman Lane per the recorded plat thereof, in the office of the Hennepin County Recorder,

Document No. 4064377; thence southeasterly along said center line of Hitsman Lane to the intersection with a line that bears South 25 degrees 41 minutes 42 seconds West from the point of beginning; thence North 25 degrees 41 minutes 42 seconds East, 519.37 feet to the point of beginning.

There are several properties along Copeland Road that have boundary descriptions that are described as part of the West 37 1/2 rods (618.75 feet) of the Northwest Quarter. The boundary described in Doc. No. 10886139 calls for the East 122 1/2 rods (2021.25 feet) of the Northwest Quarter. The width of said Northwest Quarter is shorter than the typical 2640 feet, and so an overlap exists.

9/08/25 (adjust boundary to 10.00 acres — excludes ROW,

9/08/25 (adjust boundary Tract A — north line)



INC.

8997 Co. Rd. 13 SE

Delano, MN 55328

Date: September 8, 2025

Registration No. 48328

763-972-3221

www.SchoborgLand.com

■City of Independence

Request for a Conditional Use Permit to Allow an Accessory Structure Larger than 5,000 SF on the Property located at 7646 Turner Road

To: City Council

From: | Mark Kaltsas, City Planner

Meeting Date: November 4, 2025

Applicant: | Jerrid Voss

Property Owner: | Jerrid Voss

Location: 7646 Turner Road

Request:

Jerrid Voss (Applicant/Owner) request that the City consider the following action for the property located at 7646 Turner Road, Independence, MN (PID No. 28-118-24-24-0004):

a. A conditional use permit to allow a detached accessory structure that exceeds the maximum square footage of 5,000 SF. The accessory structure would be used as a private indoor riding arena.

Property/Site Information:

The property is located on the north side of Turner Road east of the intersection of Turner Road and County Road 92 N. The property has an existing home and two additional detached accessory structures. The property is primarily comprised of open space and pasture. The property has the following characteristics:

Property Information: 7646 Turner Road

Zoning: Agriculture

Comprehensive Plan: Agriculture

Acreage: 19.48 acres



Discussion:

The applicant approached the City with plans to construct a new indoor riding arena and stable on the subject property. It was noted that the proposed 10,600 SF (8,400 SF riding arena, 2,200 SF stable) detached accessory structure would exceed the maximum square footage permitted of 5,000 without a conditional use permit. The applicant would like the City to consider granting a conditional use permit to allow the proposed 10,600 SF accessory building to be added to the property.

All accessory structures greater than 5,000 square feet require a conditional use permit

530.01 Agricultural District established.

Subd. 3. Accessory uses.

- (d) Detached agricultural storage buildings, barns, or other structures, accessory to an existing single-family dwelling and subject to the following criteria:
 - 3. The maximum square footage of any individual accessory building or structure shall be 5,000 square feet.

The proposed detached accessory building is 10,600 square feet in size. There is an existing ~2,500 SF detached accessory structure and a ~1,500 SF detached garage already on the property. For properties greater than 10 acres, there are no maximum total allowable detached accessory structure square footage limitations. The proposed building would be used for personal use as a stable and indoor riding arena. There would be no commercial use of the accessory structure permitted. The proposed detached accessory structure would be constructed using materials and colors as shown on the attached elevations and building plans. The building would be oriented so that entrance would be facing southwest.

The applicant has provided the City with a site survey, floor plan and building elevations of the proposed building.

The proposed site and buildings have the following characteristics:

Site Area: 19.48 Acres

Required Setbacks:

Front Yard: 85 feet from centerline Side Yard: 30 feet principal structure

15 feet accessory structure

Rear Yard: 40 feet

Proposed Setbacks:

Front Yard: 169 feet

Side Yard: 172 feet (east side), +300 feet (west side)

Rear Yard: N/A (500+ feet from rear property line)

The proposed detached accessory structure would meet all applicable building setbacks.

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

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

The City has visited the site and discussed the proposed detached accessory structure with the applicant. The conditional use permit would allow an accessory structure larger than 5,000 SF. The City is being asked to determine whether or not the proposed accessory structure larger than 5,000 SF would meet the criteria for granting a conditional use permit.

Additional Notes/Considerations:

- The applicant is proposing to construct a detached accessory structure to provide stables and an indoor riding arena for personal use.
- The applicants live on the subject property.
- The applicant has not submitted any information pertaining to building lighting. All building lighting will need to comply with the City's lighting standards. The City typically reviews building lighting during the building permit review process.

 No additional building screening is proposed by the applicant. The proposed building is located in a part of the city where stables and larger accessory structures are commonly found. The proposed building would be located approximately 150 feet from Turner Road. Staff will be seeking additional direction from Planning Commission related to the building screening and possible mitigation measures.

The applicant has prepared a site plan and building plans for the proposed site improvements. The City will want the applicant to submit a grading and drainage plan with the building permit to ensure runoff from the building is adequately routed and or mitigated prior to exiting the property.

The following conditions should be considered:

- 1. The conditional use permit will be reviewed annually by the City to ensure conformance with the conditions set forth in the resolution.
- 2. The applicant shall provide a proposed grading and drainage plan for review by the City.
- The applicant shall provide the City with information and details pertaining to any and all building and site lighting. All lighting will be required to comply with the City's applicable lighting standards.
- 4. No commercial use of the proposed detached accessory structure shall be permitted.
- 5. No future expansion of the detached accessory structure shall be permitted without the further review and approval by the City through the conditional use permit amendment process.

Neighbor Comments:

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

Planning Commission Discussion:

Commissioners reviewed the request and asked questions of staff and the applicant. Commissioners discussed the use of the proposed barn and riding arena and confirmed that it only for the private use by the owners. The owners confirmed that this would be used only by them. Commissioners asked about the total number of animals permitted and the applicant responded by saying that they currently had 4 horses with no plans for more at this time. Commissioners discussed the lighting and landscaping and asked the applicant if they could provide a landscape plan. The applicants have submitted a preliminary landscape plan and noted that they are planning to add more trees to the property once the building is constructed. Commissioners recommended approval of the conditional use permit to the City Council.

Recommendation:

The Planning Commission recommended approval to the City Council of the request for a conditional use permit with the following findings and conditions:

- 1. The proposed conditional use permit request meets all applicable conditions and restrictions stated in 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 the resolution.
- 3. The applicant shall provide a proposed grading and drainage plan for review by the City.
- 4. The applicant shall provide the City with information and details pertaining to any and all building and site lighting. All lighting will be required to comply with the City's applicable lighting standards.
- 5. No commercial use of the proposed detached accessory structure shall be permitted including renting or boarding animals not owned by the property owner.
- 6. No future expansion of the detached accessory structure shall be permitted without the further review and approval by the City through the conditional use permit amendment process.
- 7. The applicant shall be required to install all landscaping in accordance with the attached landscape plan.
- 8. The applicant shall pay for all costs associated with reviewing the application and recording the resolution.

Attachments:

- 1. Application
- 2. Site Survey
- 3. Building Floor Plan
- 4. Building Elevations



RESOLUTION OF THE CITY OF INDEPENDENCE HENNEPIN COUNTY, MINNESOTA

RESOLUTION NO. 25-1104-02

A RESOLUTION GRANTING APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW A DETACHED ACCESSORY STRUCTURE LARGER THAN 5,000 SQUARE FEET ON THE PROPERTY LOCATED AT 7475 COUNTY ROAD 11

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 2020 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, Jerrid Voss (the "Applicant/Owner") submitted a request for a Conditional Use Permit to allow a detached accessory structure larger than 5,000 square feet on the property located 7646 Turner Road and identified by (PID No. 28-118-24-24-0004) (the "Property"); and;

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

WHEREAS, the approved site plan is further depicted on Exhibit B attached hereto; and

WHEREAS, the Property is zoned AG-Agriculture; 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 October 21, 2025 to review the application for the Conditional Use Permit, following mailed and published noticed as required by law; and

WHEREAS, the City Council has reviewed all materials submitted by the Applicant; considered the oral and written testimony offered by the applicant and all interested parties; and

Fax: 763.479.0528

has now concluded that the application is in compliance with all applicable standards and can be considered for approval; and

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 Jerrid Voss for a Conditional Use Permit to allow a detached accessory structure larger than 5,000 square feet to be constructed on the subject property per the City's zoning regulations with the following 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 applicant shall provide a proposed grading and drainage plan for review by the City.
- 3. The applicant shall provide the City with information and details pertaining to any and all building and site lighting. All lighting will be required to comply with the City's applicable lighting standards.
- 4. The applicant shall be required to install all landscaping in accordance with the landscape plan attached hereto as **Exhibit B**.
- 5. 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. All improvements shall be in accordance with the approved plans attached hereto as **Exhibit C**.
 - c. No commercial use of the proposed detached accessory structure shall be permitted, including renting or boarding animals not owned by the property owner.
 - d. No future expansion of the proposed detached accessory structure shall be permitted on the property without the further review and approval by the City through the conditional use permit amendment process.
- 6. The applicant shall pay for all costs associated with the review and recording of the resolution for a conditional use permit.
- 7. The applicant shall record the City Council Resolution with the county within six (6) months of approval.

This resolution was adopted by the City Council of the November 2025, by a vote ofayes andnays	
	Brad Spencer, Mayor
ATTEST:	
Mark Kaltsas, City Administrator	_

EXHIBIT A

(Legal Description)

That part of the Southeast 1/4 of the Northwest 1/4 of Section 28, Township 118, Range 24, Hennepin County, Minnesota described as follows: Beginning at the southeast corner of said Southeast 1/4 of the Northwest 1/4; thence on an assumed bearing West along the South line of said Southeast 1/4 of Northwest 1/4 a distance of 1304.80 feet to the southwest corner of said Southeast 1/4 of the Northwest 1/4; thence North 0 degrees 25 minutes 10 seconds East along the west line of said Southeast 1/4 of the Northwest 1/4 a distance of 1052 feet to the center line of Pioneer Creek; thence North 78 degrees 51 minutes 10 seconds East along said center line a distance of 194.53; thence North 81 degrees 47 minutes 58 seconds East along said center line a distance of 769.84 feet; thence North 78 degrees 59 minutes East along said center line a distance of 162.44 feet to the east line of said Southeast 1/4 of Northwest 1/4; thence South 0 degrees 27 minutes 20 seconds West a distance of 1275.00 feet to the point of beginning. Except the West 580 feet of said Southeast 1/4 of Northwest 1/4, Hennepin County, Minnesota.

EXHIBIT B

(Landscape Plan)

SHEET: #LayNoinSubget

DATE: 10/28/2025

DEGICH NUMBER: 28-0" X 180-0" X 10-0" STALL BARN BUILDING DEGCRIPTION: 70-0" X 120-0" X 14-0" ARENA

PROJECT VAME: VOSS EQUESTNIAN PROJECT LOCATION: 7646 Turnêr RA. Independance MV 55357 592 Industrial Drive sted, Minnesota 55395





© ALL FRANNSS AND CONTENT COPYRIGHT RAM GENERAL CONTRACTING NG.
CALL RAM SENERAL CONTENT COPYRIGHT RAM GENERAL CONTRACTING NG.
NAMINARIES REPRESALUATION OF THESE FLANS IS NO NOATION OF THEREPREALUATION.

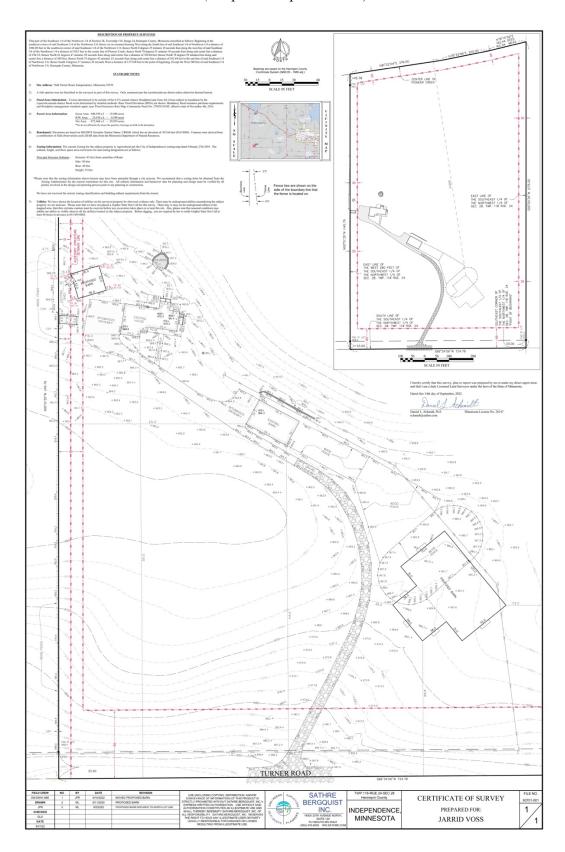
1" = 50'

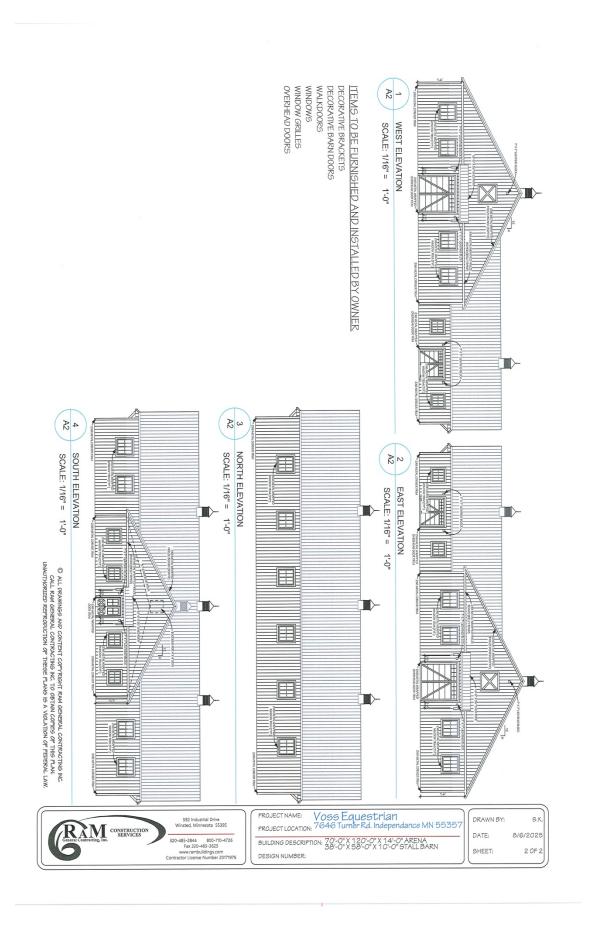
■ LANDSCAPE ROCK (1,480 SQ. FT.)

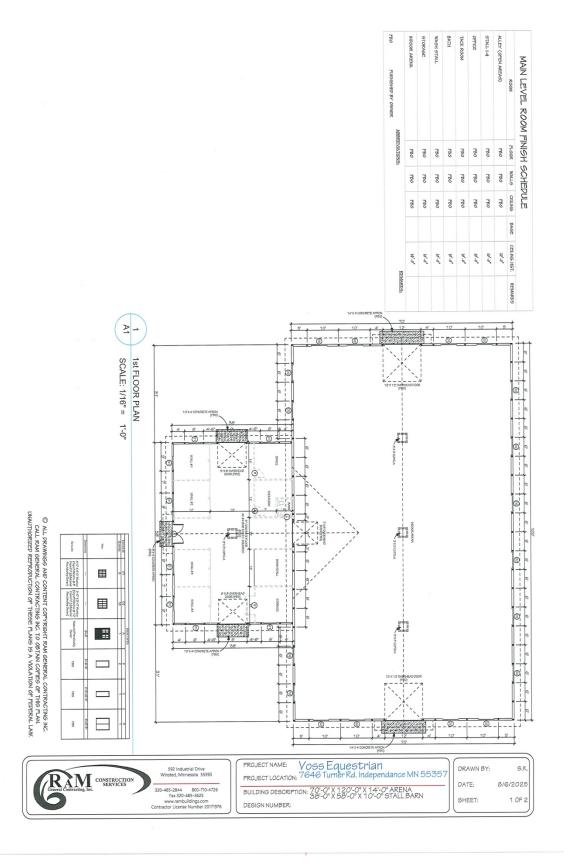
図 STONE STOOP (32 SQ. FT.)

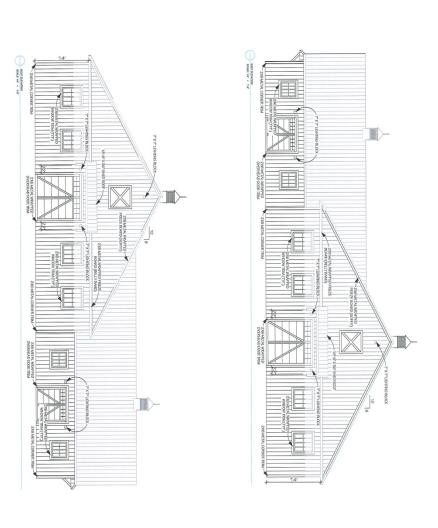
□ CONCRETE (192 SQ. FT.)

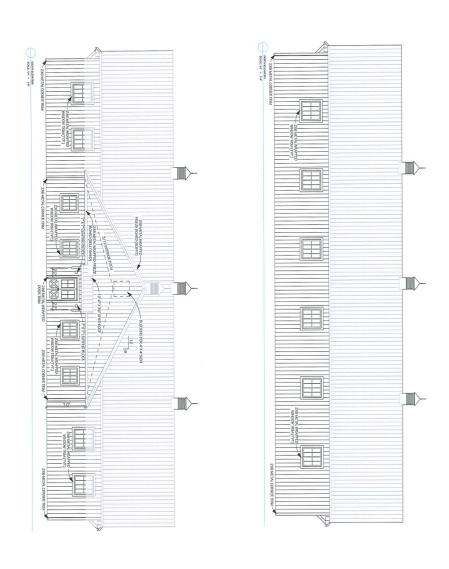
<u>EXHIBIT C</u> (Proposed Improvements)

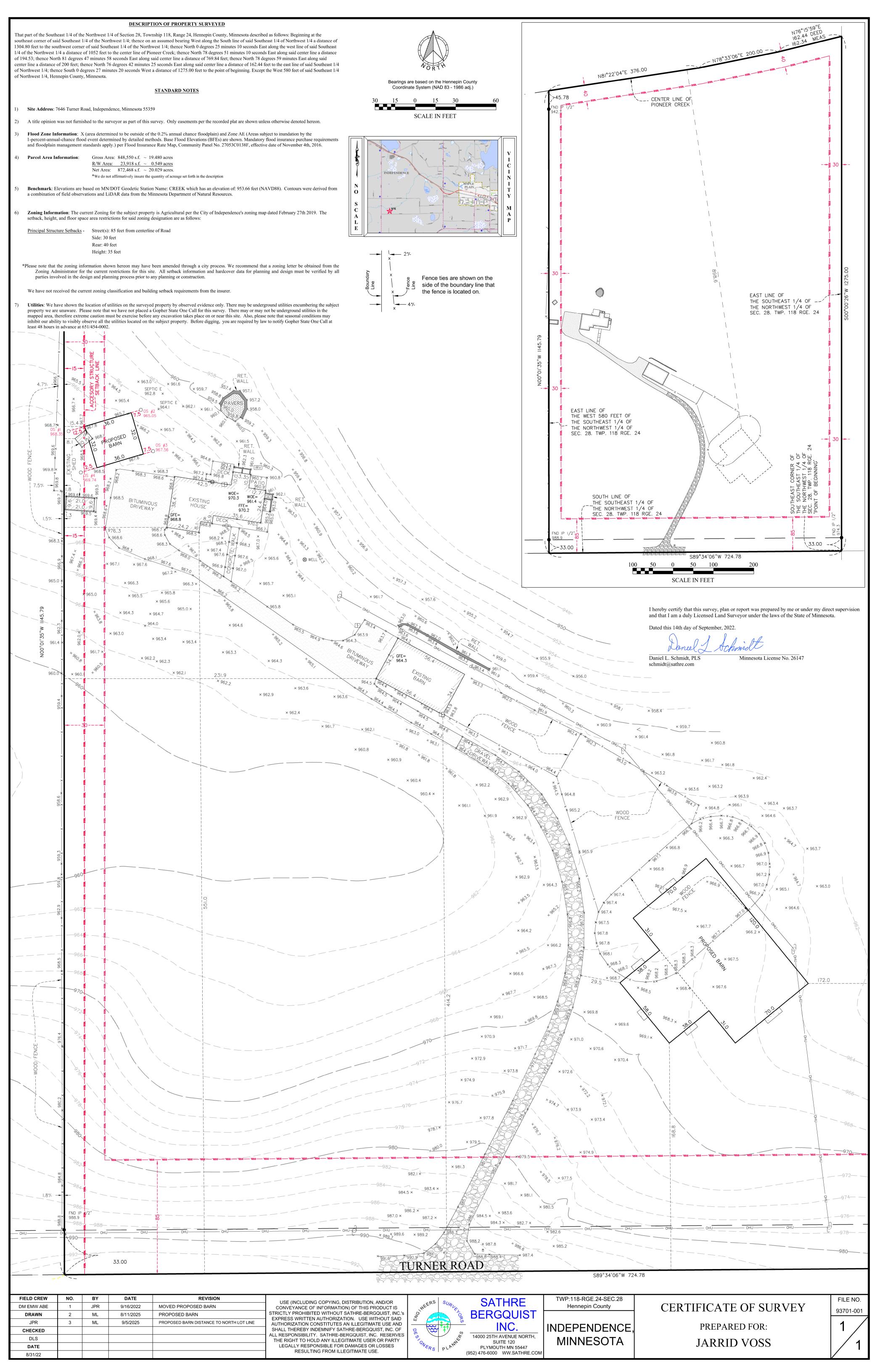


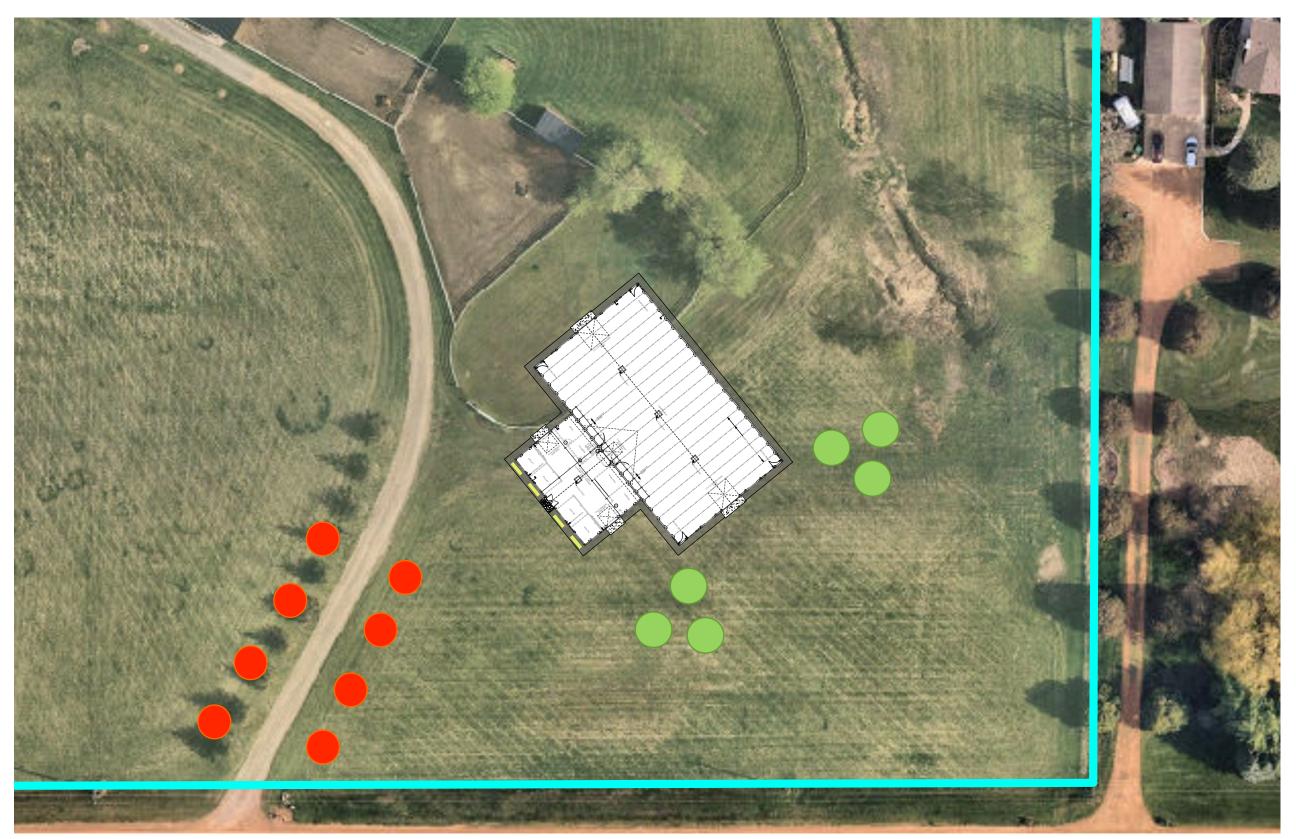












AUTUMN BLAZE MAPLE TREES PRAIRIE GRASS

TREES, VARIETY TBD

LANDSCAPE ROCK (1,480 SQ. FT.)

STONE STOOP (32 SQ. FT.)

CONCRETE (192 SQ. FT.)

 $\ensuremath{\mathbb{C}}$ ALL DRAWINGS AND CONTENT COPYRIGHT RAM GENERAL CONTRACTING INC. CALL RAM GENERAL CONTRACTING INC. TO OBTAIN COPIES OF THIS PLAN. UNAUTHORIZED REPRODUCTION OF THESE PLANS IS A VIOLATION OF FEDERAL LAW.

RAME CONSTRUCTION SERVICES

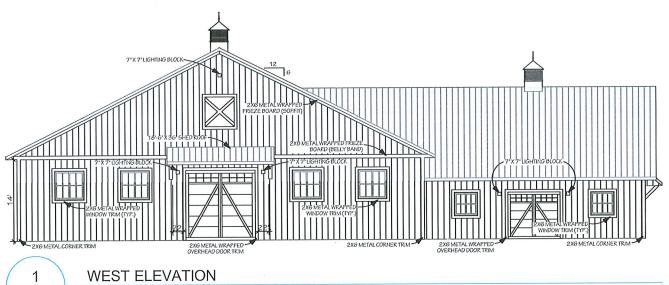
1" = 50'

Voss Equestrian 7646 Turner Rd. Independance MN 55357 BUILDING DESCRIPTION: 70'-0" X 120'-0" X 14'-0" ARENA 38'-0" X 58'-0" X 10'-0" STALL BARN

10/28/2025

DATE:

DRAWN BY:

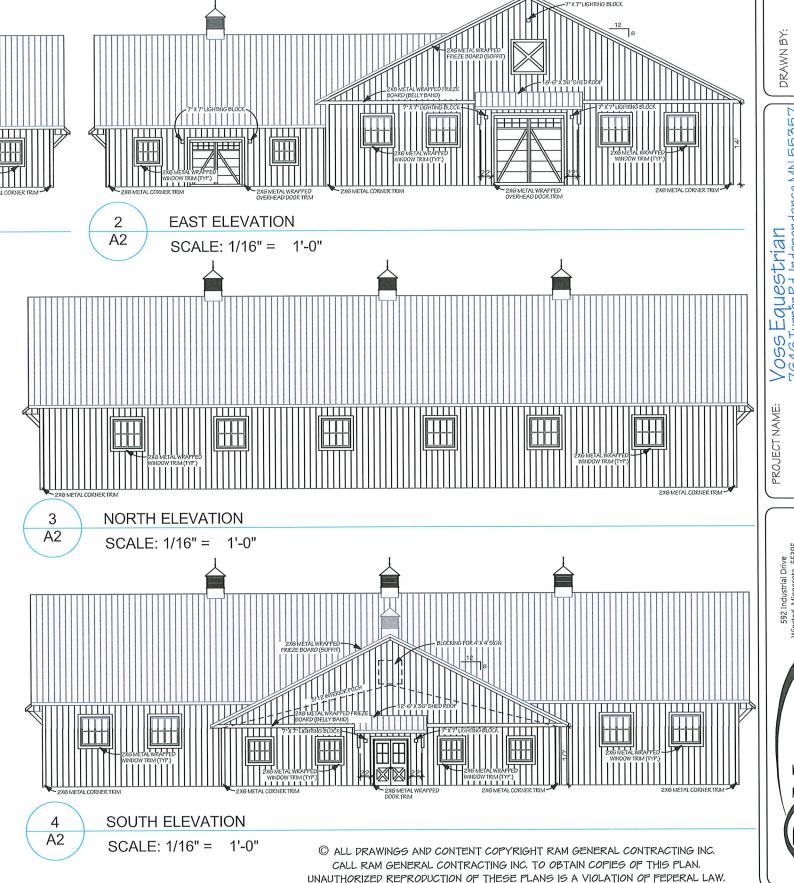


ITEMS TO BE FURNISHED AND INSTALLED BY OWNER

DECORATIVE BRACKETS
DECORATIVE BARN DOORS
WALKDOORS
WINDOWS
WINDOW GRILLES
OVERHEAD DOORS

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

A2



Voss Equestrian 7646 Turner Rd. Independance MN 55357 BUILDING DESCRIPTION: 70'-0" X 120'-0" X 14'-0" ARENA 38'-0" X 58'-0" X 10'-0" STALL BARN PROJECT LOCATION:

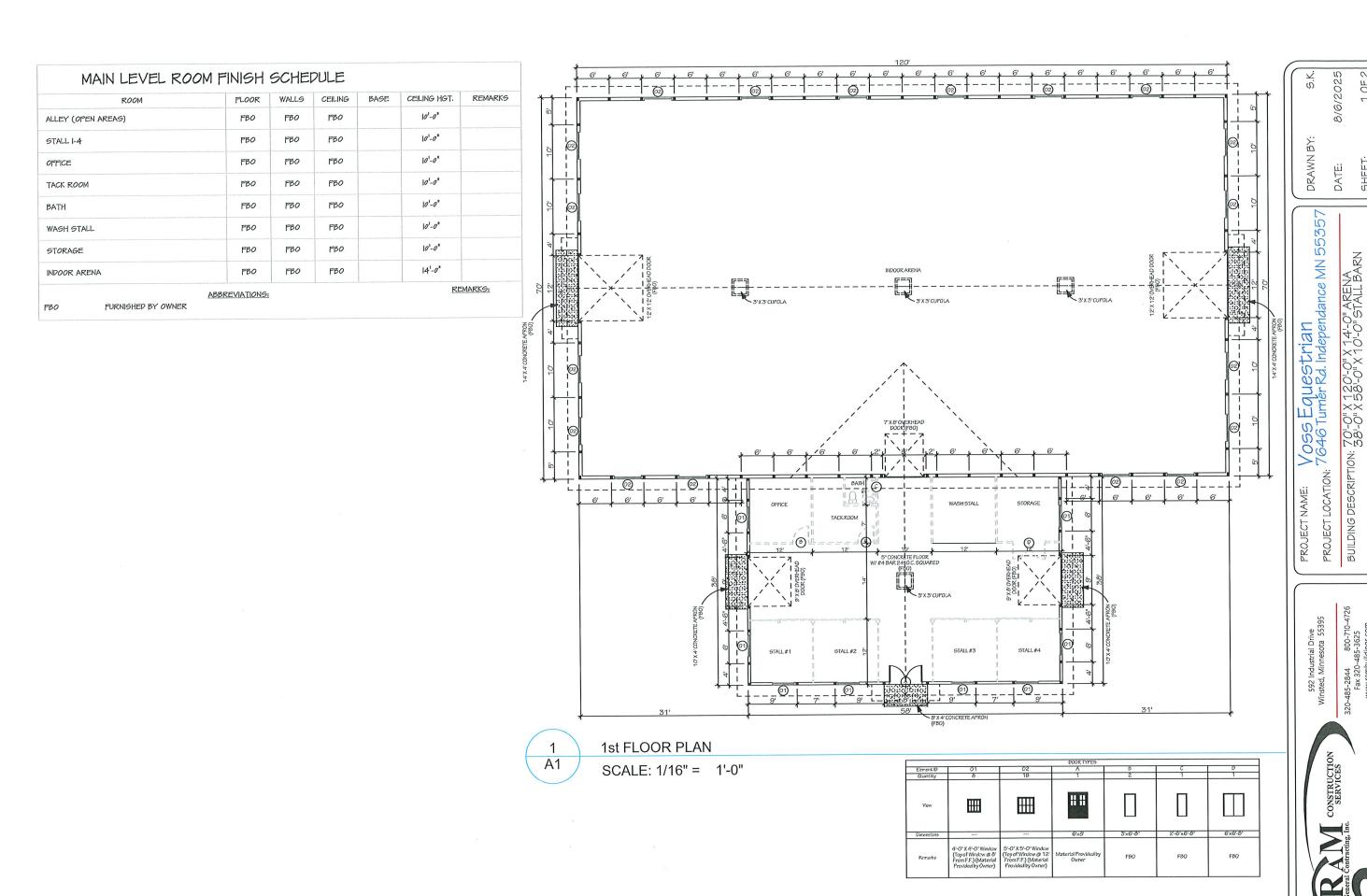
CONSTRUCTION SERVICES ntracting, Inc.

DESIGN NUMBER:

2 0F 2

8/6/2025

DATE:



© ALL DRAWINGS AND CONTENT COPYRIGHT RAM GENERAL CONTRACTING INC. CALL RAM GENERAL CONTRACTING INC. TO OBTAIN COPIES OF THIS PLAN. UNAUTHORIZED REPRODUCTION OF THESE PLANS IS A VIOLATION OF FEDERAL LAW. 0F2

SHEET:

DESIGN NUMBER:

